HOUSE OF REPRESENTATIVES

MONDAY, JUNE 6, 1938

The House met at 12 o'clock noon.

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

O Lord, our Lord and our Redeemer, Thou who art the strength of our life and the hope of our salvation, hear our prayer for Thy name's sake. Let Thy spirit inspire our words at the threshold of our lips. Heavenly Father, we pray for listening minds and hearts. May we know the truth and it shall make us free, rejoicing our hearts and quickening our footsteps on errands of patriotic service. We earnestly entreat Thee that we may be able to push through the strata of human differences until wise conclusions shall stand in the revealing lights of wisdom and justice. Grant that cooperation may prevail throughout our country, and may not ill will stain the calendar of our history. Lead men to the altar of devotion, where they may seek Thee and become true friends of man. As there are only two abiding realities in the universe, God and the human soul, let us hear Thy calling voice. Almighty God, mark these days with Thy merciful blessings upon our President, our Speaker, and the Congress, and Thine shall be the praise. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, June 3, 1938, was read and approved.

MESSAGE FROM THE SENATE

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

H. J. Res. 679. Joint resolution making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public-works projects. The message also announced that the Senate insists upon its amendments to the foregoing joint resolution, requests a conference with the House thereon, and appoints Mr. ADAMS, Mr. MCKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. HALE, and Mr. TOWNSEND to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9721) entitled "An act authorizing the disbursement of funds appropriated for compensation of help for care of material, animals, armament, and equipment in the hands of the National Guard of the several States, Territories, and the District of Columbia, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON of Colorado, Mr. LUNDEEN, and Mr. LODGE to be the conferees on the part of the Senate.

EMERGENCY RELIEF AND PUBLIC BUILDING BILL

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 679, making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public-works projects, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference requested by the Senate.

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

Mr. FORD of Mississippi. Mr. Speaker, reserving the right to object, and I shall not object, may I call the attention of the membership of the House to the importance of the Senate amendment No. 74, which appropriates $212,000,000 for parity payments to farmers producing cotton, corn, wheat, tobacco, and rice. The price of agricultural products have declined so much in the last 30 days until all of the farmers of America will be on relief unless we appropriate sufficient money to pay them parity as provided by the 1938 Agricultural Act. The $212,000,000 appropriated by the Senate amendment is insufficient to provide full parity but it is a start in the right direction. It is the first time we have had a real opportunity to help the farmer offset the burdens imposed upon him by high tariffs. Mr. Speaker, I rise to ask the gentleman from Colorado if he and the other conferees will not insist on increasing the amount sufficient to insure full parity to all farmers and if he will give us an opportunity for a separate vote when the conference report is submitted.

Mr. TABER. Will the gentleman yield?

Mr. FORD of Mississippi. I yield to the gentleman.

Mr. TABER. Under the rules of the House, as I understand, we would have to bring that back for a separate vote unless the Senate receded.

Mr. WOODRUM. That is correct.

Mr. FORD of Mississippi. That is my impression of the provision of the rules of the House, but I hope the gentleman and the other conferees will not insist on the Senate receding, but that you will insist on increasing the amount to insure all farmers parity for their agricultural products.

Mr. Speaker, I withdraw my reservation of objections.

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

There was no objection, and the Chair appointed the following conferees: Messrs. TAYLOR of Colorado, WOODRUM, BOYLAN of New York, CANNON of Missouri, LUDLOW, SNYDER of Pennsylvania, TABER, BACON, and WIGGLESWORTH.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two different subjects and to include therein a tabulated statement prepared by the Works Progress Administration.

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

There was no objection.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the president of the National Association of Wool Manufacturers.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

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

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

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I have asked for unanimous consent to address the House at this time for the purpose of calling attention of the Members of Congress to the administration by the Department of Agriculture of the crop-insurance title of the Agricultural Adjustment Act of 1938.

I am advised that the Department of Agriculture has issued a regulation which provides that all wheat farmers who expect to take out crop insurance under the act after next fall—in order to have such insurance—will be compelled to comply with other features of the act.

In other words, after the 1939 crop is harvested, wheat farmers must agree to come under the soil-conservation requirements or crop-control provisions of the 1938 Agricultural Act if they expect to receive the benefits of Federal crop insurance for 1940.

I am not, for the moment, discussing the 1938 Agricultural Act as such, but do think it is unfair for the Department of Agriculture to provide and promulgate regulations and interpretations that will require wheat farmers to comply with other features of the 1938 Agricultural Act, in order to have Federal crop insurance. I do not believe such a thing was contemplated by this Congress. If the sponsors of this bill had expected that farmers were to be required to come under the compulsory features of the act in order to have Federal crop insurance, it should have been definitely stated in the bill.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The Senate passed a crop-insurance bill before the agricultural act was considered in the House or Senate. This same crop-insurance bill, with minor amendments, was recommended by the House Committee on Agriculture. After the agricultural bill passed the House and was sent to the Senate, the Senate attached the crop-insurance bill as a separate title to the Agricultural Act. It was afterward approved by the conference committee of both Houses.

The conference report was approved by both Houses. The crop-insurance title of the Agricultural Act was not debated on the floor of the House. I do not believe the Members of Congress, in voting upon the conference report, expected the crop-insurance title to be controlled or affected by any other provisions of the Agricultural Act.

The problem of crop insurance has been before Congress for some time. It has been advocated by a number of farm organizations, especially the National Grange. Even though it may be an experiment, it should be tried. I believe, as a matter of right, that every farmer who wants to take out Federal crop insurance should be permitted to do so, whether or not he participates in other features of the agricultural act.

Crop insurance does not affect the Nation's supply or demand, or surplus or shortage of crops. No farmer should be denied a right to take such Federal crop insurance if he is otherwise qualified—just because he does not choose to join a compulsory or reduction farm program.

EXTENSION OF REMARKS

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief statement concerning conservation of our public domain.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent that on Wednesday next, after disposition of business on the Speaker's table and at the conclusion of the legislative business in order for the day, I may be permitted to address the House for 8 minutes.

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

There was no objection.

EXTENSION OF REMARKS

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

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

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

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

There was no objection.

Mr. BIGELOW. Mr. Speaker, there are weeks in dry summers when not a drop of water goes over the dams in the Ohio River. The river is a stagnant pool. The Ohio cities dump their excrement into these pools. The boats that ply back and forth stir this pollution up and the people drink it.

A bill to make a start to deal with this nauseating situation has been lying in a conference committee of our two Houses for 10 months.

I appeal for action before the adjournment of this Congress. I appeal to the Democratic floor leader of the other body, so many of whose people have to drink this water. I appeal to the Ohio Senators. I appeal to the leadership of this body. I appeal to a great New York physician who is one of the conferees from the other body.

Cincinnati needs stream purification more even than she needs flood control.

I appeal to the conferees to report out this week some bill to make a start with this legislation and leave to a later time the consideration of perfecting amendments.

Mr. FLETCHER. Mr. Speaker, I ask unanimous consent that on Wednesday next after the disposition of matters on the Speaker's table and at the conclusion of the legislative program in order for the day I may be permitted to address the House for 10 minutes.

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

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program of the day and following any special orders heretofore entered I may be permitted to address the House for not to exceed 5 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. TEIGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a brief article by W. O. Skeels, entitled "What Ails the World."

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

There was no objection.

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

The SPEAKER. The gentleman already has that permission.

PERMISSION TO ADDRESS THE HOUSE

Mr. HILL. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders previously entered, I may be permitted to address the House for 15 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address delivered by L. J. Taber, master of the National Grange, at a conference here in Washington.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that this afternoon, following the special order just entered in behalf of the gentleman from Michigan [Mr. CRAWFORD], I may be permitted to address the House for 3 minutes.

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

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that at the conclusion of the remarks of the gentleman from Washington [Mr. HILL], on tomorrow, I may be permitted to address the House for 10 minutes.

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

There was no objection.

AN URGENT NEED OF AMERICA—AN INSTITUTE OF APPLIED BIOLOGY

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

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

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, Ray Tucker, national affairs columnist, correctly appraises the President's program when he states that it "begins and ends on the theme of proper use of American land and water." Much, however, hinges on the word "proper." Who is qualified to judge the propriety of this or that use?

We cannot increase the inanimate resources of the country. We can only develop new uses for them and less wasteful methods of utilization. The efficient transformation of water power into electricity has vastly extended the use of this great natural resource, and, therefore, no one can deny that it is a proper use of water unless, in order to utilize it, we destroy or deface other valuable resources.

The procreative power of living things presents a field through which vast new wealth can be created out of unused resources. It is the only medium through which many otherwise inaccessible materials can be converted into forms available to the human population.

We hear much learned discussion of the relative values of pure science and so-called practical science. Pure science needs no defense; it is fundamental. Yet pure science can be of no service to the vast majority of the human race until it is translated into applied science. In most fields of science practical applications set the pace for, or at least keep pace with, advances in theoretical research. Yet, in the biological sciences, except perhaps in the medical fields, the great bulk of the publications appearing daily present the results of theoretical work. Why do not the practical applications of biology keep pace with the rapid advances in theoretical biology?

It has become my privilege to discuss this question from time to time with two men of acquaintance, one of whom is a recognized leader in his chosen field of biological science, and, I am proud to say, one of my constituents. They are both practical-minded and have analyzed the situation very carefully and critically.

It would seem beyond question that the utilization of theoretical biological knowledge by the American people will be advanced incalculably by the creation of an institute of applied biology, and that great and irreparable loss will be inevitable during the next generation if such an organization is not brought into being. After going over their documents and plans carefully, I am convinced that nothing short of their complete proposal is commensurate with the needs and opportunities of America. Enormous sums of money which would otherwise be wasted in futile attempts to modify Nature will be saved or directed into useful and productive channels if such an institution is created.

In our discussions here of various national issues, such as crop control, rural resettlement, soil conservation, reforestation, and so forth, not one word has been said about the need for attacking these problems at the source by seeking the basic biological knowledge underlying the proper use of land and water. This, it seems to me, is a serious gap in the national program, which must be filled before permanent solution of these great yet subordinate problems can be hoped for. I feel, therefore, that I would be negligent in my duty to the American people did I not lay this matter before them in the hope that there are men in this country of broad enough vision to recognize its value and start the machinery to bring this institution into being.

At present the workers in the diverse fields of biology are scattered throughout the Nation, mostly at universities and in Government and State bureaus. Thus cooperation between these workers is difficult, and integration of their work all but impossible. The purpose of this proposal is to bring together, in a closely knit organization, scientists representing all branches of the great science of biology, both theoretical and applied; with research as the sole object instead of its being secondary to teaching as is, of necessity, the case in educational institutions, or subordinate to political expediency as is often the case in politically controlled organizations. Furthermore, the plan and organization of an educational institution precludes the possibility of its keeping under complete control and constant supervision the large areas of land and water required to be so managed in order to achieve the practical results so vital to our national welfare.

It is my firm conviction that if an organization such as the one planned had been in existence in time, what we know as the Dust Bowl would still be a great grazing area; man-caused soil erosion would have been largely prevented; and flood control would have been developed sooner and at less expense.

It is now my privilege to read a few pertinent passages from a statement of the need for and purposes of the proposed Institute of Applied Biology. The authors of this statement are Percy Viosca, Jr., and Osborn F-R. Bruce, consulting research biologists, who maintain an office at 517 Decatur Street, New Orleans, La.:

There is not a single institution in the entire world created for the purpose of organizing, conducting, and coordinating biological research over the entire field; and of integrating and synthesizing the facts and principles developed and applying them to the physiological and social betterment of the human race and to the problems of conservation and rehabilitation, stabilization of natural resource industries, and the development of new resources, new industries, and new uses for areas of land and water.

Such a program, to be successful, must be carried on by an institution in which specialists are united into an integral organization, the administration of which rests on the fundamental of coordinated cooperation.

The Institute of Applied Biology has been planned as a cooperative research institution whose governance and work will be in the hands of representatives of the major scientific disciplines, both theoretical and applied.

The purposes of the institute will be to investigate the manifold interrelationships of living organisms, including the human species, and their individual and group reactions to physiological and ecological influences; to study the laws governing these reactions; and to apply the knowledge gained for the benefit of mankind. In carrying out this program, man must be considered in his relation to all other species—to the entire complexity of ecological communities; not as a separate entity.

The institute will avoid duplication of basic research done elsewhere except when necessary for confirmation purposes. Both scattered research and that conducted by the institute will be coordinated, progressively synthesized, and translated into applied science.

In order to develop the husbandry of biotic resources to its fullest extent—make possible their effective conservation, adequate development, efficient management, and proper utilization—more must be learned about the habits, functions, and adaptations of animals and plants; a more thorough understanding must be acquired of their environmental relationships, their cycles of abundance and paucity, and the permissible "take" without danger of depletion. Such knowledge can be gained only through extensive research, which must include quantitative studies made in the field as well as under simulated natural conditions.

The husbandry of aquatic and amphibious forms of life in particular lags far behind that of land crops and domestic animals. Many species could be better utilized by mankind if their ecological predilections and community relationships were scientifically interpreted. Practical systems of management are lacking, and improved cultural varieties have been developed in relatively few species.

Nothing has been emphasized more pointedly by the depression than that guesswork must be taken out of farming. This statement applies with equal force to the husbandry of all living natural resources. Each acre must be devoted to the product for which it is best suited, whether that be an agricultural or horticultural crop, a forest, a fur-bearing animal, a species of bird, fish, or other organisms.

The wiping out of useful and beautiful natural products by deforestation, unnecessary drainage, and other detrimental procedures, their ruthless destruction in pursuit of gain and sport, and the depredations committed by self-styled Nature lovers have become Nation-wide. In many cases depletion has passed the danger point and still continues unchecked. The relatively recent attempts at conservation and restoration, on the other hand, have in most cases failed to make up the losses, the trouble being that we are groping in the dark. Even when the biological requirements of species have been given some consideration in formulating conservation laws, the results have not always been gratifying. History has shown that it is usually impossible to legislate vanishing species back to abundance.

Unless scientifically planned and adequate means for acquiring the knowledge necessary for perpetuating them is developed in the near future, many important species will disappear, as others have disappeared, or will become so scarce that they will no longer be available to science or commerce.

Conservation of the residue of a depleted species is not enough. We must create conditions favorable to each species or group of importance to man, preferably conditions which, under man's dominance, will be even more favorable than those that existed in the primitive state. Attempts to restock depleted areas without restoration or improvement of the habitat are wasted effort and money. Effective rehabilitation must be based upon just such knowledge as it will be the purpose of this institution to acquire.

For most species controlled management is the only answer to future economic utilization. It seems inevitable that in most instances wildlife will have to be raised on privately controlled areas. Each species being a law unto itself, the most practical method of culture can be determined only by large-scale experimentation with each separate species.

We know comparatively little about aquiculture and the food chains involved therein. American fish culture is cited as an example of a highly developed cultural procedure which has failed to produce economical results in terms of fish taken by anglers. With a few exceptions, our fish-culture stations are producing fry, not fishes; numbers, not pounds. Environmental factors are little understood and often less heeded in fish-stocking policies. We lack the fundamental knowledge necessary to produce fish crops that can be measured in pounds per acre per year, the only criterion of a successful step in rehabilitation. We must learn more of the proper usage of fertilizer elements in the control of food chains and of the other factors that constitute the key to successful fish husbandry. This whole field is calling for investigation and integration.

The Institute of Applied Biology will be the first organization with all the equipment of man and material needed for solving a vast number of significant problems connected with the application of the science of biology to the development of our economic and social welfare.

EXTENSION OF REMARKS

Mr. DREW of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a radio address I delivered on Friday evening.

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

There was no objection.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech by the Postmaster General.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MASON. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of legislative business of the day and following special orders heretofore entered, I may be permitted to address the House for 10 minutes on Uncle Sam's responsibility for education.

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

There was no objection.

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

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

There was no objection.

Mr. SNELL. Mr. Speaker, a great many times in debate during the last 2 or 3 years members of the majority have risen to ask if we wanted to return to the economic conditions of 1932 and 1933. I wish to call attention to a short article I took from the Wall Street Journal of June 4:

BARRON'S BUSINESS INDEX AT NEW LOW

Physical volume of business in week ended May 28 declined to 52.5 percent of normal from 52.9 percent in the preceding week, according to Barron's index. This compares with 87.6 percent a year ago, and the index is now back to the level of the spring of 1933.

Notwithstanding the fact you have spent $50,000,000,000 of the taxpayers' money and have increased the national debt nearly $20,000,000,000 in your merry-go-round expenditures, you are right back where you started in 1933. Notwithstanding the fact that you call 1933 the Black Friday of all times, as far as economic conditions are concerned; nevertheless, with all of your power, with all of the money you have spent in pump priming, you are back just where you started. It is a pretty sad record, and the people of the country are beginning to wake up to the situation.

Mr. FLETCHER. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds.

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

Mr. FLETCHER. Mr. Speaker, in reply to the rather gloomy predictions of the gentleman from New York, the distinguished minority leader [Mr. SNELL], and in reply to other gloomy apostles of hopelessness and despair, may I quote this statement of optimism from an article by Mr. Roger Babson appearing in this morning's paper. Mr. Babson is an ardent Republican of world-wide fame as one of the greatest living statisticians and financial experts, and here is what he says:

Basic conditions are now even better than in 1933. Credit reserves are today five times the 1933 level, and huge crops are in prospect. Just as "easy" money and shortage of homes are already forcing a building pick-up, so shortage of goods will sooner or later bring about another 1933 stampede in other lines.

And Henry says today that—

We are going to have the greatest era of prosperity and happiness we have ever known.

So Mr. Babson and Mr. Ford, both Republicans, do not agree with Mr. SNELL's gloomy statements.

Why not cheer up?

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

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

There was no objection,

Mr. FORD of California. Mr. Speaker, we are informed that the wheat crop of the coming year will amount to 1,550,000,000 bushels. This is about 400,000,000 bushels larger than any crop we have ever had, even the 1915 crop, which reached 1,100,000,000 bushels. Since this announcement was made a study of the situation at the time shows that the stock market flopped.

I just want to ask this one question and have the Members of the House think about it. We were told that if we curtailed the production of farm crops we were going to ruin the country. Now we are having one of the largest crops of wheat we have ever had and the country is still going down. If, as the opposition maintains, the restriction of crops is a bad thing, how, may I ask, is the production of a surplus a good thing?

What is wrong with an economic system that makes the production of vast quantities of essential commodities detrimental to the producers of these commodities?

Certainly too much bread is not a crime. Certainly we should not have a system that makes the production of wheat, which makes bread, a catastrophe. But, my friends, that is what it amounts to.

The President has attempted to limit the production of things for the benefit of the farmer. The Republican Party has opposed this philosophy. In view of the actual facts, which philosophy do you advocate? Think that over.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. POLK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an open letter addressed to me under date of April 11, 1938, which was printed in the Greenfield Daily Times, of Greenfield, Ohio, of which Mr. Pat Shrock is editor.

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

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that upon the completion of the call of the Consent Calendar and such suspensions as the Speaker may recognize individual bills on the Private Calendar may be called today.

Mr. BOILEAU. Mr. Speaker, reserving the right to object, is it understood that all suspensions that will be had today will be before the calling of the Private Calendar, and there will not be any suspensions after that?

Mr. RAYBURN. I presume the Speaker is going to recognize Members to move to suspend the rules immediately after the call of the Consent Calendar; I presume that.

Mr. MAPES. Mr. Speaker, reserving the right to object, does the gentleman expect any conference reports to be brought up today?

Mr. RAYBURN. I have been notified of none.

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

There was no objection.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

WESTERN BANDS OF THE SHOSHONE NATION OF INDIANS

The Clerk called the bill (S. 68) authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims.

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CERTAIN INDIANS ON QUINAIELT RESERVATION, STATE OF WASHINGTON

The Clerk called the next bill, S. 1517, authorizing the payment of attorney fees contracted to be paid by certain Indians allotted on the Quinaielt Reservation, State of Washington, and for other purposes.

Mr. McLEAN. Mr. Speaker, the gentleman from Missouri [Mr. COCHRAN] is interested in this bill, as well as the two bills immediately following, and I therefore ask unanimous consent that the three bills be passed over without prejudice.

The Clerk read the title of the bill (H. R. 8502) to amend the Wisconsin Chippewa Jurisdictional Act of August 30, 1935 (49 Stat. L. 1049), and the joint resolution (H. J. Res. 438) restoring the right of appeal to the Supreme Court in certain cases involving claims of the Sioux Indians.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey that the bills be passed over without prejudice?

There was no objection.

PUBLIC SCHOOL BUILDING, MASON COUNTY, WASH.

The Clerk called the next bill, H. R. 6970, to provide funds for cooperation with school district No. 2, Mason County, State of Washington, in the construction of a public-school building to be available to both white and Indian children.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 2368) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $25,000 for the purpose of cooperating with school district No. 2, Mason County, State of Washington, for the construction and equipment of a public school building at Lower Skokomish, State of Washington: *Provided*, That said school shall be conducted for both white and Indian children without discrimination, and that the cost of education of white children shall be defrayed by the State and local public school authorities, in accordance with such agreement or agreements as may be made between the Secretary of the Interior and State or local officials, and any and all sums of money obtained by reason of such agreement or agreements shall be available for reexpenditure for support and maintenance of said school.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 6970) was laid on the table.

CLAIMS OF CERTAIN GRAIN ELEVATORS AND GRAIN FIRMS

The Clerk called the next joint resolution (H. J. Res. 421) authorizing and directing the Comptroller General of the United States to certify for payment certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920 as per a certain contract authorized by the President.

Mr. TABER. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

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

There was no objection.

APPOINTMENT OF POSTMASTERS

The Clerk called the next bill, H. R. 8037, to amend the law relating to appointment of postmasters.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

SEMINOLE NATION OR TRIBE OF INDIANS

The Clerk called the next bill, H. R. 7271, authorizing the District Court of the United States for the Eastern District of Oklahoma to hear and determine certain claims of the Seminole Nation or Tribe of Indians.

Mr. CHURCH. Mr. Speaker, I object.

DESTRUCTION OF CROPS BY HAIL STORMS

The Clerk called Senate Joint Resolution 201, for the relief of certain persons conducting farming operations whose crops were destroyed by hail storms.

Mr. CHURCH, Mr. TABER, and Mr. McLEAN objected, and the bill was stricken from the calendar.

COMPOSITION OF UNITED STATES NAVY

The Clerk called the bill (H. R. 7777) to further amend section 3 of the 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 limit prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes," approved March 27, 1934 (48 Stat. 505), as amended by the act of June 25, 1936 (49 Stat. 1926; 34 U. S. C., sec. 496).

The SPEAKER. Is there objection?

Mr. McFARLANE, Mr. OLIVER, and Mr. GARRETT objected, and the bill was stricken from the calendar.

DELAWARE INDIANS

The Clerk called the bill (S. 2326) to amend the act, as amended, entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States," approved February 7, 1925.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice in the absence of the gentleman from Missouri [Mr. COCHRAN].

The SPEAKER. Is there objection?

There was no objection.

CHOCTAW INDIANS, MISSISSIPPI

The Clerk called the bill (S. 1478) conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims be, and it is hereby, authorized and directed to hear and determine all claims against the United States of the Choctaw Indians of the State of Mississippi based upon the provisions of any treaty or agreement with or statute of the United States, or upon the failure of the United States to recognize or fairly and adequately to provide for the settlement of any interest, vested or contingent, of the aforesaid Choctaw Indians in administering or liquidating the assets or property of the Choctaw Nation and allotting in severalty the lands of said nation and distributing its property to the individual citizens of said nation enrolled on its final approved citizenship rolls, or for indemnification to the extent of the aggregate average value of the interest in any lands lost by them, as to which they shall be entitled to recover if the said court shall find that, by treaty provisions or by acts of Congress, they would have been entitled to share therein upon identification and removal to and residence in the Choctaw Nation, and that the performance of any of these necessary conditions prior to the final closing of the citizenship rolls was prevented by the United States or by its officers or agents by their neglect, misrepresentation, failure to provide adequate or timely aid in removal after advising them against or obstructing private aid in their removal and the giving of assurances that the Government would so provide for their removal, disapproval of a general roll of identification embracing more than 500 of the present claimants without consideration of the merits of their application for identification, failure to exercise reasonable diligence to give actual notice to many of said Indians of the limitations placed by Congress upon the exercise of their treaty rights,

or by any other acts, conduct, or omissions not consistent with the rules of fair and honorable dealing with Indians under the circumstances and conditions then existing: *Provided, however,* That the jurisdiction conferred by this act shall not extend to or embrace any claim or claims of any nature against the Choctaw Nation of Indians in Oklahoma, but solely to claims against the United States asserted by those Indians hereby authorized to sue, and no sum or sums recovered in any action hereby authorized or sums appropriated in payment or settlement thereof shall ever be the subject of a charge against or claim for reimbursement out of any of the property or funds of the said Choctaw Nation of Indians in Oklahoma, directly or indirectly or as a set-off or counterclaim against any claim or demand of said nation against the United States now or hereafter asserted whether said claim or demand be of a legal or equitable nature, or for a gratuity.

SEC. 2. That for the purposes of the action to be brought in said Court of Claims under the provisions of this act, the said Indians are hereby recognized as having the status of a separate band with authority in their representatives to employ counsel and to execute and file a petition or petitions setting forth their claims, and to prosecute said suit or suits to a final determination: *Provided, however,* That any question which may arise, or objection which may be made, as to the representative character of the organization so acting on behalf of said Choctaw Indians of the State of Mississippi, shall be heard and adjudicated by the said Court of Claims in the suit or suits hereby authorized to be brought.

SEC. 3. That any petition or petitions filed in the said Court of Claims under the provisions of this act shall be submitted to said court within 2 years from the date of this act, and said cause or causes shall thereupon be proceeded with in accordance with the law and practice of said court, and any claims not so presented within the said period of 2 years shall be thereafter forever barred: *Provided, however,* That, should the Court of Claims find that a petition so presented within said time is not presented by persons fairly representative of the said Indians, said court shall have the authority to permit amendments thereafter bringing proper parties before the court.

SEC. 4. That the hearing and adjudication of said claims shall be governed by equitable principles and shall fairly and finally determine the merits of the claims of said Indians and the obligations of the United States to them in administering the affairs of Indians subject to the guardianship and authority of the United States, in accordance with the customary action and precedents in the conduct of the estates of incompetent Indians, if the court shall find that said Mississippi Choctaw Indians were in fact as a group incompetent to manage their own affairs.

SEC. 5. That the amount of any judgment rendered in said cause when appropriated shall be set aside as a special fund to be paid or disbursed only upon such terms and conditions as Congress may by its subsequent legislation direct: *Provided, however,* That in entering its final judgment in said cause the Court of Claims shall hear and determine the amount, not to exceed 10 percent of the amount of any final award, which on a quantum meruit basis it shall find to be a reasonable compensation for the respective services and expenses of James E. Arnold as the representative, and of William E. Richardson and Thomas E. Rhodes as attorneys for said Indians, heretofore rendered or which may hereafter be rendered in the suit authorized by the provisions of this act, and shall as a part of said judgment award so much thereof as may be necessary to pay said compensation and reimbursement upon the basis herein directed to such person or persons, respectively, as the said court may find entitled thereto.

SEC. 6. That said court shall have further jurisdiction to hear and determine any counterclaims or counterdemands on the part of the United States against the said Choctaw Indians of Mississippi upon the said basis of equity and justice as directed in respect to the adjudication of all matters under the authority of this act.

SEC. 7. That either party aggrieved by any final decision of the said Court of Claims in said cause shall have the right to appeal such final decision to the Supreme Court of the United States as provided by law in respect to appeals from the Court of Claims to said Supreme Court: *Provided* That the question of the validity of the claim or claims of said Choctaw Indians against the United States or any counterclaims or demands of the United States against said Indians the appellate jurisdiction of said Supreme Court of the United States is hereby expressly extended to the hearing and determination of an appeal by or on behalf of said Choctaw Indians or the United States.

SEC. 8. That for the purpose of this act the term "Choctaws of the State of Mississippi" shall include only those persons who on July 1, 1902, were residents in the States of Mississippi, Alabama, and Louisiana, having not less than one-eighth Choctaw Indian blood, and their descendants, and such persons as were thereafter identified on any approved roll of Mississippi Choctaws and their descendants, and shall not include any persons who were enrolled on the final citizenship rolls of the Choctaw Nation in Oklahoma.

With the following committee amendment:

Page 5, line 10, strike out "James E. Arnold" and insert "J. A. Riddell."

The committee amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FURNISHING INFORMATION CONCERNING RAILROAD ACCIDENTS

The Clerk called the bill (H. R. 10296) to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908, as amended (U. S. C., title 45, ch. 2).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908, as amended (U. S. C., title 45, ch. 2), be, and it is hereby, amended by adding an additional section thereto as follows:

"SEC. 10. Any contract, rule, regulation, or device whatsoever, the purpose, intent, or effect of which shall be to prevent employees of any common carrier from furnishing voluntarily information to a person in interest as to the facts incident to the injury or death of any employee, shall be void, and whoever, by threat, intimidation, order, rule, contract, regulation, or device whatsoever, shall attempt to prevent any person from furnishing voluntarily such information to a person in interest, or whoever discharges or otherwise disciplines or attempts to discipline any employee for furnishing voluntarily such information to a person in interest, shall, upon conviction thereof, be punished by a fine of not more than $1,000 or imprisoned for not more than 1 year, or by both such fine and imprisonment, for each offense."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

PURCHASE OF BLIND-MADE PRODUCTS

The Clerk called the bill (S. 2819) to create a committee on purchases on blind-made products, and for other purposes.

Mr. TABER. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

LONGEVITY PAY OF WARRANT OFFICERS

The Clerk called the bill (H. R. 3618) to reestablish the longevity pay of warrant officers.

The SPEAKER. Is there objection?

Mr. TABER. Mr. Speaker, I reserve the right to object. Will someone please explain this bill. As I understand it this bill would cost about $900,000 a year.

Mr. EDMISTON. Mr. Speaker, it would cost $748,000.

Mr. TABER. That is, it increases the pay of the warrant officers $748,000 a year?

Mr. EDMISTON. Yes; and puts them on a par with warrant officers in the Navy and the Marine Corps.

Mr. TABER. Personally I think a bill of that importance ought to come out other than on the Unanimous Consent Calendar. I ask that the bill go over without prejudice.

Mr. EDMISTON. Mr. Speaker, the gentleman made the same request 2 weeks ago, and I did not object, because he asked for time to study the bill.

Mr. TABER. I have studied it, and with the explanation that the gentleman has given, in connection with the study, I feel that the bill ought not to be on the Consent Calendar.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. I object.

Mr. RICH. I object.

MEMORIAL TO MEMORY OF NEWTON D. BAKER

The Clerk called House Joint Resolution 656, to provide for the erection of a memorial to the memory of Newton D. Baker.

Mr. RICH, Mr. TREADWAY, and Mr. TABER objected and the bill was stricken from the Calendar.

CAPE FEAR RIVER

The Clerk called the bill (H. R. 10464) to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended, authorizing the Secretary of War to extend the services and operations of the Inland Waterways Corporation to the Cape Fear River and connecting waterways.

The SPEAKER. Is there objection?

Mr. CHURCH. Mr. Speaker, I object.

Mr. RICH. Mr. Speaker, I object.

FOREIGN COMMERCE SERVICE OF THE UNITED STATES

The Clerk called the next bill, S. 988, to amend an act entitled "An act to establish in the Bureau of Foreign and

Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes," approved March 3, 1927, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McREYNOLDS. Mr. Speaker, I object.

AMENDMENT OF SECURITIES EXCHANGE ACT

The Clerk called the next bill, S. 3255, to provide for the establishment of a mechanism of regulation among over-the-counter brokers and dealers operating in interstate and foreign commerce or through the mails, to prevent acts and practices inconsistent with just and equitable principles of trade, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOLMES, Mr. GIFFORD, and Mr. CHURCH objected.

EXTENSION OF FOREIGN AIR-MAIL CONTRACTS

The Clerk called House Joint Resolution 650, to authorize the extension of existing foreign air-mail contracts for a period not exceeding 1 year in each case.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

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

There was no objection.

ABSAROKA AND GALLATIN NATIONAL FORESTS

The Clerk called the next bill, H. R. 4548, to repeal the proviso of, and amend, the act of May 18, 1928 (ch. 626, 45 Stat. 603), making additions to the Absaroka and Gallatin National Forests and improving and extending the winter-feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like someone to explain how much land this is going to take in and what it is going to cost.

Mr. Speaker, there is nobody here to explain the bill; I ask unanimous consent that the bill may go over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RECONCENTRATION OF COTTON

The Clerk called the next bill, S. 3836, relating to the manner of securing written consent for the reconcentration of cotton under section 383 (b) of the Agricultural Adjustment Act of 1938.

Mr. TABER. Mr. Speaker, reserving the right to object, will the gentleman from Texas [Mr. JONES] explain the bill briefly.

Mr. JONES. This bill has reference to cotton on which there is a loan by the Commodity Credit Corporation.

Mr. RICH. What does the bill do?

Mr. JONES. It forbids the reconcentration at terminal warehouses of the cotton that is in local warehouses without the consent of the owner of the cotton. I propose to offer an amendment which broadens that and safeguards the interests of the Government as well as the proper rights of all warehouses, both local and terminal.

Mr. TABER. What is the object of that?

Mr. JONES. That is to keep them from taking cotton that is in a local warehouse to a point several hundred miles from where the owner is and hold the cotton down there, where it may be sold without being anywhere in the neighborhood of the owner of the cotton and where in order for the local people to have a chance to bid on it the bale must be opened and a sample of the cotton sent back.

Mr. TABER. They have a lot of cotton that is 4 years old; they have cotton that is subject to these liens. It would seem as if the Government ought to have the right to handle that sometime. Is there any limit on the time?

Mr. JONES. This does not interfere with the Government's handling the cotton according to all of the rights which the Government has in the cotton. This does not have anything to do with disposition of the cotton the Government has.

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

Mr. JONES. I yield.

Mr. FULMER. This does not have anything to do with the cotton that is in the possession of the Government. This applies only to the small farmers' cotton located in the local warehouses.

Mr. JONES. That is right.

Mr. FULMER. And until it passes into the hands of the Government. Then they can do just what they please with it.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of section 383 (b) of the Agricultural Adjustment Act of 1938 the written consent of the producer or borrower to the reconcentration of any cotton held as security for any loan heretofore or hereafter made or arranged for by the Commodity Credit Corporation shall not be deemed to have been given unless such consent shall have been given in an instrument made solely for that purpose. Notwithstanding any provision of any loan agreement heretofore made, no cotton held under any such agreement as security for any such loan shall be moved from one warehouse to another unless the written consent of the producer or borrower shall have been obtained in a separate instrument given solely for that purpose, as required by this act. The giving of written consent for the reconcentration of cotton shall not be made a condition upon the making of any loan hereafter made or arranged for by the Commodity Credit Corporation.

With the following committee amendment:

Page 2, line 10, after the word "Corporation", add the following: "*Provided, however*, That in cases where there is congestion and lack of storage facilities, and the local warehouse certifies such fact and requests the Commodity Credit Corporation to move the cotton for reconcentration to some other point, such written consent as provided in this amendment need not be obtained."

Mr. JONES. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 2, line 10, after the word "Corporation", strike out the remainder of the paragraph and insert the following: "*Provided, however*, That in cases where there is congestion and lack of storage facilities, and the local warehouse certifies such fact and requests the Commodity Credit Corporation to move the cotton for reconcentration to some other point, or when the Commodity Credit Corporation determines such loan cotton is improperly warehoused and subject to damage, or if uninsured, or if any of the terms of the loan agreement are violated, or if carrying charges are substantially in excess of the average of carrying charges available elsewhere, and the local warehouse, having notice, declines to reduce such charges, such written consent as provided in this amendment need not be obtained; and consent to movement under any of the conditions of this proviso may be required in future loan agreements."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE OF ENLISTED STRENGTH OF AIR CORPS OF REGULAR ARMY

The Clerk called the next bill, H. R. 10189, to provide more effectively for the national defense by increasing the authorized enlisted strength of the Air Corps of the Regular Army.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I would like to have this bill explained. How much of an increase is authorized by it?

Mr. HARTER. This would authorize an increase from 18,000 to 21,500. The present authorized enlisted strength of the Air Corps was fixed at 18,000 men when there was an authorization of 1,800 planes for the Army Air Corps. This has been raised by 2,320 planes and if we are going to put the new planes which we are obtaining from month to month into commission we will have to have an additional enlisted personnel. I understand the Army appropriation bill for next year carries money for an additional 3,000 men and that the increase for the fiscal year of 1939 will mean a transfer of 3,000 additional enlisted men to the Army Air Corps. This is not an increase in the total authorized strength of the Army, which is fixed at 165,000 men, but

means that 3,000 additional enlisted personnel will be assigned to Air Corps duty.

Mr. MARTIN of Massachusetts. This is an authorization that has been agreed to by the War Department?

Mr. HARTER. Yes; it has been introduced at the request of the War Department.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HARTER. Mr. Speaker, I ask unanimous consent that the bill S. 3822, which accomplishes the same purpose, may be substituted for the House bill.

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

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 13a of the act approved June 3, 1916, as amended by the act approved July 2, 1926 (44 Stat. 780), be, and the same is hereby, amended by striking out the words "sixteen thousand" in line 5 and inserting in lieu thereof the words "twenty-one thousand five hundred."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 10189) was laid on the table.

EXEMPTION FROM CANCELATION OF CERTAIN DESERT-LAND ENTRIES IN RIVERSIDE COUNTY, CALIF.

The Clerk called the next bill, H. R. 6591, to exempt from cancelation certain desert-land entries in Riverside County, Calif.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McLEAN. Mr. Speaker, reserving the right to object, this bill has been objected to by the Department of the Interior. There is an adverse report on it.

Mr. SHEPPARD. Mr. Speaker, there are about 800 involved in these desert-land entries who will come under the metropolitan water area if they can get an extension of time to prove this land up. They may then come under it and be protected. In other words, they have already spent something like $600,000. The Government has a chance to get an additional $600,000 and there is every reason in the world why this extension should be granted to them. It does not cost the Government a single cent of money. It is simply a matter of waiver of time, that is all.

Mr. McLEAN. Does the gentleman think this bill ought to be passed, notwithstanding the adverse report of the Department?

Mr. SHEPPARD. Yes; I do. This bill was considered by the Committee on the Public Lands and was favorably reported by that committee.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no desert-land entry made in good faith prior to June 7, 1912, under the public-land laws for lands and water in townships 4 and 5 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5, and 6 south, range 17 east; townships 5, 6, and 7 south, range 18 east; townships 6 and 7 south, range 19 east; townships 6 and 7 south, range 20 east; townships 4, 5, 6, 7, and 8 south, range 21 east; townships 5, 6, and sections 3, 4, 5, 6, 7, 8, 18, and 19, township 7 south, range 22 east; township 5 south, range 23 east, San Bernardino meridian, in Riverside County, State of California, shall be canceled prior to May 1, 1940, because of failure on the part of the entrymen to make any annual or final proof falling due upon any such entry prior to said date. The requirements of law as to annual assessments and final proof shall become operative from said date as though no suspension had been made. If the said entrymen are unable to procure water to irrigate the said lands above described through no fault of theirs, after using due diligence, or the legal questions as to their right to divert or impound water for the irrigation of said lands are still pending and undetermined by said May 1, 1940, the Secretary of the Interior is hereby authorized to grant a further extension for an additional period of not exceeding 5 years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EIGHTH AMERICAN SCIENTIFIC CONGRESS, 1940

The Clerk called the joint resolution (S. J. Res. 289) to provide that the United States extend an invitation to the governments of the American Republics, members of the Pan American Union, to hold the Eighth American Scientific Congress in the United States in 1940 on the occasion of the fiftieth anniversary of the founding of the Pan American Union; to invite these Governments to participate in the proposed Congress; and to authorize an appropriation for the expenses thereof.

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the President be, and is hereby, authorized and requested to invite the governments of the American Republics, members of the Pan American Union, to hold the Eighth American Scientific Congress in the United States in 1940 on the occasion of the fiftieth anniversary of the founding of the Pan American Union, and to invite these Governments to participate in that Congress.

SEC. 2. That the sum of $90,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of organizing and holding the Eighth American Scientific Congress, including personal services in the District of Columbia and elsewhere, without regard to the Classification Act of 1923, as amended; communication services; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses; local transportation; hire of motor-propelled passenger-carrying vehicles; transportation of things; rent in the District of Columbia and elsewhere; printing and binding; entertainment; official cards; purchase of newspapers, periodicals, books, and documents; stationery, membership badges; and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments have been made for any of the purposes herein specified.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OVERTIME AND NIGHT-WORK PAY FOR POSTAL EMPLOYEES

The Clerk called the next bill, H. R. 2691, to adjust the basis of compensation for overtime services of certain employees in the Postal Service, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, reserving the right to object, may we have someone explain this bill?

Mr. SWEENEY. Mr. Speaker, by direction of the Committee on the Post Office and Post Roads I may make this statement to the gentleman. The bill was considered by the committee and has the unanimous support of the entire committee. It seeks to correct a situation that was brought about by virtue of the 5-day, 40-hour-week law in the Postal Service. The computation of overtime and night work is based upon the 306 work-day year. When the 40-hour-a-week bill became effective, that was reduced to 254 work-days. To justify the difference the committee believes in all fairness that overtime should be computed on the basis of 254 working days in the year and not under the old, obsolete system of 305 working days.

Mr. TABER. Will this increase the amount of overtime which the Government has to pay?

Mr. SWEENEY. The estimate is about $1,321,000.

Mr. MEAD. Will the gentleman yield?

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

Mr. MEAD. This should result in reducing the amount of overtime that is now being paid to regulars and delegating the work to the substitutes, whose pay is much smaller than that of the regulars. That is one of the objects the committee had in mind in recommending this bill. It will make it more attractive to give this work to the substitute workers and will result in a saving rather than an increase in the cost.

Mr. RICH. How are you going to bring about any saving when you will increase the salaries?

Mr. MEAD. The substitutes receive 65 cents an hour while the regulars receive 85 cents and 90 cents an hour. We feel that the passage of this bill will make it more attractive for the postmaster to employ the substitutes rather than work the regulars overtime. It is all a matter of administration and will not cost any more in the long run. If the postmaster gives all the work to the regulars, he is not treating the substitutes fairly. If he gives the work to the substitutes, he is actually saving money.

Mr. RICH. There may be some merit to that. There is only one thing I cannot understand. The Post Office Department is being operated today under a 3-cent postage with a deficit of $88,000,000 a year. How in the world is Mr. Farley, you, and a few more people who are operating this Department with a deficit of $100,000,000 going to save money for the Government? We will never get back to the 2-cent postage as long as this administration continues adding to the expenses of the Department the way you have been doing in connection with all this legislation you are agreeing to.

Mr. MEAD. Of course, I know the gentleman realizes that Mr. Farley is one of the best Postmasters General we have ever had, but the gentleman just does not want to say so on the floor of the House.

Mr. RICH. If you call the way Mr. Farley runs around the country looking after the Democratic administration being a good Postmaster General, then I would say he ranks No. 1, because all he is doing is going out over the country and making speeches, which some Member of the House then wants to place in the RECORD, and the first thing we know, we are filling up the RECORD with political speeches for the New Deal by Mr. Farley, who is supposed to be Postmaster General. If Mr. Farley were only a sound Jeffersonian Democrat it would not make so much difference, but when you have a new dealer out trying to wreck the country, it is almost more than we can stand, and you ought to stop it.

Mr. MEAD. But they are all good speeches, made by a good Postmaster General.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the third and fourth provisos in the second paragraph of section 4 of the act of Congress approved February 28, 1925 (U. S. C., 1934 ed., title 39, sec. 117) (relating to overtime service of clerks and laborers in first- and second-class post offices and carriers in the City Delivery Service and compensation for such overtime), are hereby amended to read as follows:

"*Provided further*, That in cases of emergency or, if the needs of the service require, special clerks and clerks in first- and second-class post offices, laborers in the Postal Service, carriers in the City Delivery Service, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the Motor Veehicle Service, and railway postal clerks assigned to terminal railway post offices and transfer offices, can be required to work in excess of 8 hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees: *Provided further*, That in computing the compensation for such overtime and night-differential pay the annual salary or compensation for such employees shall be divided by 254, the number of working days in the year less all Sundays, Saturdays, and legal holidays enumerated in the acts of July 28, 1916, and August 14, 1935; the quotient thus obtained will be the daily compensation which, divided by eight, would give the hourly compensation for such overtime and night service: *Provided further*, That when a holiday and Saturday run concurrently such employees shall not be deprived of the benefit of either day."

With the following committee amendment:

Page 1, beginning in line 10, strike out the remainder of the bill, ending in line 19 on page 2, and insert the following:

"*Provided further*, That in cases of emergency, or if the needs of the service require, and it is not practicable to employ substitutes, (1) special clerks and clerks in first- and second-class post offices; (2) watchmen, messengers, and laborers in first- and second-class post offices, and at the Stamped Envelope Agency, Dayton, Ohio; (3) carriers in the City and in the Village Delivery Service; (4) special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the Motor Vehicle Service; and (5) railway postal clerks assigned to terminal railway post offices, transfer offices, offices of chief clerks, or offices of superintendents, and watchmen, messengers, and laborers in the Railway Mail Service, can be required to work in excess of 8 hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees: *And provided further*, That in computing the compensation for such overtime and night-differential pay the annual salary or compensation for such employees shall be divided by 254, the number of working days in the year less all Sundays, Saturdays, and legal holidays enumerated in the acts of July 28, 1916, and August 14, 1935; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime and night service: *And provided further*, That when a holiday and Saturday run concurrently such employees shall not be deprived of the benefit of either day."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF THE MERCHANT MARINE ACT OF 1936

The Clerk called the next bill, H. R. 9811, to amend the Merchant Marine Act, 1936, and for other purposes.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman from Virginia kindly tell us the effect of this amendment to the Merchant Marine Act of 1936?

Mr. BLAND. Under the present Merchant Marine Act, in the event of war the President has the authority to take over ships documented under the United States, but the gentleman knows that at the present time declarations of war are not made, and this is to prepare for an emergency in the event one should arise. This is a measure the Navy Department has urged for some time. The bill under consideration would in effect amend the provisions of existing law, providing only for termination of charters and requisitioning of vessels during a national emergency. The extension of the period during which ships may be requisitioned is intended to cover a possible period of strained relations which may precede the actual proclamation of an emergency.

Mr. MARTIN of Massachusetts. How would we know when the emergency occurred?

Mr. BLAND. Under the bill as amended by the House committee the President proclaims the emergency.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. BLAND. Mr. Speaker, I hope the gentleman will not urge his request, because the bill is considered a most important one from a national-defense viewpoint.

Mr. CHURCH. Mr. Speaker, I realize that, but the wording of the report seems a little confused. I believe this bill ought to receive more consideration than we can give it during the consideration of bills on the Consent Calendar, and that is the spirit in which I make this request.

Mr. BLAND. Mr. Speaker, I must object to the request that the bill be passed over.

Mr. CHURCH. Then I object to the consideration of the bill, Mr. Speaker.

SHOSHONE OR BANNOCK INDIANS, FORT HALL INDIAN RESERVATION, IDAHO

The Clerk called the next bill, S. 2253, conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render final judgment on any and all claims of whatsoever nature, which the Shoshone or Bannock Indians living on the Fort Hall Indian Reservation, in the State of Idaho, or any tribe or band thereof, may have against the United States, and for other purposes.

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

Mr. PIERCE. Mr. Speaker, will the gentleman withhold his objection?

Mr. O'MALLEY. I withhold the objection, Mr. Speaker, but I may say to the gentleman that in the committee I served notice I would object to the consideration of this bill until the two conflicting groups of Indian lawyers got together upon it. However, I will withhold my objection while the gentleman explains the bill.

Mr. PIERCE. Mr. Speaker, neither of our colleagues from Idaho is on the floor. This is a bill pertaining to the jurisdiction of claims of certain Indian tribes in Idaho. I hope the gentleman will not object to the consideration of the bill.

Mr. O'MALLEY. I may say to the gentleman there are tribes which claim they should be included in this suit, but are not included. The committee acted upon this bill in one morning. If this bill passes these other Indians will be excluded or forced to file a separate suit. There are enough of these suits in the Court of Claims now.

Mr. PIERCE. The suit is already pending in the Court of Claims. This bill is simply to allow the other tribes to intervene.

Mr. O'MALLEY. There are other Indians who say they are not represented. The gentleman is one Member of the House I should like to accommodate, but I cannot do it upon this measure.

Mr. PIERCE. If the gentleman is set in his decision, that is all there is to say.

Mr. O'MALLEY. There is no one I would sooner accommodate than the gentleman from Oregon.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice, in the absence of the author of the bill.

Mr. O'MALLEY. Reserving the right to object, Mr. Speaker, this is a committee bill, as I understand.

Mr. PIERCE. This is a Senate bill.

Mr. O'MALLEY. I see no record of authorship on the bill, so I cannot understand the gentleman's statement, "in the absence of the author of the bill."

Mr. CHURCH. The gentleman from Idaho [Mr. CLARK] is not here, and he is interested in this bill. Therefore I ask unanimous consent that the bill may be passed over without prejudice.

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

The SPEAKER. Is there objection to the present consideration of the bill?

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

CHIPPEWA INDIANS OF MINNESOTA

The Clerk called the next bill, H. R. 9442, authorizing the Secretary of the Treasury to transfer on the books of the Treasury Department to the credit of the Chippewa Indians of Minnesota the proceeds of a certain judgment erroneously deposited in the Treasury of the United States as public money.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3849) may be considered in lieu of the House bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit as of July 12, 1902, the permanent fund of the Chippewa Indians of Minnesota arising under the act of January 14, 1889 (25 Stat. L. 642), and the agreements made thereunder, with the sum of $59,401.04, being the value of the timber at the time of conversion as awarded in that certain judgment entered in the Circuit Court of the United States for the District of Minnesota pursuant to the mandate of the Supreme Court of the United States in the case entitled *"Pine River Logging & Improvement Co. and Others* v. *United States"* (186 U. S. 279), and which judgment was erroneously deposited July 12, 1902, in the Treasury of the United States as public money and to credit the interest fund of said Indians with interest thereon from July 12, 1902, at the rate provided in said act of January 14, 1889, and agreements made thereunder, to the date said credit is given, together with the sum of $39,284.76, being the amount of interest collected by the United States in said action.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to determine just and proper compensation to the respective attorneys representing the Chippewa Indians of Minnesota, under contracts approved pursuant to section 2103 of the Revised Statutes of the United States, in the prosecution of their claims against the United States for services rendered in the prosecution of said claim, said compensation to be based upon the nature, extent, character, and value of the services rendered and moneys expended, and to pay such amounts, if any, not exceeding 10 percent of the amount recovered, as he may find said attorneys to be entitled to receive, out of the trust funds standing to the credit of the Chippewa Indians of Minnesota.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9442) was laid on the table.

CAIRO BRIDGE COMMISSION

The Clerk called the next bill, H. R. 9287, to authorize the Cairo Bridge Commission, or the successors of said commission, to acquire by purchase, and to improve, maintain, and operate a toll bridge across the Mississippi River at or near Cairo, Ill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and more adequately provide for military and other purposes, and to secure to the public the use of the hereinafter described bridge free of tolls as promptly as possible, the Cairo Bridge Commission (hereinafter sometimes called the commission), a body corporate and politic created by an act of Congress approved April 13, 1934, and its successors and assigns, be, and are hereby, authorized to acquire by purchase and thereafter to repair, reconstruct, rebuild, enlarge, renew, or replace in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, the existing bridge across the Mississippi River at or near Cairo, Ill., and the approaches thereto, which was duly constructed in accordance with the provisions of the act entitled "An act granting the consent of Congress to the Cairo Bridge & Terminal Co., to construct, maintain, and operate bridges across the Mississippi and Ohio Rivers at Cairo, Ill." approved April 2, 1926, and to maintain and operate said existing bridge subject to the conditions and limitations contained in this act.

SEC. 2. The commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over said bridge in accordance with the provisions of this act.

SEC. 3. The commission is hereby authorized to provide for the payment of the cost of said bridge and its approaches and the necessary lands, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the commission. The details of such bonds, their form and manner of execution, and the sale and issuance of such bonds shall be governed by the provisions of section 4 of said act approved April 13, 1934, and such bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this act, and such bonds may be secured by a trust agreement as provided in said section 4 of said act of April 13, 1934. The cost of the bridge shall include the purchase price, the cost of repairs, reconstruction, or enlargement if such repairs, reconstruction, or enlargement are ordered prior to the sale of any bonds, for the acquisition of the bridge, financing charges, interest during any period of disuse before completion of repairs, reconstruction, or enlargement, cost of traffic estimates and of engineering and legal expenses, administrative expenses and such other expenses as may be incident to such acquisition and to the financing herein authorized.

SEC. 4. In fixing the rates of toll to be charged for the use of said bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof as in this act required.

SEC. 5. All of the provisions of sections 4 and 5 of said act of April 13, 1934, relating to the bridge to be constructed, to the bonds to be issued, and to the trust agreement to be entered into under the authority of said act, and relating to the collection of bridge tolls and to the application of such tolls, shall apply to the bridge to be acquired and to the bonds to be issued under the authority of this act.

SEC. 6. After payment of the bonds issued under this act and interest thereon, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the commission shall deliver deeds or other suitable instruments for the conveyance of the interests of the commission in and to the bridge, that part within the State of Missouri to the State of Missouri or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Missouri interests) and that part within Illinois to the State of Illinois or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Illinois interests), under the conditions that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired by Missouri interests and the Illinois interests, as may be agreed upon; but if either the Missouri or the Illinois interests shall not be authorized to accept and shall not accept the same under such conditions,

then the bridge shall continue to be owned, maintained, operated, and repaired by the commission, and the rates of toll shall be so adjusted as to provide a fund not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management until such time as both the Missouri interests and the Illinois interests should be authorized to accept and shall accept such conveyance under such conditions. The commission shall not be dissolved until it shall have conveyed all property owned by it in accordance with the provisions of this act and the act of April 13, 1934, and thereupon the commission shall be dissolved in the manner provided by said act of April 13, 1934.

SEC. 7. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 2, after the word "purchase", insert "at a price to be approved by the Chief of the Bureau of Public Roads of the Department of Agriculture."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS WABASH RIVER, NEAR NEW HARMONY, IND.

The Clerk called the next bill, H. R. 10076, to create the White County Bridge Commission, defining the authority, power, and duties of said Commission, and authorizing said Commission and its successors and assigns to purchase, maintain, and operate a bridge across the Wabash River at or near New Harmony, Ind.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the White County Bridge Commission (hereinafter created and hereinafter referred to as the "Commission") and its successors and assigns be, and is hereby, authorized to acquire, by purchase or otherwise, from its present owners, and to maintain and operate a bridge and approaches thereto across the Wabash River at or near the city of New Harmony, Ind., subject to the conditions and limitations contained in this act. For like purposes said Commission and its successors and assigns are hereby authorized to acquire, maintain, and operate all or any ferries across the Wabash River within 15 miles of said bridge, subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to acquire, condemn, occupy, possess, and use said bridge and such real estate and other property in the State of Illinois and the State of Indiana as may be needed for the acquisition and maintenance of such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said State, respectively.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and such ferry or ferries in accordance with the provisions of this act.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches (including any approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the ferry or ferries and the necessary land, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than 6 percent per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this act. Such bonds may be registrable as to principal alone or both principal and interest, shall be in such form not inconsistent with this act, shall mature at such time or times not exceeding 25 years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding 105 and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds, before the maturity thereof, which it may issue: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding 30 years from date of approval of this act, as the Commission may determine. The Commission may enter into an agreement with any bond or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security for said bonds and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited.

The bridge acquired under the authority of this act shall be deemed to be an instrumentality for interstate commerce, the Postal Service, and military and other purposes authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such time or times and at such price as the commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6-percent interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches and the land, easements, and appurtenances used in connection therewith, and in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith. The cost of the bridge and approaches and approach highways, and ferry or ferries, shall be deemed to include all engineering, legal, architectural, traffic surveying, and other expenses incident to the acquisition of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definitive bonds the commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons of any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than 6 months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted. No toll shall be charged officials or employees of the commission or the Government of the United States or any State, county, or municipality in the United States while in the discharge of their duties or municipal police or fire departments when engaged in the proper work of any such department.

SEC. 6. Nothing herein contained shall require the commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the commission or its successors any ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the commission or its successors it may seem expedient so to do. The commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the commission shall deliver deeds or other suitable instruments of conveyance of the interest of the commission in and to the bridge, that part within Illinois to the State of Illinois or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Illinois interests) and that part within Indiana to the State of Indiana or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Indiana interests), under the condition that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired by the Illinois interests and the Indiana interests, as may be agreed upon; but if either the Illinois interests or the Indiana interests shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management, until such time as both the Illinois interests and the Indiana interests shall be authorized to accept and shall accept such conveyance under such conditions. If at the time of such conveyance the commission or its successors shall have not disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable at such price and upon such terms as the Commission or its successor may determine.

SEC. 8. For the purpose of carrying into effect the objects stated in this act, there is hereby created the White County Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue, and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or other property and apply same to the purposes of this act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this act.

The commission shall consist of Julius C. Kern, Stewart A. Pearce, John G. Endicott, Franklin M. Ziegler, and Herbert G. Bayley. Such commission shall be a body corporate and politic. Each member of the Commission shall qualify within 30 days after the approval of this act by filing in the office of the Secretary of Agriculture an oath that he will faithfully perform the duties imposed upon him by this act, and each person appointed to fill a vacancy shall qualify in like manner within 30 days after his appointment. Any vacancy occurring in said commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Secretary of Agriculture. Before the issuance of bonds as hereinabove provided, each member of the commission shall give such bonds as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned upon the faithful performance of all duties required by this act. The commission shall elect a chairman and a vice Chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

SEC. 9. The commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this act. The members of the commission shall be entitled to a per diem compensation for their services of $10 per day for each day actually spent in the business of the commission, but the maximum compensation in any year of each member shall not exceed $100. The members of the commission shall also be entitled to receive traveling expense allowance of 10 cents a mile for each mile actually traveled on the business of the commission. The commission may employ a secretary, treasurer, engineers, attorney, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this act. After all bonds and interest thereon shall have been paid and all other obligations of the commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the Illinois interests and the Indiana interests as herein provided, and any ferry or ferries shall have been sold, the commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the commission or any member or members thereof, but only after a public hearing in the city of Carmi, Ill., notice of the time and place of which hearing and the purpose thereof shall have been published once, at least 30 days before the date thereof, in a newspaper published in the city of Carmi. At the time of such dissolution all moneys in the hands of or to the credit of the commission shall be divided into two equal parts, one of which shall be paid to said Illinois interests and the other to said Indiana interests.

SEC. 10. Notwithstanding any of the provisions of this act, the commission shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Department of Illinois and the State Highway Commission of Indiana, whereby said highway departments or either of them may operate, and maintain or participate with the commission in the operation, and maintenance of said bridge and approaches.

SEC. 11. Nothing herein contained shall be construed to authorize or permit the commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this act. No obligation created or liability incurred pursuant to this act shall be an obligation or liability of any member or members of the commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this act be an indebtedness of the United States.

SEC. 12. All provisions of this act may be enforced or the violation thereof prevented by mandamus, injunction, or other appriate remedy brought by the attorney general for the State of Illinois, the attorney general for the State of Indiana, or the United States district attorney for any district in which the bridge may be located in part, in any court having competent jurisdiction of the subject matter and of the parties.

SEC. 13. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 3, after the word "Indiana", insert "in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906, and."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF BRIDGE OVER ST. LOUIS RIVER BETWEEN WISCONSIN AND MINNESOTA

The Clerk called the next bill, H. R. 10225, to amend section 6 of chapter 64, approved April 24, 1894 (U. S. Stat. L., vol. XXVIII, 2d sess., 53d Cong.), being an act entitled "An act to authorize the construction of a steel bridge over the St. Louis River between the States of Wisconsin and Minnesota."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of chapter 64, approved April 24, 1894 (U. S. Stat. L., vol. XXVIII, 2d sess., 53d Cong.), being an act entitled "An act to authorize the construction of a steel bridge over the St. Louis River between the States of Wisconsin and Minnesota," is hereby amended by striking out from said section 6 the proviso at the end thereof, which proviso reads as follows: "*Provided*, That said bridge and its approaches thereafter shall be made free of tolls to wagons, teams, and foot passengers and street-railway cars," and inserting in the place thereof the following words: "*Provided*, That whenever the city of Duluth, or the port authority of said city of Duluth, or the city of Superior, or the port authority of said city of Superior, or the county of St. Louis in the State of Minnesota, or the county of Douglas in the State of Wisconsin, or either or any of them, shall make application for a hearing to the Secretary of War for the purpose of fixing the price to be paid for such bridge, the Secretary of War shall proceed to fix such price after notice given to all interested parties."

With the following committee amendments:

Page 2, line 5, after "following" strike out "words."

Page 2, line 13, after "interested", strike out balance of the line and insert the following: "parties: *Provided further*, That after the tolls collected for the use of such bridge shall have met annual maintenance, repair, and operating costs and shall have provided a sinking fund sufficient to amortize the cost to said cities or counties of acquiring the bridge it shall be maintained and operated free of tolls."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR NIOBRARA, NEBR.

The Clerk called the next bill, H. R. 10346, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebr., authorized to be built by the county of Knox, State of Nebraska, by section 32 of the act of Congress approved August 30, 1935, amended by acts of Congress approved May 18, 1936, and July 5, 1937, are extended 1 and 3 years, respectively, from August 30, 1938.

With the following committee amendment:

Page 2, after line 2, insert:
"SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved."

Mr. McCORMACK. Mr. Speaker, I move to strike out the last word and ask unanimous consent, Mr. Speaker, to proceed out of order.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, the Ancient and Honorable Artillery Company of Massachusetts, the oldest military organization in America, is now observing its three hundredth anniversary.

This famous company, with its 300 years of existence, and with its enviable record for patriotism and civic service, was chartered by the Governor and General Court of Massachusetts Bay Colony in 1638.

As has been well stated by others:

In every generation members of this company, acknowledged leaders in the civil and military life of the Commonwealth and of the Nation, have taken great pride in carrying on the traditions of the forefathers, who did so much to establish the Massachusetts Bay Colony and to make the Commonwealth of Massachusetts great in the history of our country.

This famous company, as history shows, was founded in 1637, after a period of unrest in the old town of Boston, during which time the right to carry arms in their houses were denied certain citizens. It was chartered, after some controversy, by the Governor and general court, March 13, 1638, the first military charter to be issued to a military company in North America.

The leading spirit in the organization of this company was Robert Keayne, a prominent citizen of those days and times. History shows that Robert Keayne had been a member of the Honourable Artillery Company of London, founded in 1537, and it was his idea that a company should be formed which would be a school for officers and a nursery for soldiers. It is also interesting to note that in connection with the present anniversary that is about to be concluded that the Honourable Artillery Company of London were the guests of the Ancient and Honorable Artillery Company of Massachusetts.

History also shows that upon his death he (Robert Keayne) left in his will various sums of money for public benefit, and to the town of Boston the land at the head of State Street for a town house together with money to build it, providing, however, that—

The military company of Massachusetts should have a room in the town house for an armory and for the soldiers to meet when they had occasion.

This is the land on which the old statehouse of Massachusetts, of fame and history, now stands. It is one of the historical spots and buildings of the Nation.

The Ancient and Honorable Artillery Company occupied the town house for nearly 100 years, and when it became overcrowded due to its use by the town officers and the general court, the company moved, on April 7, 1746, to Faneuil Hall, which had been erected by Peter Faneuil, one of the most powerful factors in the life and history of Massachusetts.

Quoting from an article entitled "A Brief Outline of the History of the Ancient and Honorable Artillery Company of Massachusetts," we find the following statement, namely:

There it (the company) has remained down to the present time except for brief periods during the rebuilding of Faneuil Hall after the fire in 1761 and at times when the building was remodeled—the oldest armory in continuous use by a military organization in the United States.

Robert Keayne was the first commander of the company. Following Keayne as commander, down to the present time, came the leading citizens of Massachusetts, as a colony and as a State, and pictured on the walls of the armory are the faces of men who helped make the history of Massachusetts.

A brief but comprehensive history of this famous and unusual company can best be given by a quotation from the article hereinbefore mentioned.

From its organization until the Revolution, the company was called the Artillery Company, although beginning in 1700 it was referred to on the title pages of the Anniversary Sermons as the Honourable Artillery Company, Honourable and Ancient, and Ancient and Honourable. It was not until the company had been called by that name for 80 years by the public that it became so called in the records. In 1782 at the first meeting called for the purpose of reorganization, the record of the meeting is headed: "At a meeting of the members of the Ancient and Honourable Artillery Company at Deacon Jones' May 30, 1782," and the words are again used in the records. Since that time it has been known as the Ancient and Honourable Artillery Company, and the legislature since 1789 has confirmed the name in the military laws.

The activities of the company during the colonial days were many—parades for instruction were regularly held, maneuvers and military problems worked out, showing that schools of instruction were actually held and the members benefited by them.

In 1645 the company joined forces with Myles Standish and his Pilgrim soldiers in an expedition against the Indians, and the company was frequently on duty under arms in the service of the Colony. During King Philip's War, the leading officers of the colonial troops had received their training in the Artillery Company, and its members fought with honor in England under Cromwell, at Quebec and Louisburg in the French and Indian War. In fact, every war that the colonists engaged in found members of the company acting as leaders because of their military training.

In the stirring days prior to the Revolution its members were most active in every patriotic endeavor. They were at the Boston Tea Party, were numbered among the Sons of Liberty, were active in obtaining supplies, and it was a member of this company who removed the two guns, later known as the Hancock and Adams, from the gun house under the noses of the British soldiers. These guns were used by our troops all through the Revolution, afterward being returned to the State, and being loaned to the company, were used by them until 1821, when the Adams burst during the training. These guns are now in the chamber at the top of Bunker Hill Monument. Dawes, the patriot, clerk of the company, in 1786, who rode from Boston to Lexington and Concord, on April 19, 1775, was one of the outstanding members of the company who gave his energy to the cause, and he it was who was responsible for the removal of the guns, the Hancock and Adams.

In 1738 the first uniforms were obtained, the company being the first uniformed military organization in the country, and for many years it was the only one. Prior to that time soldiers wore a breast plate and steel hat, or a coat and breeches of leather, but there was no attempt at a uniform color or style.

During the Revolutionary period and immediately after—from 1775 to 1786—there was little activity in the company. During a part of that time Boston being in the hands of the British, it was not possible to assemble, and later the majority of the members were in the Continental Army under Washington. The list of these men who served from Massachusetts is long and honorable, the outstanding figures being four commanders—Maj. Gen. William Heath, Major General Lincoln, who received the sword of Cornwallis at Yorktown; Major General Brooks, Governor, statesman, soldier, assistant inspector general under Von Steuben; and Major General Hull.

The Revolutionary War over, the members soon again met to take up the responsibilities, in the meantime the records having been preserved and property safeguarded.

The company was called for duty in Shay's rebellion and during the War of 1812 were held for service in their armory ready to move when needed, and in addition to this many of its members were serving actively with the colors. The Mexican and the Civil War found them on duty, 140 of its membership serving in the Civil War, most of them as officers, among them Maj. Gen. Nathaniel B. Banks, afterwards Governor; Col. Samuel C. Lawrence, afterward a brigadier general; Col. Henry Walker; Col. J. Payson Bradley; Maj. George H. Maynord, a Medal of Honor man; and many others who became prominent in the affairs of the company. A large proportion of its membership served in the Spanish and World War with honor and distinction, and today one finds that more than half of the company has had military service in the State and Nation.

The Ancient and Honorable Artillery Company is a part of the militia of the Commonwealth and as such has the right to bear arms. The organization of the federalized National Guard removes some of the possibilities for active service. Made up as it is of older men, most of them beyond the military age, they are an inspiration to the youth of Boston in patriotic citizenship.

On the anniversary, the first Monday in June, the company marches through the streets of Boston to the church, where the sermon is preached, and the comrades who have passed away during the year are remembered; then to the Common, where the parade and drumhead election of the officers are held, as has been done for 300 years. Surely one can glimpse the past as this ancient company, with its variegated uniforms, its old formation, leaves its armory and marches to the statehouse to receive the Governor and escort him to the church and Common, where later he will receive the resignations of the officers and commission the new, fastening around the neck of the commander-elect the old gorget, the ancient

badge of a commissioned officer, and placing in his hand the halberd, the badge of his authority.

What was written at the close of its two hundredth anniversary concerning its membership holds true as this company celebrates its three hundredth anniversary.

The position of the members of the company in the social, civil, and military life of the colony indicates the respect which people entertained for the company, as well as the ability and prominence of its members. They were first in organizing churches and supporting them; they were constant friends of the public schools. They were prominent in framing and also in administering the laws of the colony; they were foremost in the introduction of manufacturing and the extension of trade in Boston. They were the chief military minds of the colony and among the first in its defense. Many of them were public benefactors, devoting somewhat of their wealth to education, religion, and charity.

They trod the fields of every battlefield of New England in the first century of the company's existence; they fought for freedom on foreign soil; they judged the courts; they pleaded at the bar; they instituted town government and leveled forests; were active in settling the towns of the frontier. Nine-tenths of the company were loyal to the Colonies in the Revolution, and by their experience in the ancient and honorable artillery company they served on every battlefield where the banner of Massachusetts waved, from Bunker Hill and Bennington through Valley Forge to Yorktown.

It is fitting that on the occasion of its three hundredth anniversary the history of the Ancient and Honorable Artillery Company of Massachusetts should be called to the attention of my colleagues and to those who might have occasion to read these remarks. This company, with its long and glorious history of service in peace and in war, is a fine example to all. Its 300 years of existence has been one of defense of Massachusetts Bay, later the Commonwealth of Massachusetts, and of our Nation in time of war, and of constructive inspiration and contribution in time of peace.

The oldest military organization in America, one of the oldest, with a continuous history throughout the world, its members in times of war and of peace have always exemplified the highest type of citizenship. [Applause.]

The pro forma amendment was withdrawn.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TERM OF DISTRICT COURT AT NEWPORT NEWS, VA.

The Clerk called the bill (H. R. 8794) to provide for terms of the district court at Newport News, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That terms of the District Court for the Eastern District of Virginia shall be held at Newport News, Va., on the first Monday in February and the second Monday in July. The clerk of the court for the eastern district of Virginia shall maintain an office in charge of a deputy at Newport News, which shall be kept open at all times for the transaction of the business of the court.

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

The Clerk read as follows:

Amendment offered by Mr. BLAND: Page 1, line 3, insert after the words "District Court" the words "of the United States."

In line 6, strike out all of lines 6, 7, 8, and 9, and amend the title to read as follows:

"To provide for holding terms of the District Court of the United States for the Eastern District of Virginia at Newport News, Va."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DERIVATIVE CITIZENSHIP

The Clerk called the bill (H. R. 10119) to amend section 15 of the act of June 29, 1906, as amended (U. S. C., title 8, sec. 405).

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. LANZETTA. Mr. Speaker, I reserve the right to object for the purpose of explaining to the gentleman that all this bill does is to protect the persons who derive their citizenship from their parents' or from their husbands' naturalization in the event that the original certificate is canceled. That point is not clear in the law. I understand that there are conflicting decisions in the various departments and that some have held that a cancelation of the original certificate of citizenship does affect the persons who derive their citizenship therefrom. All that this bill does is to clarify the law to the extent that a derivative citizen does not suffer the loss of citizenship in the event that the original certificate of naturalization is canceled under existing law. Under the present law, if a naturalized citizen takes up permanent residence in a foreign country within 5 years after becoming naturalized, the Government presumes that when he obtained his certificate of naturalization he did so fraudulently, in that he never intended to reside permanently in the United States. His taking up of a residence in a foreign country within the 5-year period is presumptive evidence that he never intended to fulfill the permanent-residence requirement under the law. This bill will not in any way change existing law. It will only protect the status of persons who derive their citizenship in the event that the original certificate of citizenship is canceled.

Mr. JENKINS of Ohio. Mr. Speaker, in view of the fact that this is a very comprehensive proposition, I think we ought to have more consideration than this. I insist upon my motion that the bill go over without prejudice.

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

There was no objection.

TEMPORARY OPERATION BY UNITED STATES OF CERTAIN STEAMSHIPS

The Clerk called the joint resolution (H. J. Res. 685) to provide for temporary operation by the United States of certain steamships, and for other purposes.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I object.

POSSESSION OF MIGRATORY BIRDS LAWFULLY TAKEN

The Clerk called the bill (H. R. 9661) to allow possession of migratory game birds, lawfully taken.

The SPEAKER. Is there objection?

Mr. FADDIS. Mr. Speaker, I reserve the right to object, to get some explanation from the author of the bill.

Mr. ANDRESEN of Minnesota. Mr. Speaker, the author of the bill is not here, but I am a member of the committee. We had a full discussion of the bill in the committee. The present rule and regulation of the Biological Survey provides for only 1 day's take of migratory game birds in possession. Many people who hunt migratory birds must travel some times long distances, and so this bill simply provides that a person may have in his possession at one time 3 days' kill of migratory birds, provided they are legally taken, each daily limit for each day that is allowed.

Mr. FADDIS. What provisions are there to keep a man from taking 3 days' kill in 1 day?

Mr. ANDRESEN of Minnesota. There is nothing to prevent him from doing that now.

Mr. FADDIS. But he can only transport 1 day's kill under the circumstances.

Mr. ANDRESEN of Minnesota. The burden of proof is upon him to show that he took the birds legally. This is merely to give those people who travel long distances the privilege of taking those birds which they killed legally.

Mr. FADDIS. I agree with the purpose of the bill because I believe a man is entitled to more birds in his possession than he is allowed at the present time.

Mr. ANDRESEN of Minnesota. It is our hope that the Biological Survey on the passage of this bill, if it is permitted to be passed, will issue a regulation to cover this and avoid the necessity of having the bill go through the other body. If this bill is adopted, I might suggest an amendment which limits 2 days' kill in possession instead of 3 days' kill. This would more nearly comply with the idea of the Biological Survey.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

BLACK HILLS NATIONAL FOREST

The Clerk called the next bill, S. 3416, providing for the addition of certain lands to the Black Hills National Forest in the State of Wyoming.

Mr. RICH. Mr. Speaker, reserving the right to object, will the gentleman from Wyoming explain this bill?

Mr. GREEVER. This bill provides for the addition to the boundaries of the Black Hills National Forest in northeast Wyoming approximately 95,000 acres of land. About nine-tenths of this land is in private ownership. The remainder is Government-owned land. The boundaries are simply to be extended to take in this land. There is no cost whatever to the Government for this land. The sale of timber and grazing fees will more than offset the administrative costs. It is desired that this land be taken in simply in order that the Forest Service may have jurisdiction for the purpose of fire prevention. Fire did great damage there 2 or 3 years ago. It is also desired to increase the boundaries for the protection of the watershed of the Belle Fourche River.

Mr. RICH. How is this private land to be acquired?

Mr. GREEVER. The bill provides simply for extending the boundaries to include the land. It does not in any way interfere with the ownership of the land.

Mr. RICH. If private land is to be included in the forest area, how can the Government have any jurisdiction over it? Is not this just a preliminary step to coming in and asking the Government to buy this land?

Mr. GREEVER. There is no such objective in view at all.

Mr. RICH. Suppose the men who own this land will not cooperate with the Federal Government, how could the Government compel them to when the Government does not own title?

Mr. GREEVER. They are all very anxious to have the boundaries of this park extended and these lands protected from fire hazards.

Mr. RICH. How will it be possible for the Government to keep from eventually having to purchase these private lands?

Mr. GREEVER. I assure the gentleman there is not the slightest desire to have the Government purchase these lands.

Mr. RICH. Will the gentleman guarantee that the Federal Government will not have to buy these lands?

Mr. GREEVER. I will guarantee that it will not have to buy them because I do not know anybody who would sell them.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to all valid existing claims, entries, and leases, all of the lands of the United States within the following-described area are hereby added to and made a part of the Black Hills National Forest in the State of Wyoming, and such lands shall hereafter be administered under the laws and regulations relating to the national forests:

BEAR LODGE UNIT, SIXTH PRINCIPAL MERIDIAN

Township 55 north, range 63 west: Sections 5 to 9, inclusive, 16 to 21, inclusive, 28 to 34, inclusive, and west half section 4, west half section 27.

Township 54 north, range 63 west: Sections 4 to 9, inclusive, 17, 18, 19, 28 to 32, inclusive, west half section 3; north half northeast quarter and west half section 20; north half, southwest quarter and north half southeast quarter and north half southwest quarter southeast quarter section 33.

Township 53 north, range 65 west: Sections 1, 12, 13, 24, 25, 36.

Township 53 north, range 64 west: Sections 1 to 12, inclusive, 15 to 22, inclusive, 27 to 34, inclusive, northeast quarter and west half section 14.

Township 53 north, range 63 west: North half section 5, section 6, and northwest quarter section 7.

Township 52 north, range 65 west: Sections 1 to 36, inclusive.

Township 52 north, range 64 west: Sections 3 to 10, inclusive, 14 to 36, inclusive.

Township 52 north, range 63 west: Section 31 and east half section 36.

Township 51 north, range 63 west: Sections 1, 6, 8, 10, 11, 12, and west half southwest quarter section 5; east half northeast quarter, southeast quarter, south half southwest quarter section 9.

SEC. 2. Any of the lands described in the first section of this act which are privately owned may be accepted in exchange by the Secretary of the Interior under the provisions of the act entitled "An act to consolidate national forest lands", approved March 20, 1922, as amended. All of such lands so accepted in exchange shall be added to and made a part of the Black Hills National Forest in the State of Wyoming and shall thereafter be administered under the laws and regulations relating to the national forests.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CEMETERY, COLUMBUS, OHIO

The Clerk called the next bill, H. R. 9735, to authorize an appropriation for the purpose of establishing a national cemetery at Columbus, Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $150,000 to establish a national cemetery at Columbus, Ohio.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

SHIP SUBSIDY

The Clerk called the next bill, H. R. 10573, to authorize operating subsidy contracts for vessels engaged in the intercoastal commerce of the United States, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH, Mr. CHURCH, and Mr. STEFAN objected.

UNITED STATES NAVAL ACADEMY

The Clerk called the next bill, H. R. 7276, to increase the number of midshipmen allowed at the United States Naval Academy appointed at large.

Mr. TABER. Mr. Speaker, reserving the right to object, I understand this bill provides for 10 additional midshipmen at Annapolis; yet we are already in a situation where there is a surplus and cannot find places for them in the Navy without forcibly retiring a lot of officers.

Mr. Speaker, I ask unanimous consent that the bill may go over without prejudice.

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

There was no objection.

COTTON STATISTICS

The Clerk called the next bill, S. 3882, amending the act authorizing the collection and publication of cotton statistics by requiring a record to be kept of bales ginned by counties.

Mr. RICH. Mr. Speaker, reserving the right to object, will the gentleman from Texas explain the bill briefly?

Mr. POAGE. Mr. Speaker, this bill simply requires the ginners in making their reports of cotton ginned, as the law now requires to report in addition from what county the cotton originated. The reason for this is that under the Agricultural Adjustment Act acreage allotments depend upon the production of cotton within the county boundaries. Cotton is often hauled long distances, sometimes clear across the county and into another county for ginning. The county in which the cotton is ginned will get credit for producing the cotton, because at the present time they simply take the ginning figures of all the cotton ginned in a given county without its being shown whether the cotton was produced in that county or in some other county. This bill is simply for the purpose of showing where the cotton was produced.

Mr. RICH. This information is gathered by the Department of Agriculture at the present time, is it not?

Mr. POAGE. No; we do not have that data. We have the data on how much cotton is ginned in a county but we do not have data as to where the cotton was produced. The custom has grown up and it is still growing, that where

there is a larger town with a better cotton market cotton will be hauled in by trucks, in these days of good roads, for 20, 30, or 40 miles. Under the present set-up, therefore, we just have figures saying that the country ginned so much cotton.

That county is given credit for the production, whereas the county that produced the cotton does not get the credit and the farmers are penalized. There is no additional cost involved in this. It will not cost one additional penny, according to the Director of the Census.

Mr. RICH. It seems to me that with the authority given the Secretary of Agriculture under the A. A. A. it has the information, or it should have all the information, and we should not add any expense for this additional data.

Mr. POAGE. The Department of Agriculture does not get that information. It comes through the Census Bureau. That is the way the Secretary of Agriculture now gets the information. This simply authorizes the Census Bureau to acquire the additional information when it makes its report.

Mr. RICH. It looks to me like you are trying to fix something up to get additional census takers to stay in each county down there, thereby putting more people on the Government pay roll. If you would stop the 12,000 bales of cotton coming into Norfolk, which is being used down here in North Carolina, you would accomplish something. That is the second shipment of 12,000 bales, 24,000 bales altogether, of cotton coming in from India under these reciprocal-trade agreements. If you gentlemen are going to permit that kind of legislation and then want us to pass more bills putting more people to work taking a census of the cotton you are growing in this country, there is something wrong in Denmark, and Denmark is over on that side of the aisle. I do not think you should permit a bill of this kind to go through. More cotton in America than we know what to do with and importing millions of pounds of India cotton. What will American labor do? What will American cotton farmers do? What will you do about it? I ask.

Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

Mr. LUTHER A. JOHNSON. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object.

I am opposed, Mr. Speaker, to the way you cotton Congressmen do things. If you want to help America, stop trying to ruin the cotton markets and the American labor markets.

SECTIONS 7, 14, AND 20 OF THE ORGANIC ACT OF THE VIRGIN ISLANDS

The Clerk called the next bill, H. R. 10649, to amend sections 7, 14, and 20 of the organic act of the Virgin Islands of the United States (49 Stat. 1807).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MARTIN of Massachusetts. Mr. Speaker, will some one explain this bill?

Mr. LANZETTA. Mr. Speaker, the purpose of this bill is to permit the Governor of the Virgin Islands to introduce bills in the respective municipal councils and in the legislative assembly of the islands, and to attend or depute another person to represent him before such bodies.

Mr. MARTIN of Massachusetts. Who petitions for this bill?

Mr. LANZETTA. The Governor has petitioned for it. The reason for the Governor's action is that the legislative bodies of these islands have not only failed to consider, but also refused to introduce many important measures which he has recommended. The only way that the Governor may be able to get his legislation before them is to introduce it himself.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice. It involves quite a substantial change in the present law.

Mr. LANZETTA. The gentleman must realize that if this request was made by the Governor, that it was made with a definite purpose in mind, and that is that the various legislative bodies in the islands should at least have the legislation before them even though they might not wish to pass it.

Mr. SNELL. He certainly would not have any better prospect of having the legislation acted on if there is not a single member of the legislature willing to introduce it.

Mr. LANZETTA. If the bills are introduced and if the legislature refuses to take any action, then the Governor can go to the people and tell them the reason why the legislation has failed of passage.

Mr. SNELL. He has the opportunity to go to the people anyway. I do not think you ought to change the organic law down there by unanimous consent here.

Mr. LANZETTA. But if the legislation is introduced, it would have to be considered and acted upon one way or the other. There could be no excuse.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

RATIFICATION OF ALL JOINT RESOLUTIONS OF THE LEGISLATURE OF PUERTO RICO

The Clerk called the next bill, H. R. 10652, to provide for the ratification of all joint resolutions of the Legislature of Puerto Rico and of the former legislative assembly.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, may I ask the gentleman why we should ratify all the acts of a legislature?

Mr. LANZETTA. I may say to the gentleman that in the past years the Legislature of Puerto Rico has passed more than 1,000 laws by joint resolution under the impression that they had a right to do so under the organic act. The question as to whether they were empowered to do so did not come up until a short time ago when the constitutionality of a law passed by joint resolution was questioned. The Circuit Court of Appeals after consideration decided that the Legislature of Puerto Rico had no authority under the organic act to pass laws by joint resolution. This decision by the court invalidated not only the law in question but every other law which had been passed in a similar way. The purpose of the bill now before us is to ratify and validate all laws which the Puerto Rican Legislature passed by joint resolution.

Mr. O'MALLEY. Will the gentleman yield?

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

Mr. O'MALLEY. They do have power to enact law by a specific act?

Mr. LANZETTA. By bills, yes.

Mr. O'MALLEY. This proposes to give them a power that they never had before; that is, to enact laws by joint resolution?

Mr. LANZETTA. No.

Mr. O'MALLEY. The gentleman just said that.

Mr. LANZETTA. All this bill proposes to do is ratify the laws which have already been passed by joint resolutions. In other words, it is a sort of nunc pro tunc order legalizing and validating the laws passed by joint resolution.

Mr. MARTIN of Massachusetts. Has the legislature requested this action?

Mr. LANZETTA. Yes; the legislature and the Governor have requested it.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all and each and every of the joint resolutions passed at any time by the Legislature of Puerto Rico or by the former legislative assembly, and approved by the Governor,

be, and the same are hereby, in all things ratified, approved, and confirmed; and all acts done, contracts and conveyances made or entered into or issued or delivered or accepted or received, including bonds, deeds, and transfers of real or personal property or easements or intangible or incohate rights, and documents and papers of every character made, taxes collected and the collection thereof, disbursements of moneys made and warrants therefor, and all other steps, acts, judgments, decrees, and proceedings of any and every kind or nature entered into, made, done, taken, had, executed, issued, delivered, or received or accepted under or by virtue of any such joint resolution, either of the Legislature of Puerto Rico or of the former legislative assembly, be, and the same are hereby, in all things legalized, ratified, and confirmed and validated as fully to all intents and purposes, and to have the same effect, validity, operation, and effectiveness as though all and each and every of such joint resolutions had originally been enacted, validly, and approved by the Governor, in the form of "acts" of the legislature and of the legislative assembly, respectively, instead of in the form of "joint resolution."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAVY AND MARINE MEMORIAL

The Clerk called the joint resolution (H. J. Res. 403) to provide for the completion of the Navy and Marine Memorial.

Mr. TREADWAY. Reserving the right to object, Mr. Speaker, I believe an explanation of this measure should be given to the House.

Mr. KELLER. Mr. Speaker, I should like to have the gentleman who introduced the joint resolution make a presentation of the subject to the House.

Mr. JENKS of New Hampshire. Mr. Speaker, this measure relates to the Navy and Marine Memorial near the Potomac River, which is partially completed. An organization was formed a number of years ago to solicit voluntary subscriptions for this memorial, and approximately $340,000 was collected. This money was voluntarily contributed by the people throughout this entire country. More than 2,000,000 school children donated to the fund. Three Secretaries of the Navy approved the plan and headed the organization. The money contributed by our citizens was for a memorial to those who lost their lives at sea, and I believe it is fitting and proper that we should have such a tribute here in the National Capital.

About 3 years ago the Congress appropriated $13,000 to bring the memorial from Cleveland to Washington, and it is now in its place on the other side of the Potomac River. It is completed with the exception of the steps.

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

Mr. JENKS of New Hampshire. I yield to the gentleman from New York.

Mr. TABER. When this bill was under consideration on the Consent Calendar it was sponsored by the gentleman from New York [Mr. BLOOM] and called for the expenditure of $18,000. I allowed the bill to come up and be passed with the understanding that $13,000 would finish the job. Now I understand the desire is to have Congress appropriate something like $150,000 to finish the job. Frankly, that is entirely contrary to the understanding I had when the bill came up. I am inclined to feel obliged to object.

Mr. KELLER. If the gentleman will yield, may I say that this memorial, as the gentleman from New Hampshire has stated, is one that appealed especially to the people of the United States because it is the only naval memorial we have and was given for the purpose the gentleman has well stated. May I call the attention of the gentleman to the fact that this is one of two or three things the Committee on the Library has passed with a view of cleaning up these memorials that have been given to us and not completely paid for. Every one of the other gifts that are coming through at the present time has a provision in it that the entire amount shall be put in the bank and not spent for the purpose for which it is given except with the O. K. of the Department on every one of the vouchers. Therefore, we will not have this situation coming up again. I took the matter up with the Bureau of the Budget, with the administration generally, and with the leaders of both the House and the Senate, and the estimation made of the situation was that we ought to complete the memorials we now have on hand, this and the Mount Rushmore Memorial, especially, and stop at that point. I am at the present time in a position to assure the House that hereafter when gifts come through, no such situation as this will happen. It does seem to me a rational thing to do to clean up all these situations.

Mr. TABER. The original bill asked for only $18,000, and that amount was cut $5,000. Now we are being asked for $150,000 to complete the memorial. I have been over to see this memorial, and in my opinion it is one of the worst-looking things I have ever seen. I will be perfectly frank. It has no artistic beauty or any virtue of that kind. I do not believe we ought to advertise it any more than it is already advertised. Frankly, I believe we ought not to go on with its construction.

Mr. Speaker, I feel obliged to object.

Mr. KELLER. Mr. Speaker, will not the gentleman withhold his objection for a moment?

Mr. TABER. I withhold the objection for a moment, Mr. Speaker.

Mr. KELLER. The statement the gentleman makes, that the memorial is not very beautiful to behold at the present time, makes me suggest that if the gentleman had bought a suit of clothes and got only a coat and vest, leaving the suit standing at that, it would not look very well either, and that is exactly the situation of that monument at the present time. It is a beautiful piece of work and ought to be completed. This has been unanimously endorsed by the Commission of Fine Arts, and the memorial ought not to be left standing there in that condition.

Mr. TABER. That does not speak very well for the Commission of Fine Arts.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. I object, Mr. Speaker.

RETIRED OFFICERS OF THE MARINE CORPS AND COAST GUARD

The Clerk called the next bill, S. 1532, to exempt retired officers of the Marine Corps and Coast Guard from certain restrictions with respect to holding office under the United States.

Mr. O'MALLEY. Reserving the right to object, Mr. Speaker, I should like the author of the bill or the gentleman from Illinois to explain just what the bill covers. Is this intended to give an opportunity to more Army and Navy officers who are drawing a large retirement pay to hold Government jobs and draw more pay?

Will these officers on retirement be able to get Government jobs and have that money in addition to their retirement pay? If the bill does that, I shall object to its consideration. The Army officers ought to be satisfied with their large retirement pay and not take jobs away from citizens who need them.

Mr. CHURCH. As stated in the report, the purpose of the bill is to amend the second sentence of section 2 of the Legislative, Executive, and Judiciary Appropriation Act, approved July 31, 1894—Twenty-eighth Statutes, page 205; United States Code, title 5, section 62—by striking out the words "Army or Navy" and inserting in lieu thereof the words "Army, Navy, Marine Corps, or Coast Guard."

Existing laws—section 2 of the act approved July 31, 1894, as amended, United States Code, title 5, section 62—exempts certain retired officers of the Army and Navy whose annual compensation may amount to $2,500 from the inhibition against holding any other public office to which compensation is attached and to which they may be elected or appointed by the President by and with the advice and consent of the Senate.

The present bill extends this exemption to retired officers of the Marine Corps and Coast Guard.

This bill does not change the provisions of section 212 of the act of June 30, 1932. That act provides that where a retired officer has qualified for and accepted appointment to

a civilian office or position under the Federal Government or the municipal government of the District of Columbia, or under any corporation the majority of the stock of which is owned by the United States, the combined rate of his compensation in such civilian office or position and his retired pay for or on account of commissioned service is limited by law to $3,000 per annum; but if the retired rate of pay exceeds $3,000, then the retired officer can only receive one pay, and must, therefore, make a choice as to whether he will continue to receive his retired pay or the civil-position pay. Should he give up his retired pay while holding the civil office, he may again receive his retired pay when he relinquishes his civil office.

It was the opinion of the House Naval Affairs Committee that retired officers of the Marine Corps and Coast Guard should be granted the exemption already enjoyed by officers of the Army and Navy.

This bill has the approval of the Navy Department, as is indicated by the letter from the Secretary of the Navy to the House Committee on Naval Affairs, which is found in the report. I hope the gentleman from Wisconsin will not object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FADDIS. I object, Mr. Speaker.

RELIEF OF CERTAIN OFFICERS OF THE UNITED STATES NAVY AND MARINE CORPS

The Clerk called the next bill, S. 2409, for the relief of certain officers of the United States Navy and the United States Marine Corps.

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, I would like to find out what an honorary retired officer is. Is that a Kentucky colonel?

Mr. DRIVER. If the gentleman will permit, one of these officers involved I am concerned with, and have discussed the matter very fully with Senator BYRD, the author of this bill.

This bill is for the purpose of removing a rank discrimination against naval and marine officers due to a change of the policy that existed up to the passage of the act of May 29, 1936, which authorized promotion, upon examination, under the old rule of seniority. When the time approached when these particular officers were concerned with an examination under the then existing law to secure their promotion, this number were on duty on the high seas.

Mr. O'MALLEY. How many does this affect?

Mr. DRIVER. The gentleman from Minnesota [Mr. MAAS] can give the gentleman that information definitely.

Mr. MAAS. There are around 27 officers altogether affected.

Mr. O'MALLEY. Why should not this come in as a private matter if there are just 22 officers involved?

Mr. MAAS. This is under a public act. Through no fault of these officers this situation occurred. Some of them were on C. C. C. duty, some were on the high seas, and the Navy for its own convenience failed to have them take the qualifying medical examination.

Mr. O'MALLEY. What is the relief feature in the bill? Is it back pay?

Mr. MAAS. No; they ought to get back pay, but the bill does not give it to them. It simply puts them with respect to seniority where they would be otherwise, but without the back pay to which they are really entitled.

Mr. O'MALLEY. There is no back pay involved?

Mr. MAAS. No back pay whatever.

Mr. DRIVER. Further, notwithstanding the passage of time, they are required to conform to the same yardstick in their examination as if they had been called upon before.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask this question: Does this give permission for employment of men in the Army or Navy who have been retired and who are going to take jobs away from other people?

Mr. DRIVER. Not at all. That is not involved, I can assure the gentleman.

Mr. RICH. It says "for employment of honorary retired officers."

Mr. DRIVER. That is not the pending bill. This bill is simply to remove a discrimination.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to appoint to the next higher grade or rank on the active list such officers of the line of the United States Navy and such officers of the United States Marine Corps as became eligible by seniority for promotion to a higher grade or rank prior to May 29, 1934, under the laws then in force, and became ineligible for such promotion through the passage of the acts approved May 29, 1934 (48 Stat. 811 and 814; U. S. C., title 34, secs. 286h and 626a), and such officers of the Staff Corps of the United States Navy as became eligible by seniority for promotion to a higher grade or rank prior to August 5, 1935, under the laws then in force, and became ineligible for such promotion through the passage of the act approved August 5, 1935 (49 Stat. 530), who have not been promoted to such higher grade or rank prior to the date of this act: *Provided*, That such officers shall, prior to promotion as herein authorized, be required to establish under existing law their mental, moral, professional, and physical qualifications to perform all the duties of the grade or rank to which authorized to be appointed by the provisions of this act, except that all such officers who are found physically or mentally not qualified for promotion due to causes originating in the line of duty shall be placed on the retired list in the grade or rank and with the retired pay to which their seniority would have entitled them under the laws in force at the time they became eligible by seniority for promotion: *Provided further*, That when promoted to the next higher grade or rank they shall be carried as extra numbers but only in the grade or rank to which promoted pursuant to this act, and shall take precedence with, but after, the officers of the line or the Staff Corps of the Navy, or of the Marine Corps, respectively, next after whom they would have taken precedence had they been promoted to the next higher grade or rank under the laws in force at the time they became eligible by seniority for such promotion: *Provided further*, That for purposes of pay and service in grade they shall be held to have been promoted as of the date on which they became eligible by seniority for promotion: *And provided further*, That no back pay or allowances shall be held to have accrued prior to the passage of this act.

SEC. 2. That such officers of the line of the United States Navy and of the United States Marine Corps as became eligible by seniority for promotion prior to May 29, 1934, under the laws then in force, and such officers of the Staff Corps of the United States Navy as became eligible by seniority for promotion prior to August 5, 1935, under the laws then in force, as have been retired on or before the date of this act on account of mental or physical disability due to causes originating in the line of duty or as an incident of the service, shall have the rank and retired pay to which they would have been entitled had these disabilities been discovered by naval boards convened to determine their mental, moral, professional, and physical fitness for promotion to the next higher grade or rank under the laws then in force relative to promotion based upon seniority.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EMPLOYMENT OF HONORARY RETIRED OFFICERS

The Clerk called the next bill, H. R. 6900, for the employment of honorary retired officers.

The Clerk read the title of the bill.

Mr. FADDIS and Mr. O'MALLEY rose.

Mr. FADDIS. Mr. Speaker, reserving the right to object, I would like to have the author of this bill explain to the House what an honorary retired officer is?

Mr. MAAS. Mr. Speaker, a Reserve officer who has reached the age of 64 or who becomes physically incapacitated to serve in the Reserve is placed on what is called an honorary retired list. There is no money involved. It is not a paid retired list at all. It roughly corresponds to the retired list, and the purpose of this is to permit the employment of these retired officers mainly in time of war. At the present time if a Reserve officer reaches the age of 64, the President cannot even use him in time of war. Some of them are very valuable. This permits the employment of three in times of peace, but never to exceed 1 year, with 1 year extension. This is to provide for unusual qualified specialists. We have a case now of a man doing administrative work in the merchant marine reserve and they want to keep him another year to carry out a program of creating a merchant marine enlisted reserve, but he has reached the age of 64. However, the main pur-

pose is, in time of war, to permit the President to call these valuable Reserve officers into the service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That within current appropriations and within the number of Naval Reserve officers of the various grades currently authorized for such class of active duty the Secretary of the Navy is hereby authorized to employ on active duty with pay and allowances of their grades such officers of the honorary retired list of the Naval Reserve as he may deem necessary for the proper functioning of the Naval Reserve and the pay and allowances of such officers while employed shall be paid from the appropriation "Naval Reserve."

With the following committee amendments:

Line 7, after the word "officers", insert a comma and add "not to exceed three in number at any one time."

Line 8, after the word "Naval Reserve", insert "not above the grade of lieutenant commander."

Line 11, after the words "Naval Reserve", change the period to a comma, add a colon, and insert: "*Provided*, That such employment, unless extended by the Secretary of the Navy, shall not exceed 1 year in any case and extensions shall not exceed 1 additional year: *Provided further*, That nothing herein contained, and nothing contained in other laws or parts of laws, shall be construed to prevent the unrestricted employment by the Secretary of the Navy of officers on the honorary retired list on active duty in time of war or other national emergency."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF DISCHARGED SAILORS, SPANISH-AMERICAN WAR

The Clerk called the bill (H. R. 7520) for the relief of sailors who were discharged from the Navy during the Spanish-American War, the Philippine Insurrection, and the Boxer Uprising because of minority or misrepresentation of age.

The SPEAKER. Is there objection?

Mr. ANDREWS. Mr. Speaker, I reserve the right to object. Would the gentleman from Massachusetts consider an amendment to the bill including the Army under like provision?

Mr. BATES. Mr. Speaker, this bill was called forth because in January 1929 a bill extended these benefits to World War veterans, and a year ago the Army was extended that benefit. Because of that this bill is being recommended this year.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged sailors of the United States Navy, their widows and dependent children, a sailor who was enlisted between April 21, 1898, and July 4, 1902, both dates inclusive, and who was discharged for fraudulent enlistment because of minority or misrepresentation of age, shall hereafter be held and considered to have been honorably discharged from the naval service on the date of his actual separation therefrom, if his service otherwise was such as would have entitled him to an honorable discharge: *Provided*, That no back pay or allowance shall accrue by reason of the passage of this act: *Provided further*, That in all such cases the Navy Department shall, upon request, grant to such men, their widows, or other dependents a discharge certificate showing that the sailors are held and considered to have been honorably discharged under the provisions of this act.

With the following committee amendments:

Page 1, line 4, strike out "sailors of the United States Navy, their widows and dependent children, a sailor" and insert "members of the military or naval forces of the United States, their widows and dependent children, a member of the Navy or Marine Corps."

Page 2, line 4, strike out "naval service" and insert "Navy or Marine Corps."

Page 2, line 10, after the word "such", strike out the remainder of the line and all of line 11, and the word "are" in line 12, and insert "individual, his widow or next of kin a discharge certificate showing that such former member of the Navy or Marine Corps is."

The amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read: "A bill for the relief of members of the Navy or Marine Corps who were discharged from the Navy or Marine Corps during the Spanish-American War, the Philippine Insurrection, and the Boxer uprising because of minority or misrepresentation of age."

UNIFORM METHOD OF EXAMINATION, WARRANT OFFICERS

The Clerk called the bill (S. 2474) to provide a uniform method for examinations of promotion of warrant officers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no warrant officer shall be promoted to chief warrant officer until he shall have passed an examination before a board of commissioned officers as may be prescribed by the Secretary of the Navy.

SEC. 2. All laws or parts of laws inconsistent with this act are hereby repealed to the extent of such inconsistency.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

DISTRICT COURT, HUTCHINSON, KANS.

The Clerk called the bill (S. 3373) to provide for holding terms of the District Court of the United States at Hutchinson, Kans.

The SPEAKER. Is there objection?

Mr. O'MALLEY. Mr. Speaker, will this cost the Government any money now or in the future?

Mr. WALTER. Mr. Speaker, this does not cost the Government any money at all. It does not provide for any additional personnel and suitable accommodations already exist.

Mr. O'MALLEY. It will not cost the Government any more money now or in the future if they are allowed to hold this term of court in Hutchinson, Kans.?

Mr. WALTER. I do not think so.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of section 82 of the Judicial Code, as amended, as reads "terms of the district court for the second division shall be held at Wichita on the second Mondays in March and September" is amended to read as follows: "terms of the district court for the second division shall be held at Wichita on the second Mondays in March and September, and at Hutchinson on the second Monday in June and the first Monday in November, when suitable rooms and accommodations for holding terms of the court shall be provided at Hutchinson free of cost to the United States or a Federal building containing such suitable rooms and accommodations shall be erected at such place."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 82 of the Judicial Code, as amended (U. S. C., title 28, sec. 157) is amended to read as follows:

" 'The State of Kansas shall constitute one judicial district, to be known as the district of Kansas. It is divided into three divisions, to be known as the first, second, and third divisions of the district of Kansas. The first division shall include the territory embraced on the 1st day of July 1910 in the counties of Atchison, Brown, Chase, Cheyenne, Clay, Cloud, Decatur, Dickinson, Doniphan, Douglas, Ellis, Franklin, Geary, Gove, Graham, Jackson, Jefferson, Jewell, Johnson, Leavenworth, Lincoln, Logan, Lyon, Marion, Marshall, Mitchell, Morris, Nemaha, Norton, Osage, Osborne, Ottawa, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Russell, Saline, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wabaunsee, Wallace, Washington, and Wyandotte. The second division shall include the territory embraced on the date last mentioned in the counties of Barber, Barton, Butler, Clark, Comanche, Cowley, Edwards, Ellsworth, Finney, Ford, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Hodgeman, Haskell, Kingman, Kiowa, Kearny, Lane, McPherson, Morton, Meade, Ness, Pratt, Pawnee, Reno, Rice, Rush, Scott, Sedgwick, Stafford, Stevens, Seward, Sumner, Stanton, and Wichita. The third division shall include the territory embraced on the said date last mentioned in the counties of Allen, Anderson, Bourbon, Cherokee, Coffey, Chautauqua, Crawford, Elk, Greenwood, Labette, Linn, Miami, Montgomery, Neosho, Wilson, and Woodson. Terms of the district court for the first division shall be held at Leavenworth on the second Monday in October; at Topeka on the second Monday in April; at Kansas City on the first Monday in October and the first Monday in December; and at Salina on the second Monday in May; terms of the district court for the second division shall be held at Wichita on the second Mondays in March and September, and at Hutchinson on the second Monday in June and the first Monday in November, when suitable rooms and accommodations for holding terms of the court shall be provided at Hutchinson free of cost

to the United States or until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Hutchinson, a public building containing such suitable rooms and accommodations shall be erected at such place; and for the third division at Fort Scott on the first Monday in May and the second Monday in November. The clerk of the district court shall appoint three deputies, one of whom shall reside and keep his office at Fort Scott, one at Wichita, and the other at Salina, and the marshal shall appoint a deputy who shall reside and keep his office at Fort Scott and the marshal shall also appoint a deputy, who shall reside and keep his office at Kansas City."

The amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

SLUM CLEARANCE IN PUERTO RICO

The Clerk called the bill (H. R. 10050) to authorize the Legislature of Puerto Rico to create public corporate authorities to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds therefor, to authorize the legislature to provide for financial assistance to such authorities by the government of Puerto Rico and its municipalities, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

Mr. LANZETTA. Mr. Speaker, I reserve the right to object for the purpose of explaining to the gentleman from New York that all this bill does is to set up a housing authority so that Puerto Rico, like the other 48 States, may avail itself of the benefits provided for under the new housing law. What we are doing here had to be done in most States before they could function under the new Housing Act. The reason why this bill is in Congress is because the Legislature of Puerto Rico has no authority under the organic act to pass this enabling legislation. I am sure that the gentleman would not want to deprive the people of Puerto Rico from deriving their share of the benefits under the Housing Act. The law includes Puerto Rico and this bill will enable the insular government to obtain its allotment and to proceed with its slum-clearing program at once. I can see no reason why any objection should be made to this bill passing on the Consent Calendar, since it contains no controversial matter. Furthermore, it is important and necessary that this bill pass before we adjourn, for otherwise Puerto Rico will not be able to proceed with its slum-clearing program until the next session of Congress. I trust that the gentleman will withdraw his request.

The SPEAKER. Is there objection to the request of the gentleman from New York, that the bill go over without prejudice?

There was no objection.

PAYMENT TO SAN CARLOS APACHE INDIANS

The Clerk called the bill (S. 1231) authorizing payment to the San Carlos Apache Indians for the lands ceded by them in the agreement of February 25, 1896, ratified by the act of June 10, 1896, and reopening such lands to mineral entry.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object, to ask somebody to explain the bill.

Mr. MURDOCK of Arizona. Mr. Speaker, I have just explained the bill to my colleague, the gentleman from Illinois [Mr. CHURCH] and one or two others who had questions. This provides for buying some land which was ceded to the Apache Indians of the San Carlos Reservation in 1896, I think it was. I wish the amount to be paid had been greater than that included in the bill. It has been reduced from about $278,000 to $33,000, but the amount included in the bill at present merely pays the Indians for some land now passed into private ownership. The amount stated in the bill is satisfaction in full for a much larger tract of land for which they should receive a much larger payment.

Mr. RICH. Has the Bureau of Indian Affairs approved this?

Mr. MURDOCK of Arizona. Yes; I have talked it over with several men in the Indian Bureau.

Mr. RICH. Did Mr. Collier approve this?

Mr. MURDOCK of Arizona. I have not talked with him, but I have talked with Mr. Zimmerman, the Assistant Commissioner, and others. The Bureau of the Budget approves this.

Mr. RICH. Mr. Speaker, I think we ought to have the Commissioner of Indian Affairs approve the bill. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

UNITED STATES BUREAU OF FISHERIES

The Clerk called the next bill, H. R. 10650, to provide for a modified 5-year building program for the United States Bureau of Fisheries.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Virginia tell us what this modified program is?

Mr. BLAND. It is really a supplemental or new program covering a period of 5 years. It provides various fish-cultural stations, laboratories, and other facilities somewhat similar to the bill that was passed in 1930 for a 5-year program that has been about completed. This bill if passed will provide these important fish-cultural stations and laboratories in about 23 or 24 States and lay the groundwork so that some of the Public Works money may be used for this purpose.

Mr. MARTIN of Massachusetts. How much money is involved?

Mr. BLAND. It involves in all about $3,170,000 for the 5-year program.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of May 21, 1930 (46 Stat. 371) is hereby amended to read as follows:

"There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1939, such amounts as may be necessary for—

"(1) The further development of fish-cultural stations at the following places, at a cost not to exceed the amount specified: Flintville, Tenn., $25,000; Lamar, Pa., $40,000.

"(2) The establishment of fish-cultural substations in each of the following States, at a cost not to exceed the amount specified: Mississippi, $40,000; Maine, $50,000; Alabama, $75,000.

"(3) The construction of rearing ponds in each of the following areas, at a cost not to exceed the amount specified: Upper Mississippi River, Rock Island to Wabasha, $60,000; national park and forest areas, $40,000.

"(4) The purchase of 10 fish-distribution trucks, at a cost not to exceed $15,000.

"(5) The further development of fish-cultural stations in each of the following States, at a cost not to exceed the amount specified: Ohio, $25,000; Kansas, $25,000; Minnesota, $25,000; North Dakota, $25,000.

"(6) The establishment of fishery laboratories at the following places, at a cost not to exceed the amount specified: College Park, Md., $100,000; Milford, Conn., $50,000; Little Port Walter, Alaska, $25,000.

"(7) The further development of the fishery laboratory at Pensacola, Fla., at a cost not to exceed $10,000.

"(8) The construction of a fishery laboratory boat for use in southeastern Alaska, at a cost not to exceed $20,000.

"(9) The construction of 12 high-speed patrol boats for enforcement of Alaska fishery laws and regulations, at a cost not to exceed $60,000.

"(10) The construction of two seagoing patrol vessels for the enforcement of Alaska fishery laws and regulations, at a cost not to exceed $120,000.

"(11) The establishment of salmon-counting weirs in the important salmon streams in Alaska, at a cost not to exceed $20,000.

"SEC. 2. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1940, such amounts as may be necessary for—

"(1) The establishment of a fishery laboratory at Karluk, Alaska, at a cost not to exceed $35,000, including the construction of a road.

"(2) The establishment of a fish-cultural station in Arizona, at a cost not to exceed $75,000.

"(3) The further development of fish-cultural stations at each of the following places, at a cost not to exceed the amount specified:

Leetown, W. Va., $35,000; Marion, Ala., $25,000; Natchitoches, La., $25,000; Cortland, N. Y., $25,000.

"(4) The construction of rearing ponds in each of the following areas, at a cost not to exceed the amount specified: Upper Mississippi River, Rock Island to Wabasha, $60,000; national park and forest areas, $40,000.

"(5) The purchase of 10 fish-distribution trucks, at a cost not to exceed $15,000.

"(6) The repair and improvement of the aquarium in the Commerce Building, at a cost not to exceed $10,000.

"(7) The establishment of a fish-cultural station in eastern Washington, at a cost not to exceed $75,000.

"(8) The construction of a seagoing patrol vessel for the enforcement of Alaska fishery laws and regulations, at a cost not to exceed $60,000.

"(9) The construction and equipment of a seagoing vessel for the conduct of scientific and oceanographic research in waters off the Pacific coast, at a cost not to exceed $400,000.

"(10) The establishment of salmon counting weirs in the important salmon streams in Alaska, at a cost not to exceed $20,000.

"SEC. 3. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1941, such amounts as may be necessary for—

"(1) The purchase and further development of the Fields fish hatchery in Comanche County, Okla., at a cost of not to exceed $40,000.

"(2) The establishment of fish-cultural stations in the following States at a cost not to exceed the amount specified: Illinois, $75,000; Arkansas, $60,000.

"(3) The establishment of shad-rearing stations in the following States, at a cost not to exceed the amount specified: South Carolina, $35,000; Virginia, $50,000; Maryland, $50,000.

"(4) The establishment of a fishery products laboratory in Puerto Rico, at a cost not to exceed $25,000.

"(5) The construction of rearing ponds in each of the following-named areas, at a cost not to exceed the amount specified: Upper Mississippi River, Rock Island to Wabasha, $60,000; national park and forest areas, $40,000.

"(6) The purchase of 10 fish-distribution trucks, at a cost not to exceed $15,000.

"(7) The construction of a seagoing patrol vessel for the enforcement of Alaska fishery laws and regulations, at a cost not to exceed $60,000.

"(8) The construction of dwellings and other buildings for natives on the Pribilof Islands, Alaska, at a cost not to exceed $20,000.

"(9) The establishment of a fishery-products laboratory in the Territory of Alaska, at a cost not to exceed $50,000.

"SEC. 4. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1942, such amounts as may be necessary for—

"(1) The establishment of a fish-cultural station in New Jersey, at a cost not to exceed $75,000.

"(2) The construction of rearing ponds in national park and forest areas, at a cost not to exceed $40,000.

"(3) The purchase of 10 fish-distribution trucks, at a cost not to exceed $15,000.

"(4) The construction of a seagoing patrol vessel for the enforcement of Alaska fishery laws and regulations, at a cost not to exceed $60,000.

"(5) The construction of dwellings and other buildings for natives on the Pribilof Islands, Alaska, at a cost not to exceed $20,000.

"(6) The construction of a vessel to serve as a tender for the Pribilof Islands, Alaska, at a cost not to exceed $300,000.

"SEC. 5. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1943, such amounts as may be necessary for—

"(1) The establishment of fish-cultural substations in the following States, at a cost not to exceed the amount specified: Northern Idaho, $50,000; Kentucky, $50,000.

"(2) The construction of rearing ponds in national park and forest areas, at a cost not to exceed $40,000.

"(3) The purchase of 10 fish-distribution trucks, at a cost not to exceed $15,000.

"(4) The construction of a sea-going patrol vessel for the enforcement of Alaska fishery laws and regulations, at a cost not to exceed $60,000.

"(5) The construction of dwellings and other buildings for natives on the Pribilof Islands, Alaska, at a cost not to exceed $20,000.

"SEC. 6. (a) The new stations, substations, and laboratories authorized by this act shall be located at such specific points as may be selected by the Secretary of Commerce.

"(b) Any appropriation made under authority of this act may be expended for the purchase of sites, equipment, the construction of buildings, and for such other items as may be incidental to the establishment, further development, or purchase, as the case may be, of the station, substation, or laboratory in question.

"(c) No part of an appropriation made under authority of this act shall be expended in the establishment, further development, or purchase of a station or substation unless the State in which such station or substation is to be located shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish-cultural operations and all other necessary operations connected therewith, in such manner and at such times as is considered necessary and proper by the said Commissioner or his agents. The operation of any station or substation established, further developed, or purchased under authority of this act may be discontinued whenever the State ceases to accord such right, or whenever, in the judgment of the Secretary of Commerce, State laws or regulations affecting fishes propagated are allowed to remain so inadequate as to impair the efficiency of such station or substation.

"(d) The authorizations herein with reference to appropriations for certain specified years are for the purpose of indicating priority proposed to be given the various projects but shall not be held to require the appropriations to be made in the years specified, and the appropriations enumerated are likewise authorized in prior or subsequent years in annual or supplemental appropriation acts.

"SEC. 7. In carrying out the provisions of this act the Bureau of Fisheries may cooperate with States, counties, municipalities, individuals, and public and private agencies, organizations, and institutions, and may accept donations of lands, funds, and other aid to the development of this program. Title to sites for the establishment of stations, substations, or laboratories, whether acquired by donation or purchase, may be acquired subject to such easements, restrictions, or provisions for reversion as may in the judgment of the Secretary of Commerce be considered consistent with the public interest."

With the following committee amendments:

Page 2, line 8, strike out the period after the figures "$75,000" and insert in lieu thereof a semicolon and the words "the establishment of a lobster-rearing station in the State of Maine, $25,000."

Page 3, lines 15 and 16, before the comma following the word "Karluk" insert the word "Lake."

Page 3, line 24, strike out the period following the figures "$25,000" and insert in lieu thereof a semicolon and the following: "Cape Vincent, N. Y., $25,000."

Page 4, line 9, after the word "station", insert the words "and oyster laboratory."

Page 4, line 10, strike out the word "eastern" and insert in lieu thereof the words "the State of."

Page 4, line 10, strike out the figures "$75,000" and insert in lieu thereof the figures "$100,000."

Page 8, between lines 13 and 14, insert a new subsection "(e)" to read as follows:

"(e) To enable the Bureau of Fisheries to carry out this program there are hereby authorized, in addition to all other amounts herein authorized, such appropriations as may be necessary from time to time to provide adequate, technical, administrative, and clerical personnel in the District of Columbia and elsewhere."

The committee amendments were agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. BLAND: Page 1, line 3, after the word "That", strike out the following language in lines 3 and 4: "the act of May 21, 1930 (46 Stat. 371) is hereby amended to read as follows."

Page 1, line 5, strike out in the word "There" the capital letter "T" and insert in lieu thereof the letter "t" in small letter.

In the first line of the title of the bill strike out the word "modified" so that as amended the title will read as follows: "A bill to provide for a 5-year building program for the United States Bureau of Fisheries."

Strike out all quotation marks in the bill.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COAST AND GEODETIC SURVEY

The Clerk called the next bill, H. R. 10690, to authorize the construction of certain vessels for the Coast and Geodetic Survey, Department of Commerce, and for other purposes.

Mr. RICH. Mr. Speaker, reserving the right to object, will the gentleman from Virginia tell us what kind of vessels the Coast and Geodetic Survey proposes to build?

Mr. BLAND. These vessels are needed for survey work that is being done in Alaska. One is a 1,500-ton vessel. They are of light tonnage. I think there are probably one or two smaller vessels.

It appears that there is about 1,000 miles of the coast line along the Aleutian Islands and many other very important sections in Alaska where the reefs have never been charted. It is important to the fishing and commercial interests that these reefs be shown.

The Coast and Geodetic Survey has not had a replacement program since 1929. If the work is to go ahead on this survey in Alaska, it is important that this legislation pass.

Mr. RICH. Realizing that we have spent over $1,250,000,000 for building new vessels for the Navy, that the Navy is getting every kind of vessel from a small boat to a $70,000,000 battleship; realizing further that we have hundreds of

old boats tied up in the rivers, boats that have not been scrapped or junked, I cannot understand why the Coast and Geodetic Survey cannot borrow a couple of vessels from the Navy to do this work. The Navy has thousands of vessels. I cannot see why we have to build additional vessels.

Mr. BLAND. That question was gone into by the committee, and it was asserted that for the particular purpose of the Coast and Geodetic Survey work they needed a particular class of vessel. They stated they had made investigation as to whether any such vessels were available.

This I may say also, is in the interest of national defense.

Mr. RICH. I am for national defense as much as anybody, but we have already authorized $2,250,000,000 for national defense. I think we have gone just about the limit.

Mr. BLAND. The gentleman realizes, I hope, the importance of Alaska as one of the defense points of the United States. It is also highly essential that the waters there shall be charted. Not very long ago I was talking with the Commandant of the Coast Guard. It seems that some boats were wrecked on one of these reefs because the reef was not shown on the chart.

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

Mr. RICH. I yield.

Mr. FADDIS. It is a well-known fact that the Japanese have these waters better charted than we.

Mr. BLAND. We need to have them charted to be prepared to meet them.

Mr. RICH. How much are these vessels going to cost?

Mr. BLAND. The total expenditure is not to exceed $1,425,000.

Mr. RICH. One million four hundred and twenty-five thousand dollars?

Mr. BLAND. Yes.

Mr. RICH. Where are you going to get the money? Mr. Speaker, I object.

RELIEF OF CERTAIN DISBURSING OFFICERS OF THE UNITED STATES

The Clerk called the next bill, H. R. 9202, for the relief of certain disbursing officers of the United States and certain officers and employees of the Interior Department.

The SPEAKER pro tempore (Mr. O'CONNOR of New York). Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to know who we are going to relieve. A bill was introduced here some time ago to relieve certain bonding companies, and I want to know whether that is in this bill. If there is no one here to explain, we are not going to relieve any bonding companies, and I object.

SITE AND ERECTION OF THE COLUMBIAN FOUNTAIN

The Clerk called the joint resolution (H. J. Res. 664) authorizing the selection of a site and the erection thereon of "The Columbian Fountain" in Washington, D. C.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. TREADWAY. Mr. Speaker, I object.

Mr. SABATH. Will the gentleman withhold this objection?

Mr. TREADWAY. I am going to object, but the gentleman may make any explanation he desires.

Mr. SABATH. Mr. Speaker, I wish to assure the gentleman and the House that this joint resolution does not call for any expense on the part of the Government. Chicago people who have been proud of their achievement in 1893, during the commemoration of the four hundredth anniversary of the discovery of America, then held an exposition. At that time the Congress voted a liberal contribution toward its success. It was an exposition unequaled since. Its court of honor was a wonder to behold; the Columbian fountain formed its most artistic aspect of beauty. It was then, and is still, recognized as the finest piece of work of the great American sculptor Frederick MacMonnies. And men like Daniel H. Durham, Augustus St. Gaudens, and other outstanding artists, were in accord in praising its grandeur.

Unfortunately that fine piece of statuary was not made of permanent material and became lost to posterity. Now large numbers of Chicago's outstanding citizens desire it sculptored out of time-resisting marble and place it in Washington, the Capital of the Nation. They desire to present it without cost to the Government or to the District of Columbia. All my resolution asks is that a site be allotted for its setting. That site to be selected by the Fine Arts and National Capital Park and Planning Commission. Therefore I hope, since no appropriation is asked, that the gentleman will not object to the passage of my joint resolution.

I hope that he and many others remember the Columbian Exposition, and if he does, surely he should feel that not only the people of the District of Columbia but also the hundreds of thousands of visitors from all over the Nation and the world who come here will gain by an opportunity to see this fine piece of sculpture to be donated by Chicago to the Nation's Capital City.

Mr. KELLER. What is the gentleman's objection?

Mr. TREADWAY. The gentleman offers the explanation that it will not result in expense to the Government.

Mr. SABATH. Not a cent.

Mr. TREADWAY. The provision that the chairman of the Library Committee referred to has been inserted in this bill. But that is not the main reason for objecting to its passage. If one will take this bill and read the whereases that go with it I think he will find ample reason for objecting.

Mr. SABATH. I do not care about the whereases.

Mr. TREADWAY. My recollection as a young man goes back to a visit to the Chicago World's Fair where this fountain was on exhibition or in use. It was a very ornate piece of work and proper for that place and time. As I understand it, the desire is to duplicate this fountain from the original sketches and place it permanently in the city of Washington, D. C. Such an ornamental piece of work as that, to my mind, does not correspond with the dignity of our Capital City and, in addition to that is the fact that a location must be given upon which to erect this fountain when constructed. I see no reason why the fountain should be erected in this city, nor do I know where such a design would be appropriate in the city. It seems to me, originally, it might be well to see if the citizens of Chicago themselves do not want to keep that wonderful fountain in their home city. I would not object at all if the gentleman brought in a request that we recommend to the city of Chicago that it erect its own fountain in its own city.

Mr. SABATH. We will.

Mr. TREADWAY. I do object to its erection here and the passage of the bill at this time.

Mr. KELLER. May I call the gentleman's attention to the fact that the matter of placement as well as the matter of reproduction is referred by the bill to the Commission on Fine Arts?

Mr. TREADWAY. I realize that.

Mr. KELLER. And unless a place can be found, then it will not be constructed?

Mr. TREADWAY. No one knows how much land will be required to be given by the Government in the city of Washington nor is any information at hand as to other conditions. All the details are left in the air for the city of Chicago committee to eventually work out.

Mr. Speaker, I object.

ACQUISITION OF THE CHARLES COTESWORTH PINCKNEY PAPERS

The Clerk called the next bill, S. 3699, authorizing the Library of Congress to acquire by purchase, or otherwise, the whole, or any part, of the papers of Charles Cotesworth Pinckney and Thomas Pinckney, including therewith a group of documents relating to the Constitutional Convention of 1787, now in the possession of Harry Stone of New York City.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FADDIS. Mr. Speaker, reserving the right to object, will some one explain how much money is involved?

Mr. KELLER. Thirty-seven thousand five hundred dollars.

Mr. FADDIS. What are these papers?

Mr. KELLER. Charles Cotesworth Pinckney, as the gentleman will recollect, was one of the authors of the Constitution of the United States.

Mr. FADDIS. Yes.

Mr. KELLER. He kept a very thorough record all during the time it was being written of the discussions and everything. It also includes many letters from other men on the subject of the Constitution of the United States at the time it was being written and at the time it was being formed. At the present time there is no source for information on that subject equal to these papers.

Mr. FADDIS. How voluminous is this collection? Is it something that is really worth some money?

Mr. KELLER. Oh, yes.

Mr. FADDIS. Or are we throwing away $37,000 for a little bit of nothing?

Mr. KELLER. No. I ought to call the attention of the House to an additional fact. We have permitted the universities, some in foreign lands, to buy up these remarkable original documents. A man ought to be able to come to Washington and find this source of information on these historic subjects. For some of this material you have to go to Chicago, for other parts of the material to London, and we ought to have it right here. This is the last one I know of that is obtainable. It is worth the money, as shown by the investigation of the Senate committee.

Mr. O'NEAL of Kentucky. Mr. Speaker, will the gentleman yield?

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

Mr. O'NEAL of Kentucky. I may say that by historians this is said to be the best extant collection in private hands in America today. Those things scatter all over the country and are lost. This collection has been priced at twice its present price. Unless this is acquired by some library for the benefit of posterity, the best private collection of material of this period now extant will be gone. I hope the bill will pass.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TREADWAY. I object, Mr. Speaker.

ADDITIONAL MIDSHIPMAN AT THE UNITED STATES NAVAL ACADEMY

The Clerk called the next bill, S. 2276, to provide for an additional midshipman at the United States Naval Academy, and for other purposes.

Mr. FADDIS. I object, Mr. Speaker.

LANDS FOR HIGHWAY PURPOSES, COOS COUNTY, OREG.

The Clerk called the next bill, S. 3095, authorizing the Secretary of War to grant to the Coos County Court of Coquille, Oreg., and the State of Oregon an easement with respect to certain lands for highway purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to grant to the Coos County Court of Coquille, Oreg., and the State of Oregon, a permanent easement authorizing the grantees to construct and maintain a highway 60 feet in width across lands of the United States situated in Coos County, Oreg., on the north bank of the Millicoma River (North Fork of Coos River) in sec. 13, T. 25 S., R. 12 W., and sec. 18, T. 25 S., R. 11 W., Willamette meridian. The easement authorized to be granted by this act shall be in lieu of the license, revocable at the will of the Secretary of War, granted to such grantees on October 14, 1937, and shall be granted subject to such reasonable conditions as the Secretary of War may deem desirable to include in such grant for the purpose of enabling the United States to make full use of the lands bounding such highway.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND FOR HIGHWAY PURPOSES, TILLAMOOK COUNTY, OREG.

The Clerk called the next bill, S. 3126, authorizing the Secretary of War to convey a certain parcel of land in Tillamook County, Oreg., to the State of Oregon to be used for highway purposes.

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask whether any cost to the Government will be involved in the transfer of this land?

Mr. MAY. The only thing involved in this transaction is a strip of land containing forty-two one-thousandths of 1 acre, where a State highway crosses a military reservation private road. Not a dollar is involved in this transaction, and it is not objected to by anybody.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to convey by quitclaim deed to the State of Oregon a parcel of land located in the northwest quarter of the northwest quarter of section 30, township 1 south, range 9 west, Willamette meridian, Tillamook County, Oreg.; such parcel of land being a portion of the 12-foot roadway which was conveyed by a certain deed dated February 8, 1908, from Annie L. Johnson and Ed Johnson, her husband, to the United States; such parcel being more particularly described as follows: Beginning at a point which is the intersection of the westerly right-of-way line of the Oregon Coast Highway and the south line of said 12-foot roadway; said point being 221.1 feet north and 5.3 feet east of the United States meander corner on the west line of said section 30, and on the north bank of the Hoquarton Slough; said point also being 40 feet distant westerly from (when measured at right angles to) the reconstructed center line of the Oregon Coast Highway at Engineer's Station 7+64.1; thence east along the south line of said 12-foot roadway a distance of 154.4 feet to the center of the old county road; thence north 38° west along the center of the county road a distance of 15.2 feet to the north line of said 12-foot roadway; thence west along said north line a distance of 146.8 feet to a point which is 40 feet distant westerly from (when measured at right angles to) the center line of said Oregon Coast Highway; thence parallel to said highway center line on a 2,904.8-foot radius curve left (the long chord of which bears south 8°18′ east 5.87 feet) a distance of 5.9 feet; thence south 8°21′ east parallel to said center line a distance of 6.3 feet to the point of beginning, containing forty-two one-thousandths acres.

SEC. 2. The parcel of land authorized to be conveyed by the first section of this act shall be used for highway purposes, and the deed executed by the Secretary shall contain the express condition that if such parcel of land is used for any other purpose it shall revert to the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPE HENRY MEMORIAL SITE, FORT STORY, VA.

The Clerk called the joint resolution (S. J. Res. 243) to provide for the transfer of the Cape Henry Memorial site in Fort Story, Va., to the Department of the Interior.

Mr. RICH. Reserving the right to object, Mr. Speaker, I should like to have somebody explain this joint resolution.

Mr. MAY. This joint resolution involves a transfer by the War Department to the Department of the Interior of a plot of land either 40 or 60 feet square at Cape Henry for the purpose of allowing the erection by an historical society down there of a monument commemorating the first landing of the English settlers, and leaves it under the jurisdiction of the Department of the Interior for maintenance.

Mr. RICH. If the War Department transfers this land and the Department of the Interior accepts it, who is going to build the monument?

Mr. MAY. The society—the Daughters of the American Colonies.

Mr. RICH. Are they going to ask the Federal Government to contribute money for the construction of the monument?

Mr. MAY. No; they have not yet.

Mr. RICH. They have not yet? Is it intended to do that?

Mr. MAY. I do not know what they are going to do.

Mr. RICH. Almost every time land is transferred from one Department to another for such a purpose you can bet your bottom dollar they are going to come back here and ask

for money. They had better come in here and ask for the monument and the ground at the same time.

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

Mr. RICH. I yield to the gentleman from Virginia.

Mr. HAMILTON. The monument is already there. No money is to be spent. Nothing is to be asked for. This monument is simply a cross and is at Cape Henry now. It commemorates the landing of the first permanent English settlers in America. The cross is there, the plot is already there, and there is simply an area about it that they wish to make a part of the colonial historical monument. No money is to be asked for the construction of this monument.

Mr. RICH. When the plot is transferred to the Department of the Interior, does the gentleman expect that Department to go down there and take care of it?

Mr. HAMILTON. The plot is not one-quarter as large as this room.

Mr. RICH. Is it in the gentleman's district?

Mr. HAMILTON. Yes.

Mr. RICH. The gentleman does not intend, then, to come in and ask the Department of the Interior to do a lot of work down there?

Mr. HAMILTON. No. I absolutely guarantee it will not.

Mr. RICH. If the gentleman will guarantee it, all right.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Whereas the Colonial National Historical Park (formerly the Colonial National Monument) established under the act of Congress approved July 3, 1930, includes Jamestown, Yorktown, and Williamsburg; and

Whereas the Jamestown colonists who established the first permanent English settlement in America first landed and set up a cross on April 26, 1607, at the First Landing Dune in Fort Story, Cape Henry, Va., which is now a shrine marked by a cross memorial: Therefore be it

Resolved, etc., That the Secretary of War is authorized in his discretion, subject to such terms and conditions as he may deem essential for the protection of military interests to transfer to the Secretary of the Interior such part of the Fort Story Military Reservation, Cape Henry, Va., as the Secretary of War may select, but not to exceed an area of 100 feet square, as a proposed site for the Cape Henry Memorial (First Landing Dune), including the site on which the Daughters of the American Colonies have heretofore erected a monument under authority of the War Department. The Secretary of the Interior, through the National Park Service, shall exercise jurisdiction over and maintain such site and memorial as a part of the Colonial National Historical Park, under the provisions of the act establishing the National Park Service, approved August 25, 1916, as amended and supplemented: *Provided*, That the use of any property transferred under the provisions of this act shall be subject to the paramount needs of national defense.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITIONAL MIDSHIPMAN AT THE UNITED STATES NAVAL ACADEMY

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to return to Calendar No. 779, the bill (S. 2276) to provide for an additional midshipman at the United States Naval Academy, and for other purposes.

Mr. O'MALLEY. Reserving the right to object, Mr. Speaker, the gentleman has assured me this bill provides for only one candidate from the Canal Zone.

Mr. VINSON of Georgia. The bill merely permits the Secretary of the Navy, upon recommendation of the Governor General of the Canal Zone, to name one midshipman from the civilian citizens of the Canal Zone.

Mr. O'MALLEY. Resident in the Canal Zone?

Mr. VINSON of Georgia. The gentleman is correct. A similar law is in effect with respect to the Army.

Mr. O'MALLEY. The candidates have to enter by competitive examination?

Mr. VINSON of Georgia. That is usually the way the Secretary makes his appointment.

Mr. RICH. Reserving the right to object, Mr. Speaker, is it not stated in the report that there shall be two candidates selected?

Mr. VINSON of Georgia. It requires that only one candidate be selected. This bill is similar to a law now in effect with respect to the Army, relating to appointments by the Secretary of War.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to return to Calendar 779. Is there objection?

Mr. BROOKS. I object, Mr. Speaker.

The SPEAKER pro tempore. The Chair would suggest that requests to return to bills previously considered on the calendar wait upon the completion of the regular call of the calendar.

AUTHORIZATION OF THE SECRETARY OF THE NAVY TO ACCEPT CERTAIN LANDS IN THE CITY OF LOS ANGELES, CALIF., WITH IMPROVEMENTS THEREON

The Clerk called the next bill, H. R. 9258, to authorize the Secretary of the Navy to accept on behalf of the United States certain land in the city of Los Angeles, Calif., with improvements thereon.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to know what we are going to do with this land and improvements and also what is the purpose of the bill?

Mr. KRAMER. For the information of the gentleman from Pennsylvania, I may say that this is not only to acquire land, but also a building worth in excess of $1,000,000 which the city and county of Los Angeles is donating to the Federal Government. It is to be used as a naval and Marine Corps armory and the Secretary of the Navy has recommended the passage of this bill. It is only to cost the Government about $3,400 a year to maintain the building after they have acquired it.

Mr. RICH. If the armory is already constructed, why give it to the Government?

Mr. KRAMER. It is in course of construction.

Mr. RICH. Why do you want the Federal Government to maintain it? Let California do its duty.

Mr. KRAMER. Because that will be necessary.

Mr. MAAS. I am quite familiar with this matter.

This is a Naval Reserve armory which the city and county of Los Angeles is building. The Federal Government is now running an armory which is totally unsuitable. The city will give this to the Federal Government and it will maintain it in lieu of the rent it is now paying for the present building.

Mr. RICH. How much rent are they paying?

Mr. MAAS. I do not remember the figures, but they will have to double the size of the present rented space if they do not take over this building.

Mr. KRAMER. They are paying at the present time $2,300 and they are getting a million-dollar project. If the gentleman will come to the city of Los Angeles and if he is able to get a million-dollar property for $2,300, he should accept it very quickly.

Mr. RICH. Every time I am told the Government is getting something for nothing I usually find that the Government is getting it in the neck, or getting a pig in a poke.

Mr. KRAMER. This is a very fine project.

Mr. RICH. Then this is one of the very few cases where the Government is getting something for practically nothing—a rare thing for the Government to get from a sovereign State and especially California.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized on behalf of the United States to accept from the city and county of Los Angeles, Calif., a site free from all encumbrances, the title in fee simple, together with the improvements, rights, privileges, and appurtenances belonging thereto, including an armory building constructed or to be constructed thereon, for use of the United States Naval and Marine Corps Reserve: *Provided*, That the acquisition of said land shall be without cost to the United States, and that the grading and landscaping of said land and the construction and completion of said armory building thereon shall not entail any obligation against appropriations of the Navy Department of relief funds apportioned to it: *Provided further*, That the acceptance by the Secretary of the Navy shall not be made until the grading and landscaping of said land and the construction of said armory building are satisfactorily completed.

With the following committee amendment:

Page 2, line 5, after the word "Department", strike out the word "of" and insert the word "or."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREATION, ORGANIZATION, ADMINISTRATION, AND MAINTENANCE OF A NAVAL RESERVE AND A MARINE CORPS RESERVE

The Clerk called the next bill, H. R. 10594, to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask somebody to explain this bill and state what it is going to cost the Federal Government and whether the War Department has approved it?

Mr. VINSON of Georgia. I will state to the gentleman from Pennsylvania that this bill is the result of an investigation of a year and a half or 2 years by a subcommittee of which our colleague the gentleman from Minnesota [Mr. MAAS] was chairman. This is an administration bill. It is recommended by the Navy Department and it is unanimously reported by the committee.

The bill creates a Naval Reserve and the gentleman from Minnesota can explain in detail any phase of the bill that the gentleman from Pennsylvania desires, and I may state that it is a bill that is very much desired and the proposed plan will be more economical than the present method, and I certainly hope the gentleman will not object because the bill represents nearly 2 years' work by our distinguished colleague, the gentleman from Minnesota [Mr. MAAS] who is the author of the bill.

Mr. RICH. I am not going to object to any bill that has merit.

Mr. VINSON of Georgia. This bill certainly has merit.

Mr. MAAS. I may say to the gentleman that we have taken the veritable patchwork of laws and codified and simplified and amended them wherever necessary and put them in one bill, and the bill has the approval of all the Reserve officers, the Navy Department, the Budget, and is unanimously reported by the committee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Naval Reserve Act of 1938."

TITLE I—DISSOLUTION OF EXISTING RESERVE AND ORGANIZATION OF NEW RESERVE

SECTION 1. The Naval Reserve established under the act of February 28, 1925, is hereby abolished, and in lieu thereof there is hereby created and established, as a component part of the United States Navy, a Naval Reserve which shall consist of the Fleet Reserve, the Organized Reserve, the Merchant Marine Reserve, and the Volunteer Reserve: *Provided*, That all men who on the date of this act are members of the Fleet Naval Reserve as the result of 16 or more years of active naval service, are hereby transferred to the Fleet Reserve created by this act, and shall continue to receive the same pay, allowances, and benefits which they were legally entitled to receive at the time of approval of this act, and all other members of the Fleet Naval Reserve are hereby transferred to the Organized Reserve; and all officers and men who on the date of this act are members of the Merchant Marine Naval Reserve and Volunteer Naval Reserve (including aviation cadets), are hereby transferred to the Merchant Marine Reserve and Volunteer Reserve, respectively: *Provided further*, That such transfers of officers and men shall be for the unexpired period of their current appointments or enlistments in the Naval Reserve and in the same grades, ranks, or ratings, and with the same dates of precedence held by them on the date of such transfer: *And provided further*, That nothing contained in this act shall affect the status or pay of members of the Naval Reserve Force or the Naval Reserve heretofore retired with or without pay, except that members of the honorary retired list on the date of the approval hereof are hereby transferred to the honorary retired list for the Naval Reserve created by section 309, title III, of this act.

SEC. 2. The United States Marine Corps Reserve established under the act of February 28, 1925, is hereby abolished, and in lieu thereof there is hereby created and established as a component part of the United States Marine Corps, a Marine Corps Reserve under the same provisions in all respects (except as may be necessary to adapt said provisions to the Marine Corps) as those contained in this act or which may hereafter be enacted providing for the Naval Reserve: *Provided*, That the Marine Corps Reserve shall consist of the Fleet Marine Corps Reserve, the Organized Marine Corps Reserve, and the Volunteer Marine Corps Reserve, corresponding, as near as may be, to similar classes of the Naval Reserve.

SEC. 3. The act of February 28, 1925, entitled "An act for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve" (43 Stat. 1080), as amended by the acts of March 4, 1925, section 19 (43 Stat. 1276); March 2, 1929 (45 Stat. 1476); May 23, 1930, section 2 (46 Stat. 375); June 30, 1932, section 1 (47 Stat. 431, 439); February 14, 1933 (47 Stat. 801); and May 29, 1934, section 17 (48 Stat. 813), as contained in the United States Code, title 34, chapter 15, is hereby repealed.

SEC. 4. The Naval Reserve shall be composed of male citizens of the United States and of the insular possessions of the United States of 17 years of age or over who, by appointment or enlistment therein under regulations prescribed by the Secretary of the Navy or by transfer thereto as in this act provided, obligate themselves to serve in the Navy in time of war or when in the opinion of the President a national emergency exists: *Provided*, That no officer or man of the Naval Reserve shall be a member of any other naval or military organization except the Naval Militia: *Provided*, That no existing law shall be construed to prevent any member of the Naval Reserve from accepting employment in any civil branch of the public service nor from receiving the pay and allowances incident to such employment in addition to any pay and allowances to which he may be entitled under the provisions of this act, nor as prohibiting him from practicing his civilian profession or occupation before or in connection with any department of the Federal Government.

SEC. 5. Any member of the Naval Reserve, including those on the honorary retired list created by section 309, title III, of this act, or who may have been retired, may be ordered to active duty by the Secretary of the Navy in time of war or when in the opinion of the President a national emergency exists and may be required to perform active duty throughout the war or until the national emergency ceases to exist; but in time of peace, except as otherwise provided in this act, he shall be ordered to or continued on active duty with his own consent only: *Provided*, That aviation cadets may be required to serve on active duty for a continuous period of 4 years from date of appointment: *Provided further*, That the Secretary of the Navy may release any member from active duty either in time of war or in time of peace.

SEC. 6. In time of peace no officer or man of the Naval Reserve shall be discharged except upon expiration of his term of service or upon his own request or for full and sufficient cause, in the discretion of such administrative authority as the Secretary of the Navy may designate: *Provided*, That within a reasonable time prior to discharge for cause, officers shall be given an opportunity to be heard by the Secretary of the Navy, or such administrative authority or other agency as he may designate, which opportunity will be considered as having been given through the mailing of notice to their address on file in the Navy Department: *Provided further*, That officers and enlisted men of the Naval Reserve on active duty shall be subject to separation therefrom in the same manner as may be provided by or in pursuance of law for the separation of officers and enlisted men of the Regular Navy: *And provided further*, That members of the Fleet Reserve and officers and enlisted men who may have heretofore been transferred to the retired list of the Naval Reserve Force or the Naval Reserve or the honorary retired list with pay or may hereafter be so transferred, shall at all times be subject to the laws, regulations, and orders for the government of the Navy, and shall not be discharged therefrom prior to the expiration of their term of service, without their consent, except by sentence of a court martial, or, in the discretion of the Secretary of the Navy, when sentenced by civil authorities to confinement in a State or Federal penitentiary as a result of a conviction for a felony.

SEC. 7. Commissioned officers of the Naval Reserve, including those on the honorary retired list or who may have been retired, when employed on active duty or on training duty with pay or when employed in authorized travel to and from such duty shall be deemed to have been confirmed in grade and qualified for all general service and shall receive the pay and allowances, including longevity pay, as provided by law for the reserve forces of the United States, and shall when traveling under orders or under competent authority receive transportation in kind, mileage, or actual expenses as provided by law for travel performed by officers of the Regular Navy. Midshipmen, warrant officers, and enlisted men of the Naval Reserve, including those on the honorary retired list, or who may have been retired, when employed on active duty or on training duty with pay or when employed in authorized travel to and from such duty, shall receive the same pay and allowances as received by midshipmen, warrant officers, nurses, and enlisted men of the Regular Navy of the same rank, grade, or rating, and of the same length of service which shall include service in the Navy, Marine Corps, Coast Guard, Naval Reserve Force, Naval Militia, National Naval Volunteers, Naval Reserve, Marine Corps Reserve Force, or Marine Corps Reserve. Aviation cadets shall receive the pay and allowances and other emoluments provided for them by the act of April 15, 1935 (49 Stat. L. 157; U. S. C., Supp. III, title 34, ch. 15, sec. 861a: *Provided*, That for the purposes of computing increases in pay of commissioned officers on account of length of service,

active service in the grade of aviation cadet shall be considered as commissioned service: *Provided further*, That when officers or men of the Naval Reserve perform active duty or training duty with pay for a period of less than 30 days such duty performed on the 31st day of any month shall be paid for at the same rate as for other days: *And provided further*, That officers and enlisted men of the Naval Reserve, while employed on active duty or on training duty, with pay, which involves the actual flying in aircraft in accordance with regulations prescribed by the Secretary of the Navy shall receive the same increase of pay of their grades, ranks, or ratings as may be received by officers and enlisted men in similar grades, ranks, and ratings in the Regular Navy for the performance of similar duty.

SEC. 8. Appropriations made to the various bureaus and offices of the Navy Department for part-time or intermittent employment of scientists, technicists, and other personnel in connection with the work of such bureaus and offices shall be available for the active-duty pay and allowances of such members of the Naval Reserve as in the discretion of the Secretary of the Navy, may be placed on temporary active duty for the purpose of prosecuting such work.

SEC. 9. The Secretary of the Navy shall prescribe all necessary and proper regulations, not inconsistent with the provisions of this act, for the recruiting, organization, government, administration, training, inspection, and mobilization of the Naval Reserve, and shall detail such officers and enlisted men of the Regular Navy and the Naval Reserve, and shall make available such vessels, material, armament, equipment, and other facilities of the Regular Navy as he may deem necessary and advisable for the development of the Naval Reserve in accordance with the provisions of this act: *Provided*, That all officers and employees of the United States or of the District of Columbia who are members of the Naval Reserve shall be entitled to leave of absence from their respective duties without loss of pay, time, or efficiency rating, on all days during which they may be employed with or without pay under the orders or authorization of competent authority, on training duty for periods not to exceed 15 days in any one calendar year.

SEC. 10. Subject to appropriations made annually by the Congress, it is the purpose and intent of this act that the United States Naval Reserve and the United States Marine Corps Reserve shall be administered with the definite objective of reaching the maximum numerical strength of trained and qualified officers and enlisted men in the several classes, as may be determined by the Secretary of the Navy, within a period of not more than 10 years and, as nearly as may be possible, by equal annual increments.

SEC. 11. This act shall take effect on July 1, 1938, which date shall be construed as the date of the passage or approval thereof.

TITLE II—FLEET RESERVE

SEC. 201. The Fleet Reserve shall be composed of officers and enlisted men transferred or assigned thereto in accordance with the provisions of this act: *Provided*, That subject to their own consent, exofficers and exenlisted men of the Regular Navy who have been honorably discharged therefrom after not less than 4 years' service therein, may, in the discretion of the Secretary of the Navy, be appointed or enlisted in the Naval Reserve in the ranks or ratings last held by them in the Regular Navy, and assigned to the Fleet Reserve created by this act.

SEC. 202. For all purposes of this act a complete enlistment during minority shall be counted as 4 years' service and any enlistment terminated within 3 months prior to the expiration of the term of such enlistment shall be counted as the full term of service for which enlisted: *Provided*, That all transfers from the Regular Navy to the Fleet Naval Reserve or to the Fleet Reserve, and all transfers of members of the Fleet Naval Reserve or the Fleet Reserve to the retired list of the Regular Navy, heretofore or hereafter made by the Secretary of the Navy, shall be conclusive for all purposes, and all members so transferred shall from the date of transfer, be entitled to pay and allowances, in accordance with their ranks or ratings and length of service as determined by the Secretary of the Navy: *Provided further*, That the Secretary of the Navy, upon discovery of any error or omission in the service, rank, or rating for transfer or retirement, is authorized to correct the same and upon such correction the person so transferred or retired shall be entitled to pay and allowances, in accordance with his rank or rating and length of service as determined by the Secretary of the Navy, as of the date of such determination.

SEC. 203. Men serving in the Regular Navy, who, having enlisted therein on July 1, 1925, or prior thereto, or who having been discharged therefrom prior to July 1, 1925, and reenlisted in the Regular Navy within 3 months from the date of discharge, or who were serving in the Naval Reserve Force on July 1, 1925, in an enrollment entered into within 4 months from the date of their discharge from the Regular Navy and thereafter reenlisted in the Regular Navy within 3 months from the date of their discharge from the Naval Reserve created by the act of February 28, 1925, shall be entitled to be transferred to the Fleet Reserve on the completion of 16 or more years' naval service, and when so transferred shall, except when on active duty, be entitled to receive, if they have had 16 but less than 20 years' naval service, pay at the rate of one-third the base pay they were receiving at the time of transfer, plus all permanent additions thereto, and if they have had 20 or more years' naval service, pay at the rate of one-half of the base pay they were receiving at the time of transfer, plus all permanent additions thereto: *Provided*, That the pay authorized in this section shall be increased 10 percent for all men who may be credited with extraordinary heroism in the line of duty or whose average marks in conduct for 20 or more years shall not be less than 95 percent of the maximum: *Provided further*, That the determination of the Secretary of the Navy as to the definition of extraordinary heroism shall be final and conclusive for all purposes.

SEC. 204. Men serving in the Regular Navy on the date of the passage of this act, who first enlisted in the Navy after July 1, 1925, or who reenlisted therein after July 1, 1925, having been out of the Regular Navy for more than 3 months, and men who first enlist in the Regular Navy after the passage of this act, may upon their own request be transferred to the Fleet Reserve upon the completion of at least 20 years' naval service: *Provided*, That they are physically and otherwise qualified to perform duty in time of war. After such transfer, except when on active duty, they shall be paid at the rate of one-half of the base pay they are receiving at the time of transfer: *Provided further*, That all enlisted men transferred to the Fleet Reserve in accordance with the provisions of sections 1 and 203 of this act shall, upon completion of 30 years' service, be transferred to the retired list of the Regular Navy, with the pay they were then legally entitled to receive and the allowances to which enlisted men of the Regular Navy are entitled on retirement after 30 years' service: *And provided further*, That all enlisted men transferred to the Fleet Reserve in accordance with the provisions of this section shall, upon completion of 30 years' service, be transferred to the retired list of the Regular Navy, with the pay they were then legally entitled to receive, plus all permanent additions thereto, and the allowances to which enlisted men of the Regular Navy are entitled on retirement after 30 years' service.

SEC. 205. The Secretary of the Navy, under such regulations as he may prescribe, may require any person hereafter when enlisting in the Regular Navy and may authorize any enlisted man in such service to obligate himself to serve 4 years in the Fleet Reserve upon termination of his enlistment in the Regular Navy: *Provided*, That upon termination of their enlistment in the Regular Navy, men who have so obligated themselves shall be transferred to the Fleet Reserve for the 4-year period, unless they apply for reenlistment or extension of their enlistment in the Regular Navy, in which event they may be reenlisted or may extend their enlistment in the Regular Navy: *Provided further*, That, except as otherwise provided for in this act, the men so transferred to the Fleet Reserve for the 4-year period, and officers and men assigned thereto under the provisions of section 201 of this title shall not, in time of peace, be ordered to active duty, except with their own consent, and shall be under no obligation to perform training duty or drill during that period, but shall be paid in advance $25 per annum.

SEC. 206. In time of peace all enlisted men transferred to the Fleet Reserve after 16 years' or more service in the Regular Navy may be required to perform not more than 2 months' active duty in each 4-year period and shall be examined physically at least once during each 4-year period: *Provided*, That any pay which may be due any member of the Fleet Reserve shall be forfeited when so ordered by the Secretary of the Navy, upon failure, under such conditions as may be prescribed by the Secretary of the Navy, of such member to report for inspection: *Provided further*, That enlisted men heretofore or hereafter transferred to the Fleet Reserve after 16 years' or more service in the Regular Navy, who are found not physically qualified upon such examination, shall be transferred to the retired list of the Regular Navy, with the pay they are then receiving, and in addition men coming under the cognizance of sections 1 and 203 of this act shall, upon the completion of 30 years' service, receive the allowances to which enlisted men of the Regular Navy are entitled on retirement after 30 years' service: *Provided further*, That all men coming under the cognizance of section 204 of this title shall receive all permanent additions to their base pay, and the allowances to which enlisted men of the Regular Navy are entitled on retirement after 30 years' service: *Provided further*, That in the computation of service requisite for transfer of enlisted men of the Fleet Reserve to the retired list of the Regular Navy, service in the Army, Navy, Marine Corps, Coast Guard, Naval Reserve Force, Fleet Naval Reserve, Fleet Reserve, Marine Corps Reserve Force, and the Marine Corps Reserve and on the retired list of the Regular Navy shall be included: *And provided further*, That such service as may heretofore have been authorized by law to be counted as double time shall be credited as double time in this computation.

TITLE III—PROVISIONS APPLICABLE ONLY TO THE ORGANIZED RESERVE, MERCHANT MARINE RESERVE, AND VOLUNTEER RESERVE

SEC. 301. All members of the Naval Reserve, when employed on active duty, authorized training duty, with or without pay, drill, or other equivalent instruction or duty, or when employed in authorized travel to or from such duty, or appropriate duty, drill, or instruction, or during such time as they may by law be required to perform active duty, or while wearing a uniform prescribed for the Naval Reserve, shall be subject to the laws, regulations, and orders for the government of the Navy: *Provided*, That disciplinary action for an offense committed while subject to the laws, regulations, and orders for the government of the Navy shall not be barred by reason of release from duty status of any person charged with the commission thereof: *Provided further*, That for the purpose of car-

rying the provisions of this section into effect, members of the Naval Reserve may be retained on or returned to a duty status without their consent, but not for a longer period of time than may be required for disciplinary action.

SEC. 302. In time of peace, upon first reporting for active or training duty with pay, after enactment hereof, at a location where uniforms are required to be worn, or after the authorized performance of 14 drills, a commissioned or warrant officer of the Naval Reserve shall be paid a sum not to exceed $100 as reimbursement for the purchase of the required uniforms, and thereafter he shall be paid an additional sum of $50 for the same purpose upon the completion of each period of not less than 4 years in the Naval Reserve: *Provided*, That this latter amount of $50 shall not become due any officer until he has completed not less than 150 drills or periods of other equivalent instruction or duty or appropriate duties and 56 days' active or training duty, or 75 drills and 84 days' active or training duty, or 112 days' active or training duty: *Provided further*, That any officer who has heretofore received a uniform gratuity shall not be entitled to either of the above-mentioned sums until the expiration of 4 years from the date of the receipt of the last such gratuity: *Provided further*, That uniforms for aviation cadets shall be provided as heretofore or hereafter authorized by law: *And provided further*, That in time of war or national emergency a further sum of $150 for the purchase of required uniforms shall be paid to officers of the Naval Reserve when they first report for active duty.

SEC. 303. In time of peace midshipmen, merchant-marine cadets, and enlisted men of the Naval Reserve may be issued articles of uniform, bedding, and equipment in accordance with regulations to be prescribed by the Secretary of the Navy: *Provided*, That upon first reporting for active duty in time of war or national emergency enlisted men of the Naval Reserve may be issued such additional articles as are required to give them the same outfit as is authorized for enlisted personnel of the Regular Navy upon first enlistment, and midshipmen, and merchant-marine cadets shall be issued such additional articles as the Secretary of the Navy may prescribe.

SEC. 304. If in time of peace any member of the Naval Reserve is physically injured in the line of duty while performing active military or naval service, or dies as the result of such physical injury, he or his beneficiaries shall be entitled to all the benefits prescribed by law for civil employees of the United States who are physically injured in the line of duty or who die as a result thereof, and the United States Employees' Compensation Commission shall have jurisdiction in such cases and shall perform the same duties with reference thereto as in the cases of civil employees of the United States so disabled: *Provided*, That where a person who is eligible for the benefits prescribed by this section is also eligible for pension under the provisions of the Act of June 23, 1937, entitled "An act to amend the provisions of the pension laws for peacetime service to include Reserve officers and members of the Enlisted Reserves" (Public, No. 159, 75th Cong., ch. 376, 1st sess., H. R. 2887), he shall elect which benefit he shall receive, and for the purposes of this section and of said act all members of the Naval Reserve shall be considered as performing active military or naval service while performing active duty with or without pay, training duty with or without pay, drills, equivalent instruction or duty, appropriate duty, or other prescribed duty, or while performing authorized travel to or from such duties: *Provided further*, That for the purpose of determining the benefits to which entitled under the provisions of this section Naval Reservists so physically injured while performing the foregoing duties in a nonpay status will be held and considered as receiving the pay and allowances they would have received if in a pay status: *Provided further*, That Naval Reservists who become ill or contract disease in line of duty during the performance of active duty or training duty with or without pay shall be entitled, at Government expense, to such medical, hospital, or other treatment as is necessary for the appropriate treatment of such illness or disease until the disability resulting from such illness or disease cannot be materially improved by hospitalization or treatment, and to the necessary transportation and subsistence incident to such medical and hospital treatment and return to their homes when discharged therefrom: *Provided further*, That no treatment or hospitalization for such illness or disease shall be continued for more than 10 weeks following discharge from active or training duty except on the approved recommendation of a board of medical survey, consisting of one or more medical officers of the Navy or on authorization of the Surgeon General of the Navy based on the certificate of a reputable physician that the illness or disease is a continuation of the illness or disease which was sustained or contracted during the period of active or training duty and that further benefit will result from continued treatment: *And provided further*, That in no case shall sickness or disease be regarded as an injury within the meaning of this section relating to the Naval Reserve.

SEC. 305. Subject to the provisions of section 306 hereof, in time of peace commissioned officers appointed to the Naval Reserve shall be commissioned to serve during the pleasure of the President, in grades or ranks not above that of lieutenant commander, except that a small percentage of officers in the higher grades or ranks may, if qualified, be commissioned in the grades or ranks of rear admiral, captain, and commander. Warrant officers, aviation and merchant-marine cadets, and midshipmen shall be appointed to serve during the pleasure of the Secretary of the Navy. Except as otherwise provided in this act, the total number of officers in such higher grades or ranks in the Organized Reserves shall not exceed one-half of 1 percent of the actual number of enlisted men regularly assigned to the divisions or other units of the Special Reserve and entitled to pay as provided in section 313 of this title. In the Merchant Marine and Volunteer Reserves and the Volunteer Marine Corps Reserve, the total number of officers in such higher grades or ranks shall not exceed 2 percent of the actual number of commissioned officers in each of these Reserves.

SEC. 306. In time of peace there shall be allowed in the Naval Reserve one officer of the grade or rank of rear admiral, and in the Marine Corps Reserve one officer in the grade or rank of brigadier or major general. The remaining officers shall be distributed in the various grades or ranks in such manner as the Secretary of the Navy may prescribe. Whenever a final fraction occurs in computing the authorized number of officers in the various grades or ranks, the nearest whole number shall be regarded as the authorized number: *Provided*, That to determine the authorized number of officers in the grades or ranks above lieutenant commander as provided in this title, computations shall, under such regulations as the Secretary of the Navy may prescribe, be made at least once during each calendar year and the resulting numbers as so computed shall be held and considered for all purposes as the authorized number of officers in such higher grades or ranks, and shall not be varied between the dates of such computations: *Provided further*, That no officer shall be initially appointed in the Naval Reserve in the grade or rank of rear admiral, captain, or commander, nor in the Marine Corps Reserve in the grade or rank of brigadier general, colonel, or lieutenant colonel, nor promoted to such grade or rank, except upon recommendation therefor by a selection board: *And provided further*, That no officer shall be reduced in rank as a result of any computation so made and that nothing contained in this act shall be construed as reducing the present grade, rank, or rating of any officer or man in the Naval Reserve, or as otherwise affecting the commissions now held by them or as restricting the promotion of officers in the Naval Reserve in time of war as provided for in section 312 of this title.

SEC. 307. Hereafter the Secretary of the Navy is authorized to appoint midshipmen to the Naval Academy from enlisted men of the Naval Reserve and Marine Corps Reserve under similar conditions so far as applicable as prescribed by law for appointments from enlisted men of the Navy: *Provided*, That not more than 50 midshipmen shall be appointed in any one year under the authority contained in this section, except that in the event the quota of midshipmen from the enlisted men of the Regular Navy is not filled in any one year the Secretary of the Navy shall have the authority to fill such vacancies with additional men from the Naval Reserve.

SEC. 308. All officers of the Naval Reserve shall be examined physically once every 4 years or oftener, as may be deemed necessary, and if upon such examination they are not found physically qualified for active service they shall be honorably discharged or, within the discretion of the Secretary of the Navy, placed on the honorary retired list provided for in section 309 of this title: *Provided*, That in determining an officer's qualifications for active service, due consideration shall be given to the character of the duty to be assigned him in the event of war or national emergency and, in the discretion of the Secretary of the Navy, to his age in grade. The Secretary of the Navy may, in his discretion, discharge or place an officer of the Naval Reserve on the honorary retired list on account of age in grade when such officer has attained the age of 40 years if in the grade of ensign or lieutenant (junior grade), 46 years if in the grade of lieutenant, 52 years if in the grade of lieutenant commander, or 58 years if in the grade of commander.

SEC. 309. An honorary retired list for the Naval Reserve is hereby established and officers and enlisted men of the Naval Reserve shall be placed on this retired list of the Naval Reserve without pay or allowances, upon reaching the age of 64 years, or upon their own request, after 30 years' service in the Naval Reserve, except as otherwise provided in this act: *Provided*, That service in the Army, Navy, Marine Corps, Coast Guard, Naval Auxiliary Service, Naval Reserve Force, Naval Militia, National Naval Volunteers, Naval Reserve, Marine Corps Reserve Force, and Marine Corps Reserve shall be counted as service in the Naval Reserve under the provisions of this section: *Provided further*, That Naval Reservists who have been specially commended for their performance of duty in actual combat with the enemy during the World War, by the head of the executive department under whose jurisdiction such duty was performed, shall, when placed upon the honorary retired list, be advanced to the next higher grade.

SEC. 310. Officers and men of the honorary retired list created by section 309 of this title, who have performed a total of not less than 30 years' active service in the Army, Navy, Marine Corps, Coast Guard, Naval Auxiliary Service, Naval Reserve Force, Naval Militia in Federal status, National Naval Volunteers, Naval Reserve, Marine Corps Reserve Force, and Marine Corps Reserve, or who have had not less than 20 years' such active service, the last 10 years of which shall have been performed during the 11 years immediately preceding their transfer to the honorary retired list of the Naval Reserve created by section 309 of this title or to the honorary retired list in existence on the date of approval of this act, shall, except while on active duty, be entitled to pay at the rate of 50 percent of their active-duty rate of pay as prescribed in section 7, title I, of this act: *Provided*, That

the pay of members of the honorary retired list prescribed by this section shall be paid from the appropriations made for the maintenance of the Naval Reserve.

SEC. 311. In time of peace, officers of the Naval Reserve shall take precedence according to such regulations as the Secretary of the Navy may prescribe: *Provided*, That when mobilized with the Regular Navy for war or a national emergency, each officer of the Naval Reserve shall take precedence next after that officer of the Regular Navy of the same rank or grade whose length of service in such rank or grade on the date of such mobilization is one-half or the nearest one-half of that of the Reserve officer.

SEC. 312. In time of war or national emergency, officers of the active list of the Naval Reserve or the Marine Corps Reserve employed on active duty shall be advanced in their respective corps in grade and rank in the same manner as is or may be prescribed for officers of the Regular Navy or the Marine Corps, respectively, in such numbers for each grade or rank, as may be prescribed from time to time by the Secretary of the Navy, and when so advanced they shall take precedence among themselves and with other officers of the Navy and Marine Corps, in accordance with date of such advancement or promotion: *Provided*, That no officer of the Naval Reserve or the Marine Corps Reserve shall be advanced to a higher rank until he has qualified therefor by such mental, moral, professional, and physical examinations as the Secretary of the Navy may prescribe: *Provided further*, That all officers of the Naval Reserve and the Marine Corps Reserve who may be advanced to a higher grade or rank under the provisions of this title shall be allowed the pay and allowances of the higher grade or rank from the dates of rank stated in their commissions: *And provided further*, That the provisions of this section shall not apply to officers who have been or may hereafter be retired from the Naval or Marine Corps Reserve Force or the Naval or Marine Corps Reserve.

SEC. 313. Officers and enlisted men of the Naval Reserve shall receive compensation at the rate of one-thirtieth of the monthly base pay of their grades, ranks, or ratings, not to exceed $10, for attending, under competent orders, each regular drill duly prescribed under the authority of the Secretary of the Navy for the organization to which attached, or for the performance of an equal amount of such other equivalent instruction or duty, or appropriate duties, as may be prescribed by the Secretary of the Navy: *Provided*, That no such officer or enlisted man shall receive pay for more than 60 drills or periods of other equivalent instruction or duty or appropriate duties in any one fiscal year: *Provided further*, That for those performing aerial flights duly prescribed as a part of their training, the pay and the pay limits prescribed by this section shall be increased by 50 percent for any quarter during which not less than 4 hours of such flying has been performed.

SEC. 314. In addition to the pay to which they may otherwise become entitled, such officers of the Naval Reserve as may be designated by the Secretary of the Navy, regularly assigned to and commanding organizations prescribed by the Secretary of the Navy, shall receive compensation at the rate of $240 per year for the faithful performance of the administrative duties connected therewith. Pay under the provisions of this section or the preceding section shall not accrue to any officer or enlisted man during a period when he shall be lawfully entitled to pay for active duty or training duty.

SEC. 315. In time of peace, except as herein otherwise provided, members of the Naval Reserve in receipt of pay for the performance of drills, equivalent instruction or duty, or appropriate duties may be required to perform such training duty, not to exceed 15 days annually, as may be prescribed by the Secretary of the Navy: *Provided*, That they may be given additional training or other duty, either with or without pay, as may be authorized, with their consent, by direction of the Secretary of the Navy: *Provided further*, That when authorized training or other duty without pay is performed by members of the Naval Reserve they may in the discretion of the Secretary of the Navy, be furnished with transportation to and from such duty, with subsistence and transfers en route, and, during the performance of such duty, be furnished subsistence in kind or communication thereof at a rate to be fixed from time to time by the Secretary of the Navy.

ORGANIZED RESERVE

SEC. 316. The Organized Reserve shall consist of officers and men required to perform annual training and other duties and available for immediate mobilization.

MERCHANT MARINE RESERVE

SEC. 317. The Merchant Marine Reserve shall be composed of those members of the Naval Reserve who follow, or who have within 3 years followed the sea as a profession, or who are employed in connection with the seafaring profession, or men who are desirable for training for service on board public vessels of the United States, or such other seagoing vessels documented under the laws of the United States as may be approved by the Secretary of the Navy.

SEC. 318. The Secretary of the Navy shall prescribe a suitable flag or pennant which may be flown as an emblem of the Merchant Marine Reserve on seagoing merchant vessels documented under the laws of the United States under such regulations as he may prescribe: *Provided*, That such vessel be first designated by the Secretary of the Navy as suitable for service as a naval auxiliary in time of war: *Provided further*, That the master or commanding officer and not less than 50 percent of the other licensed officers are members of the Navy or the Naval Reserve: *And provided further*, That such flag or pennant shall not be flown in lieu of the national ensign.

VOLUNTEER RESERVE

SEC. 319. The Volunteer Reserve shall be composed of those members of the Naval Reserve not assigned to the Special or Merchant Marine Reserve who are qualified or partially qualified for prescribed mobilization duties.

SEC. 320. That for the purpose of advising the Secretary of the Navy on the formulation of Naval Reserve policies there shall be convened annually at the Navy Department a Naval Reserve Policy Board, at least half the members of which shall be Naval Reserve officers called to this duty from an inactive-duty status.

TITLE IV—NAVAL MILITIA

SEC. 401. Of the Organized Militia, as provided by law, such part as may be duly prescribed in any State, Territory, or the District of Columbia shall constitute a Naval Militia. Any officer or enlisted man of such Naval Militia may, in the discretion of the Secretary of the Navy, be appointed or enlisted in the Naval Reserve and assigned to the Special Reserve in the grade, rank, or rating not above the rank of lieutenant for which he may be qualified in accordance with such regulations as may be prescribed by the Secretary of the Navy: *Provided*, That each officer and enlisted man of the Naval Militia appointed or enlisted in the Naval Reserve and assigned to the Special Reserve shall be required within 1 year after the date of his appointment or enlistment in the Naval Reserve to qualify, in accordance with the regulations governing the Special Reserve, for the grade, rank, or rating which he holds therein: *Provided further*, That officers and men of the Naval Reserve who are members of the Naval Militia of any State, Territory, or the District of Columbia shall stand relieved from all service or duty in said Naval Militia when on active duty in time of war or national emergency, or when ordered to such duty: *And provided further*, That such vessels, material, armament, equipment, and other facilities of the Navy as are or may be made available for the Naval Reserve shall also be available in accordance with regulations prescribed by the Secretary of the Navy for issue or loan to the several States, Territories, or the District of Columbia, for the use of the Naval Militia, but no such facilities of the Navy shall be furnished for use by any portion or unit of the Naval Militia unless at least 95 percent of its personnel belongs to the Naval Reserve and is attached to or associated with an organization of the Special Reserve and unless its organization, administration, and training conform to the standards prescribed by the Secretary of the Navy for such units.

TITLE V—NAVAL TRAINING OF CIVILIANS

SEC. 501. The Secretary of the Navy is hereby authorized to provide at naval training stations or elsewhere, including naval vessels, for the naval instruction and training of such civilians as may be selected upon their own application for such training: *Provided*, That no expenditures of Government funds shall be involved beyond those necessary for transportation, food, clothing, shelter, medical care and hospitalization of the trainees, and for the required equipment incident thereto, including services of naval personnel: *Provided further*, That medical treatment and hospitalization shall be as prescribed and limited by the third provision of section 304, title III, hereof.

With the following committee amendments:

Page 4, line 3, strike out the words "of 17 years of age or over" and insert in lieu thereof "who have attained the age of 17 years and."

Page 4, line 8, after the comma after the word "*Provided*", insert: "That female registered nurses may be appointed in the Volunteer Reserve under regulations prescribed by the Secretary of the Navy: *Provided further*."

Page 4, line 11, after the colon add the word "And."

Page 6, line 23, after the comma after "warrant officers" insert "nurses."

Page 7, line 4, after the comma after "officers", insert "nurses."

Page 7, line 8, strike out "force" and insert in lieu thereof "Force."

Page 10, line 23, after the word "Navy", change the comma to a period and strike out "as of the date of such determination."

Page 15, after line 6, insert a new section as follows:

"SEC. 207. Members of the Fleet Reserve and retired enlisted men shall receive the ration allowance prescribed by law for enlisted men of the Regular Navy when such men are hospitalized in a Federal hospital in accordance with law."

Page 17, line 4, after the word "cadets", insert the word "nurses."

Page 17, line 12, after the word "midshipmen", add a comma and strike out the word "and."

Page 17, line 12, after the word "cadets", add the following: ", and nurses."

Page 18, lines 6 and 7, strike out "Public, No. 159, Seventy-fifth Congress, chapter 376, first session, H. R. 2887, and insert in lieu thereof the following: "(50 Stat. 305)."

Page 20, line 8, strike out the word "Special" and insert in lieu thereof the word "Organized."

Page 20, line 10, after the word "title", strike out the rest on this line and all on lines 11, 12, 13, and 14, and insert in lieu thereof the following:

"The number of officers appointed or promoted to grades or ranks above that of lieutenant commander in the Merchant Marine and Volunteer Reserves, or above that of major in the Volunteer Marine Corps Reserve, shall not exceed mobilization needs for such officers for duties appropriate to these grades or ranks."

Page 21, line 11, after the word "of" add "major general."

Page 22, line 11, strike out the word "not", before the word "found" and insert the word "not" after the word "found."

Page 23, line 15, after the word "enemy" strike out "during the World War."

Page 27, line 13, strike out the word "communication" and insert in lieu thereof the word "commutation."

Page 27, after line 14, insert a new section, as follows:

"SEC. 316. That for the purpose of advising the Secretary of the Navy on the formulation of Naval Reserve policies there shall be convened annually at the Navy Department a Naval Reserve Policy Board, at least half the members of which shall be Naval Reserve officers called to this duty from an inactive-duty status."

Page 27, line 16, strike out "316" and insert in lieu thereof "317."

Page 27, line 20, strike out "317" and insert in lieu thereof "318."

Page 28, line 3, strike out "318" and insert in lieu thereof "319."

Page 28, line 16, strike out "319" and insert in lieu thereof "320."

Page 28, line 18, strike out the word "Special" and insert in lieu thereof "Organized."

Page 28, strike out all of lines 20, 21, 22, 23, 24, and 25.

Page 29, line 7, strike out the word "Special" and insert in lieu thereof the word "Organized."

Page 29, line 13, strike out the word "Special" and insert in lieu thereof the word "Organized."

Page 29, line 16, strike out the word "Special" and insert in lieu thereof the word "Organized."

Page 30, line 9, strike out the word "Special" and insert in lieu thereof the word "Organized."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF HIGHWOOD, ILL.

The Clerk called the bill (S. 3209) to authorize the Secretary of War to grant an easement to the city of Highwood, Lake County, Ill., in and over certain portions of the Fort Sheridan Military Reservation, for the purpose of constructing a waterworks system.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to grant to the city of Highwood, Lake County, Ill., an easement in and over portions of the Fort Sheridan Military Reservation, Ill., for the purpose of constructing, operating, and maintaining thereon a waterworks system for the use of said city, consisting of such structures and appurtenances as may be necessary for a complete water pumping filtration, and treatment plant, together with intake, water, sewer, and electric power lines and an unelevated wash water tank constructed on or below the surface of the ground: *Provided*, That the portions of said reservation to be used for said facilities shall be designated by the Secretary of War, and the easement shall be subject to such provisions and conditions as he may prescribe: *Provided further*, That as consideration for said easement, the city of Highwood shall make and maintain a connection satisfactory to the Secretary of War, or his duly authorized representative, between its water distribution system and the water distribution system of the post of Fort Sheridan, and shall furnish water for the use of said post without cost to the United States during the periods of any emergencies resulting from a break-down in the post water system, fire, or other unavoidable occurrence.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BATTLESHIP "OREGON"

The Clerk called the bill (S. 3242) to aid in providing a permanent mooring for the battleship *Oregon*.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object, to have someone explain what they are going to do by mooring the battleship *Oregon*.

Mr. MAY. Mr. Speaker, the old battleship *Oregon* is at the mouth of the Columbia River somewhere, as I understand it. The only thing this provides for is for mooring the vessel, and the War Department has made a report, and it has been submitted to the Bureau of the Budget, and they express no objection.

Mr. RICH. What does the gentleman mean by mooring the battleship *Oregon?*

Mr. MAY. Tying it up to the shore to keep it from floating away somewhere.

Mr. RICH. Are they going to tie the front end or the tail end?

Mr. MAY. If it will satisfy the gentleman, I think they will tie both ends.

Mr. RICH. And if they tie the battleship up, what is the purpose of it? They are needing scrap iron now for this $1,250,000,000 naval program. Why not use it for that purpose?

Mr. MAY. It is really made of very valuable material, as the gentleman says, not only for scrap-iron purposes, but if it is left, as he says, it will deteriorate, and perhaps be not worth as much, and this is a preservation measure.

Mr. RICH. What are they going to use it for?

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

Mr. RICH. I would like to find out what they are going to use it for.

Mr. PIERCE. I can tell the gentleman.

Mr. COSTELLO. The State of Oregon has had the use of the ship now since 1925, and has been using it as a museum.

Mr. RICH. Has the State of Oregon maintained it?

Mr. PIERCE. It has.

Mr. COSTELLO. At present the State of Oregon has the use of it.

Mr. RICH. And will the State come in after awhile and ask the Federal Government to pay for its upkeep?

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

Mr. RICH. Yes.

Mr. PIERCE. The battleship *Oregon* is very highly prized. When the Spanish-American War came on the battleship was on the Pacific coast, and it went around the Horn and did a large part to defeat the Spanish fleet. It is in the harbor. While I was Governor of Oregon this vessel was brought there and this bill simply provides for giving it a permanent location. It is maintained by the State as a museum. Thousands of people visit it every year and we are proud of it, just as the people of the Atlantic are proud of Old Ironsides.

Mr. RICH. Will the gentleman's State maintain it as a museum?

Mr. PIERCE. It always has done it. I obtained an appropriation for it when I was Governor of the State.

Mr. DONDERO. This will be no expense to the Government of the United States?

Mr. PIERCE. No.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated the sum of $25,000, to be expended by the Secretary of War, or, in his discretion, by the State of Oregon under his supervision, for the purposes of (1) preparing and constructing a suitable and permanent mooring for the battleship *Oregon* at a site which has been dedicated for such purpose by the city of Portland, Oreg., and (2) removing such battleship from her present berth in the Willamette River at Portland, Oreg., to such mooring: *Provided*, That no money appropriated under authority of this act shall be expended until local interests have provided such additional funds as in the opinion of the Secretary of War are necessary to insure completion of the work.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

NATIONAL ENCAMPMENT, VETERANS OF FOREIGN WARS

The Clerk called the bill (H. R. 10154) to authorize the Secretary of War to lend War Department equipment for use at the 1938 National Encampment of Veterans of Foreign Wars of the United States to be held in Columbus, Ohio, from August 21 to August 26, 1938.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized to lend, at his discretion, to the Veterans of Foreign Wars of the United States for use at their national encampment to be held in Columbus, Ohio, from August 21 to August 26, 1938, such tents, cots, cot mattresses, and blankets, and other available stock out of the

Army and National Guard supplies as such department may require to house properly veterans attending such encampment: *Provided*, That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered at such time prior to the holding of such encampment as may be agreed upon by the Secretary of War and the Veterans of Foreign Wars of the United States: *Provided further*, That the Secretary of War, before delivering such property, shall take from such organization a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ROTARY-WINGED AIRCRAFT

The Clerk called the bill (H. R. 10605) to authorize the appropriation of funds for the development of rotary-winged aircraft.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. This is an important piece of legislation calling for the expenditure of $2,000,000 for experiment. I think it is too important to be passed over on this calendar. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. NICHOLS. Mr. Speaker, I reserve the right to object. I think I can explain to the gentleman in just a few minutes what the bill does.

Mr. MARTIN of Massachusetts. We have this now before the Committee on Rules.

Mr. NICHOLS. But the Rules Committee is going to grant a rule for it. Why not save this time? It will pass tomorrow.

Mr. MARTIN of Massachusetts. Perhaps it will, and maybe I will be for it at that time. I insist upon my request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts that the bill be passed over without prejudice?

There was no objection.

INTERNATIONAL CRIMINAL POLICE COMMISSION

The Clerk called the next bill, S. 3820, to authorize membership on behalf of the United States in the International Criminal Police Commission.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is hereby authorized to accept and maintain, on behalf of the United States, membership in the International Criminal Police Commission and to incur the necessary expenses therefor not to exceed $1,500 per annum.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TERM OF UNITED STATES DISTRICT COURT AT FAIRMONT AND BECKLEY, W. VA.

The Clerk called the next bill, S. 3684, to provide for the holding of terms of the district courts of the United States for West Virginia at Fairmont and Beckley.

Mr. KEE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. RAMSAY. I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEE. Mr. Speaker, I object.

Mr. RAMSAY. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. KEE. Mr. Speaker, I withhold my objection for a moment to permit the gentleman to make a statement.

Mr. RAMSAY. Will the gentleman tell us why he is opposed to the bill?

Mr. KEE. I am opposed to the bill for the reason that I have a communication from the Federal judge of that district saying that it is not necessary.

The SPEAKER pro tempore. Objection is heard.

CONVEYANCE OF CERTAIN LANDS IN BURLEIGH COUNTY, N. DAK., FOR PUBLIC USE

The Clerk called the next bill, H. R. 7868, to provide for conveying to the State of North Dakota certain lands within Burleigh County within that State for public use.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Interior is hereby authorized and directed to grant and convey, for public use, to the State of North Dakota the fee simple title of certain parcels of lands, together with the buildings known as the Bismarck Indian School, in exchange for lands located near Indian reservations and suitable for use by the Indians of such reservations in the State of North Dakota.

The lands to be conveyed to the State by the Secretary of Interior are near the city of Bismarck, the State capital, and are described as follows:

Beginning for the same at a point drawn north 32°44′ west 92 feet from the southeast corner of a tract of land, heretofore sold by the Northern Pacific Railway Co. to James G. C. Lee, and running thence north 32°44′ west along said tract 925 feet to the northeast corner thereof; then south 57°16′ west 424.2 feet along the entire northern boundary of said tract sold to James G. C. Lee; thence south 32°44′ east 750 feet along the westerly boundary of said tract sold to said James G. C. Lee; thence north 83°9′ east 343.68 feet; thence north 69°32′ east 117.69 feet to the point of beginning; containing 360,027.5 square feet, or 8.265 acres, and being a part of the southeast quarter section 31, township 139 north of range 80 west, of the fifth principal meridian.

Those portions of lots 1, 2, and 3 and that portion of the east half northeast quarter section 31, township 139 north, range 80 west, of the fifth principal meridian, embraced within the following metes and bounds, viz: Beginning at the point of intersection of the east line of said section with a line drawn parallel with and distant 200 feet northerly from the center line of the main line track of the Northern Pacific Railway Co. as said tract, is now conveyed, laid out, and constructed upon, over, and across said lot 3, thence north along the east line of said section, 3,425 feet, more or less, to the north line of said section; thence west along the north line of said section 3,700 feet, more or less, to the Missouri River; thence southeasterly along the said river 1,750 feet, more or less, to the west line of the 17-acre tract of land heretofore and on September 17, 1902, sold by said railway company to the Bismarck Water Co.; thence north along said west line of said 17-acre tract to the northwest corner thereof; thence east along the north line of said 17-acre tract 1,362 feet, more or less, to the northeast corner thereof; thence south along the east line of said 17-acre tract 550 feet to the southeast corner thereof; thence west along the south line of said 17-acre tract 450 feet to a point; thence southeasterly in a straight line 2,125 feet, more or less, to an intersection with a line drawn parallel with and distant 200 feet northerly from the center line of the aforesaid main tract in said lot 3; thence southeasterly, northerly of, parallel with, and distant 200 feet from the center line of the aforesaid main line tract to a point in the east line of said section 31, said point being the place of beginning; said described premises containing an area of 132.41 acres, more or less.

Also those portions of lots 3 and 4 in the aforesaid section 31 embraced within the following metes and bounds, viz: Beginning at the point of intersection of the east line of said section with a line drawn parallel with and distant 200 feet southerly from the center line of the aforesaid main line tract as now surveyed, laid out, and constructed across said lot 3; thence south along said line of said section 1,275 feet, more or less, to the south line of said section; thence west along the south line of said section 40 feet; thence north parallel with and distant 40 feet west from the east line of said section and along the entire east boundary of the tracts of land heretofore sold by said railway company to Gerard Co., Kahlbery & Walter, and A. Mann, respectively, a distance of 728 feet; thence west 40 feet, along a portion of the northerly boundary of said tract sold to said A. Mann; thence north 32°44′ west 1,017 feet along the entire easterly boundary of the tract of land heretofore sold by said railway company to James G. C. Lee; thence southwesterly 425 feet along the entire northerly boundary of the said tract of land sold to said James G. C. Lee; thence south 32°44′ east 900 feet along the entire westerly boundary of the said tract of land sold to said James G. C. Lee; thence south 72°39′ west 33 feet, more or less, to a point 50 feet easterly from the center line of the main railway spur track, as now constructed along the shore of the Missouri River across said lots 3 and 4; thence northwesterly either parallel or concentric with and 50 feet easterly from said center line of said tract 1,130 feet, more or less, to a point opposite the switch of the smaller spur track, running from the aforesaid spur track and easterly thereof to and along the easterly side of the warehouse of the said railway company; thence northwesterly parallel or concentric with the center line of the said smaller spur track 1,270 feet, more or less, to the north line of said lot 3; thence east along said line of said lot 3 a distance of 195 feet, more or less, to the point of intersection of the north line of said lot 3 with a line concentric with and distant 200 feet southwesterly from the center line of the said main line main track as now surveyed, laid

out, and constructed across said lots 2 and 3; thence southeasterly along a line either concentric or parallel with said center line of said main line main track as now surveyed, laid out, and constructed across said lot 3 a distance of 2,100 feet, more or less, to the place of beginning; said last described premises containing an area of 16.67 acres, more or less.

Lot No. 27 of SW¼ sec. 32, T. 139, R. 80, described as follows: Commencing at a point on section line between secs. 31 and 32, T. 139 N., R. 80 W., 605 feet north of the corner of secs. 5, 6, 31, and 32; thence east 200 feet; thence north to the Northern Pacific Railway Co.'s right-of-way; thence northwesterly along said right-of-way to the section line between said secs. 31 and 32; thence south along said section line between sections 31 and 32 to the place of beginning, containing 3 acres, and being a part of the S½ SW¼ sec. 32, T. 139 N., R. 80 W.

Beginning at the southeast corner of the tract of land heretofore sold by the Northern Pacific Railway Co. to James G. C. Lee, thence running north 32°44′ west 92 feet; thence south 69°32′ west 117.69 feet; thence south 83°9′ west 343.68 feet; thence south 32°44′ east 236.4 feet; then south 44°12′ east 67 feet; thence north 48°4′ east 274 feet; thence north 61°7′ east 140.8 feet to the place of beginning, except a strip of land 20 feet in width, 10 feet on either side of the center of the spur track, as now laid out and constructed across the southwest corner of the said tract, being part of the SE¼ sec. 31 in T. 139 N., R. 80 W. of the fifth principal meridian, containing 1.58 acres.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized to grant and convey to the State of North Dakota, for public use, fee simple title to the lands and improvements thereon comprising the Bismarck Indian School buildings and grounds: *Provided*, That in consideration of this conveyance the State of North Dakota shall convey to the United States in trust for such Indian tribes as may be designated at the time of conveyance by the Secretary of the Interior, lands (and improvements thereon, if any) situated convenient to existing Indian reservations and suitable for agricultural and stockraising purposes: *Provided further*, That the land and improvements conveyed to the United States shall in value be equal to the value of the property conveyed by the United States to the State of North Dakota: *And provided further*, That the conveyance by the United States to the State of North Dakota shall protect existing easements or rights-of-way across the Indian school property.

"SEC. 2. Prior to the conveyance of any land or improvements, as herein authorized, the Secretary of the Interior shall cause an appraisal thereof to be made by an appraisal committee consisting of a representative of the Commissioner of Indian Affairs, a representative of the General Land Office, and a third person satisfactory to the Secretary of the Interior, to be appointed by the Governor of the State of North Dakota."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VICKSBURG NATIONAL MILITARY PARK, MISS.

The Clerk called the next bill, H. R. 8628, to provide for the addition of certain lands to the Vicksburg National Military Park, in the State of Mississippi, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to acquire on behalf of the United States by donation or purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the act of August 1, 1888, an area of approximately 8 acres adjoining the Clay Street entrance on the west side of the Vicksburg National Military Park, Miss.

SEC. 2. Lands acquired pursuant to section 1 hereof shall be added to and become a part of the Vicksburg National Military Park upon acquisition thereof and shall be subject to all laws and regulations applicable thereto.

SEC. 3. There is authorized to be appropriated the sum of $25,000, or so much thereof as may be necessary, to carry out the provisions of this act.

With the following committee amendments:

Page 1, line 6, beginning with the word "when", strike out up to and inclusive of the word "1888" and insert in lieu thereof the following "with donated funds."

Page 2, strike out all of section 3.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE MANUFACTURE OF MUNITIONS

The Clerk called the next bill, H. R. 6246, to provide for placing educational orders to familiarize private manufacturing establishments with the production of munitions of war of special or technical design, noncommercial in character.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to place educational orders for munitions of war of special or technical design, or both, noncommercial in character (hereinafter called "special munitions"), and essential accessories and parts thereof needed in the military service, with commercial concerns to familiarize commercial and manufacturing establishments with the manufacture of such munitions and such accessories and parts. In arranging for placing such educational orders, bids shall be solicited only from such establishments as, in the Secretary's judgment, will be competent in time of war to manufacture the particular class of special munitions with respect to which the bid is solicited. In the determination of which classes of special munitions are to be manufactured under this act, and in the determination of which of the solicited bidders is to be awarded any contract, the Secretary shall have regard solely to the selection of such classes of special munitions and of such bidders as will, in his judgment, under all the circumstances, best serve the interest of the United States and best promote the cause of national defense. The Secretary of War shall enter into no contract under this section without the approval of the President.

SEC. 2. That the first of any such educational orders placed with any person, firm, or corporation for supplying any such munitions, accessories, or parts, may include a complete set of such gages, dies, jigs, tools, fixtures, and other special aids and appliances, including drawings thereof, as may be required for the production of such munitions, accessories, and parts in quantity in the event of an emergency. The title to all such facilities shall remain in the Government of the United States.

SEC. 3. That not more than one such educational order for the manufacture of the same, or substantially the same, article of special munitions shall be given to the same person, firm, or corporation within any period of 3 successive years. This section shall not prohibit the awarding of any contract during any war in which the United States is engaged.

SEC. 4. That, to carry out the provisions of this act, there is authorized to be appropriated the sum of $2,000,000 during each of the 5 fiscal years beginning with the fiscal year during which this act is enacted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ATTENDANCE OF MARINE BAND AT G. A. R. ENCAMPMENT

The Clerk called the next bill, H. R. 10722, to authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic to be held at Des Moines, Iowa, September 4 to 8, inclusive, 1938.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill how he got permission for the Marine Band to go out to Des Moines, Iowa. There have been a number of requests for the service bands to attend similar functions. I thought it was a declared policy not to send the service bands out.

Mr. HOLMES. Does the gentleman realize that it is a matter of precedent with the War Department and Navy Department to send the service bands only to a limited number of national organization functions, and that this policy has been strictly adhered to for 20 years?

Mr. RICH. Is this one of the particular organizations that has the use of the band?

Mr. DOWELL. This is the Grand Army of the Republic. Its national encampment will be held at Des Moines in September. This policy has been followed, as has been stated, for a great many years. This will possibly be the last national encampment. No objection has ever been made to sending the Marine Band to these national encampments. I hope there will be no objection to sending the Marine Band to what may be the last national encampment of the Grand Army of the Republic.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts

at the National Encampment of the Grand Army of the Republic to be held at Des Moines, Iowa, from September 4 to 8, inclusive, 1938.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such encampment, there is authorized to be appropriated the sum of $7,500, or so much thereof as may be necessary to carry out the provisions of this act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for additional living expenses while on the duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

With the following committee amendment:

On page 1, line 11, strike out "$7,500" and insert in lieu thereof "$8,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYING CERTAIN LAND TO MONTGOMERY, W. VA.

The Clerk called the next bill, S. 1694, authorizing the Secretary of War to convey to the town of Montgomery, W. Va., a certain tract of land.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to convey by quitclaim deed to the town of Montgomery, W. Va., subject to the condition specified in section 2 of this act, the following-described tract of land situated on the left or south bank of the Kanawha River at lock and dam No. 2, town of Montgomery, Cabin Creek District, Kanawha County, State of West Virginia, and more specifically described as follows:

Beginning at a stone monument near the top of the bank of the Kanawha River, which monument is north 87°32′ east 303.86 feet from United States Engineer Department bench mark No. 114, said bench mark being a brass pin in the coping near the northwest corner of the abutment of said dam No. 2; thence south zero degrees and 30′ west 140 feet to a stone monument which is south 67°27′ each 329.57 feet from said bench mark No. 114; thence south 83°30′ west 151 feet to a stone monument which is south 47°4′ east 210.64 feet from said bench mark No. 114; thence south 6°30′ east 200 feet to a stone monument at the north boundary of the right-of-way of the Chesapeake & Ohio Railway, said stone monument being also north 33°34′ east 152.6 feet from the northeast corner of a concrete block garage; thence along the north boundary of the right-of-way of the Chesapeake & Ohio Railway, south 87°50′ west 371 feet to an iron pipe in the bed of Morris Creek, said iron pipe being north 42°51′ west 36.62 feet from the northwest corner of the bridge seat on the east abutment of the Chesapeake & Ohio Railway Bridge spanning Morris Creek; thence along the creek bed north 11°20′ east 205 feet to an iron pipe; thence north 87°10′ west 470 feet to an iron pipe; thence north 33° west 270 feet to the low-water line of the Kanawha River; thence, along the low-water line, south 79°15′ east 547.65 feet to a point opposite the mouth of Morris Creek; thence, further along said low-water line, north 14°8′ west 199.15 feet; thence, further along the low-water line, south, 89°55′ east 789.10 feet; thence south 2°10′ west 140 feet to an iron pipe near the top of the bank of the river; thence south 81°10′ west 200 feet to the place of beginning; containing 8.3 acres, more or less. All bearings given refer to magnetic meridian used in deeds referred to subsequently, which meridian was 0°47′ west of north of the true meridian. There is expressly excepted and reserved to the United States of America the perpetual right to flood such part of the hereinbefore-described tract of land as may be necessary from time to time in the interests of navigation.

The land hereinbefore described comprises that conveyed to the United States by three separate deeds as follows: One, dated July 5, 1882, for 4.8 acres from William Rigg and Emily G. Rigg, his wife, and recorded in deed book 39, page 335, of the records of Kanawha County; another, dated February 2, 1882, for 2 acres from the Keystone Coal Co., and recorded in deed book 39, page 337, of the records of Kanawha County; and another, dated August 20, 1888, for 1.508 acres from William Rigg and Emily G. Rigg, his wife, and recorded in deed book, 48, page 557, of the records of Kanawha County.

SEC. 2. The tract of land authorized to be conveyed by the first section of this act shall be used by the grantee for the purpose of a public park and recreational site and for similar and related municipal purposes. The conveyance of such tract of land shall contain the express condition that if the grantee shall cease to use such tract of land for such purposes, or shall alienate or attempt to alienate such tract of land, title thereto shall revert to the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THOMAS JEFFERSON MEMORIAL

The Clerk called the next bill, H. R. 10217, to provide for the competitive selection, subject to the approval of Congress, of the design for the Thomas Jefferson Memorial.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, can anyone tell me whether or not we already have a design for a Jefferson Memorial and whether the gentleman from New York [Mr. BOYLAN] is in charge of some such committee?

Mr. KELLER. Will the gentleman ask unanimous consent that the bill go over without prejudice?

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

GOLDEN GATE INTERNATIONAL EXPOSITION

The Clerk called the next bill, H. R. 9933, to authorize the United States Golden Gate International Exposition Commission to produce and sell certain articles, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, we would like to know what articles are going to be sold?

Mr. BLOOM. Mr. Speaker, this merely gives permission to the Golden Gate Exposition to print and sell certain pictures that will be authorized by the Government to be sold and deposit that money with the Government, then take it out again. This involves no expense to the Government, but they have to have an authorization before they can get it. That is all there is to it.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Golden Gate International Exposition Commission is hereby authorized to produce (whether through a governmental agency or otherwise) and sell engravings, etchings, or other reproductions not prohibited by law, to the extent authorized by the Secretary of the Treasury, and a souvenir book descriptive of the functions of the Federal Government. All proceeds from the sale of these articles shall be deposited to the credit of the appropriation made for carrying into effect the provisions of the act of July 9, 1937 (50 Stat. 488), providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Incorporated, in the city of San Francisco during the year 1939.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER TO THE GOVERNMENT OF PUERTO RICO CERTAIN REAL ESTATE OF THE WAR DEPARTMENT

The Clerk called the next bill, H. R. 7693, to authorize the Secretary of War to transfer to the Government of Puerto Rico certain real estate of the War Department

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to transfer to the Government of Puerto Rico portions of lands indicated as "lots 75, 76, 38, 45, and 46" of map entitled "Military Reservation of San Juan, P. R," prepared by Col. George L. Byroade, May 5, 1934, as filed in the office of the Quartermaster General, War Department, Washington, D. C., more particularly described as follows:

Lot 75: All that parcel of land marked with "No. 75" on the official map of the Military Reservation of San Juan, P. R., dated May 5, 1934, compiled by order of Col. George L. Byroade, Sixty-fifth Infantry, lying south of the Salvador Brau Boulevard and north of the line of the military reservation comprised between corners numbered 62 and 61, more particularly described as follows:

Beginning at the point situated along course No. 62 to 61 of the military reservation at San Juan, P. R., and at a distance of 19.42 meters (63.7 feet), and north 76°37′ west from point No. 62 (point No. 1 of the map); thence along said course

No. 62 to 61 north 76°37′ west, a distance of 99.60 meters (326.7 feet) to point No. 2; thence along the south side of Salvador Brau Boulevard north 76°22′30″ east, distance 1.02 meters (3.3 feet) to corner No. 3; thence south 79°55′20″ east, distance 65.77 meters (215.7 feet) to corner No. 4; thence south 76°17′10″ east and distance 7.76 meters (25.5 feet) to corner No. 5; thence south 72°9′10″ east and distance 5.55 meters (18.2 feet) to corner No. 6; thence south 66°39′30″ east and distance 13.60 meters (44.6 feet) to corner No. 6; thence south 63°49′40″ east and distance 6.51 meters (21.4 feet) to point No. 1 of departure. Contains an area of 250.40 square meters, equal to 2,695.30 square feet.

Lot 76: All that parcel of land marked with "No. 76" on the official map of the Military Reservation of San Juan, P. R., dated May 5, 1934, compiled by order of Col. George L. Byroade, Sixty-fifth Infantry, lying west of course No. 64 to 65, north of course No. 64 to 63, of the boundary line of the military reservation and south of the Salvador Brau Boulevard, more particularly described as follows:

Beginning at corner No. 64 of the military reservation, bordering on the north side road No. 1, now Ponce de Leon Avenue, and following course No. 64 to 63 south 88°6′ west and a distance of 23.10 meters (75.8 feet) to point No. 7; thence north 15′ west and a distance of 13.53 meters (44.4 feet) bordering with lands of the military reservation transferred to the people of Puerto Rico by proclamation of the President No. 1847 of August 9, 1928, to point No. 8; thence following along a curve of 37.41 meters (122.7 feet) to the right having a radius of 30 meters (98.4 feet) subtended by a chord north 35°28′ east and distance of 35 meters (114.8 feet) to point No. 9 located on the course No. 64 to 65; thence along this course south 3°52′ east and a distance of 41.52 meters (136.2 feet) to corner No. 64 or point of departure. Contains an area of 860.60 square meters equal to 9,263.5 square feet.

Lot 38: All that parcel of land of triangular shape marked with "No. 38" on the official map of the military reservation of San Juan, Puerto Rico, dated May 5, 1934, compiled by order of Col. George L. Byroade, Sixty-fifth Infantry, located south of Salvador Brau Boulevard and to the north of course No. 66 to 67 of the main military reservation; more particularly described as follows:

Beginning at point No. 11 in the course No. 66–67 of said main reservation, San Juan, Puerto Rico, distant 150.36 meters (493.2 feet) from corner No. 67; thence along said course No. 66–67 south 86°7′ west 39.65 meters (130.1 feet) to point No. 11′; thence along the south side of Salvador Brau Boulevard north 72°53′10″ east 40.79 meters (133.8 feet) to a point No. 12 in course No. 10–11 of the parcel of land transferred to the people of Puerto Rico by proclamation of the President dated November 17, 1911; thence along said course No. 10–11 south 3°53′ east 9.59 meters (31.5 feet) to point No. 11 of departure. Contains an area of 190.12 square meters equal to 2,046.45 square feet.

Lot 45: All that parcel of land of triangular shape marked with "No. 45" on the official plan of the military reservation of San Juan, Puerto Rico, dated May 5, 1934, compiled by order of Col. George L. Byroade, Sixty-fifth Infantry, situated south of Salvador Brau Boulevard and to the north of courses Nos. 74–73, 73–72 of said military reservation, more particularly described as follows:

Beginning at corner No. 73 of said main military reservation and along course No. 73–72 north 55° west 102.95 meters (337.7 feet) to point No. 13; thence along the south side of Salvador Brau Boulevard south 63°3′30″ east 147.72 meters (484.5 feet) to point No. 14, situated in course No. 73–74 of said main reservation and at a distance of 24.9 meters (81.7 feet) from corner No. 74; thence along said course No. 74–73 bordering an old masonry wall north 78°55′ west 47.4 meters (155.5 feet) to corner No. 73 or point of departure. Contains an area of 956.61 square meters, equal to 10,296.95 square feet.

Lot 46: All that parcel of land of triangular shape marked with "No. 46" in the official plan of the military reservation of San Juan, Puerto Rico, compiled by order of Col. George L. Byroade, Sixty-fifth Infantry, situated to the south of Salvador Brau Boulevard and to the north of course No. 76–75 of said main military reservation more particularly described as follows:

Beginning at corner No. 76 of said main military reservation thence along course No. 76–75, north 88°50′ west 15.6 meters (51.2 feet) to point No. 15; thence along south side of Salvador Brau Boulevard north 72°1′30″ east 5.93 meters (19.5 feet) to point No. 16; thence north 57°55′30″ east 4.43 meters (14.5 feet) to point No. 17; thence north 54°36′20″ east 4.66 meters (15.3 feet) to point numbered 18; thence north 43°55′20″ east 4.89 meters (16 feet) to point No. 19; in the prolongation toward the north of course No. 77–76 of said main military reservation; thence along said prolongation of course No. 77–76 bordering the parcel of land occupied by the United States Navy Radio Station south 5°16′ west a distance of 10.77 meters (35.3 feet) to corner No. 76 or point of departure. Contains an area of 64.24 square meters equal to 691.48 square feet.

With the following committee amendments:

Page 1, line 5, strike out "76."

Page 3, strike out, beginning in line 16, the remainder of page 3 and all of page 4.

Page 8, after line 16, insert the following: *"Provided,* That the Secretary of War is authorized to make such deviations in the descriptions of the lands involved as may be necessary to carry out the purpose and intent of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF CERTAIN PUBLIC WORKS IN DISTRICT OF COLUMBIA

The Clerk called the next bill, H. R. 10455, to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is this the airport bill?

Mr. MAY. No. This bill relates to the Army Medical Library.

Mr. RICH. Mr. Speaker, reserving the right to object, what about this library? Are you going to build a new one?

Mr. MAY. I may say to the gentleman from Pennsylvania that this bill was given very extensive hearings and the whole committee heard the testimony. It appears that this library was established in 1835, that it is in an old building wholly inadequate for the protection of its contents, danger of destruction by fire, that there are involved a million volumes of medical books and about a million manuscripts. It has cost the Government probably several million dollars to gather this information. In the list are perhaps 450 volumes published more than 500 years ago, of which there are no prints anywhere else in the world. It is the most valuable collection of medical books on the earth.

Mr. ANDREWS. I may say to the gentleman from Pennsylvania that in connection with this bill the most eminent physicians and surgeons in the country appeared in a body before the Military Affairs Committee of the House favoring its enactment. The Republican minority and the Democratic majority on the Military Committee voted unanimously in favor of this bill. Men such as the present Surgeon General of the Army, Reynolds, the retired Surgeon General, Ireland, of the Army, as well as Dr. John M. T. Finney, of Johns Hopkins, and other prominent physicians and surgeons appeared. It is probably the most priceless collection of medical data, history, facts, and information that there is in existence. The doctors in the gentleman's district as well as in his own State and elsewhere refer to this library continually.

Mr. RICH. Is it expected to build a new library?

Mr. MAY. This is merely an authorization. If it is built at all it will probably come out of the public-works funds.

Mr. RICH. Out of the P. W. A.?

Mr. MAY. Yes.

Mr. RICH. The gentleman is going to earmark this money?

Mr. MAY. We will try to. It has not been brought up for earmarking and this is the only chance to get it.

Mr. RICH. Will the gentleman earmark it out of the P. W. A. grants? If he does not do that, will he promise not to come back here and ask for the money?

Mr. MAY. I think the President will be glad to authorize this construction, out of the fund appropriated in the relief bill for public works.

Mr. RICH. If the gentleman guarantees that, I will not object to its going through. The President has had altogether too much money to spend in the past.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to construct in the District of Columbia a building with the utilities, accessories, and appurtenances thereto to replace the present Army Medical Library and Museum Building now located in the District of Columbia: *Provided,* That the advice of the National Capital Park and Planning Commission as to the selection of the site be requested before construction herein authorized shall begin: *Provided further,* That construction herein authorized be subject to the approval of the National Park Service under the authority of section 6 of Public Buildings Act of May 25, 1926, as amended (U. S. C., title 40, sec. 346): *Provided further,* That the total cost of the construction hereby authorized shall not exceed the sum of $3,750,000.

With the following committee amendments:

Page 1, line 10, strike out the words "*Provided further*, That construction" and lines 1, 2, and 3, and "(Sec. 346)" in line 4, page 2.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LANE S. ANDERSON POST, NO. 297, VETERANS OF FOREIGN WARS

The Clerk called the next bill, H. R. 9014, to authorize the conveyance to the Lane S. Anderson Post, No. 297, Veterans of Foreign Wars of the United States, of the house and site at lock No. 6, Kanawha River, South Charleston, W. Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to convey to the Lane S. Anderson Post, No. 297, Veterans of Foreign Wars of the United States, South Charleston, W. Va., all the right, title, and interest of the United States in and to the downstream house, together with its site, at lock No. 6, Kanawha River, South Charleston, W. Va., for use by such post for the purposes of the organization. Such conveyance shall contain the express condition that if such post shall at any time cease to use such property for such purposes, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States. The post shall bear any expenses (other than the preparation of the instrument of conveyance) necessary to accomplish the conveyance, but shall not be required to pay any consideration for the right, title, and interest conveyed.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That the Secretary of War is authorized and directed to convey by quitclaim deed to the Lane S. Anderson Post, No. 297, Veterans of Foreign Wars of the United States, South Charleston, W. Va., for the sum of $2,250, a tract of land, together with the improvements thereon, situated on the left or south bank of the Kanawha River at lock No. 6, city of South Charleston, Kanawha County, W. Va., and more specifically described as follows:

"Beginning at a stone monument at the southwestern corner of the tract of land, said point of beginning also being the intersection of the northeastern boundary line of F Street and the northwestern boundary line of Eleventh Avenue of said city; thence from the said point of beginning along the said F Street boundary line north 22°45′ west 312 feet to a point in the shore line of the Kanawha River; thence upstream along the shore line approximately 102 feet; thence south 23°30′ east exactly 312 feet to a point in the aforesaid northwestern boundary line of Eleventh Avenue; thence along this boundary line south 66°30′ west 104.8 feet to the point of beginning; containing 0.74 acre, more or less, subject to the perpetual right of the United States of America to flood such part of said land as may be necessary from time to time in the interest of navigation or flood control.

"The land hereinbefore described was acquired by the United States of America by condemnation, recorded in the Kanawha County circuit court record book No. 4, pages 300 and 509, of the records of said county.

"SEC. 2. The deed of conveyance of the property shall contain the following conditions:

" 'That in the event the grantee shall cease to use the property for the purposes of the organization, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

" 'That the grantee shall at its own expense provide sewer connections with the municipal sewer system.

" 'That the grantee shall bear any expenses (other than the preparation of the deed of conveyance) necessary to accomplish the conveyance.' "

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to authorize the conveyance to the Lane S. Anderson Post, No. 297, Veterans of Foreign Wars of the United States, of a parcel of land at lock No. 6, Kanawha River, South Charleston, W. Va."

CLAIMS UNDER THE GENERAL CLAIMS CONVENTION OF SEPTEMBER 8, 1923, UNITED STATES AND MEXICO

The Clerk called the next bill, S. 3104, for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico.

Mr. DONDERO. Reserving the right to object, Mr. Speaker, I wish the gentleman from Texas, who reported the bill, would make a statement regarding the items included in it.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I shall be pleased to make such an explanation. This is a Senate bill, sponsored by Senator MORRIS SHEPPARD, and it passed the Senate almost unanimously about 3 weeks ago.

This bill grows out of claims between citizens of the United States and the Mexican Government. In 1923 there was created what was known as the General Claims Commission to hear and adjudicate the claims of citizens of the United States had against the Mexican Government and the claims citizens of Mexico had against the United States. This Commission was composed of representatives of both the Mexican Government and our Government. It was created at a time when there was a great deal of discord and strife between the people of both countries and it looked as if there might be war. In order to prevent strife and reprisals between the citizens of the two countries and to bring about an era of good will and also to conciliate the various contesting claimants and promote peace this Commission was created by the convention of September 8, 1923, between the United States and Mexico. The Commission was to hear the claimants of both countries and pass upon the validity of their claims and under the terms of the convention payment was to be made within 3 years. Our Government would pay the claimants in this country and the Mexican Government would pay the claimants in that country, and then, striking the difference, the government that owed the most would pay the other country the difference, so there would be satisfaction and accord between the two countries and the citizens of the two countries.

This Commission worked for a number of years but no claims have ever been paid. The Commission is now out of existence. Many of these claims have been approved for more than 10 years. The claims represented by this bill constitute claims that have been approved by the representatives of both our Government and the Mexican Government. The bill authorizes an appropriation to pay citizens of our country claims in amounts as approved by the Commission, the United States being thereupon subrogated and entitled to full reimbursement therefor from Mexico as provided in the treaty or convention.

I believe, under the terms of the convention, our Government really assumed an obligation for the payment of these debts, and the Mexican Government assumed an obligation for the payment of the claims of their citizens.

A further reason I believe our Government is responsible for the payment of these claims is that some of our citizens had claims pending in the city of Mexico and were taking them up with the Mexican Government concerning the payment of the claims, with prospect of payment, but when this convention was created, all the claimants automatically had to retire and present their claims to the Commission.

The character of the claims of our people against Mexico was for property taken, confiscated, and destroyed by the Mexican Government, and for murder, imprisonment, and other crimes committed against our citizens by the Mexican Government and its nationals. The amount of the claims, as filed, was greatly reduced by the Commission, and the Commission, after hearing evidence, adjudicated the claims, and the adjudication is in the nature of a judgment for the amount of damages suffered by the claimants, and upon the signing of the convention between the two countries, Mexican officials told American citizens that they would no longer consider the claims but that all claims must be considered by the Commission set up under the convention or treaty between the two countries.

Many of these claims were approved more than 10 years ago, but all of them remain unpaid, not one having been paid any of the claimants, although the justness of their claims is recognized in the awards made in their favor by the Commission. As long as the Commission was still in existence the State Department reported adversely upon this bill, but now, since the Commission has gone out of existence, there remains nothing else to be done except to pay the claims under the terms of the convention between the two countries. I believe the bill is a meritorious one.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

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

Mr. MARTIN of Massachusetts. Of course, the gentleman understands that if the United States Government pays these claims it will probably never get any of the money back.

Mr. LUTHER A. JOHNSON. After we have paid the claims we can go to the Mexican Government and say, "We have paid these claims which your representatives have awarded, and here is the bill."

Mr. MARTIN of Massachusetts. But the Mexican Government is near bankruptcy and would not be able to pay the claims.

Mr. LUTHER A. JOHNSON. I know nothing about the solvency of the Mexican Government, but from past experience I know that when the United States Government talks to Mexico in terms of firmness it usually gets results, because Mexico is more or less dependent upon us. We will never get the money unless we take this course.

Mr. MARTIN of Massachusetts. Does the gentleman believe the United States Government should bail out the Illinois Central Railroad or somebody else?

Mr. LUTHER A. JOHNSON. No; but I believe these hundred or more claimants have followed the instructions of our country. They have submitted their claims under this convention that was made between the two countries, and their claims have been awarded after a judicial hearing by the Commission, and I believe they are entitled to their money. I believe it would be an unjust repudiation if the United States did not pay the claimants and then collect it from the Government of Mexico, as provided in the treaty.

Mr. THOMASON of Texas. If the gentleman will yield, I may say I hope there will be no objection to the consideration of this bill, because I happen to have some personal knowledge of the situation, and I regard the bill as very meritorious.

I lived on the border at the time of these revolutions. I have been down in Mexico, and I know many of these people who suffered, and instead of going to the Mexican Government to present their claims, they did the only thing they could do under the terms of this treaty, and that was to go before the Joint Commission, have exhaustive hearings, and have the matters adjudicated upon their merits. The result was that more than 10 years ago the families of men who were killed in the revolution in Mexico, many men and women who suffered heavy losses of property had these claims adjusted, and now they have gone 10 or 15 years, with a number of them getting to be old people, and they have never collected one penny, although they did exactly what this Government told them to do.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MARTIN of Masachusetts, Mr. KINZER, and Mr. DONDERO objected.

BRIDGE ACROSS NIAGARA RIVER NEAR NIAGARA FALLS, N. Y.

The Clerk called the next joint resolution, House Joint Resolution 688, creating the Niagara Falls Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Niagara River at or near the city of Niagara Falls, N. Y.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this joint resolution be passed over without prejudice.

Mr. BLOOM. Mr. Speaker, will the gentleman reserve that?

Mr. COSTELLO. I will be pleased to reserve it for the moment.

Mr. BLOOM. I would like to have the gentleman state any objection he may have to this joint resolution. It does not cost any money and the bridge is necessary, I may say to the gentleman, although it is not in my district.

Mr. COSTELLO. It is my understanding there is some question about it and I find in the committee report no statement from the War Department or the Department of Agriculture regarding the advisability or desirability of this particular bridge. There is a statement from the Department of State. It has been our custom to have these bills taken up by other committees, but in view of the fact that this particular bill involves a question of an international character it has been referred to the Committee on Foreign Affairs, which is not the usual committee for handling bridge legislation, as most of such legislation originates in the Committee on Interstate and Foreign Commerce.

Mr. ANDREWS. The gentleman will find a report from the Chief of Engineers of the War Department concurring in the regular report.

Mr. COSTELLO. There is a letter from the Army engineers enclosing a report of the Attorney General, but not in any way indicating the attitude of the War Department.

Mr. BLOOM. And it is also a fact that this is to replace a bridge washed away by a storm about a year ago. It is not in my district, but I think this is quite necessary.

Mr. COSTELLO. I may say to the gentleman that I am not objecting to the joint resolution, but asking unanimous consent that it be passed over without prejudice.

Mr. BLOOM. However, we want to get it through at this session of Congress.

Mr. COSTELLO. I am going to submit the request at this time.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that this joint resolution be passed over without prejudice. Is there objection?

There was no objection.

TRANSFER OF ONE MINE-RESCUE CAR

The Clerk called the next bill, H. R. 9783, authorizing the Secretary of the Interior to transfer to the State of Colorado one mine-rescue car.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to transfer one surplus decommissioned mine-rescue car (with such equipment and apparatus as may be surplus to the needs of the Denver safety station of the Bureau of Mines) located in Denver, Colo., to the State of Colorado. Costs of delivery shall be borne by the State of Colorado, but no consideration shall be required from the State for the transfer.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF ALASKA GAME COMMISSION ACT

The Clerk called the next bill, H. R. 7844, to amend the act of Congress entitled "An Act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes," approved January 13, 1925, as amended.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes," approved January 13, 1925 (43 Stat. 739), as amended by the act of February 14, 1931 (46 Stat. 1111), under the title "Definitions" is amended to read as follows:

"SEC. 2. Definitions: That for the purposes of this act the following shall be construed, respectively, to mean:

"Commission: The Alaska Game Commission.

"Territory: Territory of Alaska.

"Person: The plural or the singular, as the case demands, including individuals, associations, partnerships, and corporations, unless the context otherwise requires.

"Take: Taking, pursuing, disturbing, hunting, capturing, trapping, or killing game animals, land fur-bearing animals, game or nongame birds; attempting to take, pursue, disturb, hunt, capture, trap, or kill such animals or birds; or setting or using a net, trap, or other device for taking them, or collecting the nests or eggs of such birds, unless the context otherwise requires. Whenever the taking of animals, birds, or nests or eggs of birds is permitted, reference is had to taking by lawful means and in lawful manner.

"Open season: The time during which birds or animals may lawfully be taken. Each period of time prescribed as an open season shall be construed to include the first and last days thereof.

"Closed season: The time during which birds and animals may not be taken.

"Transport: Shipping, transporting, carrying, importing, exporting, or receiving or delivering for shipment, transportation, carriage, or export, unless the context otherwise requires.

"Game animals: Deer, moose, caribou, elk, mountain sheep, mountain goat, bison, musk ox, and the large brown and grizzly bears, and such other animals as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory or any part thereof and found and declared by the Secretary of Agriculture to be game animals, which shall be known as big game.

"Land fur-bearing animals: Beaver, muskrat, marmot, raccoon, pika, squirrel, fisher, fox, lynx, marten, or sable, mink, weasel or ermine, land otter, wolverine, polar bear, and black bear, including its brown and blue (or glacier bear) color variations, and such other animals as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory or any part thereof and found and declared by the Secretary of Agriculture to be fur-bearing animals; but whenever the Secretary of Agriculture shall find that the aforesaid black bear, or its color variations, is predominantly hunted in any section of Alaska as a game animal rather than a fur-bearer, he shall so declare and then and thereafter, so long as such declaration remains in effect, such bear in the specified section of Alaska shall be considered to be a game animal to the same effect as if it had been expressly included in the foregoing definition of game animals.

"Game birds: Anatidae, commonly known as waterfowl, including ducks, geese, brant, and swans; Haematopodidae, Charadriidae, Scolopacidae, and Phalaropodidae, commonly known as shore birds, including oyster catchers, plover, sandpipers, snipe, curlew, and phalaropes; Gruidae, commonly known as cranes; and the several species of grouse and ptarmigan, and such other birds as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory or any part thereof and found and declared by the Secretary of Agriculture to be game birds.

"Nongame birds: All wild birds except game birds."

SEC. 2. That section 3 of said act is amended to read as follows:

"SEC. 3. Citizenship defined: That for the purposes of this act a citizen of the United States who has been domiciled in the Territory, for the purpose of making his permanent home therein, for not less than 1 year immediately preceding his claim for resident privileges or a foreign-born person, which term shall be construed in this act to include a citizen of the Philippine Islands, not a citizen of the United States, who has declared his intention to become a citizen of the United States, and has been domiciled in the Territory for a like period and purpose, shall be considered a resident; but if such a foreign-born person shall not have been admitted to citizenship within 7 years from the date he declared his first intention to become a citizen, he shall thereafter be deemed to be an alien until admitted to citizenship. A foreign-born person not a citizen of the United States who has not declared his intention to become a citizen of the United States, or who has not resided in the Territory for at least 1 year after having declared such intention, shall be considered an alien: *Provided*, That whenever the Secretary of Agriculture shall determine that the economic welfare and interests of native Indians, Eskimos, and half-breeds, or the fur resources of Alaska are threatened by the influx of trappers from without the Territory, he may, in his discretion and for such periods as he shall determine, require that citizens of the United States who are nonresidents of the Territory, and foreign-born persons and aliens within the meaning of this act, shall have resided in Alaska for a continuous period of 3 years instead of 1 year before being eligible to obtain resident trapping licenses under the provisions of the Alaska game law, as amended, and regulations issued pursuant thereto."

SEC. 3. That the first paragraph of section 5 of said Act is amended to read as follows:

"SEC. 5. Duties and powers of the Commission, wardens, and officers: That the Commission shall have authority to employ and remove game wardens, deputies, clerks, and such other assistants as may be necessary; to fix their periods of service and compensation; to rent quarters; and to incur other necessary expenses payable from appropriations for carrying out the purposes of this act, including printing and purchase, operation, maintenance, and repair of aircraft; restocking depleted areas and emergency feeding of wildlife; investigation of wildlife conditions; and protection of wildlife resources within the Territory; but, subject to review by the Commission, the executive officer may suspend or remove any game warden or other employee for cause, including insubordination."

SEC. 4. That subdivision J of section 11 of said act is amended to read as follows:

"Subdivision J. False statement in application for and alteration and expiration of licenses: That any false statement in an application for license as to citizenship, place of residence, or other material facts shall render null and void the license issued upon it. Any person who shall make any false statements in an application for a license shall be guilty of a violation of this act and upon conviction of any such violation shall be punished as provided in section 15 hereof. No person shall alter, change, loan, or transfer to another any license issued to him in pursuance of this act, nor shall any person other than the one to whom it is issued use such license; and each of such licenses shall expire the 30th day of June next succeeding its issuance."

With the following committee amendments:

Page 5, line 20, after the word "thereto", strike out the period and insert a colon and the following: "*Provided further*, That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or parts thereof directly involved in the controversy in which such judgment shall have been rendered."

On page 6, after line 10, insert:

"SEC. 4. That section 10 of said act is amended to read as follows:

"'SEC. 10. Regulations: That the Secretary of Agriculture, upon consultation with or recommendation from the Commission, is hereby authorized and directed from time to time to determine when, to what extent, if at all, and by what means game animals, land fur-bearing animals, game birds, nongame birds, and nests or eggs of birds may be taken, possessed, transported, bought, or sold, and to adopt suitable regulations permitting and governing the same in accordance with such determinations, which regulations shall become effective on the date specified therein; but no such regulations shall permit any person to take any female yearling or calf moose, any doe yearling or fawn deer, or any female or lamb mountain sheep except under permit for scientific, propagation, or educational purposes; or to use any dog in taking game animals; or to sell the heads, hides, or horns of any game animals, except the hides of moose, caribou, deer, and mountain goat, or black bears if and when declared to be game animals by the Secretary of Agriculture under authority of section 2 of this act, which the regulations may permit to be sold under such restrictions as said Secretary may deem to be appropriate; or to use any shotgun larger than a No. 10 gauge; or to use any airplane, or steam or power launch, or any boat other than one propelled by paddle, oars, or pole, in taking game animals or game birds; or to sell any game animals, game birds, or parts thereof, to the owner, master, or employee of any coastal or river steamer or commercial power or sail boat, or to procure for serving or to serve any such game animals, game birds, or parts thereof, in any cannery or to the employees on any such steamer or boat; nor, except as herein provided, shall prohibit any Indian or Eskimo, prospector, or traveler to take animals or birds during the close season when he is in absolute need of food and other food is not available, but the shipment or sale of any animals or birds or parts thereof so taken shall not be permitted, except that the hides of animals so taken may be sold within the Territory, but said Secretary by regulation may prohibit such native Indians or Eskimos, prospectors, or travelers from taking any species of animals or birds for food during the close season in any section of the Territory within which he shall determine that the supply of such species of animals or birds is in danger of extermination; nor shall any such regulation contravene any of the provisions of the Migratory Bird Treaty Act and regulations: *Provided*, That no person shall knowingly disturb, injure, or destroy any notice, signboard, seal, boat, vessel, sled, dog, or dog team, paraphernalia, or equipment, building, or other improvement or property of the United States used by the Commission in the administration and/or enforcement of the provisions of this act, or as a notice to the public concerning the provisions of this act or any regulation adopted pursuant thereto, or as a marker of the boundary of any area closed to hunting, trapping, or other special use under the provisions of this act, or to destroy, remove, tamper with, or imitate any metal seal or seals issued by the Commission and attached to any skin, portion, or specimen of a wild animal or bird or other article for purposes of identification under its authority, in accordance with the provisions of this act or any regulations thereunder.'"

3. Page 6, line 11, strike all of line 11 and insert in lieu thereof the following:

"SEC. 5. That subdivisions C and J of section 11 of said act are."

4. On page 6, between lines 12 and 13, insert:

"Subdivision C. Resident hunting and trapping licenses: That the Commission, whenever it shall deem expedient, may by regulation require residents of the Territory to procure resident hunting and trapping licenses authorizing them to take animals and birds protected by this act, and when such licenses shall have been required of residents the fee therefor shall be as follows: For each hunting license the sum of $1, and for each trapping license the sum of $2, but no such license shall be required of native-born Indians, Eskimos, or half-breeds who have not severed their tribal relations by adopting a civilized mode of living or by exercising the right of franchise, or of residents under the age of 16: *Provided*, That a licensed trapper shall be entitled to the privilege of hunting without a hunting license. After the effective date of such regulation, no resident shall take any animal or bird protected by this act without having first procured resident hunting and trapping licenses as herein provided."

The committee amendments were agreed to:

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDUCATION OF CERTAIN CITIZENS OF THE AMERICAN REPUBLICS

The Clerk called the next bill, H. R. 10687, to authorize the President to permit citizens of the American Republics to receive instruction at professional educational institutions and schools maintained and administered by the Gov-

ernment of the United States or by Departments or agencies thereof.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

AMENDMENT OF SECTION 2139 OF THE REVISED STATUTES

The Clerk called the next bill, S. 3166, to amend section 2139 of the Revised Statutes, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2139 of the Revised Statutes, as amended by the act of July 23, 1892, entitled "An act to amend sections 2139, 2140, and 2141 of the Revised Statutes touching the sale of intoxicants in the Indian country, and for other purposes," and as amended by the act of January 30, 1897, entitled "An act to prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes," is amended to read as follows:

"SEC. 2139. Any person who shall sell, give away, dispose of, exchange, or barter any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or other intoxicating liquor of any kind whatsoever, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever, under any name, label, or brand, which produces intoxication to any Indian to whom an allotment of land has been made while the title to the same shall be held in trust by the Government, or to any Indian who is a ward of the Government under charge of any Indian superintendent or agent, or to any Indian, including mixed bloods, over whom the Government, through its Departments, exercises guardianship, and any person who shall introduce or attempt to introduce any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or intoxicating liquor of any kind whatsoever into the Indian country, which term shall include any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be punished for the first offense by imprisonment for not more than 1 year and by a fine of not more than $500, and for the second offense and each offense thereafter by imprisonment for not more than 5 years and by a fine of not more than $2,000: *Provided, however*, That the person convicted shall be committed until fine and costs are paid: *And provided further*, That first offenses under this section may be prosecuted by information, but no person convicted of a first offense under this section shall be sentenced to imprisonment in a penitentiary or required to perform hard labor. It shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority, in writing, from the War Department or any officer duly authorized thereunto by the War Department. All complaints for the arrest of any person or persons made for violation of any of the provisions of this section shall be made in the county where the offense shall have been committed, or if committed upon or within any reservation not included in any county, then in any county adjoining such reservation; but in all cases such arrests shall be made before any United States court commissioner residing in such adjoining county, or before any magistrate or judicial officer authorized by the laws of the State in which such reservation is located to issue warrants for the arrest and examination of offenders by section 1014 of the Revised Statutes as amended. And all persons so arrested shall, unless discharged upon examination, be held to answer and stand trial before the court of the United States having jurisdiction of the offense."

SEC. 2. Section 2139 of the Revised Statutes, as amended by this act, shall be deemed to apply to offenses committed subsequent to the date of enactment of this act, and any reference in any other act of Congress to the act of January 30, 1897, insofar as it relates to offenses committed subsequent to the date of enactment of this act, shall be deemed to be a reference to section 2139 of the Revised Statutes as amended by this act.

SEC. 3. The act entitled "An act to prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes," approved January 30, 1897, is hereby repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE OWYHEE PROJECT

The Clerk called the next bill, H. R. 10488, to provide for allowing to the Gem Irrigation District and Ontario-Nyssa Irrigation District of the Owyhee project terms and payment dates for charges deferred under the reclamation moratorium acts similar to those applicable to the deferred construction charges of other projects under said acts, and for other purposes.

Mr. RICH. Mr. Speaker, I would like to have somebody explain this bill.

Mr. PIERCE. Mr. Speaker, this irrigation district is on the border line between Oregon and Idaho. In the fall of 1932, and in March 1933, a debt moratorium was given to irrigation districts. It was supposed that this included the electric charge for pumping for several years prior. These districts got their water by pumping. The Government put in a large reservoir and they are now getting gravity water. The Solicitor of the Interior Department recently said that those old charges were now due under the act, and it throws $100,000 on these districts, just at this time, when they simply cannot pay. This is one of the most prosperous sections of all of the West, the fastest growing section of Oregon. A large beet-sugar factory is being built there now. This bill construes the statute as we all thought it read when it was passed in March 1933 and the fall of 1932.

Mr. RICH. When they declared the moratorium on these reclamation projects, it included a great many of them.

Mr. PIERCE. Yes, and it was supposed to take in at that time the charges for power due the Government.

Mr. RICH. And the other reclamation projects are coming across and making their payments? Why do not you?

Mr. PIERCE. The special irrigation commission has found that of the 77 irrigation districts in the United States there are only 2 districts in this situation, and they recommend this bill.

Mr. RICH. Does this give these districts any advantage over the other irrigation projects?

Mr. PIERCE. No; it is putting them on a par with these others.

Mr. RICH. And is it expected that finally they will make these payments?

Mr. PIERCE. Eventually.

Mr. RICH. How long does this extend the time of payments?

Mr. PIERCE. The full payment is 40 years.

Mr. RICH. And the gentleman and I will never be here to see the debt paid off from this irrigation project or the debt of the Federal Government.

Mr. PIERCE. This will be one of the most prosperous sections in the United States.

Mr. RICH. If that is the case let them pay their bills and pay it now. The Government needs the money, and here is one place to get it.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That that portion of the charges of the Gem Irrigation District and the Ontario-Nyssa Irrigation District, Owyhee project, which was postponed under the provisions of the Moratorium Acts of April 1, 1932 (47 Stat. 75), March 3, 1933 (47 Stat. 1427), March 27, 1934 (48 Stat. 500), June 13, 1935 (49 Stat. 337), and April 14, 1936 (49 Stat. 1206), shall come due and payable at the end of the construction payment period provided in the contracts between said districts and the United States in like manner and subject to the same terms as to interest and other conditions applicable to the construction charges postponed on other projects under the provisions of the said moratorium acts.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the charges of the Gem Irrigation District and of the Ontario-Nyssa Irrigation District, that were postponed under the Moratorium Acts of April 1, 1932 (47 Stat. 75), March 3, 1933 (47 Stat. 1427), March 27, 1934 (48 Stat. 500), and June 13, 1935 (49 Stat. 337), shall be payable at the end of the districts' construction charge repayment period, subject to the same terms and conditions as applicable to the construction charges postponed under the said moratorium acts."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider laid on the table.

COAST GUARD STATION, SHELTER COVE, CALIF.

The Clerk called the bill (H. R. 9916) to provide for the establishment of a coast guard station at or near Shelter Cove, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on the Pacific coast at or in the vicinity of Shelter Cove, Calif., in such locality as the Commandant of the Coast Guard may recommend.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOBOKEN PIER TERMINALS

The Clerk called the bill (H. R. 10536) authorizing the United States Maritime Commission to sell or lease the Hoboken Pier Terminals, or any part thereof, to the city of Hoboken, N. J.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Maritime Commission is authorized for and on behalf of the United States (1) to sell to the city of Hoboken, N. J., the right, title, and interest of the United States in the whole or any part of such real property now under its jurisdiction or control, and described in schedule A appended to a proclamation of the President of the United States, dated December 3, 1918, which was taken over by the United States by a proclamation of the President of the United States dated June 28, 1918, pursuant to the authority vested in him by the act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," approved March 28, 1918; or (2) to lease to the said city of Hoboken the whole or any part of such aforementioned real property for a term of 50 years, said sale or said lease to be on such terms and under such conditions as shall be mutually agreeable to the Maritime Commission and the said city of Hoboken: *Provided*, That any contract of lease executed between the Maritime Commission and the city of Hoboken under the provisions of this act shall expressly authorize the Maritime Commission and the said city, at or before the expiration of the original contract of lease, to enter into a new contract of lease of the same property and for a like term of years.

SEC. 2. In event that the Maritime Commission, in accordance with the provisions of this act, shall convey to said city all or any of the real property herein described, or in event that any such lease as is herein provided for, shall be executed between the Maritime Commission and the city of Hoboken, the Commission shall transfer any leases in existence upon the property so sold or leased at the time of said sale or lease, to the city of Hoboken and assign to it any future benefit to be received thereunder.

SEC. 3. In event the property herein described shall be sold to the city of Hoboken, the deed executed by the Commission shall contain express covenants that (1) in event of a national emergency the property so conveyed, with all improvements placed thereon, may be taken upon order of the President of the United States for the use of the War Department during the period of such emergency, but no longer; and (2) the said city shall not resell the property conveyed thereunder.

With the following committee amendments:

Page 2, line 8, strike out "a term of" and insert "any term up to."

Page 3, line 10, after the word "longer" insert "*Provided*, That just compensation shall be paid for any improvements placed thereon or made thereto."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

CLEARANCES OF VESSELS

The Clerk called the bill (H. R. 10672) to amend section 4197 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 91), and section 4200 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 92), and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4197 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 91), be amended to read as follows:

"The master or person having the charge or command of any vessel bound to a foreign port shall deliver to the collector of the district from which such vessel is about to depart a manifest of all the cargo on board the same, and the value thereof, by him subscribed, and shall swear to the truth thereof; whereupon the collector shall grant a clearance for such vessel and her cargo, but without specifying the particulars thereof in the clearance, unless required by the master or other person having the charge or command of such vessel so to do. If any vessel bound to a foreign port (other than a licensed yacht not engaging in any trade nor in any way violating the revenue laws of the United States) departs from any port or place in the United States without a clearance, or if the master delivers a false manifest, or does not answer truly the questions demanded of him, or, having received a clearance adds to the cargo of such vessel without having mentioned in the report outwards the intention to do so, or if the departure of the vessel is delayed beyond the second day after obtaining clearance without reporting the delay to the collector, the master or other persons having the charge or command of such vessel shall be liable to a penalty of not more than $1,000 nor less than $500, or if the cargo consists in any part of narcotic drugs, or any spirits, wines, or other alcoholic liquors (sea stores excepted), a penalty of not more than $5,000 nor less than $1,000 for each offense, and the vessel shall be detained in any port of the United States until the said penalty is paid or secured: *Provided*, That in order that the commerce of the United States may move with expedition and without undue delay, the Secretary of Commerce is hereby authorized to make regulations permitting the master of any vessel taking on cargo for a foreign port or for a port in noncontiguous territory belonging to the United States to file a manifest as hereinbefore provided, and if the manifest be not a complete manifest and it so appears upon such manifest, the collector of customs may grant clearance to the vessel in the case of an incomplete manifest, taking from the owner of the vessel, who may act in the premises by a duly authorized attorney in fact, a bond with security approved by the collector of customs in the penal sum of $1,000, conditioned that the master or someone for him will file a completed outward manifest not later than the fourth business day after the clearance of the vessel. In the event that the said complete outward manifest be not filed as required by the provisions of this section and the regulations made by the Secretary of Commerce in pursuance hereof, then a penalty of $50 for each day's delinquency beyond the allowed period of 4 days for filing the completed manifest shall be exacted, and if the completed manifest be not filed within the 3 days following the 4-day period, then for each succeeding day of delinquency a penalty of $100 shall be exacted. Suit may be instituted in the name of the United States against the principal and surety on the bond for the recovery of any penalties that may accrue and be exacted in accordance with the terms of the bond."

SEC. 2. Section 4200 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 92) is amended to read as follows:

"Before a clearance shall be granted for any vessel bound to a foreign port, the owners, shippers, or consignors of the cargo of such vessel shall deliver to the collector manifests of the cargo, or the parts thereof shipped by them, respectively, and shall verify the same by oath. Such manifests shall specify the kinds and quantities of the articles shipped, respectively, and the value of the total quantity of each kind of article; and the oath to each manifest shall state that it contains a full, just, and true account of all articles laden on board of such vessel by the owners, shippers, or consignors, respectively, and that the values of such articles are truly stated, according to their actual cost, or the values which they truly bear at the port and time of exportation; and before a clearance shall be granted for any such vessel, the master of that vessel, and the owners, shippers, and consignors of the cargo, shall state, upon oath, to the collector, the foreign port or country in which such cargo is truly intended to be landed. The oaths shall be taken and subscribed in writing: *Provided*, That in order that the commerce of the United States may move with expedition and without undue delay, the Secretary of Commerce is hereby authorized to make regulations permitting the clearance of a vessel having on board cargo destined to a foreign port or to a port in noncontiguous territory belonging to the United States, before delivery to the collector of customs of shippers' manifests or export declarations of the cargo laden on board. Upon receipt by the collector of a bond with security approved by him in the penal sum of $1,000, conditioned that the complete shippers' manifests or export declarations of all cargo laden aboard such vessel shall be filed with him not later than the fourth business day after the clearance of the vessel. In the event that all of the shippers' manifests or export declarations are not filed as required by the provisions of this section and the regulations made by the Secretary of Commerce in pursuance hereof, then a penalty of $50 for each day's delinquency beyond the allowed period of 4 days for filing all of the shippers' manifests or export declarations shall be exacted, and if all of the shippers' manifests or export declarations are not filed within the 3 days following the 4-day period, then for each succeeding day of delinquency a penalty of $100 shall be exacted. Suit may be instituted in the name of the United States against the principal and surety on the bond for the recovery of any penalties that may accrue and be exacted in accordance with the terms of the bond."

SEC. 3. Nothing contained in this act shall be taken to repeal, modify, alter, or amend any existing statute other than those specifically amended herein with respect to the necessary papers, documents, or licenses required to be produced by the master, owner, operator, or consignor, relating to the required prerequisites for the granting of clearance for a cargo destined to foreign ports or to a port in noncontiguous territory belonging to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

THIRD INTERNATIONAL CONGRESS FOR MICROBIOLOGY

The Clerk called the joint resolution (H. J. Res. 702) to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the President is hereby authorized and requested to invite foreign governments to participate in the Third International Congress for Microbiology to be held in New York, N. Y., September 2 to 9, inclusive, 1939, under the auspices of the International Association of Microbiologists.

SEC. 2. The sum of $10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of organizing, holding, and publishing the proceedings of, the Third International Congress for Microbiology, including expenditures for personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, communication services, stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses, local transportation, hire of motor-propelled passenger-carrying vehicles, rent in the District of Columbia and elsewhere, printing and binding, entertainment, official cards, purchase of newspapers and periodicals, necessary books and documents, stationery, membership badges, such expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MOUNT RUSHMORE MEMORIAL COMMISSION

The Clerk called the bill (H. R. 10462) to amend the act entitled "An act creating the Mount Rushmore Memorial Commission, and defining its purposes and powers," approved February 25, 1929, as amended.

The SPEAKER. Is there objection?

Mr. TREADWAY. Mr. Speaker, I think this is deserving of some explanation and I reserve the right to object and ask an explanation.

Mr. CASE of South Dakota. This is a bill to authorize the completion of the National Mount Rushmore Memorial, a memorial consisting of the figures of Washington, Jefferson, Lincoln, and Theodore Roosevelt carved on the side of a granite mountain in the Black Hills section of South Dakota. The work on the first two figures is approximately 70 percent completed. It is estimated that the passage of this bill will permit the completion of the figures. Some of you have seen them. Any person who has once seen them will realize the worth of this memorial. It will be the greatest national memorial in America.

Mr. TREADWAY. Mr. Speaker, further reserving the right to object, the gentleman states that it is estimated that this appropriation of $300,000 will complete the present figures. This is an extension from time to time of an effort to have certain sculpture work done on that mountain. Different figures have been added. I do not think there is any assurance or protection to the Federal Government that this $300,000 is to be the last it is expected will be asked for. I think there should be further explanation of the measure before it is passed.

Mr. CASE of South Dakota. I may say that no figures have been added. These four are the only ones authorized by law.

I may add that the State of South Dakota raised a great deal of the money to take care of the initial expense involved in this national memorial. The committee report points out they have spent something like $800,000 on roads to make the place available to the public.

The mountain on which these figures are being carved is of a kind of granite which erodes at the rate of only one-quarter of an inch in 100,000 years. This memorial will be there when every other man-made memorial in America has crumbled into dust.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Mount Rushmore Memorial Act of 1938."

SEC. 2. The act entitled "An act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers," approved February 25, 1929 (45 Stat. 1300), as amended, is amended to read as follows: "That there is hereby created a Commission to be known as the Mount Rushmore National Memorial Commission (hereinafter referred to as the 'Commission'), to be composed of 10 members (one of whom shall be a designer-sculptor) who shall be appointed by the President. The members shall serve at the pleasure of the President, who shall fill all vacancies that from time to time occur. Any six members of the Commission shall constitute a quorum. No member of the Commission shall receive compensation for his services, except the designer-sculptor, who may be paid such compensation for his services as may be determined by the Commission, but the actual expenses of any member in connection with the work of the Commission may be paid from any appropriations available for the purpose of carrying out the provisions of this act: *Provided*, That nothing in this section shall be deemed to prohibit the payment to any member of the Commission who may be elected secretary or treasurer of the Commission of such compensation for the performance of his duties as secretary or treasurer, as may be determined by the Commission.

"SEC. 2. The commission shall elect its chairman, vice chairman, secretary, and treasurer. The chairman and the vice chairman shall, and the secretary and the treasurer may, but need not, be elected from among the members of the commission. The treasurer may be a bank or trust company. The treasurer shall execute a bond so conditioned and in such amount as shall insure the protection of funds coming into his possession. The commission may create from its own membership an executive committee of five, which shall exercise such powers and functions within the purview of this act as may be authorized by the commission.

"SEC. 3. The commission shall, in accordance with designs and models prepared by the designer-sculptor, complete the Mount Rushmore National Memorial, including an entablature upon which shall be cut a suitable inscription, construction of a museum and a stairway to the museum hall, reconstruction of the studio for preservation of the models, landscaping of contiguous grounds, and construction of the entrance to the memorial. No charge shall ever be made for admission to the memorial grounds or for viewing the memorial.

"SEC. 4. The commission is authorized—

"(a) To designate and describe by metes and bounds an area of not more than 4,000, nor less than 2,000 acres of the public lands of the United States within the Harney National Forest, State of South Dakota, immediately surrounding the Mount Rushmore National Memorial. Upon such designation such area is hereby reserved for and declared to be a part of the Mount Rushmore National Memorial, and withdrawn from location or entry under the mining or other laws of the United States. The commission shall prepare a survey of such area and shall furnish a plat thereof to the Secretary of Agriculture, the Secretary of the Interior, and the United States land office at Pierre, S. Dak.: *Provided*, That this act shall not defeat or affect any vested right under the mining or other laws of the United States and which is hereafter maintained in accordance therewith.

"(b) To receive and take over all property, contracts, rights, and moneys heretofore possessed by the Mount Harney Memorial Association, or in the possession of the existing Mount Rushmore National Memorial Commission, on the date of enactment of the Mount Rushmore Memorial Act of 1938, including memoranda, records, sketches, models, and the incompleted figures on Mount Rushmore.

"(c) To administer funds appropriated, or obtained by gifts, the acceptance of which is hereby authorized, for the purpose of completing, developing, and maintaining the memorial, and to pay out the same upon properly receipted vouchers to persons entitled thereto.

"(d) To employ, without regard to the civil-service laws and the Classification Act of 1923, as amended, such artists, sculptors, landscape architects, and other employees as it shall determine to be necessary to carry out the purposes of this act.

"(e) To administer, protect, and develop the memorial.

"(f) To exercise such other powers and functions, including the promulgation of such rules and regulations, as may be necessary and proper to carry out the purposes of this act.

"SEC. 5. For the purpose of carrying out the provisions of this act, there is hereby authorized to be appropriated, in addition to any sums authorized to be appropriated prior to the date of enactment of the Mount Rushmore Memorial Act of 1938, the sum of $300,000, or so much thereof as may be necessary. Upon requisition of the commission, the Secretary of the Treasury shall advance to the treasurer of the commission out of any amounts appropriated for such purpose, such sums as may be needed by the commission to exercise its functions.

"SEC. 6. The commission shall, on or before the first day of each regular session of Congress, transmit to Congress a report of its activities and proceedings for the preceding fiscal year, including a full and complete statement of its receipts and expenditures."

With the following committee amendments:

Page 1, line 8, strike out the words "to read", and after the word "follows" add the following:

"Strike out all of such act after the first paragraph of section 1 and insert the following."

Page 2, strike out all of lines 2 to 7, inclusive, and the word "occur" on line 8.

Page 2, line 10, after the word "services", strike out the balance of line 10, all of line 11, and down to and including the word "Commission" in line 12.

Page 4, line 12, after the word "Association", strike out the balance of line 12 and all of lines 13 and 14 and down to and including the figures "1938" in line 15.

Page 5, lines 11 and 12, strike out "enactment of the Mount Rushmore Memorial Act of 1938", and insert in lieu thereof "approval of this act."

The committee amendments were agreed to.

Mr. CASE of South Dakota. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 3, lines 20 and 21, after the words "not more than", strike out "four thousand, nor less than two thousand," and insert "fifteen hundred."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATE OF WYOMING

The Clerk called the next bill, S. 3417, for the relief of the State of Wyoming.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to have an explanation of the bill.

Mr. GREEVER. Mr. Speaker, I shall be very pleased to explain the bill.

Mr. RICH. For what are we required to relieve the State of Wyoming?

Mr. GREEVER. The National Guard of the State of Wyoming has a bill against the Federal Government for $15,000 for overpayment of troops from July 25, 1917, to August 5, 1917, when they were mustered into the Federal service. The Federal Government had a charge against the State of Wyoming for $12,066 for materials they claimed were lost due to poor accounting methods upon the part of the National Guard and other officers apparently used at that time.

The committee dealt with the claim on the basis of deducting the $12,066 the State of Wyoming owed the Federal Government from the $15,000 the Federal Government owed the State of Wyoming. It is nothing but a bookkeeping entry.

Mr. RICH. With the advantage on the side of the State of Wyoming.

Mr. GREEVER. No; there is no advantage whatever. The bill was reported unanimously.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized to give to the account of the National Guard of the State of Wyoming credit in the amount of $12,046.07 for the money value of property listed on approved surveys of military property and equipment charged to an accountable State under section 47 of title 32, United States Code, said credit to be allowed as a set-off against the credit in favor of such accountable State, which amount shall be held and considered to have been expended by the State in the payment of troops between the mobilization of such troops on July 25, 1917, and the date of their Federal muster August 5, 1917. This credit shall be established by submission of vouchers or other evidence of payment of troops by the State which is acceptable to the Chief of Finance, United States Army, in the amount of $12,046.07: *Provided*, That the credit to the State of Wyoming above specified shall have no other effect than the cancelation of the indebtedness of the State of Wyoming in the amount of $12,046.07 for which it has been held chargeable by the War Department under section 47 of title 32, United States Code: *And provided further*, That the credit herein authorized to be given to the account of the National Guard of the State of Wyoming shall be held and considered to be given in full satisfaction of the claim of said State against the United States for the payment of troops between July 25, 1917, and August 5, 1917.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCEPTANCE OF TITLE TO FORMER RESIDENCE OF LATE JUSTICE OLIVER WENDELL HOLMES

The Clerk called the joint resolution (H. J. Res. 703), to authorize the acceptance of title to the dwelling house and property, the former residence of the late Justice Oliver Wendell Holmes, located at 1720 Eye Street NW., in the District of Columbia, and for other purposes.

Mr. CHANDLER. Mr. Speaker, I ask unanimous consent that this joint resolution may be passed over without prejudice.

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

Mr. McCORMACK. Mr. Speaker, reserving the right to object, may I say to the gentleman the purpose of this bill is to enable title to the land and home of the late Justice Holmes to be accepted by the Attorney General on behalf of the United States Government and to have a commission appointed to determine in what manner the bequest of that great jurist and great citizen may be used, and his home for all time used as a shrine or in such manner as the commission might recommend and which Congress may approve. Unless this bill passes, the situation is that in all probability the executor of the estate will have to dispose of Judge Holmes' home by public or private sale, in accordance with the law of the District of Columbia, as the executor might be directed by the Probate Court. It is absolutely essential that the legislation pass this year, as I understand it, in order to prevent the sale of the home of this famous man, whose name means so much in the life and, particularly, the judicial history of our country.

I hope the gentleman from Tennessee will not insist upon his unanimous consent request and that he will not object to the present consideration of this resolution. This does not involve any financial obligation at the present time, and is not definite action. It enables action to be taken in order to avert what in all probability will be the forced sale of this land and building and will permit this commission to report to the Congress its recommendations as to whether or not the home should be preserved as a shrine or for whatever purpose it and the bequest might in its judgment be utilized by the people of the United States.

Mr. KELLER. Will the gentleman yield?

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

Mr. KELLER. The further facts are these: There has never been a law passed disposing of more than a quarter of a million dollars in cash left by Justice Holmes to the United States. The President 2 years ago, or a little more, suggested to the Congress the formation of a commission to pass on this subject. That has not been acted on because the Judiciary Committee had brought forward a bill that passed the House but was stopped in the Senate. The whole matter is up in the air.

This bill provides for the appointment of three Members of the House, three Members of the Senate, and three members of the Supreme Court, to be appointed by the Speaker, the Vice President, and the Chief Justice of the Supreme Court, respectively, to bring back a report to the Congress on what disposition shall be made of the house and the money as well. The necessity for present action is as has been stated here. The administrator, under the law, must close the matter and report back to the court.

The house in question is so situated that it will not deteriorate in value, but, on the contrary, will increase in value; therefore, we are actually taking no risk in the matter, and we are providing means for the disposition of the whole matter. There should not be any objection to such a bill as this.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Attorney General, on behalf of the United States of America named as residuary legatee in the will of Oliver Wendell Holmes, is hereby authorized and directed to accept a deed conveying to the United States of America title to the dwelling house and property, the former residence of the late Justice Holmes, situated at 1720 I Street NW., in the District of Columbia.

SEC. 2. John G. Palfrey, the executor of the estate of Oliver Wendell Holmes, is hereby authorized to convey title to the United States of America rather than to dispose of the dwelling house and property otherwise and deposit the proceeds with the Secretary of the Treasury.

SEC. 3. Pursuant to the suggestion made in a message of the President of the United States to the Congress dated April 25, 1935, a committee of nine members shall be constituted, three to be selected from the House of Representatives by the Speaker of the House, three to be selected from the Senate by the Vice President, and three to be selected from the Supreme Court of the United States by the Chief Justice, which committee shall make recommendations to the Congress concerning the use of the bequest and devise made to the United States by Mr. Justice Holmes.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNIFORM METHOD FOR EXAMINATION FOR PROMOTION OF WARRANT OFFICERS

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to return to Consent Calendar No. 770, the bill S. 2474, and vacate the proceedings whereby the bill was read a third time and passed, so that I may offer a clarifying amendment.

The Clerk read the title of the bill.

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

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no warrant officer shall be promoted to chief warrant officer until he shall have passed an examination before a board of commissioned officers as may be prescribed by the Secretary of the Navy.

SEC. 2. All laws or parts of laws inconsistent with this act are hereby repealed to the extent of such inconsistency.

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

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 1, line 3, after the words "warrant officer", insert "of the Navy."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NIAGARA FALLS BRIDGE COMMISSION

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to return to Consent Calendar 803 and the joint resolution (H. J. Res. 688) creating the Niagara Falls Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the Niagara River at or near the city of Niagara Falls, N. Y., and vacate the proceedings by which the bill was passed over without prejudice.

The Clerk read the title of the joint resolution.

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

There was no objection.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That in order to facilitate international commerce, the Niagara Falls Bridge Commission, hereinafter created, and hereinafter referred to as the Commission, and its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Niagara River, at or near the city of Niagara Falls, N. Y., and the city of Niagara Falls, Canada, at a point suitable to the interests of vehicular traffic, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this joint resolution and subject to the approval of the proper authorities in the Dominion of Canada. For like purposes said Commission and its successors are hereby authorized to purchase, maintain, and operate all or any existing bridges across the Niagara River, subject to the conditions and limitations contained in this joint resolution and subject to the approval of the proper authorities in the Dominion of Canada.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of New York as may be needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of New York, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in such State, and the Commission and its successors or assigns may exercise in the Dominion of Canada all rights, powers, and authority which shall be granted or permitted to the Commission by the proper authorities of the Dominion of Canada or of the Province of Ontario, including the entering upon lands and acquiring, condemning, occupying, possessing, and using such real estate and other property in the Dominion of Canada as may be needed for such location, construction, operation, and maintenance of such bridge.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge in accordance with the provisions of this joint resolution.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches and the necessary lands, easements, and appurtenances thereto by an issue or issues of bonds of the Commission, bearing interest at not more than 6 percent per annum, payable annually or at shorter intervals, maturing not more than 40 years from their date of issuance, such bonds and the interest thereon, and any premium to be paid for retirement thereof before maturity, to be payable solely from the sinking fund provided in accordance with this joint resolution. Such bonds may be registrable as to principal alone or both principal and interest and shall be in such form not inconsistent with this joint resolution, and be payable at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity at prices not exceeding 105 and accrued interest. The Commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the construction, maintenance, operation, repair, and insurance of the bridge; the conservation and application of all funds; the safeguarding of moneys on hand or on deposit; and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provision for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also a provision for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security given by bridge contractors and by any bank or trust company in which the proceeds of bonds or of bridge tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers. The bridge constructed under the authority of this joint resolution shall be deemed to be an instrumentality for international commerce authorized by the Government of the United States, and said bridge and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such price as the Commission may determine, such price to be not less than the price at which the interest-yield basis will equal 6 percent per annum as computed from standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the estimated cost of the bridge and its approaches and the land, easements, and appurtenances used in connection therewith. The cost of the bridge shall be deemed to include interest during construction of the bridge and for 24 months thereafter, and all engineering, legal, architectural, traffic surveying, and other expenses incident to the construction of the bridge or property, and incident to the financing thereof, including the cost of acquiring existing franchises, rights, plans, and works of and relating to the bridge, now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if in the judgment of the Commission such purchases should be found expedient. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided.

Prior to the preparation of definitive bonds the Commission may under like restrictions issue temporary bonds with or without coupons, exchangeable for definitive bonds upon the issuance of the latter.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than 6 months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to issuance of the bonds. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission or of the Governments of the United States or Canada or any State, Province, county, or municipality in the United States or Canada while in the discharge of their duties or municipal police or fire departments when engaged in the proper work of any such department.

SEC. 6. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within the United States to the State of New York or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the United States interests) and that part within Canada to the Dominion of Canada or to such Province, municipality, or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Canadian interests), under the condition that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired by the United States interests and the Canadian interests, as may be agreed upon; but if either the United States interests or the Canadian interests shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management until such time as both the United States interests and the Canadian interests shall be authorized to accept and shall accept such conveyance under such conditions.

SEC. 7. For the purpose of carrying into effect the objects stated in this joint resolution there is hereby created the Niagara Falls Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with; sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold, or dispose of real estate and other property; may accept and receive donations or gifts of money or other property and apply same to the purposes of this joint resolution; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this joint resolution.

The Commission shall consist of four members to be appointed by the Governor of the State of New York and four members to be appointed by the proper authorities of the Dominion of Canada or of the Province of Ontario. Any vacancy occurring in said Commission shall be filled by a majority vote of the remaining members of the Commission, and notices of elections to fill vacancies and of acceptances thereof shall be filed with the county clerk of Niagara County, N. Y. Any officer of the United States Army, who may be appointed or elected a member of the Commission, may serve as such member notwithstanding the provisions of section 1222, Revised Statutes, or any other law. Each member of the Commission and their respective successors shall qualify by giving such bond as may be fixed by the comptroller of the State of New York, conditioned for the faithful performance of all duties required by this joint resolution. The Commission shall elect a chairman and a vice chairman from its members and may establish rules and regulations for the government of its own business. Five members shall constitute a quorum for the transaction of business.

SEC. 8. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this joint resolution. The members of the Commission shall not be entitled to any compensation for their services but may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the United States interests and the Canadian interests as herein provided, or in the event that the bridge herein authorized is not constructed within 5 years from the date of approval of this joint resolution, the Commission shall be dissolved and shall cease to have further existence, by an order of the comptroller of the State of New York made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Niagara Falls, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least 30 days before the date thereof, in a newspaper published in the city of Niagara Falls, N. Y., and a newspaper published in the city of Niagara Falls, Ontario, Canada. At the time of such dissolution, all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said United States interests and the other to said Canadian interests.

SEC. 9. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this joint resolution. No obligation created or liability incurred pursuant to this joint resolution shall be an obligation or liability of any member or members of the Commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this joint resolution be an indebtedness of the United States.

SEC. 10. All provisions of this joint resolution may be enforced, or the violation thereof prevented by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of New York, the United States district attorney for the district in which the bridge may be located in part, or by the solicitor general of the Dominion of Canada in any court having competent jurisdiction of the subject matter and of the parties.

SEC. 11. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

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

The Clerk read as follows:

Amendment offered by Mr. BLOOM: Page 5, line 7, after the word "taxation," change the period to a comma and insert the following: "and said bonds and the interest thereon shall be exempt from all Federal, State, municipal, and local taxation."

Page 9, line 9, after the word "shall," insert "at all times."

Page 9, line 14, after the word "by," strike out the balance of this sentence and insert in lieu thereof the following: "appointment by the Governor of the State of New York or by the proper authorities of the Dominion of Canada or of the Province of Ontario."

Mr. RICH. Mr. Speaker, may I ask the gentleman, in reference to the elimination of the taxes on the bonds for this bridge for all time, is that in accordance with the law as it is now?

Mr. ANDREWS. It is in accordance with existing custom and precedent covering indentures on present bridge bonds. If there is a change in law which would remove exemption on such bonds, it would apply to these as well as all other similar bonds.

These bonds are to be amortized, and when paid off the bridge will revert in title to the State of New York and the Province of Ontario, Canada.

The SPEAKER. The question is on the amendments offered by the gentleman from New York [Mr. BLOOM].

The amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COLLECTION AND PUBLICATION OF COTTON STATISTICS

Mr. FULMER. Mr. Speaker, the gentleman from Pennsylvania being willing to withdraw his objection, I ask unanimous consent to return to Calendar 762, the bill (S. 3882) amending the act authorizing the collection and publication of cotton statistics by requiring a record to be kept of bales ginned by counties.

The Clerk read the title of the bill.

Mr. RICH. Reserving the right to object, Mr. Speaker, a number of gentlemen on that side have guaranteed that the Department of Agriculture is not going to put on any more

Government employees to get this information, and that the people who gin this cotton are going to furnish the information to the Department of Agriculture free of cost.

Mr. FULMER. Without any expense, for the purpose of giving to each county every bale to which each county is entitled.

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

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That an act authorizing the Director of the Census to collect and publish statistics of cotton, approved April 2, 1924, be amended by adding at the end of section 4 thereof the following:

"It shall also be the duty of every cotton ginner to keep a record of the county or parish in which each bale of cotton ginned by him is grown and to report at the March canvass of each year a segregation of the total number of bales ginned by counties or parishes in which grown."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIGRATORY GAME BIRDS

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to return to Calendar No. 757, the bill (H. R. 9661) to allow possession of migratory game birds lawfully taken.

The Clerk read the title of the bill.

Mr. O'MALLEY. Reserving the right to object, Mr. Speaker, I do so to say that many Members who have objected to the consideration of bills on this calendar may have left the Chamber. If we are to go back and consider every bill that has been objected to, there seems little advantage in calling up the bills in order.

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

The Chair will recognize very few gentlemen to ask unanimous consent to return to the consideration of bills on the calendar because the Chair expects to recognize Members to move to suspend the rules.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I am not going to object to this request but I will object to any further requests.

Mr. O'MALLEY. Some of us would like to take up other business.

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

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That no regulation of the Secretary of Agriculture issued under authority of the Migratory Bird Treaty Act, as amended and supplemented, shall prohibit the possession by a hunter of any number of migratory game birds taken by him if, of such birds, the number taken by him in any one day is not in excess of the number allowed to be taken in any one day.

With the following committee amendment:

Page 1, line 6, after the word "of", strike out the remainder of line 6 and all of lines 7, 8, and 9, and insert in lieu thereof the following: "a number of migratory game birds taken by him which is not in excess of 3 days' legal take or bag limit, if such hunter has not exceeded, in the case of the birds in his possession, the daily legal take or bag limit for any one of such 3 days, and submits to the Secretary a verified statement to that effect, in such form and detail, and witnessed in such manner, as the Secretary shall by regulations prescribe."

Mr. LUCAS. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. LUCAS to the committee amendment: Page 1, line 10, strike out the word "three" and insert in lieu thereof the word "two"; also strike out the word "three" in line 2, on page 2, and insert in lieu thereof the word "two."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT OF OFFICERS IN THE FOREIGN COMMERCE SERVICE OF THE UNITED STATES

Mr. CROSSER. Mr. Speaker, I move to suspend the rules and pass as amended the bill (S. 988) to amend an act entitled "An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes," approved March 3, 1927, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act approved March 3, 1927 (44 Stat. 1394), entitled "An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes," as amended by the act approved April 12, 1930 (46 Stat. 163), is hereby amended to read as follows:

"That there is hereby established in the Bureau of Foreign and Domestic Commerce of the Department of Commerce the Foreign Commerce Service of the United States (hereinafter referred to as the Foreign Commerce Service), consisting of officers to be graded in the following order and to be known as commercial attachés, assistant commercial attachés, trade commissioners, and assistant trade commissioners.

"This act may be cited as the 'Foreign Commerce Service Act.'

"SEC. 2. Under the direction of the Secretary of Commerce (hereinafter referred to as the Secretary), the officers of the Foreign Commerce Service shall—

"(a) Promote the foreign commerce of the United States;

"(b) Investigate and report upon economic, commercial, and industrial conditions and activities in foreign countries which may be of interest to the United States;

"(c) Perform such other duties as the Secretary may direct in connection with the promotion of the industries, trade, or commerce of the United States;

"(d) Make such inspections of the Foreign Commerce Service as the Secretary may direct.

"SEC. 3. (a) The Secretary is authorized to appoint officers of the Foreign Commerce Service, but only after eligibility shall have been determined by examinations held by the Civil Service Commission and the Department of Commerce in coordination, under regulations approved by the Civil Service Commission, except that the Secretary may, with the approval of the Civil Service Commission, appoint without such examination any person who, prior to the date on which this act takes effect, shall have served, or shall have passed an examination for appointment, as commercial attaché, assistant commercial attaché, trade commissioner, assistant trade commissioner, commercial agent, or special agent in the Bureau of Foreign and Domestic Commerce: *Provided*, That the Secretary is authorized to appoint officers of the Foreign Commerce Service, under such rules and regulations as he may prescribe, after 5 years of satisfactory service in an executive or quasi-executive position in the Bureau of Foreign and Domestic Commerce or one of its district offices by transfer therefrom: *Provided further*, That no candidate shall be eligible for examination for appointment to the Foreign Commerce Service who is not an American citizen and who shall not have been such at least 15 years.

"(b) The Secretary shall appoint each officer of the Foreign Commerce Service to a grade specified in section 1, and to one of the following classes, and shall fix his compensation within the salary range specified for such class: Class 1, $8,000 to $10,000; class 2, $6,000 to $8,000; class 3, $4,000 to $6,000; class 4, $3,000 to $4,000; class 5, below $3,000. In making appointments to a grade and class and in fixing compensation the Secretary shall take into consideration the examination and record of the officer and the post to which assigned, and the various commercial interests of the different sections of the country.

"(c) There shall be in the Department of Commerce a Board of Foreign Commerce Personnel for the Foreign Commerce Service, whose duty it shall be to submit recommendations to aid the Secretary of Commerce in making promotions and demotions and other changes in the Foreign Commerce Service. The Board shall be composed of the Assistant Directors of the Bureau of Foreign and Domestic Commerce. The efficiency ratings and recommendations for promotion made by the Board shall be subject to the approval of the Director of the Bureau of Foreign and Domestic Commerce.

"(d) The Foreign Commerce Service of the Bureau shall assemble, record, and be the custodian of all available information in regard to the character, ability, conduct, quality of work, industry, experience, dependability, and general availability of Foreign Commerce Service officers, including reports of inspecting officers and efficiency reports of supervising officers. All such information shall be appraised at least once in 2 years by the Board of Foreign Commerce Personnel, and the result of such appraisal expressed in

terms of "excellent," "very good," "good," "satisfactory," or "unsatisfactory," accompanied by a concise statement of the considerations upon which they are based, shall, when approved by the Director of the Bureau, be entered upon records to be known as the efficiency records of the officers, and shall constitute their efficiency ratings for the period. No charges against an officer that would adversely affect his efficiency rating or his value to the service shall be taken into consideration in determining his efficiency rating except after the officer shall have had an opportunity to reply thereto: *Provided*, That the official appraisal of the officer concerned by officials of the Department of Commerce who are responsible for the administration of the Foreign Commerce Service shall not be considered as such a charge. The rulings of the Secretary of Commerce on any charges and replies thereto shall be final. The Chief of the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce shall be responsible for the keeping of accurate and impartial efficiency records of Foreign Commerce Service officers and shall take all measures necessary to insure their accuracy and impartiality. Not later than November 1, at least every 2 years, the Board of Foreign Commerce Personnel shall prepare a list in which all Foreign Commerce Service officers shall be graded in accordance with their relative efficiency and value to the service. This list shall be submitted to the Director of the Bureau for his approval and when approved by him shall be transmitted to the Secretary of Commerce with recommendations to serve as an aid to the Secretary in making promotions to the next higher class or for salary increases provided for under subdivision (e) of this section. The aforesaid correspondence and records shall be confidential except to the President, the Secretary of Commerce, the Director of the Bureau of Foreign and Domestic Commerce, the members of the Board of Foreign Commerce Personnel, and such employees as may be assigned to work on such correspondence and records.

"(e) Subject to the approval of the Secretary of Commerce, all officers of the Foreign Commerce Service having a rating of satisfactory or better who shall have been in classes 4 or 5 for a continuous period of 9 months or more shall on the first day of each fiscal year be eligible for an increase of salary of $100 per annum, except that no officer shall receive under the provisions of this section a salary above the maximum of his class and all such officers in classes 1, 2, or 3 shall in the same circumstances be eligible for an increase of $200: *Provided*, That increases in salary under the terms of this section shall be paid to Foreign Commerce Service officers only as the right to such increases accrues after July 1, 1938.

"(f) The Secretary is authorized to promote or demote in grade or class, to increase or decrease within the salary range fixed for the class the compensation of, and to separate from the service, officers of the Foreign Commerce Service, but in so doing the Secretary shall take into consideration the records of efficiency, determined in accordance with provisions of paragraphs (c), (d), and (e) of this section and the recommendation, approved by the Director of the Bureau, of the Board of Foreign Commerce Personnel.

"(g) Any officer of the Foreign Commerce Service may be assigned for duty in the United States without change in grade, class, or salary, or with such changes as the Secretary may direct; such assignment to be for a period of not more than 3 years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed 1 year.

"(h) The Secretary of Commerce is authorized, whenever he deems it would be in the public interest, but not oftener than once in 3 years in the case of each officer, to order to the United States on his statutory leave of absence any foreign commerce officer serving abroad: *Provided*, That the expenses of transportation and subsistence of such officers and their immediate families, in traveling from their posts to their homes in the United States and return, shall be paid under the same rules and regulations applicable in the case of officers going to and returning from their posts under orders of the Secretary of Commerce when not on leave: *Provided, further*, That while in the United States the services of such officers shall be available for trade conference work and for such other duties in the Department of Commerce and elsewhere in the United States as the Secretary of Commerce may prescribe.

"(i) Whenever any Foreign Commerce officer dies in the discharge of his duty, there shall be paid to his widow or, if no widow survive him, then to his heirs at law, a sum of money equal to the allowance made to such officer for the time necessarily occupied in making the transit from his post of duty to his residence in the United States.

"SEC. 4. (a) Subject to the requirements of the civil-service laws and rules, the Secretary is authorized to appoint, fix the compensation of, promote, demote, and separate from the service such clerks and other assistants for officers of the Foreign Commerce Service as he may deem necessary.

"(b) When authorized by the Secretary and in accordance with the regulations of the Civil Service Commission, officers of the Foreign Commerce Service may employ in a foreign country, from time to time, fix the compensation of, and separate from the service such clerical and subclerical assistants as may be necessary.

"SEC. 5. (a) Any officer of the Foreign Commerce Service designated by the Secretary of Commerce shall, through the Department of State, be regularly and officially attached to the diplomatic mission of the United States in the country in which he is to be stationed. If any such officer is to be stationed in a country in which there is no diplomatic mission of the United States, appropriate recognition and standing, with full facilities for discharging his official duties, shall be arranged by the Department of State. The Secretary of State may reject the name of any such officer if in his judgment the assignment of such officer to the post designated would be prejudicial to the public policy of the United States.

"(b) No officer of the Foreign Commerce Service shall be considered as having the character of a public minister.

"SEC. 6. (a) Any Foreign Commerce Service officer of whatever class detailed for duty in connection with trade conferences or international gatherings, congresses, or conferences, or for other special duty not at his post or in the Department of Commerce, except temporarily for purposes of consultation, shall be paid expenses for travel and subsistence at the rates prescribed by law.

"(b) The Secretary may authorize any officer of the Foreign Commerce Service to fix, in an amount not exceeding the allowance fixed for such officer, expenses for travel and subsistence, at the rate prescribed by law, for any clerical or subclerical assistant employed by such officer under subdivision (b) of section 4.

"(c) Any such officer, clerk, employee, or assistant, while on duty within the continental limits of the United States, shall be entitled to receive expenses for travel and subsistence, at the rate prescribed by law.

"(d) The Secretary is authorized, at posts where in his judgment it is required by the public interests for the purpose of meeting the unusual or excessive costs of living ascertained by him to exist, to grant compensation to Foreign Commerce Service officers stationed outside the continental limits of the United States, in addition to salaries and other allowances, within such appropriations as Congress may make for such purposes: *Provided*, That all such additional compensation and reasons therefor shall be reported to Congress with the annual budget.

"SEC. 7. Any appropriation available during the fiscal year ending June 30, 1938, and thereafter for the Department of Commerce for the Foreign Commerce Service, for commercial attachés, and other employees and expenses, shall be available for carrying out the provisions of this act, including the payment of salaries and compensation for personal services, in the District of Columbia or elsewhere, compensation of clerical assistants for Foreign Commerce officers at a rate not to exceed $3,000 per annum for each person employed, necessary janitor and messenger service, traveling and subsistence expenses and per diem allowances, the purchase of necessary furniture and equipment, stationery and supplies, typewriting, adding, and computing and duplicating machines, accessories and repairs, the purchase of law books, books of reference and periodicals, uniforms, foreign and domestic newspapers, reports, documents, maps, plans, specifications, manuscripts, and all other necessary publications, ice and drinking water for office use, the payment of rent outside the District of Columbia, and all other necessary incidental expenses; payment in advance of rent, telephone, subscriptions to publications, and other charges is authorized where custom or practice in a foreign country requires. With the approval of the Secretary, an officer of the Foreign Commerce Service may enter into leases for office quarters for periods not exceeding 10 years.

"SEC. 8. The purchase of supplies and equipment or the procurement of services for the Bureau of Foreign and Domestic Commerce, in foreign countries, may be made in open market without compliance with the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $100 in any instance.

"SEC. 9. The Secretary of Commerce shall prescribe rules and regulations for the establishment of a Foreign Commerce Service retirement and disability system to be administered under his direction and in accordance with the following:

"(a) The Secretary shall submit annually a comparative report showing all receipts and disbursements on account of refunds, allowances, and annuities, together with the total number of persons receiving annuities and the amounts paid them, and shall submit annually estimates of appropriations necessary to continue this section in full force and such appropriations are hereby authorized: *Provided*, That in no event shall the aggregate total appropriation exceed the aggregate total of the contributions of the Foreign Commerce Service theretofore made, and accumulated interest thereon.

"(b) There is created a special fund to be known as the Foreign Commerce Service retirement and disability fund.

"(c) Five percent of the basic salary of all Foreign Commerce officers eligible to retirement shall be contributed to the Foreign Commerce Service retirement and disability fund, and, beginning on July 1, 1938, the Secretary of Commerce is directed to cause such deductions to be made at the end of each month and deposited with the Treasury Department to the credit of the Foreign Commerce Service retirement and disability fund for the payment of annuities, refunds, bonuses, and allowances in accordance with the provisions of this act.

"(d) When any officer of the Foreign Commerce Service shall have reached the age of 65 years and rendered at least 15 years of service he shall be retired: *Provided*, That if any such officer shall have served 30 years he may be retired at his own request before reaching the age of 65 years.

"(e) Annuities shall be paid to retired Foreign Commerce Service officers under the following classification, based upon length of service and at the following percentages of the average annual basic

salary for the 10 years next preceding the date of retirement: Class A, 30 years or more, 60 percent; class B, from 27 to 30 years, 54 percent; class C, from 24 to 27 years, 48 percent; class D, from 21 to 24 years, 42 percent; class E, from 18 to 21 years, 36 percent; class F, from 15 to 18 years, 30 percent: *Provided, however,* That in computing the average annual basic salary for the 10 years next preceding the date of retirement, so much of an officer's service as was rendered prior to March 3, 1927, in accordance with the classification and salaries established by laws then in effect, as it is possible to credit to him by applying to all such periods of service rendered prior to March 3, 1927, the rules for corresponding classes in the classification provisions in section 3 of this act, shall be considered as having been performed in accordance with the classifications and salaries established for Foreign Commerce Service officers in section 3b of this act.

"(f) Those officers who retire before having contributed for each year of service shall have withheld from their annuities to the credit of the Foreign Commerce Service retirement and disability fund such proportion of 5 percent as the number of years in which they did not contribute bears to the total length of service: *Provided,* That no deductions shall be made from the annuities of those who shall have contributed 30 years, and no officer shall be required to contribute more than 30 years in any circumstances.

"(g) The Secretary of the Treasury is directed to invest from time to time in interest-bearing securities of the United States such portions of the Foreign Commerce Service retirement and disability fund as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances, and the income derived from such investments shall constitute a part of said fund.

"(h) None of the moneys mentioned in this section shall be assignable either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process.

"(i) In case an annuitant dies without having received in annuities an amount equal to the total amount of his contributions from salary with interest thereon at 4 percent per annum compounded annually up to the time of his death, the excess of said accumulated contributions over the said annuity payments shall be paid to his or her legal representatives; and in case a foreign commerce officer shall die without having reached the retirement age the total amount of his contribution with accrued interest, after deducting any payments under the provisions of subdivision (j), shall be paid to his legal representatives.

"(j) Any officer of the Foreign Commerce Service who, before reaching the age of retirement, becomes totally disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Secretary of Commerce, be retired on an annuity under subdivision (e) of this section: *Provided, however,* That in each case such disability shall be determined by the report of a duly qualified physician or surgeon designated by the Secretary to conduct the examination: *Provided further,* That unless the disability be permament or continue beyond the age of 65, a like examination shall be made annually in order to determine the degree of disability, and the payment of annuity shall cease from the date of the medical examination showing recovery.

"Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Foreign Commerce Service retirement and disability fund. When the annuity is discontinued under this provision before the annuitant has received a sum equal to the total amount of his contributions, with accrued interest, the difference shall be paid to him or to his legal representatives.

"(k) Whenever an officer becomes separated from the Foreign Commerce Service without being eligible for retirement on an annuity, the total amount of contribution from his salary, with interest thereon at 4 percent compounded annually up to the date of such separation, shall be returned to him.

"(l) The Secretary is authorized to expend from surplus money to the credit of the Foreign Commerce Service retirement and disability fund an amount not exceeding $1,000 per annum for the expenses necessary in carrying out the provisions of this section, including actuarial advice.

"(m) Any officer of the Foreign Commerce Service who may hereafter be reinstated, appointed, or transferred to a position in the Bureau of Foreign and Domestic Commerce shall, with the approval of the Director of such Bureau, be entitled to all the benefits of this section in the same manner and under the same conditions as officers of the Foreign Commerce Service.

"(n) For the purpose of this section the period of service shall be computed from the date of entry on duty as commercial attaché, assistant commercial attaché, trade commissioner, or assistant trade commissioner, and shall include periods of service at different times as an officer of the Foreign Commerce Service, or while on assignment to the Department of Commerce, or on special duty or service in another department or establishment of the Government, but all periods of separation from the service and so much of any period of leave of absence without pay as may exceed 6 months shall be excluded: *Provided,* That service in an executive or quasi-executive position or as a clerk in the Bureau of Foreign and Domestic Commerce or one of its domestic or foreign offices prior to appointment as an officer of the Foreign Commerce Service may be included in the period of service, in which cases the officer shall pay into the Foreign Commerce Service retirement and disability fund a special contribution equal to 5 percent of his annual salary for each year of such employment, with interest thereon to date of payment compounded annually at 4 percent: *Provided further,* That such special contribution shall be subject to the limitations established by subdivision (f) of this section.

"SEC. 10. Notwithstanding the provisions of section 3 of this act, the Secretary shall establish regulations providing for the separation of officers from the Foreign Commerce Service, in accordance with the conditions hereinafter prescribed. An officer so separated from the Service shall be retired, after a hearing by the Secretary, upon an annuity equal to 25 percent of his salary at the time of retirement, in the case of officers over 45 years of age or in the case of officers under 45 years of age with a bonus of 1 year's salary at the time of his retirement, either annuity or 1 year's salary to be payable out of the Foreign Commerce Service officers' retirement and disability fund and except as herein provided, subject to the same provisions and limitations as other annuities payable out of such funds; but no return of contributions shall be made under paragraphs (i) or (k) of section 9 of this title in the case of any Foreign Commerce Service officer retired under the provisions of this section. Whenever it is determined that the efficiency rating of an officer is unsatisfactory, thereby meaning below the standard required for the Service, and such determination has been confirmed by the Secretary, the officer shall be notified thereof, and if, after a reasonable period to be determined by the circumstances in each particular case, the rating of such officer continues to be found unsatisfactory and such finding is confirmed by the Secretary after a hearing accorded the officer, such officer shall be separated from the Service with the annuity or bonus provided in this section, but no officer so separated from the Service shall receive the said annuity or bonus unless at the time of separation he shall have served at least 15 years. He shall, however, if he has not served at least 15 years, have returned to him the full sum of his contribution to the annuity fund, with interest thereon at 4 percent compounded annually. The benefits of this section shall not be given to Foreign Commerce Service officers separated from the Foreign Commerce Service on account of malfeasance in office, except that at the option of the Secretary an officer's contribution to the annuity fund may be returned.

"SEC. 11. In the event of public emergency any retired Foreign Commerce Service officer may be recalled temporarily to active service by the Secretary of Commerce, and while so serving he shall be entitled in lieu of his retirement allowance to the full pay of the class in which he is temporarily serving, or his retirement allowance, whichever is greater.

"SEC. 12. This act shall take effect immediately."

The SPEAKER. Is a second demanded?

Mr. MAPES. Mr. Speaker, I am not opposed to the bill but I demand a second for the purpose of debate.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CROSSER. Mr. Speaker, this bill proposes to establish a retirement system for the officers of the Bureau of Foreign Commerce of the Department of Commerce who serve abroad. It proposes to establish a system exactly like that which now exists in the Department of State. There are about 100 men, very valuable men, indeed, and highly trained, who are in the Foreign Service of the Bureau of Foreign Commerce. These men are devoting the best part of their lives to the service of their Government. If at the time they reach old age they should not have some assurance of security, such as is now accorded like officers of the State Department, capable men such as we now have in the Bureau of Foreign Commerce Service will not be attracted to the service.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

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

Mr. LUTHER A. JOHNSON. This bill merely gives to those representatives of the Bureau of Foreign and Domestic Commerce the same rights and privileges that are given to men in the State Department who do exactly the same work as these men.

Mr. CROSSER. It gives them exactly the same rights. The strange thing about it is that very frequently these men who perform practically the same functions as representatives of the State Department have offices in the same building and next to the State Department men in foreign countries.

Mr. LUTHER A. JOHNSON. Some of these men have been in the service of this Government for many years.

Mr. CROSSER. Some of these men have been in the service of this Government for many years and have given the best part of their lives to the service. In their younger days they might have become connected with private business

firms and would have made much larger incomes and provided for their old age, but now since they have given the best part of their lives to the service of the Government and are advanced in years it makes no difference how well qualified they may be, no private employer is willing to employ them.

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

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

Mr. MAY. Does the bill provide a system of retirement and fix the rates of pay to those who are retired?

Mr. CROSSER. Yes.

Mr. MAY. What are the rates as compared with the salaries they get during their active time?

Mr. CROSSER. I cannot give the gentleman the exact figures from recollection, but they are required to pay into the retirement fund 5 percent of their salary from the time the act becomes effective. The system will not cost the Government a single penny for the first 10 years.

Mr. MAY. It is the same system, then, that applies to other Government employees whose salaries carry deductions to take care of this?

Mr. CROSSER. Yes; the same as employees who receive comparable retirement pay.

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

Mr. CROSSER. I yield.

Mr. BOILEAU. The retirement pay is at the same rate and under the same system that applies in all the other departments?

Mr. CROSSER. So far as I know, there is no difference. The only system which is on exactly the same basis is that in the State Department.

Mr. BOILEAU. Are the rates of retirement pay in the State Department different from the rates in the other departments?

Mr. CROSSER. I think not.

Mr. BOREN. Mr. Speaker, will the gentleman yield to me?

Mr. CROSSER. Yes.

Mr. BOREN. The only difference is that they pay an additional allowance for going to or coming back from a foreign post; and if a man dies on a foreign post there is that much additional, or they get more pay to that extent.

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

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

Mr. SNELL. As I understood the gentleman, this puts the commercial attachés in the Bureau of Foreign Commerce on the same retirement basis as the State Department employees?

Mr. CROSSER. Exactly the same; yes.

Mr. SNELL. What are the conditions at the present time, in a few words?

Mr. CROSSER. Well, they must have passed a proper test as to their qualifications before they enter the service, and they must be 15 years in the service and 65 years of age before they are eligible to retire.

Mr. SNELL. Do they contribute the same as all other employees?

Mr. CROSSER. Yes; they contribute 5 percent of their salary, and the Government will not contribute a single cent for the first 10 years because there will not be a sufficient number of persons eligible for retirement pay during those years to make it necessary for the Government to contribute anything, and even after 10 years it will not amount to more than $52,000.

Mr. SNELL. I am surprised to learn we only have 89 of these attachés.

Mr. CROSSER. We have only a very small number.

Mr. SNELL. I think we ought to have twice that number.

Mr. CROSSER. It is a very small number and I think it should be greater. Considering the valuable service they perform, it would be well if we were to increase the personnel substantially.

Mr. FLETCHER. Mr. Speaker, will the gentleman yield to answer a question?

Mr. CROSSER. Yes.

Mr. FLETCHER. How much will the Government pay after the 10-year period?

Mr. CROSSER. About $52,000 a year.

Mr. BOREN. Is it not a fact that $52,000, even after 10 years, is an actuarial maximum which will probably not be reached?

Mr. CROSSER. Yes, but it might be that much.

Mr. BOREN. That is based on the possible differentiation of age and the new employees involved.

Mr. CROSSER. That is right.

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

Mr. CROSSER. I yield.

Mr. DOWELL. Some years ago this Bureau had domestic commerce also.

Mr. CROSSER. Foreign and domestic, yes.

Mr. DOWELL. As I understand, this bill does not apply to domestic commerce?

Mr. CROSSER. This applies to the Bureau of Foreign Commerce.

Mr. DOWELL. And it does not apply to any domestic employees?

Mr. CROSSER. No; I think a great many of the persons in the service in the United States are taken care of under the regular civil-service retirement law.

Mr. DOWELL. But they are not included in this bill?

Mr. CROSSER. No; this is a separate bureau and they are cared for in this bill because they are on a comparable basis with the employees in the Foreign Service of the State Department.

Mr. DOWELL. Then this applies to the department that takes in the foreign commercial attachés?

Mr. CROSSER. We are simply proposing to have a retirement law for the officers of the Bureau of Foreign Commerce, who are in the Foreign Service.

Mr. DOWELL. And it applies to all those engaged in the Foreign Commerce Bureau?

Mr. CROSSER. All of the officers in the Bureau of Foreign Commerce who serve abroad. It does not apply to the clerks, and so on. The clerks would probably come under the civil-service law.

I can see no reason why this bill should not receive the unanimous support of this House. At a time when we are advocating retirement as a sound policy for all worthy employees, I can think of nothing that would be more in harmony with the spirit of the day than the passage of this law without any delay. I shall not discuss the matter further unless it becomes necessary to answer questions.

Mr. MAPES. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. REECE].

Mr. REECE of Tennessee. Mr. Speaker, I concur in what the gentleman from Ohio [Mr. CROSSER] has said in reference to the desirability of the House taking favorable action on this bill. It comes to the House with a unanimous report from the Committee on Interstate and Foreign Commerce. In my judgment it should have been passed several years ago. It sets up a retirement provision for this group of Federal employees who are rendering a very great service to American commerce. No group of employees has done so much toward extending the scope of American commerce abroad as the Foreign Service employees of the Bureau of Foreign and Domestic Commerce. American business, as well as our Government, is indebted to this group for the effective work which they have done. This Service should be enlarged and extended, and I hope conditions may soon permit it to be done. It is very desirable not only from their standpoint but from the standpoint of the Service itself that an adequate provision for their retirement be made, and I am indeed glad to see the House ready to make such provision at this time.

Mr. MAPES. Mr. Speaker, this bill comes to the House with the unanimous report of the Committee on Interstate and Foreign Commerce. I know of no opposition to it, and I have no request for further time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

THE PAINTING, THE SIGNING OF THE CONSTITUTION

Mr. KELLER. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 487, which I send to the desk.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of House Joint Resolution 487, which the Clerk will report by title.

The Clerk read as follows:

Joint resolution to authorize the painting of The Signing of the Constitution for placement in the Capitol Building.

The SPEAKER. Is there objection?

Mr. SNELL. I object to unanimous consent.

Mr. KELLER. Mr. Speaker, I move to suspend the rules and pass House Joint Resolution 487, to authorize the painting of The Signing of the Constitution for placement in the Capitol Building, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the Architect of the Capitol be, and he is hereby, authorized and directed to employ the artist, Howard Chandler Christy, to paint upon canvas (approximately 20 feet by 30 feet in size), at a price not exceeding $35,000, his painting known as "The Signing of the Constitution." The said painting shall be subject to the approval of the Joint Committee on the Library, and, when so approved, shall be mounted in a space in the Capitol Building to be selected by the Architect of the Capitol.

The SPEAKER. Is a second demanded?

Mr. TREADWAY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Illinois [Mr. KELLER] is recognized for 20 minutes, and the gentleman from Massachusetts [Mr. TREADWAY] will be recognized for 20 minutes.

Mr. KELLER. Mr. Speaker, this is a resolution that in my judgment has received more nearly the unanimous sentiment and approval of the Members of the House of any bill that has come before the House during the present session. It is, as Members know, to authorize Howard Chandler Christy to paint the picture The Signing of the Constitution on a large scale, approximately 20 by 30 feet, for placement in the Capitol Building. Many of the Members of the House have written to Mr. Christy on this subject and have talked to him about it, and I had hoped that it might be passed by unanimous consent. It seems to me that the sentiment of the House is practically unanimous for it. I shall be glad to have any of the friends of this measure ask me to yield to them.

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

Mr. KELLER. Yes.

Mr. LUCE. Not in many years has any work of art been placed in the Capitol without the approval of the Commission on Fine Arts. Will the gentleman explain why that is omitted from its proposal?

Mr. KELLER. I did not know that to be the case.

Mr. LUCE. The custom has been to submit these things when finished.

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

Mr. KELLER. Yes, certainly.

Mr. BOILEAU. How can the Fine Arts Commission give their approval of a picture if it has not been completed? As I understand the gentleman from Massachusetts, he means that before pictures are placed in the Capitol they receive the approval of the Fine Arts Commission.

Mr. KELLER. This makes special provision for that by placing it in the hands of the Joint Committee on the Library of the House and Senate.

Mr. LUCE. It is true that it makes that provision, but that does not meet the point. The point is that for years it has been considered that Congress ought to have the benefit of the opinion of the Commission on Fine Arts. That is what it is for.

Mr. KELLER. The Commission on Fine Arts has not, so far as I know, been called into consultation directly for any placement in this Capitol Building. The Commission has never come onto the Hill, as far as that is concerned, as the gentleman should know from his experience as chairman of the Committee on the Library.

Mr. MAPES. Have any steps been taken to make a contract with Mr. Christy for the painting of this picture?

Mr. KELLER. No more than what the gentleman sees in this resolution.

Mr. MAPES. Has Mr. Christy done any work on the picture?

Mr. KELLER. Mr. Christy has gathered together, what has not been done before, namely, a collection of the portraits of the men who signed the Constitution. He has gone into the highways and byways of the country and has found the portraits of all but two of the signers. He has made a small painting of the signing of the Constitution, which was reproduced by the Commission on the Sesquicentennial.

Mr. MAPES. Is there any obligation on the part of the Government to make this contract with him?

Mr. KELLER. Not a bit, certainly not.

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

Mr. KELLER. I yield.

Mr. BLOOM. In reference to approval of this painting by the Fine Arts Commission after the painting has been completed, the act specifically provides:

The said painting shall be subject to the approval of the Joint Committee on the Library, and when so approved shall be mounted in a space in the Capitol Building to be selected by the Architect.

Mr. KELLER. The gentleman is correct.

Mr. BLOOM. This is merely an authorization for Mr. Christy to paint the picture, The Signing of the Constitution, of which we have all seen copies. After it is painted the Joint Committee on the Library will approve it if it is satisfactory, and they can get the approval of the Fine Arts Commission or anyone else if the painting is satisfactory. If it is not satisfactory, then Mr. Christy will be out the amount of money and time he has put into the painting of the picture.

Mr. KELLER. Exactly so.

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

Mr. KELLER. I yield.

Mr. FLETCHER. Do we not already have several paintings of the Signing of the Constitution?

Mr. KELLER. There is no such painting on large scale that I know of any place in the world. The original painting is about 6 feet by 8 feet.

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

Mr. KELLER. I yield.

Mr. BLOOM. Answering the question of the gentleman from Ohio, there is not a single authentic painting of the Signing of the Constitution that anyone can show to me, and I have made a study of this for years.

If the gentleman from Illinois will yield further, I may say that the painting in The Archives Building, Signing of the Constitution, portrays 26 figures, 6 being of persons who never had anything to do with the signing of the Constitution. There were 39 signers of the Constitution. What is correct in The Archives Building is only 20 figures out of 39.

Mr. FLETCHER. What was the cost of the picture in The Archives Building?

Mr. BLOOM. Sixty-five thousand dollars, they tell me.

Mr. FLETCHER. Who painted it?

Mr. BLOOM. I do not know; but I may say to the gentleman that in the painting, Signing of the Constitution, in The Archives Building, President Washington is dressed up with a sword. You would imagine they were going to war instead of going to sign the Constitution; furthermore, there were no uniforms of that kind at any time in the history of our country.

Mr. Christy spent 3 years—I know this as an absolute fact—that with the Constitution Commission Mr. Christy has spent 3 years. This picture as painted by Mr. Christy is

authentic. Of all the pictures there are in the Capitol, there is not a single one of the signing of the Constitution. The only other one I know of is in The Archives Building.

Mr. FLETCHER. And does the $35,000 to be paid include the cost of the hanging of the picture?

Mr. BLOOM. No.

Mr. FLETCHER. Will there be any further authorizations?

Mr. KELLER. This is all. When Mr. Christy completes the picture, if it is satisfactory to the joint committee, then he receives $35,000 for the painting. If it is not satisfactory, Mr. Christy has the painting.

The gentleman from Massachusetts [Mr. LUCE] former chairman of my committee for many years, rather startled me by asking whether this had been approved by the Fine Arts Commission. I have talked to a number of the members of the Fine Arts Commission, and everything was all right. I call the gentleman's attention to the fact that, as I said awhile ago, the Fine Arts Commission has never been called into consultation on Capitol Hill so far as I know. All the pictures in this building have been put here through the Committee on the Library of the House and a similar committee of the Senate.

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

Mr. KELLER. I yield.

Mr. BLOOM. It is my impression that once or twice the gentleman spoke of the signing of the Declaration of Independence. The gentleman means, of course, the signing of the Constitution.

Mr. KELLER. I mean the signing of the Constitution, of course.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield.

Mr. COLE of New York. Can the gentleman advise us how much Mr. Christy has received, if anything, for painting the original?

Mr. KELLER. That I do not know, because that is in Independence Hall in Philadelphia at the present time, and I understand it is to be kept there.

Mr. BLOOM. If the gentleman will yield, I wish to correct that.

Mr. KELLER. It is there in Independence Hall now.

Mr. BLOOM. No.

Mr. KELLER. It has been taken out lately, then?

Mr. BLOOM. Yes. It was there, but Mr. Christy took it to his studio, because he did not want anything done until the original we want to hang in the Capitol has been completed.

Mr. COLE of New York. Will the gentleman yield?

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

Mr. COLE of New York. Can the gentleman from New York [Mr. BLOOM] advise us how much Christy has received for the original painting, of which this is to be a copy?

Mr. BLOOM. Not a cent. He has not received anything for the original because he needs the original to paint this. That is the original draft of the picture. The Government has not paid Mr. Christy one cent for the use of the pictures he has been sending around to Members of Congress showing the signing of the Constitution. He has not received a penny from anyone, and he is not asking for anything, either.

Mr. COLE of New York. Can the gentleman from New York advise us whether or not this picture has been used for commercial purposes?

Mr. BLOOM. No; it has not.

Mr. COLE of New York. Mr. Christy has received no money from the Government or from any commercial source?

Mr. BLOOM. No.

Mr. LUCE. Will the gentleman yield?

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

Mr. LUCE. Perhaps I should confine my statement to the fact that while I was a member of the Committee on the Library it was my universal practice to consult the Commission on Fine Arts.

Mr. KELLER. That was not passed on to me. My understanding has been that the Fine Arts Commission has never been called on in reference to Capitol Hill.

Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. GUYER].

Mr. GUYER. Mr. Speaker, I am not familiar with the matter of the Fine Arts Commission passing upon paintings in the public buildings of Washington, but may I say if they have passed upon those in the public buildings down here on the Triangle, then I do not want them to pass on any painting of mine.

We have a chance here to get a great picture by the greatest living portrait painter, a genius who paints these pictures and puts into the figures and the faces the soul and character of the great men he portrays. If you put this painting in the Capitol of the United States it will go down by the side of the painting of John Trumbull over there in the rotunda, which depicts the signing of the Declaration of Independence. There is no full painting in existence of the signing of the Constitution of the United States. A half dozen versions have been made. I have a reproduction of one of them over in my office, a very beautiful picture showing Washington, Hamilton, Madison, Gouverneur Morris, Edmund Randolph, and two or three others. But this Christy painting is an authentic picture of every one of those men as painted by men who lived at that time. Mr. Christy has made a study for years of the paintings of the great men who framed and signed the Constitution. Probably no one else will ever do this.

The Congress of the United States will never have the opportunity to have such a painting to put in the Capitol of the United States, which memorializes one of the greatest events that ever happened in the history of the world, the signing of the Constitution of the United States.

Mr. O'CONNOR of New York. Will the gentleman yield?

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

Mr. O'CONNOR of New York. Of course, the picture has not been painted. It is going to be painted.

Mr. GUYER. Yes.

Mr. O'CONNOR of New York. There is some confusion about that. I understand that in order to do this huge work, Mr. Christy may have to hire or even build his own studio. He will have to employ all the models for this picture. Most people who have thought of the subject believe the sum of $35,000 for doing this work which may take a year or two is ridiculously low.

Mr. FLETCHER. Will the gentleman yield?

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

Mr. FLETCHER. I agree with the gentleman from New York that it is a low price for a painting of this type by so great an artist. But we do not need the picture now. May I ask the gentleman from Massachusetts [Mr. LUCE] to answer a question? The gentleman from Massachusetts suggests that the Fine Arts Commission pass on the picture. May I ask the gentleman whether or not the Fine Arts Commission passed on the picture that has been referred to as more or less of a caricature and which now hangs in The Archives Building?

Mr. LUCE. I rather doubt that. I do not think they did.

[Here the gavel fell.]

Mr. KELLER. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. MAY. Will the gentleman yield?

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

Mr. MAY. I passed by one of the parks downtown the other day and I saw W. P. A. pictures in small frames all over the campus down there being exhibited. We are spending thousands and hundreds of thousands of dollars

every month in that kind of work, yet the Congress of the United States is stingy when it comes to procuring one of the greatest pictures in the history of the country.

Mr. GUYER. We have in the Capitol of the United States some very great paintings, but I do not think there will be one which will excel this great painting, Mr. Christy's painting of the signing of the Constitution, memorializing the greatest event that ever occurred upon this continent. It depicts the signing of the greatest document for the preservation and the evolution of liberty that was ever written in the history of the earth.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MICHENER.]

Mr. MICHENER. Mr. Speaker, I am not going to make a Fourth of July speech or a speech about art or a speech about oil paintings or the splendid things that we should have—the luxuries of life. I enjoy art. I hope the day may come when we may have this picture and enjoy and appreciate it. However, I am one of those people who believes that if you are going to have a happy home you must have a kitchen, and in that kitchen there must be a cupboard or its equivalent, and in that cupboard there must be food. These things are essentials. An oil painting in the parlor is a fine thing. We all enjoy it but there can be no such thing as a happy home with oil paintings in the parlor and nothing in the cupboard to eat. There are too many empty cupboards today to justify this expenditure.

This country is crying for bread. The people are crying for relief. The gentleman from Illinois [Mr. KELLAR], chairman of the committee which brought in the bill now before us, has insisted, and is insisting, that we are not giving enough relief to the people of the country. Our people are demanding things to eat, clothing to wear, shelter from the weather, and above all, work. Instead of Congress devoting its efforts to accomplishing these necessary things, here in the closing hours of the session we are spending our time in an effort to pass a bill authorizing the spending of $35,000 of the taxpayers' money. Mark you, this is not for relief, but is to go to one of the outstanding and wealthy artists of the country for the painting of a picture to hang on the walls of this Capitol Building. Undoubtedly the painter is an outstanding artist. Undoubtedly the picture will be attractive, ornamental, and instructive. Yet this is not the time or the place to waste the people's money on anything other than genuine necessities.

If we had the money to buy this painting, it would be another thing, but every dollar we spend we must borrow. Every dollar that goes for relief today is borrowed, and the Government pays interest on it, yet here we are seriously considering borrowing $35,000 to pay for painting a picture to hang on the wall.

I believe the real task before the American people today is to preserve the country, to preserve the Constitution, and make it possible for our people to live and enjoy that which the Constitution has brought to us, rather than go farther than we are now toward the destruction of our form of government by spending money for these unnecessary things.

In short, the kitchen larder must be provided for before the oil paintings are hung on the parlor wall. We have not reached that state where people with empty stomachs will get any comfort out of the knowledge that their Representatives in Congress have spent $35,000 of their money to increase the already splendid art collection in the Capitol, regardless of how suggestive or historic the picture may be.

This is possibly not a pleasant thing to say, but it is material. This is not an artistic speech, but it is a commonsense speech. You go out home and tell the people in your district—where the men and women want bread and want work—that you as a Member of Congres authorized the spending of $35,000 of the taxpayers' money, money that had to be borrowed, for a thing of this kind, and you will hear from the distressed, thinking people back home.

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

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

Mr. FLETCHER. What is the reason we cannot postpone this matter until next year?

Mr. MICHENER. There is not a reason in the world why it cannot be postponed. When we are in a position to afford the picture, I will be No. 1 for it. It seems impossible to put the brakes on this spending spree in which Congress has so lavishly indulged in recent years; and, believe me, the people are awakening to what this is all about. This may not be a large amount, but $35,000 will go a long way toward furnishing relief in many of the communities from which we come. Think of the anomaly of the situation: Thirteen million unemployed. At least four times that many on relief. The country in the worst economic and financial condition throughout its history. The national debt at the end of this session approximating $40,000,000,000. The Government spending almost $2 for every dollar it takes in in revenue. I marvel at the complacency of the House leadership in bringing up this useless spending measure at this time. Within 24 hours the House is expected to pass another deficiency bill, adding hundreds of millions of dollars to the national debt, thereby directing the Secretary of the Treasury to borrow that much more money. And I say it is almost unbelievable that we can at this good hour be spending our time haggling over whether or not to hang another $35,000 picture on the wall of the Capitol. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. AMLIE].

Mr. AMLIE. Mr. Speaker, I wish to say I agree entirely with the statement made by the gentleman from Massachusetts [Mr. LUCE], that this project ought to be submitted to the Commission of Fine Arts for approval.

I have the greatest admiration and respect for Mr. Christy's patriotism, and I feel that he has been diligent in the service of his country; but I do not feel that this is sufficient recommendation for authorizing a project of this kind.

I do not pretend to be an art critic. However, when I saw Mr. Christy's picture of the late Speaker of the House, Mr. Rainey, in the Speaker's lobby, I was inclined to agree with some of my friends, who said. "It is a fine picture. It looks like the picture of a movie star; not the man who used to serve here in Congress."

A reproduction of the painting, The Signing of the Constitution, carried on the cover of the booklet put out by the United States Constitution Sesquicentennial Commission, was sent to me, and I have examined it carefully. While I am convinced of the idealism and patriotism that Mr. Christy feels, it seems to me this picture is a garish nightmare. It is of a piece with the proposed reproduction of Hadrian's monument that we are asked to approve as a memorial to Thomas Jefferson, and I do not want it. Perhaps the Commission of Fine Arts would be able to keep our artists from inflicting more and more of this sort of thing on the American public, and I am in favor of giving them the opportunity to pass on it, as they were supposed to do when the Commission was created.

Mr. TREADWAY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, the thought I intended to express to the House has been exceptionally well stated by our colleague, the gentleman from Michigan [Mr. MICHENER].

I am not going to say anything about the relative value of this picture. I would not feel qualified to express any special opinion along that line anyway, but it seems to me that this is a matter which this House should consider carefully. When you take into consideration the economic condition of this country at the present time, when you consider that, today, that the economic condition is equal to if not lower than it was in the year 1933 that we have heard

so much about, do you really believe, when we have to borrow the money, it is a business proposition to go out today and borrow this money in order to obtain this luxury?

There is no doubt it would be a fine addition to the Capitol paintings to have a picture of the signing of the Constitution. I think if finances were easy I should not put up any objection to it, but I was at home last week and I know how the people up in my country feel. They are pretty nearly ready to give up the ghost and just quit; general business is so bad. They do not care very much, and the reason is because the responsible parties in this Congress are not giving any attention to the expenditure of Government funds. You are the ones on that side of the House who are going to be called upon to account for the two or three billion dollar deficit that we probably will have this year, and the outlook at the present time is that you will have a deficit of double that amount next year. Is not this an expenditure that could very easily go over for a year or two with the hope that the economic conditions of the country may be better?

We have got along for 150 years without this. How many of you men, if it were your own private expenditure and you were exactly in the same condition the Government is at the present time, would even think a second time about spending this money under present conditions? There is not a man on either side of the aisle who would consider for a moment, if his personal exchequer was in the same condition as the Treasury of the Federal Government at the present time, of buying a picture of this character for his own house. I think we should use the same thought and judgment in making up our minds about Government expenditures as we do about our own personal expenditures. I have always tried to approach these propositions from the same viewpoint and do what I thought was absolutely right as far as the taxpayers are concerned in the expenditure of money.

We have made a great many expenditures that were not necessary, but they have been bolstered up by the argument that they were for the benefit of reemployment or to do away with unemployment or for relief or one of various similar excuses, but you cannot put this expenditure in the same category.

If you are absolutely honest with yourselves and absolutely honest with the people you represent back home who are laboring under the tax burden of the present time you will not vote to suspend the rules and pass this $35,000 authorization which is a luxury and is certainly not necessary at this time. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Speaker, my questions about Mr. Christy were partly due to the fact that his reputation has been made largely as a painter of magazine covers. He is known as an illustrator. His pictures are charming, but as was the case with the picture that, if I remember right, he painted of Mrs. Coolidge for the White House, they are in the flamboyant style, ornate, not simple and dignified. It may be he has the capacity for painting a dignified picture, but I am sure that adjective would not apply to those of his drawings and paintings that I have chanced to see, and for that reason it seems to me particularly desirable that any such painting as that which he might produce should have its merits passed upon by competent critics.

I remember while I was on the Committee on the Library, having had occasion in the performance of duty to join in judgment upon various works of art for the Capitol and for the city of Washington, and I felt hopeless in the matter. Without artistic training, with nothing but a superficial knowledge of art, I was obliged to contribute as best I could to these judgments, and I felt that I was of little service in the matter, and that these things ought to be left to men who have been trained in art, who have shown themselves competent to judge, and who have been officially designated as the representatives and advisers of Congress in passing judgment upon what shall adorn the Capitol, the other public buildings, and the city.

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

Mr. LUCE. Certainly.

Mr. BLOOM. Does not this resolution do just what the gentleman says should be done? This is merely an authorization to paint a picture that must be accepted and must be approved by the Joint Committee on the Library of the Senate and the House. They can call in the Commission of Fine Arts and the chairman of the House Library Committee states they always do that. They can call in anyone they want and they can put it on exhibition before the Congress. Under this resolution they can do exactly what the gentleman has been talking about.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, it is very awkward to be obliged to criticize an artist or an individual, but I am willing to stake my faith with respect to the ability of the artist to perform the task authorized by this measure, at a price of $35,000, by asking the Members of the House to look at the picture in the lobby of former Speaker Rainey. That portrait of Mr. Rainey does not look like him as we knew him when Speaker. Several portraits were submitted to the Committee on the Library, and I think if I had been asked to choose, I would have picked this particular one as about the last for which to pay $5,000 of the taxpayers' money to hang in this corridor.

Mr. Christy is an excellent salesman. There is no question about that. He has lobbied here indefinitely. He has painted pictures with the expectation of being paid for them and has gone the limit to get such a resolution as this through Congress. That is the actual fact. We all know it to be true that he is a magazine-cover painter. If that constitutes qualities to make him fit to paint a picture of The Signing of the Constitution, very well, but I do not think it does.

The other portrait which he has painted of which we know is the one of Mrs. Coolidge in the White House, and certainly it is no credit to Mrs. Coolidge as we knew her to have that as an illustration of her and her portrait, painted as it is in a red dress, hanging onto a white dog. That is about as far from my conception of Mrs. Coolidge as it could be. That is the kind of an artist that you are favoring in this measure here. There is no question about that.

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

Mr. TREADWAY. I prefer not to yield, and, further than that, I might say to the gentleman from New York that the gentleman wants to sell this to the Congress. He has advertised that all over the country, and that is what he is trying to do, to sell it now to the Congress—a picture for $35,000 which is not yet painted. Besides, we have not the money to pay for it; still he would like to "sell it now" to the American people.

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

Mr. TREADWAY. The Constitution will be on exhibition over in the Library of Congress long after Mr. Christy is dead, and I do not see the slightest reason why he should advertise himself and put himself down as the one man to paint this picture. I yield now to the gentleman from New York.

Mr. BLOOM. Mr. Speaker, the picture the gentleman refers to of Mrs. Coolidge was acceptable to both President and Mrs. Coolidge, and I think they are the best judges.

Mr. TREADWAY. I know a little something about that also, but I do not think this is the place to discuss it.

Mr. BLOOM. The gentleman started the discussion.

Mr. TREADWAY. I know I did, but this is not the place to discuss details.

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

Mr. KELLER. Mr. Speaker, I yield myself 1 minute. These are the facts: The Rainey referred portrait was painted under competition. When the portraits were all done, as

chairman of that committee I called in four of the noted experts of the country, not telling any one of them what the other had said. They all four endorsed the painting that is hanging here. The Members here today who are criticizing that painting make no claim to know anything about art. Evidently they do not. Why give an opinion that is admittedly and evidently valueless? Of course the portrait does not look like Henry T. Rainey during the last few—especially the last 2 years—because he had broken badly during that period. Other things being equal, it is the universal decision in the world of art that, where possible, a man should be painted or sculpted as in the vigor of his manhood. All the portraits were painted from photographs, and the Rainey portrait by Christy is from a fine photograph taken in his prime and used by him in political work, and four of the leading art critics of America decided it to be the best out of 20 submitted. That is exactly what would be done under the present condition. Of course we would call in the best art critics in America to pass on this, and if it is not good we would not accept it.

It is wrong to put this matter off. When a man is in his prime in painting or in sculpture he has no time to waste. We all pass yonder, and Howard Chandler Christy is at the zenith of his power now, and he ought to do his painting at this time and not at some other time. Why gag at a gnat and swallow a camel? I ask gentlemen to be wary of this House when they have the opportunity of getting this great painting by this great master painter.

I yield 1 minute to the gentleman from New York [Mr. BLOOM].

Mr. BLOOM. Mr. Speaker, with reference to this painting of the signing of the Constitution, it should be remembered that it is impracticable to have an artist paint a picture of the signing of the Constitution in open competition with other artists. This is a historical painting. If we do not like the subject of the picture, please remember that it is exactly the way it was at the time of the signing of the Constitution in Philadelphia and that is the way the picture must be painted. There is no other alternative, and that is a thing into which competition cannot enter. As far as spending the money is concerned, please remember that this picture will not be finished for about a year, and the money would not be spent until next year anyway.

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

Mr. KELLER. Mr. Speaker, I yield half a minute to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Speaker, I do not know that gentlemen will care to hear from one so young in experience in Congress as I. Why so penny-wise and pound-foolish? Gentlemen have raised the question of need for other things here, and I notice that they are the very opposition on this floor to giving those material things to the needy. Now, when we have an opportunity to touch the esthetic a little bit we still find their further opposition. I have heard them say that the Constitution is dead. Do they not want us to have even the memory of the signing of it?

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired. All time has expired. The question is on the motion of the gentleman from Illinois to suspend the rules and pass the joint resolution.

The question was taken; and on a division (demanded by Mr. TREADWAY) there were—ayes 56, noes 52.

So (two-thirds not having voted in favor thereof) the motion to suspend the rules and pass the bill was rejected.

ADDITIONAL TAX ON WHISKY

Mr. THOMPSON of Illinois. Mr. Speaker, I move to suspend the rules and pass House Joint Resolution 683, to provide for an additional tax on whisky.

The Clerk read the title of the joint resolution.

The Clerk read as follows:

Resolved, etc., That there shall be levied, assessed, collected, and paid a floor tax of 25 cents on each proof-gallon and a proportionate tax at a like rate on all fractional parts of such proof-gallon upon all distilled spirits, except brandy, produced in or imported into the United States upon which the internal-revenue tax imposed by law has been paid and which, on July 1, 1938, are held by a retailer in a quantity in excess of 50 gallons in the aggregate or by any other person, corporation, partnership, or association in any quantity and which are intended for sale for beverage purposes or for use in the manufacture or production of any article intended for sale for beverage purposes.

Each retailer and each person required hereunder to pay the floor tax shall within 30 days after July 1, 1938, make return under oath in such form and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe. Payment of the tax shown to be due may be extended to a date not exceeding 7 months after July 1, 1938, upon the filing of a bond for payment in such form and amount and with such surety or sureties as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

All provisions of law, including penalties, applicable in respect of internal-revenue taxes on distilled spirits shall, insofar, as applicable and not inconsistent with this section, be applicable in respect of the floor tax imposed hereunder.

Amend the title so as to read: "Joint resolution to provide for a floor-stock tax on distilled spirits, except brandy."

With the following committee amendments:

Page 1, line 9, strike out the word "retailer" and insert "retail dealer in liquors."

Page 1, line 10, strike out "50 gallons" and insert in lieu thereof "250 wine-gallons."

Page 2, line 5, strike out "retailer" and insert in lieu thereof "retailer dealers in liquors."

The SPEAKER pro tempore (Mr. RAYBURN). Is a second demanded?

Mr. FULLER. Mr. Speaker, I demand a second.

Mr. THOMPSON of Illinois. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. THOMPSON of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. O'NEAL].

Mr. O'NEAL of Kentucky. Mr. Speaker, when the tax bill was before the House an amendment was adopted which increased the tax on whisky by 25 cents a gallon. The amendment was not a committee amendment but was offered independently; and, of course, no hearings were held. It was merely the action of the Committee of the Whole at the time. It has, however, caused a peculiar condition in the industry and a peculiar action on the part of the industry in order to prevent chaos in it. It has caused this bill to be introduced which asks that the tax which was to be put on each gallon of whisky on July 1 be put on any whisky withdrawn before July 1. In other words, the industry itself is asking that a floor tax be imposed now instead of waiting until July 1.

The reason for this, and the only reason, is to prevent a chaotic condition that would result if the tax were imposed on July 1 instead of now. If we wait until the 1st of July, it means that individuals or groups with large financial backing can buy up a tremendous amount of whisky at a tax of $2 per gallon; but the small fellow, the man with little capital, cannot buy the quantity he could use within the next few months, so after July 1 he will then pay $2.25, and there will be this disarrangement of the entire industry, favoring the group that has a large amount of money.

Hearings were held by the Committee on Ways and Means. Almost unanimously the distillers, the wholesalers, the retailers, the rectifiers, even the cooperage people and labor testified that unless this is corrected it will cause chaos, it will cause supplies of liquor to be bought up for 6 and 8 months in advance, it will mean that labor will not be employed in many places, it will mean that the little fellow cannot continue in competition with the big chain stores. The testimony was voluminous and so much in favor of this floor-tax bill that only two small groups appeared against it, both from Boston representing package dealers, and one of those said that if a certain amendment was put in it would be in favor of it. This amendment was incorporated in the bill. Representatives of the Treasury Department appeared and stated that this extra tax would increase the Treasury receipts from $3,000,000 to $17,000,000.

I see no reason, except prejudice against the industry, why anyone should oppose this bill. All departments of the industry came here and asked us to place this additional tax in effect now so that there will not be chaos in the industry and so they can carry on successfully.

[Here the gavel fell.]

Mr. THOMPSON of Illinois. Mr. Speaker, I yield 2 additional minutes to the gentleman from Kentucky.

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

Mr. O'NEAL of Kentucky. I yield.

Mr. KELLER. Is it not a fact that every time a liquor tax has been increased it has always been accompanied by a floor tax?

Mr. O'NEAL of Kentucky. In 1898, when the tobacco tax was put in force, a floor tax accompanied it. In 1917, when the tax on distilled spirits was levied, they had a floor-tax provision. Also, in 1918, and in 1933, when the Agricultural Adjustment Act was passed, a floor-tax provision was incorporated in the act. This is customary, it is right and fair, and I hope the House will support the bill.

Mr. KENNEDY of New York. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Kentucky. I yield.

Mr. KENNEDY of New York. Does the bill make some allowance for stock on hand?

Mr. O'NEAL of Kentucky. The bill as originally drafted permitted a 50-gallon exemption, but after testimony was had on the subject it was the opinion of certain members of the Ways and Means Committee that it should be increased, and it was increased to 250 gallons, which is adequate to take care of practically any normal dealer who is not really a large dealer.

This bill exempts medicinal alcohol and it excepts brandy. Although some have tried to find something wrong with this bill, it is merely an honest effort to conduct the business in an orderly way.

[Here the gavel fell.]

Mr. THOMPSON of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. FULLER. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. DUNCAN].

Mr. DUNCAN. Mr. Speaker, this is the first time in the 4 years I have been a member of the Ways and Means Committee I have disagreed with the majority of my colleagues. However, I cannot agree with the resolution which it is proposed to be put through here today.

When the House passed the bill proposing 25 cents additional on liquor there was a suggestion within a few days after that of a floor tax. At that time nearly all the retailers and the wholesalers in the country were opposed to it, and hundreds of letters came to our offices opposing a floor tax. Then the big distilleries of the country got busy, and when they appeared before the committee last week a gentleman in Washington, representing a great many of them, placed the names of 11 distilleries in the record. He testified that those 11 distilleries control 75 percent of the output of liquor in the United States.

They say that the small distiller will be put out of business if this resolution is not passed. I want to make the observation now that within the next year or two if the present liquor laws continue, all the small distillers in the United States will be put out of business anyhow. Four or five now control approximately 60 percent. They are putting dozens and dozens of brands of liquor on the shelves and it all comes out of the same barrel. They will not deny or dispute that fact.

Mr. Speaker, whenever someone comes in and wants to be taxed on something I am always suspicious and I start to look for the bug under the chip. I believe I know what the bug under the chip is in this case. If the distillers of this country can prevail upon the Congress to put a floor tax on the retailers, the distributors, and the wholesalers they will have accomplished something. This resolution, bear in mind, does not exclude the wholesalers and the distributors. If they can have this tax imposed, when the 1st of July comes along, the cost of liquor will rise to the consuming public to the amount of the floor tax. Then when the 25 cents imposed by the Revenue Act we passed goes on the distillers it will already have been taken up by the increase in price to the public. We all know that the price of liquor, particularly the better brands, is exorbitantly high. Before prohibition, with a tax of $1.10 a gallon, you could buy the best of liquor for $4 a gallon. Now, with a tax of $2 a gallon you pay from $12 to $20 a gallon for the better types of whisky. I saw an advertisement in one of the big magazines of the country the other day which took up two pages and covered four different brands of liquor made by four different distilleries, all in one advertisement and all paid for out of a common fund.

Mr. Speaker, this is an attempt on the part of the big distilleries of the country to get the price increased by the wholesaler and by the distributor, so that they can add it on. If this is not done they will not increase the price of liquor from the distiller to the retailer, to the consumer and to the wholesaler after the excise tax goes on. The largest supply of liquor since prohibition is now on hand. The general tendency will be to force the price down. If these people they are talking about go out into the market and buy thousands of gallons of liquor, they have to pay a Federal tax of $2, and in many States as much as $1 as a State tax, as well as some local taxes. When they get all through they will not have made a dime by laying in a supply of it. There has been exempted by this 250 gallons to the retailers, approximately 56,500,000 gallons of liquor. There are 226,000 retailers in the United States and 250 gallons apiece will amount to fifty-six and one-half million gallons. Ninety million gallons is a year's supply.

[Here the gavel fell.]

Mr. FULLER. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, this is the first time I ever knew of people coming in and asking to be taxed. When this bill was drawn and brought to the Committee on Ways and Means it was brought in by the Distillers Institute. It was sent there by the big distilleries of the United States, seven of them, which manufacture and control 80 percent of all the liquor sold and consumed in the United States. Dr. Doran was for 30 years in the Treasury Department. He was so valuable to distillers that during prohibition he permitted them to manufacture and distill liquor, most of which was stored until prohibition was repealed. When prohibition ended, they put him on their payroll at $45,000 a year, and he occupies that position now.

Mr. KRAMER. It is $75,000 a year.

Mr. FULLER. I stated that time and again, but the claim is made to me now it is only $45,000 a year. They have had others on the payroll at $75,000 a year. They have a lot of them around $35,000, $40,000, and $50,000 a year. They have taken four or five men out of the Treasury Department. They are getting all the favors in the world, and now they come and ask you to put a tax upon them? No. On the whisky they have in stock? Oh, no. Upon the wholesaler? Oh, no. They do not want him to pay it. They want to put it on the little fellow who is in business around the corner selling liquor. They make the demand to tax their customers.

They want him to pay the tax, and they want to allow him an exemption of only 50 gallons. However, the committee with its magnaminous attitude is now saying, "If you will give us this bill we will exempt 250 gallons for every retailer," although the testimony before the committee showed that the average man in the retail business was carrying a stock of 600 gallons.

Mr. Speaker, there is a bug under the chip here. The big distillers say they want to stabilize the business. They say that some of the larger institutions that have chain stores will buy a whole lot of liquor from them and they will have to sell it. The distillers do not have to sell and do not sell to anybody but those to whom they want to sell.

What would it mean if they would get this bill through? A gallon of liquor that cost less than a dollar to distill, keep

in a barrel for 4 years, shrinkage, interest, and everything else allowed, they are selling on the market today for approximately $20 a gallon. As soon as they loaded up all the little fellows in the country they would raise the price of liquor, and they would have a chance to break him or hold him in bondage. They are not afraid to stabilize the liquor business. They dominate it. It is the crookedest monopoly that exists in the country today. If not controlled it will reflect upon the administration. It is a monopoly in violation of all antitrust laws. I have been clamoring before this House for an investigation, as many of you know, and I defy this House and the Committee on Rules to give me a rule and bring it before this House so that we may show what this monopoly is. They want to put the tax on now. How much would it yield? If they got all of it the revenue would amount to only $3,500,000, but they have exempted about $1,500,000 of it, so this would amount to practically nothing after deducting the cost of collection. When the tax bill was passed it was contemplated that the increase of 25 cents in the tax would not go into effect until the first day of July, but now these big distillers want their customers and the general public taxed this extra 25 cents per gallon as a floor tax before the law goes into effect. This is no revenue measure, nor will it yield the Treasury any money. I am not opposed to the extra 25 cents per gallon and would not care if it were more. I resent this Whisky Trust controlling Congress.

What is a floor tax? We once put a floor tax on merchandise. The Supreme Court declared the law unconstitutional. Then we passed a law to refund the collected processing tax. It was contemplated the money would be paid in a year. Two hundred thousand businessmen in the United States have filed claims before the Treasury Department asking for a refund, and yet not 10,000 cases are tried and passed upon in a year. It will be 20 years before all these claims are passed upon and the people get their money back. If the Department needs more help we should know it and grant the request. The Government must keep faith.

When you go back home explain to your little man and explain to your wholesale liquor dealer that only a little over 2 weeks between now and the 1st of July you placed a tax on him for the sole satisfaction, at the demand, and on behalf of the biggest trust of Jew liquor distillery men in the United States, to be passed on to the consuming public. Three of them, Schenley, National Distillers, and Seagram, manufacture 40 percent or more of the liquor made in this country. Add a few more manufacturers, and you will find they control 80 percent of that business. They are scaring the little liquor fellow to death. They say in substance, "If you do not get a floor tax, these fellows with money are going to come in and buy a whole lot of liquor to avoid the 25 cents a gallon tax, and we would have to sell it to them." Can you imagine their not being anxious to sell even many million dollars of liquor when possessed of such great quantities and at a time when spending millions annually for advertising? They will not even sell to the man in your town if he will not agree to take and sell in quantities. If the retailer's business gets poor, they take away the brands on which he has built his business. They collect a percent on all liquor for maintenance of the Distillers Institute. The amount runs into hundreds of thousands every year. What for? For morals? Oh, no; more probably for policing the liquor business and maintenance of a public lobby. This measure is not for stabilizing the liquor business nor for revenue for the Government—it is for the purpose of wiping up on the little fellow and the public. [Applause.]

[Here the gavel fell.]

Mr. THOMPSON of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, the gentleman from Arkansas commands the lightning to come down, and invariably it comes down, but while he commands the lightning to come down, so often he does not know anything about the facts in the case. While he shouts at you about the Distilled Spirits Institute that wants this bill, may I say to you that of the 35 distilleries, or thereabouts, that compose the Distilled Spirits Institute the smallest distillery has an equal vote with the largest. The 500-gallon distillery has the same vote and the same power as the distillery in my district that can manufacture 100,000 gallons a day.

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

Mr. DIRKSEN. I decline to yield, Mr. Speaker.

So pay no attention to this kind of talk that seeks to prejudice the distillers who belong to the Distillery Institute, because they are all on a par.

The gentleman states there must be a bug in this bill because they come and ask for it. I will tell you why they have asked for this bill. If the floor stocks tax were not to go on, the large department stores could buy a million dollars worth of liquor in a block shipment and they would have the advantage then of 25 cents a gallon. What about the little tavern owner? What about the little package-store dealer in your district? There are some 225,000 or 250,000 of them. They are the boys who are going to be penalized if you do not put on the floor stock tax, and when the gentleman talks about your going back home and making peace with the people in your district just remember that you are going to make peace with the little fellow who is going to get it in the neck if this bill does not pass.

Now, the reason the distilleries have asked for this is to stabilize the industry. If this tax does not go on, do you know what is going to happen? The distillers in Indiana, in Kentucky, in Illinois, and elsewhere are going to receive lots of orders and push out lots of goods, and in 60 days they are going to tell the girls on the bottling line and the people who work in the still houses, "You can go home; there are no more orders; we have filled up the trade." This is what will happen if this bill does not pass.

The President of the United States, in his monopoly message, pointed out to the Congress that in the automobile industry they speeded up production, everybody went on the lines in 1937, and when they got the market filled, what happened? They cut down and curtailed their personnel, and thousands and hundreds of thousands are idle in the automobile industry today simply because there has been that disturbing element that failed to stabilize the industry. Your President has pointed this out in the monopoly message, and the same thing is involved in this case. This bill ought to pass overwhelmingly.

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

The SPEAKER pro tempore (Mr. RAYBURN). The gentleman from Pennsylvania makes the point of order that there is not a quorum present. The Chair will count.

Mr. FADDIS. I withdraw the point of order, Mr. Speaker.

Mr. THOMPSON of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, it was not my intention to rise this afternoon and discuss the merits of the bill before the House. Though I am anxious to leave for Detroit within an hour yet I am constrained to answer my colleague from Arkansas on the point raised here with reference to the parade of the Israelites. I wish to say to the House that what was said in that connection has no bearing upon the consideration of this bill and is far removed from the subject matter. The remarks of the gentleman are to be regretted, they reek with venom and bigotry. More than that, there were far more of our Gentiles who appeared as witnesses in behalf of the bill than there were of those to whom reference was made disparagingly as the parade of the Israelites. However, it is an intolerant and bigoted reference born of desperation and blindness that should by all means be stricken from the RECORD. I am surprised, I am amazed, and I am hurt, and I am disappointed to hear a friend of mine, a member of this great committee, get up here and argue his case by injecting bigotry in support of his contention against the bill. If there is one reason in the world why this bill ought to go through now, it would be to rebuke the gentleman from Arkansas for his bigoted statement and the injection of a racial and a religious question which has no relation to the measure.

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

Mr. DINGELL. I yield to the gentleman.

Mr. FULLER. The gentleman knows that I have no bigotry about me. I had no intention of reflecting on any man because he is Jewish, because some of the best friends I have in the world are of that faith. Especially is that true of the House Members for whom I have the highest regards.

Mr. DINGELL. Why was the reference made?

Mr. FULLER. I only made the reference, which is the truth, that the whisky business in the United States is controlled by the Jews, who are shrewd businessmen, and you do not deny that and nobody else does. That is no reflection and under no circumstances would I say anything to injure the Jewish membership of this House. They need no defense at your hand and their feelings will not be hurt by my thoughtless reference.

Mr. DINGELL. I deny that. There is nothing to that statement, but even if there were, it would have no bearing on the consideration of the bill before us.

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

Mr. DINGELL. I yield to my friend from California.

Mr. BUCK. Will the gentleman also point out the fact that the question of what liquor sells for has nothing to do with this bill? The bill is reported by the Ways and Means Committee for the purpose of protecting the revenue of the United States, and over $4,000,000 will be lost in actual cash if we do not adopt it, and the estimate is that $14,700,000 will be lost by reason of these withdrawals at the present rate; is not that correct?

Mr. DINGELL. That is the reason for advancing the bill at this time, but I felt constrained to discuss the vicious and extraneous matter which was injected into our deliberations here today, and I ask that the House rebuke such a statement at this time. [Applause.]

[Here the gavel fell.]

Mr. THOMPSON of Illinois. Mr. Speaker, I yield 3 minutes to the acting chairman of the Ways and Means Committee, the gentleman from New York [Mr. CULLEN].

Mr. CULLEN. Mr. Speaker, I want to approach this problem in a judicial manner without excitement or heat and tell the story of the measure that is now pending before you.

The Ways and Means Committee held a complete and extended hearing on this proposal. The committee consumed an entire day in hearing both sides on the bill. A great majority of those who were heard were in favor of the measure.

I do not know anything about the distillers or about monopolies in the distillery business. It is my duty here, as acting chairman of the Committee on Ways and Means, owing to the illness of the distinguished chairman, ROBERT L. DOUGHTON, and who, I am happy to say, is making a splendid recovery, to present to you the facts in regard to this bill.

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

Mr. CULLEN. I yield to the gentleman.

Mr. COOPER. I am sure the gentleman will agree that this bill is strongly recommended by the Treasury Department?

Mr. CULLEN. I was coming to that.

Mr. COOPER. And I believe the gentleman will also agree that there has not been a public hearing held by the Ways and Means Committee on any bill where the witnesses were more overwhelmingly in favor of a measure, with less opposition expressed to it, than the bill presented here today.

Mr. CULLEN. The gentleman is absolutely right.

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

Mr. CULLEN. I cannot yield. Unless we pass this bill we will lose upward of $14,000,000 in revenue, and you ask the question how and why. Because there will be more withdrawals from the bonded warehouses by the package stores, the wholesalers, and the distributors to evade the tax which goes into effect on the 1st of July, and if we place this floor tax on the revenue yields of the Government will be $4,000,000 or more. Still more than that, the Treasury Department came down before the committee in favor of this bill. I do not know who the trusts are, or the distillers, but I have a duty to perform here as the acting chairman of the Committee on Ways and Means. This bill is honest in its intention, and without any clamor in regard to the Whisky Trust, and all that, this is an honest, judicious piece of legislation and should be approved by this House.

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

Mr. FADDIS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Pennsylvania makes the point of order that there is no quorum present. Evidently there is not.

Mr. THOMPSON of Illinois. Mr. Speaker, I move a call of the House.

The motion was agreed to.

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

[Roll No. 98]

Allen, Del.	Ditter	Kvale	Schulte
Anderson, Mo.	Dockweiler	Lemke	Short
Andresen, Minn.	Doughton	Lesinski	Simpson
Atkinson	Douglas	Lewis, Md.	Smith, Okla.
Beam	Drewry, Va.	Lucas	Snyder, Pa.
Boylan, N. Y.	Driver	McClellan	Somers, N. Y.
Buckley, N. Y.	Fish	McGranery	Sparkman
Bulwinkle	Fitzgerald	McGroarty	Stack
Burch	Fitzpatrick	McKeough	Steagall
Byrne	Flannery	McMillan	Sumners, Tex.
Caldwell	Fleger	Mills	Sutphin
Cannon, Wis.	Ford, Calif.	Mitchell, Ill.	Swope
Carter	Frey, Pa.	Mitchell, Tenn.	Taylor, Colo.
Cartwright	Gasque	Mosier, Ohio	Thurston
Champion	Gingery	Mouton	Tobey
Chapman	Griswold	Norton	Wadsworth
Clark, Idaho	Hancock, N. C.	O'Connell, Mont.	Wearin
Clark, N. C.	Harrington	O'Connor, Mont.	Weaver
Cochran	Harter	O'Day	Wene
Coffee, Wash.	Hartley	Palmisano	Whelchel
Creal	Hendricks	Patrick	White, Idaho
Crosby	Hildebrandt	Quinn	Whittington
Culkin	Hook	Reed, N. Y.	Withrow
Curley	Kelly, Ill.	Sacks	Wolcott
Daly	Kelly, N. Y.	Sadowski	Wood
Deen	Kerr	Satterfield	
Disney	Kniffin	Schneider, Wis.	

The SPEAKER pro tempore. On this call 313 Members have answered to their names, a quorum.

Mr. THOMPSON of Illinois. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. FULLER. Mr. Speaker, I yield the remainder of my time to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Speaker, this is the old story familiar to many of us, of the Whisky Trust trying to get another undue advantage of our people.

Unfortunately the gentleman from Arkansas [Mr. FULLER], today made a remark which might influence the passage of the bill. The bill had no possibility of passage, when understood by the House, except for the unfortunate remark by the gentleman from Arkansas. Knowing him as I do, I know that it did not come from his heart. I know that he was trying to state some facts as he thought they existed. The facts are unimportant. If they are honest men, it is unimportant as to their racial strains. I would be the first to denounce any reference to such matters. It was most unfortunate. It is unimportant who is in the whisky busness.

I personally had something to do with the repeal of the eighteenth amendment, and at that time I fought for a high tax on whisky. Most thinking people, and many in high places, favored a high tax on whisky for the reason that they well knew that the supply of whisky was controlled by a trust, and no matter what tax was put on it, nothing, or $5, or $7 a gallon, the Whisky Trust would charge all the traffic would bear. Every word uttered at that time has come true. They have charged all the traffic will bear, and would charge the same if there were no tax. But through some manipulation the Whisky Trust was able to get a tax of only $2 a gallon, which actually raised the cost of whisky

15 cents a quart. Between the 90-cent whisky of pre-prohibition days and the cost of whisky today, there is only 15 cents a quart in tax put on it, but the price is three or four dollars a quart.

When we passed this amendment to put an additional 25-cent tax on whisky, and it should have been a dollar, and we could have passed it at a dollar as readily as at 25 cents, it was directed against the distillers, principally the Whisky Trust.

Of course, I do not subscribe to what the gentleman from Arkansas said; but the fact is that the gentlemen in control of the Whisky Trust since repeal were the leading bootleggers during prohibition. They are the same individuals who have since had to make their peace with the Government and pay millions of dollars in revenue to the Government because of their bootleg operations. They control the whisky of this country.

What has happened? We put a 25-cent tax on whisky, directed at the distiller, nobody else. Every word of the debate on that increase was directed at the distiller, not the retailer or the consumer. That does not mean 25 cents a real gallon—it is 25 cents a proof gallon. If it was actually on a real wine-gallon, it would be only 6 cents a quart. The distillers immediately announced they would have to raise the price 60 cents a quart to meet this 6 cents, or less, tax a quart. Now they come back here, unknown to anybody but this distinguished Ways and Means Committee, and they say, "Make the little storekeeper pay this tax, make the retailer pay this tax on whisky that he has on his shelves—the whisky for which he paid three and four dollars a quart a few years ago." Now that the whisky war is on and prices are somewhat lower, the distillers want to put another 25-cent tax on the little storekeeper, which, of course, would be passed on to the consumer. That relieves the distiller of the increase in tax. It has always been that way since repeal, so strong is the whisky lobby in our corridors.

If there is anybody here who does not believe there is a Whisky Trust, they just have not been around. It has been published at large. The company reports show it; investigations have been proposed; everybody knows who is in the Whisky Trust.

Now the trust comes here once again to try to pass the increased tax on to the little storekeeper—this 25 cents a gallon. Oh, they say we are giving the little retailer an exemption of 250 wine-gallons. That is about 1,000 bottles. Any retail store that has not got over 1,000 bottles of whisky on its shelves is not in business.

The issue here, in spite of what has been said, is not revenue but who is to pay the revenue. Something has been said about the Treasury Department. When this matter first came before this Congress, the Treasury Department said they had no interest in it whatsoever. Thereafter they said that it might mean a little more revenue; but where is that revenue coming from? We hear talk about $5,000,000 or $14,000,000 in additional revenue; but that $5,000,000 or $14,000,000 is going to be saved to the Whisky Trust, the distillers, and is going to be foisted upon the retailers and the consumers.

I was against prohibition. I introduced bills to repeal prohibition, but sometimes I have regretted that. If ever prohibition does come back—and it is not beyond possibility because of the way the trust has mulcted the American people—I will not say now that I would not vote for it to come back just because of what the Whisky Trust and the distillers have done to debase what we thought was a great issue of liberty in these United States.

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

Mr. O'CONNOR of New York. I yield.

Mr. KRAMER. I hold in my hand a telegram which was sent to me by Mr. Joseph Granas, of the California Retail Liquor Dealers' Association.

Mr. O'CONNOR of New York. Please just state the substance of the telegram.

Mr. KRAMER. The telegram says:

Retail dealers of California—

Not of Los Angeles but of the entire State—

are opposed to this tax and ask the California delegation not to support this resolution.

Mr. O'CONNOR of New York. We did not repeal prohibition for these distillers even though they think so. They sat in their offices, they gobbled up all the supply of whisky in the country which they had themselves as bootleggers and all the rest they could get from other bootleggers, and they have been charging the American people what they saw fit and all the traffic would bear. As between the present condition and what we expected when we repealed the eighteenth amendment, I would be inclined to consider prohibition today.

Mr. Speaker, this is our chance to send word out to the Whisky Trust that they do not control the Congress of the United States, by not adopting this amendment which is against the businessmen of this country and against our own people who are concerned with the price of liquor. Let us give this one last death blow to the Whisky Trust so they will not be filling our Halls with their lobbyists. I believe this is a crucial test as to whether or not the Whisky Trust is going to tell the Congress of the United States what it shall do. No more pernicious lobby ever haunted our Halls.

Mr. Speaker, I yield back the balance of my time.

Mr. THOMPSON of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, I am in favor of House Joint Resolution 683, introduced by my esteemed colleague, EMMET O'NEAL, of Kentucky. I believe we should pass this bill as an emphatic protest and as a well-deserved rebuke to the gentleman from Arkansas, CLAUDE A. FULLER, because of his intemperate and ill-considered remarks this afternoon. His argument is an appeal to bigotry and racial prejudice. It is the old story—when argument fails, have recourse to prejudice. If there was any doubt as to the advisability of the bill, his remarks have resolved all of those doubts in favor of the bill. Watch the vote. That will be the telltale. I hope he will nevermore avail himself of religious prejudice. I am sure that, upon sober reflection, the gentleman from Arkansas will realize his blunder.

For example, there are some 3,000 package stores in New York City. Failure to pass this floor tax would give great comfort to large entities and wealthy licensees. They could demand great credit. They could borrow large sums of money. They could use of their own present store of wealth, all for the purpose of buying up presently large stocks of liquor. They could make 25 cents on each gallon. Their less favored competitors, unable to command such wealth, would only receive under this bill an exemption on their floor stock of but 250 gallons. I have in mind two particular establishments that could well afford to expend probably a million dollars each in purchasing present stocks, with a consequent saving of 25 cents on each gallon. This 25 cents per gallon is a saving of 12½ percent of the present tax of $2. It is a staggering amount.

The Treasury Department is in favor of this bill, and through Mr. Stewart Berkshire, Deputy Commissioner of the Bureau of Internal Revenue, states as follows:

If the industry withdraws a stock sufficient to supply a 6 months' demand and the present consumption for 1 month is 9,800,000, 6 times 9,800,000 is something in the neighborhood of fifty-nine or sixty million gallons. The Treasury has figured that as being a part of the income for the Government next year which will be withdrawn now and tax paid at the $2 rate instead of $2.25.

The loss of the Government is 25 cents on some fifty-nine or sixty million gallons, or something in the neighborhood of $15,000,000. Figured at the same ratio, there will be normally on the floor of distillers, dealers, and others, as of July 1, 1938, tax-paid spirits equivalent to a supply for about one-half month's consumption, or approximately 15,000,000 gallons. Figuring these 15,000,000 gallons at the rate of 25 cents per gallon would result in a revenue of approximately

$3,750,000. In other words, on July 1, 1938, there will be a normal supply of 1½ months' consumption on hand. The additional tax of 25 cents on this amount would give you $3,750,000. This sum must be added to the loss of a little less than $15,000,000 aforesaid.

The question therefore appears to be this: With this floor tax the Government will gain at least $15,000,000 more. Without the floor tax it will lose $15,000,000. That is the vital question that must be determined.

Secondly, without this floor tax industry will be demoralized. You will favor the rich man as against all others. Also, we have never passed an increase of a liquor tax without an accompanying floor tax. You must remember that the Robertson amendment increasing the liquor tax was effectuated on the floor. That amendment did not come out of the Ways and Means Committee. That is why the Robertson amendment was not accompanied by a floor tax. The instant bill supplies this lack.

We had a floor tax in 1917, when the tax was raised from $1.10 to $2.20. It was done again in 1918, when the tax was raised from $2.20 to $6.40, which was the prohibition rate for beverage liquor. It was done again in 1934, when it was raised from $1.10, having been reduced back in the Revenue Act of 1926, and increased again to $2 in order to promote a stabilization and a normal handling of the tax collections.

Mr. THOMPSON of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMPSON of Illinois. Mr. Speaker, has time under the control of the gentleman from Arkansas expired?

The SPEAKER pro tempore. The gentleman from Arkansas has 1 minute remaining.

Mr. FULLER. Mr. Speaker, I yield back the balance of my time.

Mr. THOMPSON of Illinois. Mr. Speaker, we have heard much discussion this afternoon about the Whisky Trust sponsoring this measure. I do not know anything about the Whisky Trust, and if there is one I am against it on general principle. I do know that a large number of groups appeared before the Ways and Means Committee and approved this bill. The American Federation of Labor approved it, the National Association of Cooperage Manufacturers approves it, the National Association of Retail Package Stores, representing some 25,000 or 26,000 small package stores in several States of the Union, favor this measure.

This is a measure that will stabilize the liquor industry of the country. This measure if enacted into law will be helpful to the "little fellow" because the "little fellow" is unable to command money or credit enough to buy sufficient liquor ahead to avoid the 25-cent increase in tax carried in the Revenue Act of 1938, and effective July 1.

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

Mr. THOMPSON of Illinois. I decline to yield.

The large department stores and chain stores with their vast purchasing power and capital can buy huge stocks of liquor, possibly 3 to 6 months' supply, perhaps more, and thereby depress the market to the disadvantage of the so-called little fellow during at least the next 6 months.

Let me point out to the House that the Treasury Department is in favor of this measure, that its representatives appeared before our committee favoring the floor tax. It has been customary in all prior tax legislation where an excise tax has been assessed or increased on any commodity to include a floor stock tax. There is nothing new about this proposal. It should have been written into the amendment to the Revenue Act at the time it was passed.

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

Mr. THOMPSON of Illinois. I yield.

Mr. BUCK. In view of the fact we have an increased attendance in the House, will not the gentleman again call attention to the fact that this bill is proposed in the interest of the revenue of the United States Government, that it means at least $4,000,000 if adopted; and that failure to adopt it means possibly the loss of $14,700,000?

Mr. THOMPSON of Illinois. The Treasury Department has informed the committee there is $14,000,000 of revenue involved in this measure. As the gentleman from California has stated, the floor tax will amount to $4,000,000 and the anticipated withdrawals will amount to another $10,000,000.

[Here the gavel fell.]

The SPEAKER pro tempore. All time has expired. The question is, Will the House suspend the rules and pass the joint resolution?

So (two-thirds having voted in favor thereof) the rules were suspended, and the joint resolution was passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: "Joint resolution to provide for a floor-stock tax on distilled spirits, except brandy."

PRIVATE CALENDAR

The SPEAKER pro tempore. Under a previous order of the House, the Clerk will call the first bill on the Private Calendar.

GLENN R. MARTIN

The Clerk called the first bill on the Private Calendar, H. R. 8380, for the relief of Glenn R. Martin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Glenn R. Martin, Hagerstown, Md., the sum of $2,500. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said Glenn R. Martin when the automobile which he was driving was struck, on November 18, 1936, in Hagerstown, Md., by an automobile owned by the Department of the Treasury and operated by an employee of such Department.

With the following committee amendments:

Page 1, line 6, strike out "$2,500. The payment of such sum shall be" and insert "$2,500."

Page 1, line 9, strike out "the said Glenn R. Martin" and insert "him."

Page 2, line 1, strike out "Department of the Treasury and operated by an employee of such Department" and insert the following: "Treasury Department and operated by an investigator of the Alcohol Tax Unit: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK W. LOHN

The Clerk called the next bill, H. R. 8423, for the relief of Frank W. Lohn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank W. Lohn, the sum of $149.21 in full satisfaction of his claim against the United States for expenses incurred during February 1935, pursuant to official orders, investigating the death of a narcotic inspector of the Treasury Department, which was disallowed by the Comptroller General.

With the following committee amendments:

Page 1, after line 5, insert "special agent of the Intelligence Unit, Bureau of Internal Revenue."

Page 1, line 11, strike out "was" and insert "were."

Page 1, after line 11, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JOHN F. AND ETHEL M. DAILEY

The Clerk called the next bill, H. R. 8424, for the relief of John F. and Ethel M. Dailey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John F. and Ethel M. Dailey, of Everett, N. J., the sum of $250 in full satisfaction of their claim against the United States for damages to their automobile, and the sum of $1,250 in full satisfaction of their claim against the United States for personal injuries incurred as the result of a collision with a United States Army truck, license No. 420, War Department, at the intersection of Harmony Road, Kings Highway, and State Highway No. 35, about 7 miles north of Red Bank, N. J., on February 20, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$250" and insert "$100."
Page 1, line 8, strike out "$1,250" and insert "$500."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read "A bill for the relief of John F. Dailey and Ethel M. Dailey."

LT. COMDR. JAMES T. MATHEWS

The Clerk called the next bill, H. R. 8480, for the relief of Lt. Comdr. James T. Matthews.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James T. Mathews, lieutenant commander, United States Navy, the sum of $930. Such sum represents the amount of the damages sustained by the said James T. Mathews and his wife through the destruction, in whole or in part, of their clothing and other personal property in a fire of undetermined origin in the quarters of the said James T. Mathews at the Navy Yard, Charleston, S. C., on April 17, 1933. The payment of such sum shall be in full settlement of all claims by the said James T. Mathews and his wife against the United States for any loss sustained as a result of such fire.

With the following committee amendments:

Page 1, strike out lines 7 and 8 and the word "through", on line 9, and insert the following: "$750, in full satisfaction of his claim, and that of his wife against the United States because of."

Page 2, line 3, after the figures "17", strike out the balance of the line and all of lines 4, 5, and 6 and insert the following: "1933: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read "A bill for the relief of Commander James T. Mathews."

HARRY BRYAN AND ALDA DUFFIELD MULLINS, ET AL.

The Clerk called the next bill, H. R. 8515, to amend the act entitled "An act for the relief of Harry Bryan and Alda Duffield Mullins and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act for the relief of Harry Bryan and Alda Duffield Mullins, and others," approved August 28, 1937, is hereby amended by adding at the end thereof the following section:

"SEC. 3. That the Works Progress Administration is hereby authorized and directed to pay, out of any money allocated by the President for the maintenance and operation of the Works Progress Administration, all hospital, medical, and other expenses necessarily incurred by the claimants named in this act as the result of the explosion in Gassaway, W. Va., November 7, 1936."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That the act entitled 'An act for the relief of Harry Bryan and Alda Duffield Mullins, and others,' approved August 28, 1937 (Private Act No. 398, 75th Cong.), is hereby amended by adding at the end thereof the following section:

"'SEC. 3. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in accordance with certifications of the Works Progress Administrator, or his duly authorized representative, under this act, all hospital, medical, and other expenses necessarily incurred by the claimants named in this act as a result of the explosion in Gassaway, W. Va., November 7, 1936, and such payments, when made, shall be in full settlement of all claims against the United States for said expenses. No payment shall be made under the provisions of this act for any of said expenses incurred after August 28, 1937, and application for any of said expenses shall be filed with the Works Progress Administration by or on behalf of the person entitled to payment within 6 months from the date of approval of this amendatory act. The Works Progress Administrator, or his duly authorized representative, shall determine the amount due on any application, and the person entitled thereto under the provisions of this act, and shall certify such determination to the Secretary of the Treasury, which determination shall be final and conclusive upon the accounting officer of the Government.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to amend the act entitled 'An act for the relief of Harry Bryan and Alda Duffield Mullins,' approved August 28, 1937."

KATHERIN PATTERSON

The Clerk called the next bill, H. R. 9034, for the relief of Katherin Patterson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Katherin Patterson, of Soperton, Ga., the sum of $1,000 in full settlement of all claims against the Government of the United States for personal injuries, including loss of an eye, suffered by the said Katherin Patterson on July 3, 1935, at Civilian Conservation Corps Camps P-61 at Soperton, Ga., when struck by a baseball thrown by an enrollee of said camp while the said Katherin Patterson was making an authorized business visit to the camp.

With the following committee amendments:

Page 1, line 5, strike out "Katherin" and insert "Katherine."
Page 1, line 8, after the word "injuries", strike out "including loss of an eye."
Page 1, line 9, strike out "the said Katherin Patterson" and insert "her."
Page 1, line 10, strike out "camps" and insert "camp."
Page 1, line 12, strike out "the said Katherin Patterson" and insert "she."
Page 2, line 1, after the word "camp" insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Katherine Patterson."

MARSHALL CARVER

The Clerk called the next bill, H. R. 9130, for the relief of Marshall Carver.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marshall Carver, the sum of $4,000, in full settlement of all claims against the Government of the United States for injuries suffered by the said Marshall Carver as a result of a Government-owned truck operated by an employee of the Government in the Civilian Conservation Corps striking a wagon driven by the said Marshall Carver near Simpson, La., November 6, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000

With the following committee amendments:

Page 1, after line 5, insert "of Simpson, La."

Page 5, line 6, strike out "$4,000" and insert "$3,500."

Page 1, line 8, after the word "by", strike out the balance of the line and all of lines 9, 10, and 11, and insert the following: "him when a wagon he was driving was struck by Civilian Conservation Corps truck on Louisiana State Highway numbered 504."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMILY HYER LA VERGNE, EXECUTRIX OF THE ESTATE OF W. K. HYER

The Clerk called the next bill, S. 593, for the relief of Emily Hyer LaVergne, executrix of the estate of W. K. Hyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Emily Hyer LaVergne, executrix of the estate of W. K. Hyer, the sum of $2,500 in full settlement of all claims against the United States on account of personal injuries resulting in the death of the said W. K. Hyer, in a collision on October 21, 1935, between an automobile owned and operated by the said W. K. Hyer and a Government vehicle operated in connection with the Civilian Conservation Corps near Charleston, S. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 5 and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and insert "not otherwise appropriated."

Page 1, line 8, after the name "Hyer" insert "deceased, formerly of Charleston, S. C."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of W. K. Hyer."

LT. T. L. BARTLETT

The Clerk called the next bill, S. 2655, for the relief of Lt. T. L. Bartlett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lt. T. L. Bartlett, Marine Corps Reserve, of Washington, D. C., the sum of $104.70 in full satisfaction of all his claims against the United States for damages for the loss of personal property by a fire which resulted when a Civilian Conservation Corps enrollee, of the camp at which he was an officer, placed a lighted candle in his tent contrary to instructions: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VIRGIL D. ALDEN AND OTHERS

The Clerk called the next bill, S. 2739, for the relief of Virgil D. Alden and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to receive and settle the claims of Virgil D. Alden, Kenneth B. Aldrich, John Richard Altieri, Nell Marie Berghout, Sarah M. Braden, Allen R. Bradley, Alfred Preston Brown, Earl H. Brown, Edmund M. Burke, C. R. Butcher, Roy C. Clark, Gwynn J. Cohan, Dorothy H. Cohen, Charles E. Darragh, A. B. Dunning, William G. Elliott, Catherine L. Finnegan, J. Wilfrid Fleming, Edward C. Gallagher, Robert P. Green, Jr., Cecil L. Howell, Leo J. Kriz, Virginia Dale Lambert, Edward Linders, Walter R. Lord, William F. Madden, Lester H. Moore, Edgar W. O'Harow, Joseph Place, Harry T. Poe, Edward L. Price, Martin D. Reilly, Thomas J. Reilly, Jr., Ruth H. Rose, Stephen Hubbell Smith, Wilbur W. Smith, David J. Speck, William H. Tolhurst, Robert J. Weeks, Christopher J. Weldon, Harold C. Williams, Raymond M. Wilson, Shirley Wright, Nelson D. Zimmerman, Clyde S. Adams, Joseph L. Cahill, John Clegg, Lawrence P. Cain, Thomas F. Conboy, William A. Conroyd, C. Gilbert Countiss, Robert D. DeLoney, William B. Edwards, Harry R. Eilenberger, Maxwell Hall Elliott, Jr., Harold Epstein, Grover D. Farnsworth, John Ellis Field, Benjamin H. Fish, Nathan H. Fox, Clem A. Harkey, Edgar W. Hawkins, Paul Kirby Hennessy, Frank A. Hourihan, Charles Louis Jacob, John H. Jenkins, Josiah W. Johnson, J. Gilbert Joyce, Louis D. Keisey, R. K. Knox, William B. Lamb, Chandler H. Lapsley, Antony Larweth, John S. Lynn, Theodore I. Lundquist, Fred J. Mack, James O. McConnell, Wendell S. Merick, Harry C. Miller, Gladys Moore, Clifton William Perry, Thomas C. Peace, James B. Redpath, Ira R. Robinson, Smith L. Rose, Stephen Samuel Sarrapede, Harrison L. Small, George P. Stowitts, Herman R. Strehl, Harry B. Turner, Jr., Harrison A. Underwood, Alfred John Walker, William G. Walker, George A. West, and Henry E. Wolff for transportation, travel, and subsistence expenses incurred upon their transfer to new headquarters pursuant to orders directing such transfers which were signed for the Federal Emergency Administrator of Public Works, in the temporary absence of said Administrator, with the approval of said Administrator, during the period from September 6, 1935, to May 23, 1936, and the claim of Harlow M. Stafford for transportation, travel, and subsistence expenses incurred upon his transfer to new headquarters pursuant to an order directing such transfer which was signed for the Chairman of the National Resources Committee, in the temporary absence of said Chairman, with the approval of said Chairman, on February 24, 1936. All such claims allowed shall be payable under the appropriation otherwise available for such expenditures for the fiscal year in which the obligation was incurred: *Provided*, That there shall be a sufficient sum available under such appropriation to settle such claims which may be found allowable; otherwise there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum of money to meet the difference.

SEC. 2. In case there has been heretofore withheld or deducted from any amounts otherwise payable out of Government funds to any person hereinabove named any amount on account of any item paid or allowed for transportation charges in connection with the transfer and assignment hereinabove referred to, the Comptroller General of the United States is authorized and directed to pay, in accordance with the same provisions as outlined in section 1, to such person a sum equal to the amount so withheld or deducted.

SEC. 3. Each person named in section 1 of this act is hereby released from any liability to refund or pay to the Government, or otherwise discharge, any item paid or allowed for transportation charges in connection with the transfer and assignment referred to in such section, and no deductions on account of any

such item shall be made from any amount due or payable out of Government funds to any such person.

With the following committee amendments:

Page 1, line 5, start with the word "of" and strike out all of the bill through the name "Wolff" in line 25, page 2.

Page 3, line 1, after the word "incurred", insert "by persons."

Page 3, line 7, strike out the words "claim of Harlow M. Stafford" and insert "claims of persons."

Page 3, line 8, strike out the word "his" and insert "their."

Page 4, line 5, strike out the words "named in" and insert "affected by."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of certain employees of the Federal Emergency Administration of Public Works and the National Resources Committee."

DOROTHY ANNE WALKER

The Clerk called the next bill, S. 3056, for the relief of Dorothy Anne Walker, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Dorothy Anne Walker, a minor, of Dodge County, near Chauncey, Ga., the sum of $10,000 in full satisfaction of her claim against the United States for damages for injuries sustained by her as a result of being struck on Highway No. 27, about 12 miles south of Eastman, Ga., by a United States Army truck after she had alighted from a school bus on May 19, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out "$10,000" and insert "$7,500."

Page 1, line 8, strike out the words "damages for" and insert "personal."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. S. A. FELSENTHAL ET. AL.

The Clerk called the next bill, S. 3147, for the relief of Mr. and Mrs. S. A. Felsenthal, Mr. and Mrs. Sam Friedlander, and Mrs. Gus Levy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. S. A. Felsenthal, of Memphis, Tenn., the sum of $1,382.75; to Mr. and Mrs. Sam Friedlander, of Memphis, Tenn., the sum of $3,389.50; and to Mrs. Gus Levy, of Jackson, Tenn., the sum of $107.33. The payment of such sums to the respective persons named shall be in full settlement of all claims against the United States for damages sustained by the said Mr. and Mrs. S. A. Felsenthal, Mr. and Mrs. Sam Friedlander, and Mrs. Gus Levy on account of personal injuries received by them when an automobile in which they were occupants was struck by a reconnaissance car owned by the United States and operated by an employee of the United States at the time of said accident, near the intersection of Union Avenue and Belvidere Boulevard in the city of Memphis, Tenn., on or about February 18, 1936: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$1,382.75" and insert "$3,000."

Page 1, line 8, strike out the figures "$3,389.50" and insert "$5,000."

Page 1, lines 9 and 10, strike out the figures and words "$107.33. The payment of such sums to the respective persons named shall be" and insert "$250."

Page 1, line 11, and page 2, lines 1 and 2, strike out the words "damages sustained by the said Mr. and Mrs. S. A. Felsenthal, Mr. and Mrs. Sam Friedlander, and Mrs. Gus Levy on account of."

Page 2, line 4, after the word "by", insert "a United States Army", and after the word "car" insert a comma.

Page 2, lines 4, 5, and 6, strike out the words "owned by the United States and operated by an employee of the United States at the time of said accident."

Page 2, line 7, strike out the name "Belvidere" and insert "Belvedere."

Page 2, line 8, strike out the words "or about."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR LEE DASHER

The Clerk called the next bill, S. 1817, for the relief of Arthur Lee Dasher.

Mr. SNELL, Mr. HANCOCK of New York, and Mr. TABER objected, and, under the rule, the bill was recommitted to the Committee on Military Affairs.

JAMES PHILIP COYLE

The Clerk called the next bill, H. R. 10135, for the relief of James Philip Coyle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to accept for enlistment in the Navy, without regard to physical or other qualifications, James Philip Coyle, formerly chief water tender, United States Navy, in the rating of chief water tender, and to transfer him immediately to the Fleet Naval Reserve in that rating and with all the benefits and emoluments thereof which he would have been entitled to receive had he been transferred to the Reserve under the provisions of the applicable laws in force at the date of his discharge from the naval service of the United States on September 21, 1922: *Provided*, That no back pay or allowances shall be held to have accrued prior to the date of approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM BOWIE

The Clerk called the joint resolution (S. J. Res. 247) authorizing William Bowie, captain (retired), United States Coast and Geodetic Survey, Department of Commerce, to accept and wear decoration of the Order of Orange Nassau, bestowed by the Government of the Netherlands.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That William Bowie, captain (retired), United States Coast and Geodetic Survey, Department of Commerce, be, and he hereby is, authorized to accept and wear the decoration of the Order of Orange Nassau, bestowed by the Government of the Netherlands; the same having been conferred upon him by the Queen of the Netherlands in recognition of his outstanding achievements in the interests of international science and geodesy. The Department of State is hereby authorized to deliver the said decoration to the aforementioned William Bowie.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERRY WALKER

The Clerk called the next bill, H. R. 4367, for the relief of Perry Walker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Perry Walker, of Weathers, Okla., the sum of $1,000. Such sum shall be in full settlement of all claims against the United States on account of damage caused to his home during the recapture of two bank robbers, Dewey

Gilmore and Dan T. Heady, on December 6, 1935, who were apprehended by a posse led by a deputy United States marshal for the eastern district of Oklahoma.

With the following committee amendments:

Page 1, line 6, after the words "the sum of" strike out "$1,000. Such sum shall be" and insert "$300."

Line 8, after the word "damage", strike out "caused to his home" and insert "to his home and property by bullets fired."

Page 2, line 2, after the word "Oklahoma," insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HATTIE DOUDNA

The Clerk called the next bill, H. R. 6952, for the relief of Hattie Doudna.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of Hattie Doudna, nee Hattie Pushaw, who contracted a disability while employed at the veterans' hospital at Oteen, N. C., and her case is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if she files a notice of such disability and claim for compensation with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

With the following committee amendments:

In line 3, strike out the words "sections 17 and 20" and insert "the limitations of time in sections 15 to 20, both inclusive."

In lines 8, 9, and 10, strike out the words "who contracted a disability while employed at the veterans' hospital" and insert "of Orlo Vista, Fla., on account of deafness alleged to have been the result of a disease contracted while an employee of the Veterans' Administration facility."

In lines 14 and 15, strike out the words "60 days" and insert "6 months."

At the end of the bill add: "*Provided*, That no benefits shall accrue prior to the approval of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN B. DOLLISON

The Clerk called the next bill, H. R. 8417, for the relief of John B. Dollison.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John B. Dollison, Columbus, Ohio, the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for eye injuries sustained by the said John B. Dollison in the course of his employment by the Home Owners' Loan Corporation at Columbus, Ohio, such injuries resulting in the loss of his position in June 1935.

With the following committee amendment:

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"That the limitations of time in sections 15 to 20, both inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, are hereby waived in favor of John B. Dollison, of Columbus, Ohio, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider, under the remaining provisions of said act, his claim for compensation on account of impairment of his sight allegedly due to conditions of his employment by the Home Owners' Loan Corporation at its district office, Columbus, Ohio, between October 1, 1933, and July 21, 1935, if same is filed within 6 months after the approval of this act: *Provided*, That no benefits shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBA C. MITCHELL

The Clerk called the next bill, H. R. 8544, for the relief of Alba C. Mitchell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Alba C. Mitchell, of Parsons, Tucker County, W. Va., the sum of $786.80 in full satisfaction of his claim against the United States for damages for personal injuries suffered on May 22, 1937, when he was struck in the back by a Civilian Conservation Corps truck driven by Charles Green, an employee of the Civilian Conservation Corps, Camp No. 518, Parsons, W. Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 5 and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and insert "not otherwise appropriated."

Page 1, line 9, strike out the words "for damages."

Page 1, line 10, strike out the figures "22" and insert "24."

Page 1, line 10, also strike out the words "in the back."

Page 1, lines 11 and 12, and page 2, line 1, strike out the words "driven by Charles Green, an employee of the Civilian Conservation Corps, Camp No. 518, Parsons, W. Va." and insert "while working on United States Highway No. 219, near the summit of Backbone Mountain, W. Va."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUBY Z. WINSLOW

The Clerk called the next bill, H. R. 8696, for the relief of Ruby Z. Winslow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance of the Civilian Conservation Corps, to Ruby Z. Winslow the sum of $1,285.25 in full and final settlement of all claims against the Government for loss of personal property in a fire which occurred in Quarters No. 52–B, Hospital Steward's Quarters, Fort Sheridan, Ill., on November 4, 1936.

With the following committee amendments:

In lines 5 and 6, strike out the words "allocated by the President for the maintenance of the Civilian Conservation Corps" and insert "not otherwise appropriated."

In line 6, also, after the name "Winslow", insert "of Myricks, Mass."

In line 7, strike out the figures "$1,285.25" and insert "$1,070.50."

In line 8, strike out the word "Government" and insert "United States."

At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPENCER D. ALBRIGHT, JR.

The Clerk called the next bill, H. R. 8723, for the relief of Spencer D. Albright.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money

in the Treasury not otherwise appropriated, to Spencer D. Albright, of Austin, Tex., the sum of $10,000. The payment of such sum shall be in full satisfaction of the claim of the said Spencer D. Albright against the United States for the death of his minor son, who was killed when a United States Army airplane crashed into his residence at Austin, Tex., on December 7, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, after the name "Albright", insert "Jr."

Page 1, lines 6, 7, and 8, strike out the figures and words "$10,000. The payment of such sum shall be in full satisfaction of the claim of said Spencer D. Albright" and insert "$3,500, in full settlement of all claims."

Page 1, line 9, after the word "son", insert the name "Leonard."

Page 1, line 10, strike out the words "Army airplane" and insert "airplane operated by a Mexican Army officer in training at the Army Air Corps Flying School, Kelly, Tex."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Spencer D. Albright, Jr."

J. J. B. HILLIARD & SON

The Clerk called the bill (H. R. 9142) for the relief of J. J. B. Hilliard & Son, of Louisville, Ky.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. J. B. Hilliard & Son, of Louisville, Ky., the sum of $762.39. The payment of such sum is in full satisfaction of their claim against the United States for a refund of the value of 24.947 percent of 38 invalid postal money orders in the sum of $3,056 fraudulently issued from March 7, 1935, to August 3, 1935, to said J. J. B. Hilliard & Son, of Louisville, Ky., by Ray Hocker, former postmaster at McHenry, Ky., which sum ($762.39) has heretofore been paid to the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. Nothing in this act shall be construed to prevent the recovery by the United States of funds embezzled by the said Ray Hocker, or on money orders unlawfully issued by him, except those which are the subject of these claims.

With the following committee amendments:

Page 1, line 6, insert a comma after the figures "$762.39."

Page 1, line 7, strike out the words "The payment of such sum is."

Page 1, line 8, strike out the words "of the value."

Page 2, strike out all of section 2 of the bill.

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended so as to read: "A bill for the relief of J. J. B. Hilliard & Son."

J. T. BURT AND ALICE BURT

The Clerk called the bill (H. R. 9196) for the relief of J. T. Burt and Alice Burt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. T. Burt and to his wife, Alice Burt, of Weir, Miss., the sum of $240 in full satisfaction of their claim against the United States for the loss of that sum resulting from the error of the Farm Security Administration in filling in an option contract for the sale of 120 acres of land in Choctaw County, Miss., to the United States of America for Farm Security purposes, it being mutually understood and agreed by and between J. T. Burt and Alice Burt and the agents of the United States that the said land would be sold for the sum of $12.50 per acre, whereas through typographical error the option agreement fixed the sale price at $10.50 per acre:

With the following committee amendments:

Page 1, line 8, after the word "Of" where it appears the second time, insert: "an agent of the Resettlement Administration, now."

Page 2, line 5, strike out the word "typographical", and at the end of the bill strike out the period and insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

JAMES M. WRIGHT

The Clerk called the bill (H. R. 9277) for the relief of James M. Wright.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $102 to James M. Wright in full compensation for services rendered as community supervisor for the Bureau of Labor Statistics, Department of Labor, for the period April 8 to 24, 1934, for which he was not paid.

With the following committee amendments:

Page 1, line 6, strike out "Wright in full compensation" and insert "Wright, of Decatur, Ga., in full satisfaction of his claim against the United States."

At the end of line 10, page 1, insert "his appointment to said position having expired April 7, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

RAYMOND PLEDGER AND THOMAS P. GIACOMINI, JR.

The Clerk called the bill (H. R. 9825) for the relief of Raymond Pledger and Thomas P. Giacomini, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the account of Raymond Pledger, Rural Rehabilitation supervisor for the Farm Security Administration at Yell County, Ark., with the sum of $150, representing public funds for which he is accountable and which were accidentally destroyed by fire on the 27th day of November 1936 in said county supervisor's office in Yell County, Ark.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas P. Giacomini, Jr., an employee of the Agricultural Adjustment Administration, the sum of $35.85 in full satisfaction of his claim against the United States for the value of certain drafting instruments used by him on official work and destroyed by fire in the building occupied by the project offices of the Resettlement Administration, now the Farm Security Administration, at Winslow, Ark., on April 9, 1935.

SEC. 3. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ANNIE MARY WILMUTH

The Clerk called the bill (S. 546) for the relief of Annie Mary Wilmuth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and is hereby, authorized and directed to consider and determine, in the same manner and to the same extent as if application for the benefits of the United States Employees' Compensation Act had been made within the 1-year period required by sections 17 and 20 thereof, the claim of Annie Mary

Wilmuth on account of disability alleged to have been contracted while employed as a nurse at the United States Veterans' Administration Hospital, Algiers, La.: *Provided*, That no benefits shall accrue prior to the approval of this act.

With the following committee amendments:

In line 9, after the name "Wilmuth" insert "of Phoenix, Arizona,".

In line 9, also, strike out the word "disability" and insert "tuberculosis."

In line 10, after the word "contracted", insert "between May 1926 and August 1927."

At the end of the bill add: "*Provided further*, That claim hereunder shall be fixed within 6 months after approval of this act."

The amendments were agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

LAWSON N. DICK

The Clerk called the bill (S. 821) for the relief of Lawson N. Dick.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lawson N. Dick, an employee in the office of the Mississippi River Commission, at Vicksburg, Miss., a sum equal to $60 per annum from July 1, 1928, to July 2, 1930, plus $120 per annum from July 3, 1930, to August 28, 1934, less 3½-percent retirement deductions which shall be credited to his account in the civil-service retirement and disability fund, such sum representing additional compensation to which he is entitled under the provisions of the act of May 28, 1928, known as the "Welch Act," and the act of July 3, 1930, known as the "Brookhart Act": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ALCEO GOVONI

The Clerk called the bill (S. 865) for the relief Alceo Govoni.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $766 to Alceo Govoni, in full settlement of all claims against the United States, for injuries sustained by him when the vehicle which he was driving collided with United States Army truck No. 214243 on January 4, 1927, at Boston, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, after the word "Govoni", insert "of Wellesley Hills, Mass."

Line 8, strike out "collided with" and insert "was struck by a"; line 9, strike out "No. 214243."

The committee amendments were agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

JOHN H. OWENS

The Clerk called the bill (S. 1274) to confer jurisdiction upon the United States District Court for the District of Nebraska to determine the claim of John H. Owens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the District of Nebraska to hear, determine, and render judgment upon, notwithstanding the lapse of time or any provision of law to the contrary, the claim against the United States of John H. Owens, Omaha, Nebr., for damages on account of personal injuries sustained by the said John H. Owens when he was struck on September 23, 1931, in Omaha, Nebr., by an automobile operated by an employee of the Department of Agriculture while such employee was engaged in Government business: *Provided*, That the judgment, if any, shall not exceed the sum of $3,000. Such suit shall be brought within 4 months from the date of enactment of this act.

SEC. 2. The United States district attorney for the district of Nebraska is hereby charged with the duty of defending the United States in any suit instituted under the authority of section 1 of this act.

SEC. 3. There is authorized to be appropriated such sum as may be necessary to pay any judgment rendered by such court in such suit.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John H. Owens, of Omaha, Nebr., the sum of $1,500, in full satisfaction of his claim against the United States for personal injuries sustained on September 23, 1931, when the automobile he was driving was struck at the intersection of Twentieth and Harney Streets, Omaha, Nebr., by an automobile owned by the Department of Agriculture and operated by an employee thereof: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended so as to read: "An act for the relief of John H. Owens."

A. D. WEIKERT

The Clerk called the bill (S. 1340) for the relief of A. D. Weikert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. D. Weikert, of Somers, Mont., the sum of $75 in full satisfaction of his claim against the United States arising out of the death of his horse on August 27, 1935, from accidental causes, while being used by the Civilian Conservation Corps in connection with emergency conservation work in Glacier National Park, Mont.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WILLIAM J. SCHWARZE

The Clerk called the next bill, S. 1788, for the relief of William J. Schwarze.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $36.58 to William J. Schwarze, of Greenwood, Wis., in full settlement of all his claims against the United States (1) for damages sustained by him when the private property of his son, Harold E. Schwarze, was lost in a fire which destroyed the Civilian Conservation Corps barracks at Camp Smith Lake, Wis., where his son was an enrollee, and (2) for reimbursement of the amount paid by him in settlement of charges for two blankets stolen from his son's cot during the latter's absence on furlough: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the word "his."

Page 1, lines 7 and 8, strike out the words "(1) for damages sustained by him when the private" and insert "for loss of the personal."

Page 1, line 9, strike out the words "was lost" and insert "a minor,".

Page 1, lines 10 and 11, strike out the words "his son" and insert "he."

Page 1, line 11, also, strike out the figure "(2)."

Page 1, line 12, strike out the word "him" and insert "said William J. Schwarze."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES A. RIFE

The Clerk called the next bill, S. 2023, for the relief of Charles A. Rife.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles A. Rife, of Tupelo, Miss., the sum of $63 in full satisfaction of his claim against the United States for compensation for services rendered by him as night watchman on a Civil Works Administration project in March and April 1934, said Charles A. Rife having rendered such services after being duly employed but never having received any compensation therefor: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. GUY R. SYTH

The Clerk called the next bill, S. 2532, for the relief of Mrs. G. R. Syth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury appropriated for or allocated to the Resettlement Administration, to Mrs. G. R. Syth, of Malta, Mont., the sum of $300 in full settlement of her claim against the United States for payment for a well located on land (tract No. 62, Milk River land project) which she and her husband sold to the Government, such well being included by the Resettlement Administration in its original appraisal report but not in the purchase price stated in the option taken on such land, and subsequently exercised: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 5 and 6, strike out the words "appropriated for or allocated to the Resettlement Administration," and insert "not otherwise appropriated,".

Page 1, line 6, strike out "Mrs. G. R. Syth" and insert "Mr. and Mrs. Guy R. Syth,".

Page 1, line 7, strike out the words "her claim" and insert "all claims."

Page 1, line 9, after the words "Milk River", insert a comma and the word "Montana,".

Page 1, lines 9 and 10, strike out "she and her husband" and insert "they."

Page 1, line 10, strike out the word "Government" and insert "Federal Emergency Relief Administration, now represented by the Resettlement Administration,".

Page 1, line 11, strike out the words "by the Resettlement Administration in its" and insert "in the."

Page 2, line 1, strike out the words "taken on such land" and insert "on such land which was accepted by the Government December 31, 1934."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act for the relief of Mr. and Mrs. Guy R. Syth."

MR. AND MRS. JOSEPH KONDERISH

The Clerk called the next bill, S. 2709, for the relief of Mr. and Mrs. Joseph Konderish.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Joseph Konderish, of Nesquehoning, Pa., parents of Joan Konderish, 4 years of age, the sum of $1,000 in full satisfaction of their claim against the United States for the death of said minor, resulting from burns received on Wednesday, June 3, 1936, said burns being caused by a fire left burning by Works Progress Administration project workers on project No. 65-23-2957—community sanitation project—at 5019 Park Street, Nesquehoning, Carbon County, Pa., the project being adjacent to the home of Mr. and Mrs. Joseph Konderish: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH F. QUINN AND SARAH FERGUSON

The Clerk called the next bill, S. 2770, for the relief of Elizabeth F. Quinn and Sarah Ferguson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth F. Quinn, of Malden, Mass., the sum of $1,000, and to Sarah Ferguson, of Malden, Mass., the sum of $1,000, said sums to be in full settlement of all claims against the United States for injuries received by said Elizabeth F. Quinn and Sarah Ferguson on September 26, 1936, in Wakefield, Mass., when they were struck by a truck operated in the service of the United States Marine Corps: *Provided*, That payment shall not be made under this act until the above-named claimants have released all of their claims against George P. Russell, of Hingham, Mass., in a manner satisfactory to the Secretary of the Treasury: *Provided further*, That no part of the said amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in a sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$1,000" and insert "$750."

Page 1, line 7, strike out the figures "$1,000" and insert "$1,250."

Page 1, line 11, strike out the words "they were" and insert "the automobile in which they were riding was."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDITH JENNINGS

The Clerk called the next bill, S. 2798, for the relief of Edith Jennings and the legal guardian of Patsy Ruth Jennings.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith Jennings, of Arkansas City, Kans., widow of Joe Jennings, deceased, the sum of $2,500, and to the legal guardian of Patsy Ruth Jennings, of Arkansas City, Kans., daughter of Joe Jennings, deceased, the sum of $2,500, in full settlement of all claims against the United

States arising out of the death of the said Joe Jennings, who died as a result of injuries sustained when the truck he was driving was struck by a truck belonging to the Works Progress Administration, on March 10, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act for the relief of Edith Jennings and Patsy Ruth Jennings, a minor."

CARL ORR

The Clerk called the next bill, S. 2802, for the relief of Carl Orr.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Carl Orr, a minor, of Alma, Okla., the sum of $3,000 in full settlement of all claims against the United States for damages for injuries sustained by the said Carl Orr when he was severely burned, on the 19th day of January 1937, by a fire which had been started near the Fox Consolidated School, in Carter County, Okla., by National Youth Administration workers and left burning by them: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, strike out the words "for damages."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act for the relief of Carl Orr, a minor."

MARK H. DOTY

The Clerk called the next bill, S. 2876, for the relief of Mark H. Doty.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury appropriated or allocated for the maintenance and operation of the Civilian Conservation Corps, to Mark H. Doty, of Winnsboro, S. C., the sum of $979.90 in full settlement of all his claims against the United States for (1) reimbursement for medical and hospital expenses incurred and (2) for personal injuries received by him when the automobile he was driving was struck, on January 9, 1937, on United States Highway No. 21, at a point about 1 mile south of Winnsboro, S. C., by a Civilian Conservation Corps truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with such claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 4, 5, and 6, strike out the words "appropriated or allocated for the maintenance and operation of the Civilian Conservation Corps" and insert "not otherwise appropriated."

Page 1, lines 8 and 9, strike out the words "for (1) reimbursement for medical and hospital expenses incurred and (2)."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GLENN MORROW

The Clerk called the next bill, S. 2979, for the relief of Glenn Morrow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Glenn Morrow, of Des Moines, Iowa, the sum of $2,500 in full settlement of all claims against the United States of America for the death of his wife resulting from injuries received when a car in which she was riding was struck by a vehicle operated by an employee of the Works Progress Administration in Oklahoma City, Okla., on September 12, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE W. BRECKENRIDGE

The Clerk called the next bill, S. 3079, for the relief of George W. Breckenridge.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George W. Breckenridge, of Grass Range, Mont., the sum of $390.44, representing the amount of his claim for mileage allowance while an employee of the Soil Conservation Service, Department of Agriculture, for travel authorized by means of his privately owned automobile from August to November 1936, inclusive, such claim for mileage having been disallowed by the General Accounting Office as a result of the travel having been performed in an automobile registered in the name of his wife, B. E. Breckenridge: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "representing the amount of his claim" and insert "in full satisfaction of his claim against the United States."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAQUEL FRANCO

The Clerk called the next bill, S. 3102, for the relief of the estate of Raquel Franco.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Raquel Franco, the sum of $533.74 in full and final settlement of all claims whatsoever against the United States for compensation for damages arising from personal injuries sustained by Raquel Franco in the collision between a United States Army truck and the Chevrolet touring car of Victor M. Ruiz C, on March 26, 1935, near Arraijan, Republic of Panama: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the word "the", insert "administrator of the."

Page 1, line 6, after "Franco", insert "deceased, formerly of Panama City, Panama."

Page 1, line 8, strike out "compensation for" and insert "expenses and."

Page 1, line 11, strike out "Chevrolet touring car of Victor M. Ruiz C" and insert "taxicab in which she was a passenger."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PEARL BUNDY

The Clerk called the next bill, S. 3300, for the relief of Pearl Bundy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States Government, the sum of $3,000 to Pearl Bundy, of Mitchell, Ind., rural route No. 2, for injuries sustained by being struck by a United States Government truck driven or operated by a member of the Civilian Conservation Corps on January 22, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "Government."

Page 1, line 8, after the word "sustained", strike out the balance of line 8 and all of lines 9 and 10, and insert the following: "when the automobile in which she was riding was struck by a truck operated in connection with the Civilian Conservation Corps, on State Highway No. 60, near Mitchell, Ind."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR T. MILLER

The Clerk called the next bill, S. 3379, for the relief of Arthur T. Miller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur T. Miller, of Fayetteville, Ark., the sum of $50 in full settlement of all claims against the United States for damages to him caused by the death of one purebred cow, known as abortion reactors, in connection with the Government's efforts to eradicate Bang's disease from the dairy herds of Washington County, Ark.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, after the word "for", strike out the balance of line 7 and all of lines 8, 9, 10, and 11 and insert the following: "The Government indemnity on a purebred cow which was found to be a reactor, condemned, and shipped to the stockyards, where its identity was lost until after slaughter, thus preventing payment of said indemnity in accordance with the Bureau of Animal Industry's campaign to eradicate Bang's disease."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILES A. BARCLAY

The Clerk called the next bill, S. 3410, for the relief of Miles A. Barclay.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miles A. Barclay, of Great Falls, Mont., the sum of $81.04, in full settlement of his claim against the United States for mileage allowance while an employee of the Soil Conservation Service, Department of Agriculture, for travel authorized by means of his privately owned automobile during the period October 2 to November 25, 1936, inclusive, such claim for mileage having been disallowed by the General Accounting Office as a result of the travel having been performed in an automobile registered in the name of his father, A. Barclay: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH CORY

The Clerk called the next bill, S. 3512, for the relief of Elizabeth Cory.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Cory, of College Park, Md., the sum of $2,000 in full settlement of her claim against the United States for medical expenses and personal injuries incurred as a result of a collision between the car which she was driving and a United States Army truck bearing Army No. 24101, on April 30, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 10, after the word "truck", strike out "bearing Army No. 24101" and insert: "at the intersection of College Avenue and United States Highway No. 1, College Park, Md."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EARLE LINDSEY

The Clerk called the next bill, S. 3543, authorizing the Comptroller General of the United States to settle and adjust the claim of Earle Lindsey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of Earle Lindsey for reimbursement for well-drilling pipe and couplings lost while loaned to, and being used by, the United States Forest Service during July 1935, and to allow in full and final settlement of the claim the sum of not to exceed $169.75. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $169.75, or so much thereof as may be necessary, for the payment of the claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES J. COYNE

The Clerk called the next bill, H. R. 9731, for the relief of James J. Coyne.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the immigration and naturalization laws the alien James J. Coyne, first sergeant, Eleventh Signal Company, United States Army, shall be considered to have been, at Detroit, Mich., on May 28, 1924, lawfully admitted to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NEIL M'GILLOWAY

The Clerk called the next bill, H. R. 1754, for the relief of Neil McGilloway.

Mr. HANCOCK of New York and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Military Affairs.

R. P. CLARKE, TRADING AS R. P. CLARKE CO.

The Clerk called the next joint resolution, House Joint Resolution 371, for the relief of R. P. Clarke, trading as R. P. Clarke Co.

Mr. COSTELLO and Mr. HALLECK objected, and, under the rule, the joint resolution was recommitted to the Committee on Claims.

ROMUALDO COSSANO

The Clerk called the next bill, H. R. 6610, for the relief of Romualdo Cossano.

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

ISAAC FRIEDLANDER

The Clerk called the next bill, H. R. 10339, for the relief of Isaac Friedlander.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of immigration laws Isaac Friedlander, husband of a citizen of the United States, shall not be denied an immigration visa, nor denied admission to the United States for permanent residence, because of the fact that he is alleged to have concealed certain material facts in his application for a visa to enter the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD E. BROWN ET AL.

The Clerk called the next bill, H. R. 6727, for the relief of Edward E. Brown, Charles Walker, Frank Parr, John Moyer, and Lynford P. Fowles.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward E. Brown, Somers Point, N. J., the sum of $90; Charles Walker, Atlantic City, N. J., the sum of $35.25; Frank Parr, Atlantic City, N. J., the sum of $76.86; John Moyer, Atlantic City, N. J., the sum of $86.77; and Lynford P. Fowles, Somers Point, N. J., the sum of $75, in all $363.88, in full settlement of their claims against the United States for loss of tools which were destroyed by fire while stored in a Works Progress Administration warehouse at Atlantic City, N. J., on May 2, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 4, strike out "2" and insert "8."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH GROSS

The Clerk called the next bill, H. R. 7854, for the relief of Joseph Gross.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Gross, of Philadelphia, Pa., the sum of $3,000, in full satisfaction of all claims against the United States for personal injuries sustained by the said Joseph Gross when he was struck by a United States Marine truck in Philadelphia, Pa., on July 9, 1936.

With the following committee amendments:

In line 6, strike out the figures "$3,000" and insert "$2,000."

In line 8, strike out the words "the said Joseph Gross" and insert "him."

In line 9, after the word "Marine," insert "Corps."

At the end of the bill, add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES RECHT ET AL.

The Clerk called the next bill, H. R. 8271, for the relief of Charles Recht, Horace S. Whitman, H. Rozier Dulany, Jr., William Lee Rawls, William L. Marbury, Jr., Victor A. Gartz, Rose Weiss, and Osmond K. Fraenkel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to determine the amount of just compensation due to the Russian Volunteer Fleet for the two ship contracts taken from it in the year 1918 by the United States, and to render judgment in behalf of Charles Recht, Horace S. Whitman, H. Rozier Dulany, Jr., William Lee Rawls, William L. Marbury, Jr., Victor A. Gartz, Rose Weiss, and Osmond K. Fraenkel, the attorneys who represented the Russian Volunteer Fleet in the presentation of its claim therefor in the Court of Claims of the United States and the Supreme Court of the United States, for the amount of expenses incurred in connection therewith and for attorneys' fees in an amount equal to 10 percent of such just compensation, as the interests of the several attorneys may appear: *Provided*, That suit hereunder shall be instituted within 1 year after the approval of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment on the claims of the attorneys for the plaintiff in the case entitled 'Russian Volunteer Fleet *v.* United States (No. 69–A)', for the fair and reasonable value of legal services rendered by them and reasonable disbursements incurred by them, in the prosecution of said case prior to November 16, 1933: *Provided*, That no suit shall be instituted pursuant to this act after the expiration of 6 months from the date of its approval."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to confer jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of the attorneys for the Russian Volunteer Fleet."

FERGUS COUNTY, MONT.

The Clerk called the next bill, H. R. 8672, for the relief of Fergus County, Mont.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to Fergus County, Mont., the sum of $1,664.86. Such sum represents the amount expended by Fergus County, Mont., in extinguishing a forest fire in said county, and on land owned by the United States, on or about the 1st day of September 1937.

With the following committee amendment:

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Board of County Commissioners of Fergus County, Mont., the sum of $1,166.88, in full settlement of all claims against the United States for the cost of labor and supplies furnished during September 1937 in extinguishing a forest fire on land owned by the United States, under jurisdiction of the Department of the Interior, in the Judith Mountains, Fergus County, Mont.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. E. JOHNSON

The Clerk called the next bill, H. R. 8922, for the relief of E. E. Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to E. E. Johnson, of Fort William, Ontario, the sum of $3,739.39 in full satisfaction of his claim against the United States for a refund arising out of the contract entered into between said E. E. Johnson and W. J. Corcoran and the Department of the Interior on May 5, 1922, and subsequently assigned on October 28, 1932, to E. E. Johnson, covering the sale of allotted timber on the Grand Portage Indian Reservation, Minn., such sum having been paid to the Indian allottees for timber which was not cut through a misunderstanding with the Indian Department and not through fault of the contractor, and the contract expired on June 1, 1936.

With the following committee amendments:

Page 2, line 4, after the word "cut", insert "in contemplation of an extension of the contract period which."

Page 2, lines 4 and 5, strike out the words "with the Indian Department and not through fault of the contractor, and the contract."

At the end of the bill, add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMONS WOLFER

The Clerk called the next bill, H. R. 9135, for the relief of Emmond Wolfer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emmond Wolfer, of Corson County, S. Dak., the sum of $10,000, in full settlement of all claims against the United States for permanent injuries sustained by him when he was struck, on August 17, 1935, by a Government truck which was driven by an employee of the Indian Bureau.

With the following committee amendments:

In line 5, strike out the name "Emmond" and insert "Emons."

In line 6, strike out the words "Corson County" and insert "McLaughlin."

In line 6, also, strike out the figures "$10,000" and insert "$4,500."

In line 8, strike out the words "permanent injuries" and insert "personal injury."

In line 8, also, strike out the word "he" and insert "the truck he was driving."

In lines 9 and 10, strike out the words "a Government truck which was driven by an employee of the Indian Bureau" and insert the following: "an Indian Service truck of the Interior Department, driven by an Emergency Conservation Work employee, on a highway in the Standing Rock Indian Reservation, between Selfridge and Fort Yates, Sioux County, N. Dak.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Emons Wolfer."

JOHN BOROWSKI ET AL.

The Clerk called the next bill, H. R. 9674, for the relief of John Borowski, Benjamin H. Hammack, and Eber A. Wean.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Borowski, Portland, Oreg., the sum of $63.38; to Benjamin H. Hammack, Portland, Oreg., the sum of $73.62; and to Eber A. Wean, Gresham, Oreg., the sum of $76.75. Such sums represent the value of personal property separately owned by such persons and destroyed by fire at Camp Apiary, Houlton, Oreg., on August 30, 1936, while such persons were employees of the Works Progress Administration.

With the following committee amendments:

In line 8, strike out the period after the figures "$76.75" and insert a comma; strike out the words "Such sums represent the value of personal property separately owned by such persons and", appearing in lines 9 and 10, and insert in lieu thereof "in all, $213.75, in full settlement of their claims against the United States for the value of tools and personal property."

At the end of the bill add: "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL J. MULDOWNEY

The Clerk called the next bill, H. R. 9795, for the relief of Michael J. Muldowney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Michael J. Muldowney, of Pittsburgh, Pa., the sum of $2,000 in full satisfaction of his claim against the United States for expenses incurred as contestant in connection with preparation and prosecution of the election-contest case of Anne E. Felix *v.* Michael J. Muldowney for the seat from the Thirty-second Congressional District of the State of Pennsylvania in the Seventy-third Congress, as authorized by the act of March 3, 1879 (U. S. C., title 2, sec. 226), a full and detailed account of such expenses having been properly filed with the clerk of the Committee on Elections Numbered 2, in accordance with the provisions of the act hereinbefore recited: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 8, strike out the word "contestant" and insert "contestee."

Page 1, lines 8 and 9, strike out the words "preparation and prosecution" and insert "the defense."

Page 2, line 1, start with the word "a" and strike out all of the bill through the word "recited" in line 5.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPHINE RUSSELL

The Clerk called the next bill, S. 1220, for the relief of Josephine Russell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 and 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive

and consider, when filed, the claim of Josephine Russell for disability resulting from complications caused by continual irritation while driving over rough and unsurfaced roads on the Kiowa Reservation in Oklahoma, in 1930 and 1931, when on duty as a field nurse; and for physical overwork affecting her general health while employed as a staff nurse at Pine Ridge, S. Dak., by the Bureau of Indian Affairs, Department of the Interior, and to determine said claim upon its merits under the provisions of said act: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to May 13, 1936.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY WAY

The Clerk called the next bill, S. 1878, for the relief of Mary Way.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the United States Government, the sum of $4,000, to Mary Way, of Escanaba, Mich., for injuries sustained in a collision at Gladstone, Mich., with a Civilian Conservation Corps truck, driven or operated by a member of the Civilian Conservation Corps, on November 14, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 5, 6, and 7, strike out the words and figures "and in full settlement of all claims against the United States Government, the sum of $4,000" and insert a comma after the word "appropriated", in line 5, and the words and figures "the sum of $3,500, in full satisfaction of her claim against the United States for personal injury and property damage" in lieu of the words "for injuries" in line 7.

Page 1, lines 9 and 10, strike out the words "driven or operated by a member of the Civilian Conservation Corps."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERRY'S VICTORY MEMORIAL COMMISSION

The Clerk called the next bill, S. 2009, to authorize the payment of certain obligations contracted by the Perry's Victory Memorial Commission.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Commercial Banking & Trust Co., of Sandusky, Ohio, $5,240.73; to the Ohio Public Service Co., of Port Clinton, Ohio, $120; to William Schnoor, of Put in Bay, Ohio, $1,248.99; to J. C. Feick, of Sandusky, Ohio, $129; to the Boston Lightning Rod Co., of Boston, Mass., $135; to Webster P. Huntington, of Mount Sterling, Ky., $214.61; to Hugh Rodman, of Washington, D. C., $76.79; to George M. Mason, of Erie, Pa., $35.15; to Harry E. Davis, of Woonsocket, R. I., $37.09; to W. J. Moore, of Richmond, Ky., $60.60; to Richard S. Folsom, of Chicago, Ill., $77.10; to Charles B. Perry, of Milwaukee, Wis., $82.81; to Jacob Schifferdecker, of Brooklyn, N. Y., $35.11; to Robert H. Winn, of Mount Sterling, Ky., $28.42; to Samuel M. Wilson, of Lexington, Ky., $35; and to John A. Johnston, of Washington, D. C., $49.06; a total of $7,605.46, in full settlement of any obligations of the Perry's Victory Memorial Commission to said parties: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 2, line 12, strike out the word "any" and insert "their claims against the United States or the Perry's Victory Memorial Commission, representing."

Page 2, line 13, after the word "parties", insert "necessarily incurred for maintenance of Perry's Victory Memorial Monument, Put in Bay Island, Lake Erie, Ohio, prior to July 6, 1936, at which time control and management of said monument was transferred to the National Park Service of the Interior Department, pursuant to Presidential proclamation."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BOSTON CITY HOSPITAL ET AL.

The Clerk called the next bill, S. 2413, for the relief of the Boston City Hospital, Dr. Donald Munro, and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to pay, out of funds appropriated for medical care and treatment of officers, enlisted men, and civilian employees of the Army, to the Boston City Hospital, Boston, Mass., the sum of $585.67; to Dr. Donald Munro, the sum of $401; to Evelyn Burns, nurse, the sum of $460; to Catherine A. Brennan, nurse, the sum of $20; to Kathleen A. Conroy, nurse, the sum of $150; to Mary Gannon, nurse, the sum of $5; to Ethel Glennon, nurse, the sum of $245; to Margaret D. Gaven, nurse, the sum of $280; to Patricia V. Souser, nurse, the sum of $40; to Eleanor Sexton, nurse, the sum of $5; to Hazel Trott, nurse, the sum of $65; to Gladys Drake, nurse, the sum of $105; in all, $2,361.67, in full settlement of all claims against the Government of the United States for services and professional treatment rendered Lt. Paul A. Leahy, United States Army, during the period from August 2, 1935, to December 23, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all of the bill after the enacting clause through the date "1935" in line 9, page 2, and insert in lieu thereof the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury appropriated for medical care and treatment of officers, enlisted men, and civilian employees of the Army, to the Boston City Hospital of Boston, Mass., the sum of $585.67; to Dr. Donald Munro of Boston, Mass., the sum of $401; to Evelyn Burns, nurse, of Dorchester, Mass., the sum of $130; to Kathleen A. Conroy, nurse, of Boston, Mass., the sum of $120; to Ethel Glennon, nurse, of Atlantic, Mass., the sum of $215; to Margaret D. Gaven, nurse, of Cambridge, Mass., the sum of $245; to Patricia V. Souser, nurse, of South Boston, Mass., the sum of $25; to Hazel Trott, nurse, of Brookline, Mass., the sum of $45; to Gladys Drake, nurse, of Weymouth, Mass., the sum of $85; and to Paul A. Leahy, of Marblehead, Mass., the sum of $510; in all, $2,361.67, in full settlement of all claims against the United States for hospital, medical, and nursing services rendered Lt. Paul A. Leahy, United States Army, now retired, from August 2 to December 23, 1935, on account of personal injuries sustained by him while on authorized leave of absence from his post; and in full satisfaction of the claim of Paul A. Leahy against the United States for payments made by him in connection with said services."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act for the relief of the Boston City Hospital, and others."

E. E. TILLETT

The Clerk called the next bill, S. 2553, for the relief of E. E. Tillett.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That E. E. Tillett, field supervisor, Emergency Conservation Work, National Park Service, stationed at Honolulu, Territory of Hawaii, is hereby released from any liability to refund or pay to the United States the sum of $781.64, representing that portion of the total amount authorized by travel order dated June 3, 1935, to be paid by the Department of the Interior to the said E. E. Tillett for the cost of transportation from the District of Columbia to Honolulu, for traveling expenses, and for per diem allowance in lieu of subsistence expenses for the period from June 6, 1935, to October 31, 1935, which was disallowed by the General Accounting Office after payment. No deduction on account of the payment of such sum of $781.64 shall hereafter be made from any amount due or payable out of Government funds to the said E. E.

Tillett; and the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said E. E. Tillett a sum equal to the amount heretofore deducted or withheld on account of such payment, plus the sum of $575.50, representing that portion of the total amount authorized by travel order dated June 3, 1935, to be paid by the Department of the Interior to the said E. E. Tillett for traveling expenses and for per diem allowance in lieu of subsistence expenses for the period from November 1, 1935, to March 15, 1936, payment of which was disallowed by the General Accounting Office: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, and page 2, line 4, strike out the figures "$781.64" and insert "$774.64".

Page 2, lines 16 and 17, strike out "payment of which was disallowed by the General Accounting Office."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. JAMES CRAWFORD

The Clerk called the next bill (S. 2643) for the relief of Mr. and Mrs. James Crawford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to James Crawford and the sum of $1,500 to Mrs. James Crawford in full satisfaction of all their claims against the United States for damages resulting from personal injuries received by them when the wagon in which they were riding was struck from the rear, at a point about 4 miles east of Pendleton, Oreg., on the Old Oregon Trail Highway, by a Government truck being operated by an employee of the Forest Service, Department of Agriculture: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 5 and 6, strike out the figures and words "the sum of $500 to James Crawford and the sum of $1,500 to Mrs. James Crawford" and insert in lieu thereof "to Mr. and Mrs. James Crawford, of the Umatilla Indian Reservation, Oreg., the sums of $500 and $1,000, respectively."

Page 1, line 8, strike out the words "damages resulting from" and after the word "injuries" insert "and property damages."

Page 1, lines 11 and 12, strike out the word "Government."

Page 2,, after the word "Agriculture", insert "on August 31, 1936."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VERDE RIVER IRRIGATION AND POWER DISTRICT

The Clerk called the next bill, S. 3002, to authorize the Secretary of the Treasury to make settlement with the holders of certain unpaid notes and warrants of the Verde River Irrigation and Power District.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Emergency Administrator of Public Works is hereby authorized to pay, out of any unexpended fund under his control, not to exceed $46,024.41 in making settlements with the holders of the unpaid notes and warrants of the Verde River Irrigation and Power District issued in payment for property, services, or supplies furnished, in furtherance of the Verde reclamation project, Arizona, to the district during the period from November 2, 1933, when an allotment of $4,000,000 for the construction of the Verde project was authorized by the said Administrator, to October 3, 1934, when said allotment was canceled: *Provided*, That any expenditures of the district not incurred as a result of the proposed construction of said Verde reclamation project with funds of the Federal Emergency Administration of Public Works shall not be approved for payment under this act: *Provided further*, That in making said settlements with the holders of said notes and warrants, the Administrator shall consider the reasonable value of the services performed or materials furnished, for which said notes or warrants were given, and where said notes or warrants have been transferred by the original holders, the Administrator shall also consider the price or prices paid by the transferees.

With the following committee amendment:

Page 1, line 4, after the word "pay", insert "in full settlement of all such claims against the United States,".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act for the relief of the holders of the unpaid notes and warrants of the Verde River Irrigation and Power District, Arizona."

OUACHITA NATIONAL BANK OF MONROE, LA., ET AL.

The Clerk called the next bill, S. 3188, for the relief of the Ouachita National Bank of Monroe, La.; the Milner-Fuller, Inc., Monroe, La.; estate of John C. Bass, of Lake Providence, La.; Richard Bell, of Lake Providence, La.; and Mrs. Cluren Surles, of Lake Providence, La.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Ouachita National Bank of Monroe, La., the sum of $500; to the Milner-Fuller, Inc., of Monroe, La., the sum of $100; to the estate of John C. Bass, of Lake Providence, La., the sum of $170; to Richard Bell, of Lake Providence, La., the sum of $110, in full satisfaction of their claims against the United States for a refund of the value of 14 invalid postal money orders fraudulently issued from December 6, 1932, to December 22, 1932, by Harry G. Peek, former postmaster at Sondheimer, La., which sums have heretofore been paid to the United States: *Provided*, That the judgment against Mrs. Cluren Surles, of Lake Providence, La., based upon two money orders issued on December 15, 1932, in the amount of $180 be, and it is hereby, canceled: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. Nothing in this act shall be construed to prevent the recovery by the United States of funds embezzled by the said Harry G. Peek, or on money orders unlawfully issued by him, except those which are the subject of these claims.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. CHESTER A. SMITH

The Clerk called the next bill, S. 3227, for the relief of Mr. and Mrs. Chester A. Smith.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Mr. and Mrs. Chester A. Smith, of Englewood, Colo., parents and guardians of Melford Smith, in full settlement of all their claims against the United States on account of the death of their son, Melford Smith, who died as the result of injuries inflicted by a Federal prohibition officer, on November 7, 1931: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

In line 5, page 1, strike out the figures "$5,000" and insert "$3,000."

In line 7, page 1, strike out the words "parents and guardians of Melford Smith,".

In line 9, page 1, strike out the words "who died."

In line 10, page 1, after the word "officer", insert "while effecting his arrest,".

In line 11, after the date "1931", insert a comma and the words "at Englewood, Colo."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH D. SCHOOLFIELD

The Clerk called the bill (S. 3365) for the relief of Joseph D. Schoolfield.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of Joseph D. Schoolfield, of Greensboro, N. C., for disability alleged to have been incurred by him on March 5, 1930, while employed as chief, Income Tax Division, Bureau of Internal Revenue, Raleigh, N. C., and to determine said claim upon its merits under provisions of said act: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. C. DOORN

The Clerk called the bill (S. 2742) for the relief of Mrs. C. Doorn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws of the United States, relating to the issuance of immigration visas for admission to the United States and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, the provision of section 3 of the act of Congress of February 5, 1917 (39 Stat. 875), as amended (U. S. C. A., title 8, sec. 136 (n)), which excludes from admission into the United States persons who are natives of certain geographical zones described therein, and the provision of section 13 (c) of the Immigration Act of 1924 (43 Stat. 162), as amended (U. S. C. A., title 8, sec. 213 (c)), which excludes from admission to the United States persons who are ineligible to citizenship, shall not hereafter be held to apply to Mrs. C. Doorn, who is the wife of C. Doorn, a citizen of the United States; and said Mrs. C. Doorn, if otherwise admissible under the immigration laws, may be issued an immigration visa and may be granted admission to the United States upon application hereafter filed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE F. ANDERSON AND VERA D. ANDERSON

The Clerk called the bill (H. R. 5153) for the relief of George F. Anderson and Vera D. Anderson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George F. Anderson and Vera D. Anderson (husband and wife) of 6201 Middleton Avenue, Huntington Park, Calif., the sum of $8,857.29. Such sum shall be in full settlement of all claims against the United States for personal and property damages sustained by the said George F. Anderson and Vera D. Anderson as the result of George F. Anderson's automobile being struck by a Government-owned automobile operated by a former employee of the Prohibition Enforcement Unit by the name of Vern Lacy Woolman in the city of Los Angeles, Calif., on July 20, 1933.

With the following committee amendments:

In lines 6 and 7 strike out the words "(husband and wife), of 6201 Middleton Avenue," and insert "of."

In line 8 strike out the figures and words "$8,857.29. Such sum shall be" and insert "$3,315,".

In line 9, after the word "personal", insert "injuries sustained by said Vera D. Anderson."

In lines 10, 11, and 12 strike out the words "and Vera D. Anderson as the result of George F. Anderson's automobile being" and insert "when the automobile driven by Vera D. Anderson was."

In lines 13 and 14 strike out the words "former employee of the Prohibition Enforcement Unit, by the name of Vern Lacy Woolman," and insert "prohibition agent."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

HARRIS A. ALISTER

The Clerk called the bill (H. R. 6272) for the relief of Harris A. Alister.

There was no objection.

Mr. BOEHNE. Mr. Speaker, I ask unanimous consent to substitute the bill S. 2208, for the relief of Bruce G. Cox.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That Bruce G. Cox is hereby released from any liability to refund or pay to the United States any sum allowed or paid pursuant to dental authorizations issued and vouchers approved in his favor between April 1, 1926, and January 12, 1933. No deductions on account of any such sum shall be made from any amount due or payable out of Government funds to the said Bruce G. Cox. In case there has been heretofore withheld or deducted from any amounts otherwise payable out of Government funds to the said Bruce G. Cox any amount on account of any such sum, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Bruce G. Cox a sum equal to the amount so withheld or deducted.

Mr. BOEHNE. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That Dr. Bruce G. Cox, former dental examiner for the Veterans' Administration at Evansville, Ind., is hereby released from any liability to refund or pay to the United States any sum allowed or paid pursuant to dental authorizations issued and vouchers approved in his favor between April 1, 1926, and January 12, 1933. No deductions on account of any such sum shall be made from any amount due or payable out of Government funds to the said Bruce G. Cox. In case there has been heretofore withheld or deducted from any amounts otherwise payable out of Government funds to the said Bruce G. Cox any amount on account of any such sum, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Bruce G. Cox a sum equal to the amount so withheld or deducted.

"Harris A. Alister, chief dental officer, Veterans' Administration, is hereby released from any liability to refund or pay to the United States any sum allowed or paid pursuant to dental authorizations issued and vouchers approved in favor of Dr. Bruce G. Cox between April 1, 1926, and January 12, 1933. No deductions on account of any such sum shall hereafter be made from any amount due or payable out of Government funds to the said Harris A. Alister, and no part of the liability of said Harris A. Alister shall be transferred to any other person after approval of this act: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Harris A. Alister a sum equal to the amount withheld by the Veterans' Administration from his pay prior to approval of this act."

Amend the title so as to read: "A bill for the relief of Bruce G. Cox and Harris A. Alister."

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

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

JOHN LAWSON

The Clerk called the bill (H. R. 9084) for the relief of John Lawson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John Lawson,

the sum of $1,548.50, in full settlement of all claims against the United States, and in settlement of the judgments obtained against Frank Thurman in the Circuit Court for Sevier County, Tenn., as a result of personal injuries sustained by John Lawson when the car in which he was riding was struck by a Forest Service truck, driven by said Frank Thurman, an employee of the Civilian Conservation Corps, on State Highway No. 71, near Sevierville, Tenn., November 29, 1937.

With the following committee amendments:

In lines 5 and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps," and insert "not otherwise appropriated."

In line 7, after the name "Lawson" insert a comma and the words "of Wears Valley, Sevier County, Tenn."

In line 7, after the figures "$1,548.50" insert "and to Roy Webb, of Wears Valley, Sevier County, Tenn., the sum of $412.67."

In lines 8, 9, and 10, strike out the words "and in settlement of the judgments obtained against Frank Thurman in the circuit court for Sevier County, Tenn.," and insert "or Frank Thurman."

In line 10, also, after the word "injuries" insert "and property damage."

In line 11, strike out the name "John Lawson" and insert "them."

In line 11, also, strike out the words "he was" and insert "they were."

In line 12, strike out the name "Forest" and insert "National Park."

In line 15, strike out the date "November 29, 1937," and add: "September 8, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of John Lawson and Roy Webb."

A motion to reconsider the vote by which the bill was passed was laid on the table.

READ MACHINERY CO., INC.

The Clerk called the bill (H. R. 9215) for the relief of the Read Machinery Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Read Machinery Co., Inc., York, Pa., the sum of $278.49. Such sum represents that portion of the amount of liquidated damages deducted from the contract price of a machine on account of delay in delivery thereof to the Bureau of Chemistry and Soils, Department of Agriculture.

With the following committee amendments:

In line 7, strike out the period after the figures, insert a comma, strike out the words "Such sum represents that portion" and insert "in full satisfaction of its claim against the United States for a refund."

In line 9, after the word "of", insert "29 days."

At the end of the bill, strike out the period, insert a comma, and add: "which delay was due to causes beyond the control of said company: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN F. FITZGERALD

The Clerk called the bill (S. 2051) for the relief of John F. Fitzgerald.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John F. Fitzgerald, of Brattleboro, Vt., the sum of $150, such sum representing the amount tendered by him for the purpose of compromising a claim for taxes under section 701 of the Revenue Act of 1926, such tender having been made by said John F. Fitzgerald before, but not having been accepted by the Department of Justice, until after, such section was held unconstitutional: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the words "such sum representing" and insert in lieu thereof "in full satisfaction of his claim against the United States for a refund of".

Page 1, line 11, strike out the word "after," and insert "January 13, 1936, after".

Page 1, line 11, also, after the word "unconstitutional" insert "by the Supreme Court of the United States on December 9, 1935".

The committee amendments were agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BLUE RAPIDS GRAVEL CO.

The Clerk called the next bill, S. 2566, for the relief of the Blue Rapids Gravel Co., of Blue Rapids, Kans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the Blue Rapids Gravel Co., of Blue Rapids, Kans., the sum of $350.40, in full settlement of all claims against the Government for the rental of and damage to certain pumps and related equipment loaned to the Civilian Conservation Corps camp at Seneca, Kans., on or about May 30, 1935, upon the solicitation of R. H. Pennartz, then in charge of the camp, said equipment having been kept and used until March 11, 1936, a period of 9 months and 11 days: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 4, 5, and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and insert "in the Treasury not otherwise appropriated."

Page 1, line 8, strike out the word "Government" and insert "United States."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORVILLE D. DAVIS

The Clerk called the next bill, S. 2956, for the relief of Orville D. Davis.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Orville D. Davis, of Leavenworth, Kans., the sum of $1,500 in full and final settlement of any and all claims against the United States for permanent injuries received as a result of being shot in the foot during a gun battle between Federal agents and bandits in the post-office building at Topeka, Kans., on April 16, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LILLIE LISTON, ET AL.

The Clerk called the next bill, S. 3111, for the relief of the estate of Lillie Liston and Mr. and Mrs. B. W. Trent.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jeff G. Liston, of Roswell, N. Mex., as administrator of the estate of Lillie Liston, late of Roswell, N. Mex., the sum of $5,435, in full satisfaction of all claims of such estate against the United States for damages resulting from the death of the said Lillie Liston in a collision between the truck in which she was riding, owned and operated by B. W. Trent, of Roswell, N. Mex., and an Indian Service truck operated by Nathan Head, an employee of the Mescalero Apache Indian Agency, such collision having occurred at a point on the highway between Alamogordo, N. Mex., and El Paso, Tex., about 6½ miles north of Oro Grande, N. Mex., on August 11, 1937.

SEC. 2. That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. B. W. Trent, of Roswell, N. Mex., the sum of $1,600, in full satisfaction of all their claims against the United States for damages resulting from property damage and personal injuries sustained by them when their truck, operated by the said B. W. Trent, was struck by an Indian Service truck operated by Nathan Head, an employee of the Mescalero Apache Indian Agency, at a point on the highway between Alamogordo, N. Mex., and El Paso, Tex., about 6½ miles north of Oro Grande, N. Mex., on August 11, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out the figures "$5,435" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRIFFITH L. OWENS

The Clerk called the next bill, S. 3215, for the relief of Griffith L. Owens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of Griffith L. Owens, of Poultney, Vt., for disability alleged to have been incurred by him on September 6, 1935, while enrolled in the Civilian Conservation Corps, Company 166, Camp 2136, Peru, Vt.: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the enactment of this act.

With the following committee amendment:

Page 1, line 8, after the word "amended" insert "and as limited by the act of February 15, 1934 (48 Stat. 351)."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY HOVARTH

The Clerk called the next bill, H. R. 8049, to provide for the admission into the United States of Mary Hovarth, an alien.

Mr. MOTT and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

JOHN PATRICK TOTH

The Clerk called the next bill, H. R. 10136, for the relief of John Patrick Toth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against John Patrick Toth heretofore issued on the grounds that admission to the United States had been fraudulently gained, and that he shall hereafter be deemed to have been lawfully admitted to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTHOULA S. MASKAS

The Clerk called the next bill, H. R. 10286, for the relief of Anthoula S. Maskas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Anthoula S. Maskas heretofore issued on the grounds that admission to the United States had been fraudulently gained, and that she shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEWIS LEONARD WOOD

The Clerk called the next bill, S. 1673, for the relief of Lewis Leonard Wood and Winifred Wood.

Mr. MOTT and Mr. HANCOCK of New York objected; and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

DEPENDENTS OF ROBERT E. VAN METER

The Clerk called the next bill, S. 3223, for the relief of the dependents of the late Lt. Robert E. Van Meter, United States Navy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the death of the late Lt. Robert E. Van Meter, United States Navy, which occurred on July 25, 1937, shall be held and considered to have occurred in line of duty.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN F. FAHEY

The Clerk called the next bill, S. 2985, for the relief of John F. Fahey, United States Marine Corps, retired.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 2 of the act approved May 23, 1930 (46 Stat. 375; U. S. C., title 34, sec. 790), John F. Fahey, sergeant, United States Marine Corps, retired, shall be held and considered to have completed 30 years' service, including service in the United States Marine Corps, including double time for service in the Philippine Islands, Panama, and Cuba, and including time in the Fleet Marine Corps Reserve, for the purpose of transfer to the retired list of the United States Marine Corps, on April 5, 1927, and the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said John F. Fahey the sum of $693, which sum represents allowances at $15.75 per month, covering the period from April 5, 1927, to and including December 31, 1930, authorized by existing law (34 Stat. 1217; U. S. C., title 34, sec. 431) to be paid to enlisted men upon transfer to the retired list of the Marine Corps upon completion of 30 years' service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERMAN F. KRAFFT

The Clerk called the next bill, S. 3040, for the relief of Herman F. Krafft.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Herman F. Krafft, formerly a professor at the United States Naval Academy for a period of 25 years, the sum of $100 per month for the remainder of his life, beginning with the month in which this act is approved, to be paid out of the Treasury from funds not otherwise appropriated.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED G. LEITH

The Clerk called the next bill, H. R. 7167, to provide for the promotion on the retired list of the Navy of Fred G. Leith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States is authorized, by and with the advice and consent of the Senate, to appoint Fred G. Leith (chief pharmacist's mate, United States Navy, retired) as a lieutenant, junior grade, United States Navy. The President is authorized, immediately upon such appointment, to place the said Fred G. Leith on the retired list with the rank, retired pay, and emoluments of a lieutenant, junior grade, United States Navy.

With the following committee amendments:

Page 1, line 9, after the word "rank", strike out "retired pay and emoluments."

Page 2, line 1, after the word "Navy" insert a colon and the following: "*Provided*, That he shall not receive any increase in retired pay, allowances, or other benefits as the result of the passage of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. VALLIE M. CURRENT

The Clerk called the next bill, H. R. 8571, granting 6 months' pay to Mrs. Vallie M. Current.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Vallie M. Current, dependent mother of John Robert Chandler, deceased, engineer, second class, U. S. S. *Vestal*, the sum of $480, an amount equal to 6 months' pay, as back pay.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the current appropriation 'Pay, Subsistence, and Transportation of Naval Personnel', to Mrs. Vallie M. Current, mother of the late John R. Chandler, engineman, second class, United States Navy, an amount equal to 6 months' pay at the rate the late John R. Chandler was receiving at the date of his death: *Provided*, That Mrs. Vallie M. Current shall establish to the satisfaction of the Secretary of the Navy that she was actually dependent upon her late son at the time of his death, and the determination of the fact of such dependency by the Secretary of the Navy shall be final and conclusive upon the accounting officers of the Government."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LILLY BUNDGARD AND GLORIA BUNDGARD

The Clerk called the next bill, H. R. 2779, for the relief of Lilly Bundgard and Gloria Bundgard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lilly Bundgard and her daughter, Gloria Bundgard, of San Francisco, Calif., the sum of $1,450 for damages sustained on February 15, 1931, when they were injured in a collision with United States Army truck No. U. S. A. 001554.

With the following committee amendments:

Page 1, line 5, after the word "Bundgard", strike out "and her daughter" and insert "of San Francisco, the sum of $750, and to."

Page 1, line 8, strike out "$1,450 for damages" and insert "$100, in full settlement of their claims against the United States for personal injuries."

Page 1, line 10, after the word "when", strike out the balance of the line and all of line 11 and the figures "001554", on page 2, and insert the following: "the automobile in which they were riding was struck by a United States Army truck at the intersection of Cabrillo Street with Twenty-fourth Avenue, San Francisco, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DERBY OIL CO.

The Clerk called the next bill, H. R. 6753, for the relief of the Derby Oil Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Derby Oil Co., Wichita, Kans., the sum of $2,467.80. Such sum represents the loss sustained by the Derby Oil Co., through typographical error in bid price of grade V–75 gasoline, on shipments of gasoline totaling 164,520 gallons to Civilian Conservation Corps Quartermaster, Fort Knox, Ky., and Quartermaster, Fort Knox, Ky., under contract Tps–10033, dated December 17, 1935.

With the following committee amendments:

Page 1, line 6, strike out "$2,467.80. Such sum represents" and insert "$2,467.80 in full settlement of all claims against the United States for."

Page 2, line 3, after "1935", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CURTISS AEROPLANE & MOTOR CO., INC.

The Clerk called the next bill, H. R. 7143, for the relief of the Curtiss Aeroplane & Motor Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Curtiss Aeroplane & Motor Co., Inc., the sum of $21,660.97. Such sum represents additional costs incurred by such corporation in the performance of contracts with the Department of the Navy dated June 30, 1932 (contract No. NOs–27648), November 23, 1932 (contract No. NOs–29274), February 7, 1933 (contract No. NOs–30244), May 31, 1933 (contract No. NOs–31602), and June 19, 1933 (contract No. NOs–31827).

With the following committee amendments:

Page 1, line 6, after the word "Incorporated," insert "of Buffalo, N. Y."

Page 1, line 7, strike out "$21,660.97. Such sum represents" and insert "$21,660.93 in full satisfaction of its claims against the United States for."

Page 1, line 9, after the word "corporation", insert "as the result of the compliance with the President's reemployment agreement, promulgated pursuant to the National Industrial Recovery Act."

Page 2, line 8, after "NOs–31827)" insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED JOHNSON

The Clerk called the next bill, H. R. 7198, for the relief of Fred Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,000 to Fred Johnson, to reimburse him for personal injuries and financial loss sustained by him as a result of an automobile accident in the city of Little Rock, Ark., on August 13, 1931, while he was a Federal prisoner in the custody of and riding in the car with officials of the Department of Justice of the United States.

With the following committee amendments:

Page 1, line 5, after the word "appropriated", strike out the balance of the line and all of lines 6 and 7 and insert the following: "To Fred Johnson, of Ben Hur, Ark., the sum of $2,000, in full satisfaction of his claim against the United States for personal injuries."

Page 2, line 1, strike out "with officials" and insert "driven by a prohibition agent."

Page 2, line 2, strike out "Justice of the United States" and insert "Justice: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK B. DECKER

The Clerk called the next bill, H. R. 7607, for the relief of Frank B. Decker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank B. Decker, the sum of $250 in full compensation and settlement for all claims and demands of Frank B. Decker growing out of, or arising from, injuries suffered by him at the Corvallis, Oreg., post office on April 13, 1933.

With the following committee amendments:

Page 1, after line 5, insert "of Corvallis, Oreg."

Page 1, line 6, strike out "compensation" and all of lines 7, 8, and 9, and insert "satisfaction of his claim against the United States for personal injuries sustained when he fell as a result of the hazardous condition of the steps at the main entrance of the."

Page 2, line 1, after "1933" insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT DOTY

The Clerk called the next bill, H. R. 8492, for the relief of Robert Doty.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert Doty, the sum of $500 in full settlement of all claims against the United States for personal injuries sustained through a collision with a Chevrolet automobile driven by a Works Progress Administration employee in pursuit of official duties, in Unionville, Conn., on September 9, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the word "to", insert "the legal guardian of."

Page 1, line 6, after "Doty", insert "a minor, of Unionville, Conn."

Page 1, line 8, strike out "through a collision with a Chevrolet" and insert "by him when struck by an."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Robert Doty, a minor."

SECURITY ADMINISTRATION

The Clerk called the next bill, H. R. 8673, for the relief of certain persons at certain projects of the Farm Security Administration, United States Department of Agriculture.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the case of any person who was employed prior to June 30, 1935, at one of the following projects of the Farm Security Administration of the United States Department of Agriculture, formerly under the jurisdiction of the Division of Subsistence Homesteads of the United States Department of the Interior: Cumberland Homesteads, Crossville, Tenn.; Tygart Valley Homesteads, Elkins, W. Va.; Westmoreland Homesteads, Greensburg, Pa., and from whose wages there have been withheld any sums in pursuance of the operation of a so-called credit-hour system at such projects, the Secretary of the Treasury is authorized and directed to pay to such person, out of any money in the Treasury not otherwise appropriated, upon the certification of the Secretary of Agriculture, a sum equal to the amounts so withheld: *Provided, however*, That there shall be deducted from such payments (for disposition as receipts derived from the operation of projects, as authorized by section 3 of the act of June 29, 1936 (49 Stat. 2035)), the amounts, as certified by the Secretary of Agriculture, of any current indebtedness to the United States in connection with such projects, and of any past indebtedness for which credit has been allowed to such person in the form of rent for occupancy or payments toward the purchase price of any homestead at such projects: *Provided further*, That in the case of any such person who has voluntarily withdrawn or has been dismissed from one of such projects, and who has received any cash settlement on account of accrued credit hours, there shall be deducted from such payments a sum equal to the amount of such cash settlement.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

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

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

There was no objection.

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent that the call of bills on the Private Calendar on tomorrow may be dispensed with.

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

There was no objection.

ELIZABETH VRESH ET AL.

Mr. GILDEA. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6820) for the relief of Elizabeth Vresh (Yalga Vres), her son, Frederick Vresh, and her daughter, Sylvia Vresh Bronowitz. This bill was objected to through a misunderstanding of fact.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOTT. Mr. Speaker, I should like to hear the bill read. It sounds like one to which I objected.

The SPEAKER pro tempore. The Chair is not sure that he understands what has been requested. The Chair was under the impression, from talking with the gentleman from Pennsylvania [Mr. DEMUTH], that this bill was on the Consent Calendar, that its consideration at this time was perfectly agreeable to the Members who objected when it was considered before, and that the bill would not be objected

to at this time. The Chair now finds that the bill was on the Private Calendar, was objected to, and recommitted to the Committee on Immigration and Naturalization, and was reported by that committee in an omnibus bill which is now pending in the House. Frankly, the Chair is unable to understand the present request.

Mr. DEMUTH. Mr. Speaker, cannot the bill be brought up by unanimous consent?

The SPEAKER pro tempore. The bill can be considered by unanimous consent.

Mr. MARTIN of Massachusetts. Mr. Speaker, under the conditions, I believe I shall object.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. MARTIN of Massachusetts. I withhold the objection, Mr. Speaker.

Mr. DICKSTEIN. Mr. Speaker, I understand when this bill was objected to there was some misunderstanding of the facts. We all agree this is a bill that has nothing to do with any fraud, upon which to base any objections. This is a unanimous-consent request for the present consideration of the bill.

Mr. MARTIN of Massachusetts. I believe it would probably be better to call up the bill tomorrow or sometime when we have had a chance to look into it.

Mr. DEMUTH. The Members on both the Republican side and on the Democratic side have recognized that they made an error in objecting to the bill, and they agree to its passage.

Mr. MARTIN of Massachusetts. Apparently they do not agree to it.

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

Mr. MARTIN of Massachusetts. I object, Mr. Speaker.

EXTENSION OF REMARKS

Mr. SCHNEIDER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a statement by Mr. A. C. Weinfeld, author and contributor to leading law journals, on the child-labor provisions of the wage-hour bill. I also ask unanimous consent, Mr. Speaker, to have printed in the RECORD a letter written by myself to the President and to the Secretary of State with regard to reciprocal-trade agreements.

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

There was no objection.

Mr. ECKERT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include therein excerpts from an article on the causes of business depression, by Henry George.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FLETCHER. Mr. Speaker, I ask unanimous consent that on Thursday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

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

There was no objection.

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Nebraska [Mr. BINDERUP] is recognized for 30 minutes.

GOVERNMENT MONETARY CONTROL

Mr. BINDERUP. Mr. Speaker and Members of Congress, I desire very much today to have permission to continue my remarks until I shall have finished, when I will be glad to answer any questions.

Congress for a number of years has had three men in Washington to whom they have gone for all their advice on monetary matters, but these three men have now given up, regardless of the words of President Roosevelt, who said:

> Let us refuse to leave the problems of our economic welfare to be solved by the winds of chance and the hurricanes of disaster. Let us not admit that we cannot find a way to master economic epidemics.

I refer to Mr. Marriner Eccles, Chairman of the Board of Governors of the Federal Reserve Board, when asked if he did not believe there was some possible way to solve these terrible epidemics of depressions, and he replied, "I do not know of any way."

And Mr. Henry Morgenthau, the Secretary of the Treasury, when asked by me what plan he had to bring this country out of this depression, hesitated for a time and then said, "Get labor to come down in their wages." He finally, however, confined this to just bricklayers. And asked if he had no other remedy replied, "Yes; balance the Budget." I do not like to criticize, so please be your own judge.

And Senator CARTER GLASS, of Virigina, who claims to be the father of the present Federal Reserve Banking System, lamenting his miserable, crippled offspring, that, according to his own words in the public press, has developed into a wayward overgrown wreck, regardless of the careful care he bestowed for years, said, "I had never thought the Federal Reserve Banking System would prove such a failure."

And when things grew really serious a few weeks ago, and the price level had fallen almost as low as 1933, he packed his knapsack and went home. And so Congress, like Senator CARTER GLASS, is getting ready to pack its knapsack and go home, discouraged, just like Mr. GLASS; and the remark of this Senator would not be untimely if uttered by every Senator and Representative, or even by our President Roosevelt.

What a criminal record has the Federal Reserve Board of this Senator would not be untimely if uttered by every earned a place in the front ranks of the rogues' gallery for three of the worst panics this Nation has ever had to endure, which were caused intentionally, deliberately, and premeditatedly by the Federal Reserve Board and the Federal Reserve banks. And I refer to the panics of 1920, 1929, and 1937. But all credit is due to Mr. Marriner Eccles, Chairman of the Board of Governors of the Federal Reserve banks, for he frankly admits, both in public and in private, that he and his Board created our present depression of 1937, which has been termed "recession"—that does not sound so bad. These three depressions have caused more misery and want, more starvation and deprivation, more bread lines and soup kitchens, than were caused by any war. How long, O Lord—and I say it religiously—how long will the people continue the destruction of our great Nation? How long before the people will awaken to the fact that they have been robbed of their constitutional right to own, manage, and control their own money—that measures the sweat of the brow of man?

But let us analyze this period of criminal management. Why did this happen, and why did the Federal Reserve Board of the Federal Reserve banks so utterly and miserably fail? There is but one reason. Because they have stubbornly and persistently insisted on going into partnership with Wall Street financiers and international bankers, and refused to consider a partnership with the people. This, however, is as great a reflection on Congress as it is on the Board, as we have utterly failed to give to the Board positive instructions as to the method we desired used. We merely expressed a wish and then said, "Here, you Federal Reserve Board, just fix it up for us." But I say again, whenever we want any reform in our monetary system we ask the Federal Reserve Board to come in and tell Congress just what they want and they invariably get it so they might have suggested a plan of trading partnerships, and substituted the people in place of Wall Street. Where the Federal Reserve Board has failed mostly is in expanding our money supply, as in doing this they had to hand 99 percent of their monetary authority to Wall Street, who are more interested in money scarcity than a sufficient amount.

I ask, Why not the people? Why not let them distribute their own money by spending it into circulation in place of

asking the people to pay a ransom for the release of their money kidnaped by Wall Street and international bankers? Evidently, from the many questions asked, I have not yet made plain the plan for 100-percent reserves back of demand deposits. So I will again explain in just a few words. Today the 15,000 banks in the United States have just about enough cash stored in the Federal Reserve bank vaults and Government bonds on hand to balance with 100-percent reserves back of demand deposits. Now, as this cash belongs to the demand bank depositors, it is the people's money, and the bonds have all been bought for the cash also belonging to the depositors, payable on demand, so these bonds also belong to the people. Our bill for Government monetary control virtually says to the banks, "You have failed 27 times and deprived the people of billions of their hard-earned money and bankrupted the Nation, but we know it was not your fault individually. It was caused by a rotten, corrupt banking system. Now, we do not want to work the slightest hardship on you banks. We recognize the importance of banks in every city, town, and hamlet to expedite the speedy exchange of money and credit, but we will just hold the people's deposits in our 12 regional banks. Now, by this bill, subtreasuries of the people can keep right on checking as always. We just hold the cash for you, as was the original intention, and as we take over this money and bonds we release you entirely from any personal liability to your demand depositors, and we now assume this responsibility.

You can make a service charge for handling checks as you ought to and as most banks do now. Your banks are not now getting any interest on this money stored in bank vaults belonging to the people, so you lose nothing by letting your Government store it for you; and you can continue drawing the interest on your depositors' bonds until they are due, but when due we will continue holding these bonds, as you received payment in full when we assumed your liability to your depositors. There has merely been a switching of credits. That is what we call a fountain-pen deal. These bonds were originally bought with fountain-pen money and they are now paid in the same way, with fountain-pen money. Just a switching of credits; and when the bonds are due, well, all the difference it will make is that we will just quit paying you interest on the bonds, and you could not expect any more. You are now holding about fifteen billions of these bonds that you bought for the people's money that we will take over, so automatically, as these bonds are due, they are paid or held by the people in their own Federal Reserve banks. So, we will just burn up these bonds and there will remain in the 12 Federal Reserve banks the people's credit that we, the people, will continue checking on and there is nothing new about this. Ninety-seven percent of our money has been checkbook money for years. The only difference is that now you check on Uncle Sam's credit where formerly you checked on the bank's credit, and there is another difference, too. Now you are paying the banks $1,000,000,000 a year for checking on their credit and checking on the Nation's credit through your banks as always, but based on Uncle Sam's credit, is not costing a cent. And thus the Nation assumes its own debt and the terrible indebtedness of the Nation that has been a nightmare to so many of us is wiped out with a fountain pen.

And not a soul in the Nation could say one word against it. Not a soul has been wronged and not a soul has lost a cent, and the people have gained almost forty billions of dollars, and saved a billion dollars a year in interest. But someone will ask, how about the bonds that the banks are not holding? How will we pay these? Well, all bonds held outside of the banks will gradually be syphoned in through the banks, for as we retire bonds when due the banks can buy bonds from Tom, Dick, and Harry, as under our monetary bill the banks may hold the same amount of bonds to their credit in our Federal Reserve banks as they have when this bill is passed, and as the banks would rather hold bonds drawing interest than cash drawing no interest, their quota will always be held full until the entire amount of United States bonds are due and paid. And the nightmare of our public debt shall have vanished like the dew before the summer sun. And there shall be no more booms and depressions. There shall be no more bank failures, no more worry about losing a little money laid aside for old age, and it shall be the morning of a decent, honest, and righteous monetary system, and the people shall be supreme and their banks shall enjoy a great and lasting prosperity, with agriculture and industry. Yes, truly, the pen is mightier than the sword.

Now, Members of Congress, I challenge anyone to dispute the philosophy of this righteous bill for monetary control by our Government. I challenge Wall Street and international bankers to dispute one single principle. Oh, I know what they will say. It will be the same old cry. "The Government cannot run its money business, but we, the banks, can." Even though they have bankrupted us 27 times in the short lifetime of our Uncle Sam, they still have the unprecedented nerve to say that they can run our money business.

But you ask me how we will distribute the amount of new money into the veins and arteries of trade and commerce that is necessary in order to keep up with the growth of Uncle Sam in increased population of about a million a year, and the creation of new industries, creating a demand for money to keep the reservoir full. First, we know that it will require a little more than one and a half billion dollars a year to do this, so we will pay directly to all needy people over 60 years of age—widows, orphans, blind, cripples, and invalids—$50 per month. This will today require exactly $1,602,000,000 a year, just about the right amount to keep up with the growth of Uncle Sam. So we will just send a wire to each of the 12 Government Federal Reserve banks and say to each one of them, "Put down figures on your book, credit to the social-security account for old-age pensions, $135,000,000," and we will say to the Social Security Administration, "Check on the Federal Reserve bank in your district for the amount necessary to pay out social-security payments for 1 year." Now, there is nothing new about this. About 2 months ago we decided to distribute $1,400,000,000 to be used by our Government.

So we wired each one of the private-banker-owned Federal Reserve banks a certain part of this amount and said to these 12 private banks, "Put these figures down on your books. Give Uncle Sam credit and we will give you a mortgage on some gold down in a hole in Kentucky, but you cannot have the gold. If you take it you will go to jail, for we have conscripted all gold, but you can take this mortgage and although all Uncle Sam got was a checking privilege for which he must pay thousands of dollars a year, you can take this $1,400,000,000 gold mortgage and we will allow you to issue Federal Reserve notes—paper money—to the amount of over $28,000,000,000 by laying beside this mortgage on gold commercial paper. So we donated to the banks this profit of $26,600,000,000. But we have done much more than that even in the last 4 years. We have given the banks about eleven billions in another privilege of creating the Nation's money. All this is explained in Uncle Sam's Hospital Chart I have sent you.

Suppose we had given this privilege to the farmers or to the laboring people. Can you imagine the stir and front-page news? And yet this gift to the banks was scarcely mentioned in the public press. Some one has a way of keeping these facts still. And now we just say the same thing, send the same kind of message to the same banks, only they are now Government banks or clearing houses. The only difference is we pay nothing for checking on them, as they are now just what they were intended to be when the Federal Reserve Act was originally contemplated. And these checks given to social-security recipients continue as at present to flow in and out of all of the 15,000 banks in the Nation, a mere debit-and-credit system, a bookkeeping system as at present, only they are controlled as to volume and velocity by our monetary authority interested in maintaining

our price level that robs neither the creditor nor the debtor and puts into circulation just enough money each day to do the job.

An example. You receive a check for $50, deposit it in your bank, and you start checking on this check. Give a check to John, he deposits his check and starts checking, and so forth, just as today. The same kind of circulating medium as now, that constitutes 97 percent of our money supply. And it is a splendid way, just so it is controlled by the Government.

Our bill for monetary control also provides for $1,000,000,000 a year for establishing farm homes. We will probably use several billion dollars a year for this purpose; as if we are to again achieve the 1926 price level we have a sum of over $14,000,000,000 that we have failed to get into circulation since 1926. This money must be put into circulation among the lower-income group also, and there is no better plan than establishing our people once more on their own farms. My bill provides that we will furnish not to exceed $8,000, with 1½ percent payment on principal and 1½ percent interest, for each worthy applicant who can show he actually knows farming and has had a number of years experience, either as a farm owner, renter, or hired man. The bill further provides that the title to this land shall remain in the name of Uncle Sam until it is half paid for, that Uncle Sam may be safe, when a deed shall be given and we take a mortgage back for the balance. This automatically means that the farm will be tax-free for the first 20 years, thus helping our young men and women get homes, and rehabilitating our former farm owners who lost their farms when our Government fumbled and failed in protecting its citizens in the three last banker-created depressions. And, further, it leaves the title in Uncle Sam's name so there will be no trafficking in these homes for 20 years and also so that those unfortunate ones who contracted debts they have been unable to pay, through no fault of their own will not be molested until they can pay.

The elastic part of the bill is taking over bonds from the banks, so in this case it is optional with our monetary authority whether they will reissue the bonds or take them over and let the banker go into the market and buy up other bonds, as whenever the banks do this they put more credit or money out into circulation.

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

Mr. BINDERUP. Yes.

Mr. FLETCHER. The gentleman said that Mr. Eccles did this in order to save the banks, instead of the people. If he had followed the action the gentleman suggests, he would have saved both the banks and the people? Will the gentleman explain that?

Mr. BINDERUP. Yes; I shall be glad to explain it. If prosperity had continued and industrial bonds had gone up in price, and the Government bonds issued at a cheap rate of interest had continued flooding the market, the price of the Government bonds would fall, as they did in that first part of 1937. The banks held about $20,000,000,000 of these bonds, and a fall of just 10 points—and we have had more than that at different times—would have caused the banks a loss of $2,000,000,000. That would have caused every bank in the United States to fail, and we would have had another panic. In other words, if we had continued prosperity, your banks would have failed, and brought you down, and if you did not have prosperity the people would have gone broke.

Mr. FLETCHER. I do not quite understand. It seems there is but one choice; either the banks or the people must go.

Mr. BINDERUP. Yes; and so, if you please, we saved the banks in 1937, and the banks are stable today. They are loaded with dormant bank deposits today, and we sacrificed the people to do that, with unemployment, more than we ever had before; and with a lower price level of commodities and labor and grain and everything. We "busted" the railroads, and are breaking the farmers and the factories. We saved the banks, but we destroyed the Nation.

Mr. FLETCHER. And if the banks had not been saved, could the people have been saved?

Mr. BINDERUP. No; we would have "busted" everyone. If all of the banks, 15,000, went broke, it would have brought havoc upon us just the same. It is the same financial system that we have been pursuing that has brought us into the nine hole, and there is only one way out of it, namely, the principles in the bill I am presenting. It takes care of the bonds of the United States and all of the things that brought us to destruction again in 1937.

Mr. FLETCHER. And unless something is done, this same tragedy must recur at certain periods?

Mr. BINDERUP. Yes. Be assured of that. The twenty-seventh will not be the last, and each panic becomes worse and worse.

Mr. FLETCHER. It is either save the banks and cause the people to lose, or save the people and cause the banks to lose; and in either event, everybody loses.

Mr. BINDERUP. That is true, and the bill that I am presenting to you contains a plan whereby you can save the banks and the people, too, when the people take charge of their economic system in place of leaving it to the banks.

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

Mr. BINDERUP. Yes.

Mr. OLIVER. Do I understand from the gentleman's remarks that it follows inevitably when the industrial price level rises, Government bonds necessarily depreciate?

Mr. BINDERUP. They do, of course, more now than before, because we have sold our Government bonds at a cheaper rate of interest than ever before. That is true to that extent, and they always do fall more or less. You will always find when you have prosperity that there is no great demand for bonds, but when we have depressions as we do now, there is no other safe investment. The dollar is the best investment, so we buy bonds or put our money in bank vaults or a stock.

Mr. OLIVER. Is it not possible for the Government to call the purchase of these bonds, when there is danger of the price dropping below par?

Mr. BINDERUP. That is what they did in 1937, but when it comes to the Government calling $40,000,000,000 of bonds, or even a tenth of it, it becomes absolutely impossible for the Government to do it.

Mr. OLIVER. How does the gentleman's bill meet that situation?

Mr. BINDERUP. How do we meet the situation? In the first place, my bill provides that the banks cannot have any more bonds than they have at the time the bill is enacted into law, that they cannot juggle their bonds back and forth, that they cannot buy and sell because we hold their Government bonds in trust for their depositors, and retire all bonds or reissue them as they become due.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield at that point?

Mr. BINDERUP. I yield with pleasure to the gentleman from Michigan.

Mr. CRAWFORD. In other words, if in the bank's portfolio there are bonds of the Treasury Department to the extent of 100 percent of the reserves there would be no bonds to buy.

Mr. BINDERUP. The gentleman is correct in his statement.

Mr. CRAWFORD. Therefore there would be no inclination for the bond price to drop, because nothing is being offered.

Mr. BINDERUP. That is true.

Mr. CRAWFORD. So that trouble is definitely removed.

Mr. BINDERUP. I thank the gentleman from Michigan for his reference to the point I was trying to make more clear. I have stated we are short $20,000,000,000. But I fear putting $20,000,000,000 into circulation. I am afraid of establishing a price level so high that we cannot maintain it. Consequently in my bill I start mildly and in my program

I take a billion dollars in resettlement. If this consequently turns loose too fast, we have not overexpanded at this time and we can control it.

Mr. MURDOCK of Arizona. Will the gentleman yield?

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

Mr. MURDOCK of Arizona. I understand the gentleman's desire to put this purchasing power down below, as he says, to meet the needs of the common people. Do I understand that your measure would put more than a billion dollars of new money into old-age pensions at the rate of $50 a month?

Mr. BINDERUP. Yes; $1,602,000,000. That is what it would take, according to the estimate of the Social Security Board, for the helpless.

Mr. MURDOCK of Arizona. That includes the children who are dependents?

Mr. BINDERUP. Orphans, cripples, the blind, and the invalid, besides the old people.

Mr. MURDOCK of Arizona. Would the gentleman go further than that or is that sufficient? I am interested in a proper treatment of both classes.

Mr. BINDERUP. No; that is sufficient. That is the normal increase in Uncle Sam, which is 4 percent, and that always takes care of the old-age pension. It is only the part which relates to farm resettlement [indicating on the chart] that we are going to regulate, whether we take a billion dollars a year or $2,000,000,000 a year. That will be governed, as I say, by the amount of velocity we create, but always according to our price level so that we rob neither debtor nor creditor.

Mr. CRAWFORD. Will the gentleman yield?

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

Mr. CRAWFORD. When the gentleman states that is sufficient, he has in mind, I believe, that is sufficient provided hoarding does not move up as rapidly as you put that in?

Mr. BINDERUP. Yes. That is of course true, but a safe monetary system prevents hoarding and again, in case money is hoarded, that will reduce our price level and immediately our monetary authority will release more money.

Mr. CRAWFORD. As I understand the situation, if hoarding does take place as rapidly as you inject the new money we arrive nowhere?

Mr. BINDERUP. We arrive nowhere unless we inject more money into the veins and arteries of trade and industry by expanding in resettlement or by retiring more Government bonds. The thing that creates hoarding is fear, always fear. Not fear of commodities going up or down, but fear that some hidden power will take our money out of circulation or decrease its flow, and thereby affect all prices.

Mr. MURDOCK of Arizona. The gentleman does not feel that an elderly person or a dependent child who would get $50 a month could do very much hoarding on that, according to our present standard of living?

Mr. BINDERUP. The gentleman is right. Those who are cold, hungry, and in need are not to be feared. You do not have to be afraid of the needy. They will spend their money even before they get it. On a mere prospect they will spend it even before they get it.

Mr. CRAWFORD. Will the gentleman yield?

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

Mr. CRAWFORD. In order to clear the record, I do not want the gentleman from Arizona to think I meant those particular people would hoard. I have reference to those who have five, ten, fifteen, twenty-five thousand dollars or more in the form of demand deposits. Let me ask this question along the same line: Is it not true that velocity also depends upon this thing we call confidence, and that unless you have confidence you do not draw checks, therefore, velocity is slowed down?

Mr. BINDERUP. Very true. The gentleman from Michigan has a very clear insight as to the functions of money.

Mr. CRAWFORD. As velocity slows down, spending diminishes, prices tend to break, and unemployment increases.

Mr. BINDERUP. The gentleman from Michigan is correct. Velocity is created by fear. But how could anyone have any confidence in a monetary system such as we have in the United States, where the bankers meet at any time, as they did on May 18, 1920, and as they always do in their secret meetings, and take $10,000,000,000 at a shot away from the people while we are sleeping and do not know anything about it? How can you have confidence in a monetary system that has destroyed you 27 times in the short history of 150 years in the United States? How can you have the slightest confidence in a lot of bankers whose interests are absolutely opposite to yours? You are interested in a definite price level of commodities. They are interested in a dollar that changes the price of those commodities so they can bring the prices down by deflating money and by refusing loans down to the bottom. Then they can buy, and then, with their own credit, selling their own credit as money, they can elevate that price level. So it is that continuous circle, round and round and round.

Mr. HILL. Will the gentleman yield?

Mr. BINDERUP. I yield to the gentleman from Washington.

Mr. HILL. As I understand, the gentleman has a three-point plan in his program. The gentleman has explained one of them, that is, to put the money down at the bottom where it will be spent, giving to the old people $1,602,000,000 and then $1,000,000,000 to regulate the level up and down.

Mr. BINDERUP. Yes.

Mr. HILL. What are the other two points? As I understand, one relates to the Federal Reserve.

Mr. BINDERUP. Yes.

Mr. HILL. Will the gentleman explain the other two plans? The gentleman's time is about up, but I wish he would explain the other two plans.

Mr. BINDERUP. Of course, expanding the money supply is the primary thing, expanding our currency supply at the bottom, creating a demand and a purchasing power at the same time, and thereby positively and absolutely preventing an inflation. Of course, that is the primary thing, and that is the thing in my bill that is absolutely new. The world has always tried to expand by giving money to the banks. I am going to the bottom and allowing the people to spend it into circulation. The question has often been asked, "How do you take over the 12 Federal Reserve banks?" About 2 or 3 years ago I found among my records a very interesting little article that was written by a former Member of Congress, in which he told about that wonderful plan—this was in 1912—creating the 12 Federal Reserve banks, stating that we would now have a system that was elastic, whereby we would prevent booms and depressions. Do you recall how you rejoiced when you read this news, how we all rejoiced in it? We thought we now were going to have a real banking system. This article speaks about the 12 regional banks. We thought that was wonderful. We were going to issue our own money, and what profit there was in issuing money would inure to the Treasury of the United States. This was the general understanding. I do not believe there are any of us, and since coming to Congress I have talked with Members of Congress about it, who did not believe the Federal Reserve banks were Government banks. We all believed that originally; and gradually, little by little, we had our eyes opened.

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

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

Mr. SCHNEIDER of Wisconsin. Is it not true that the original plan by President Wilson was that the Federal Reserve banks would be owned by the Government and all profits would go into the Treasury of the Government?

Mr. BINDERUP. Exactly. That was just the way the article about which I am telling you was written. That was exactly the understanding. That was the purpose of the bill. We appointed a committee to travel in Europe for 6 months, a committee of Senators and Congressmen, and told the Governors of the States to send representatives, that we were

going to have a real banking system in the United States. They came back to us with their plan, as the gentleman from Wisconsin says. We must have Government monetary control. The Government should own the 12 Federal Reserve banks as a part of the program for carrying this into effect. We must adhere to and apply the provision in the Constitution which places upon the Congress the duty of issuing—creating—all money and of regulating the value thereof. I repeat, we must do this if we are to solve our unemployment problem and give to our people that stable and lasting prosperity to which they are justly entitled.

Mr. Speaker and Members of Congress, continuing and in conclusion, there is much more to be said about the monetary question, and why not? It is said by great statesmen that this monetary reform is the second Declaration of Independence. And it is a declaration of independence from the economic tyranny that has destroyed us 27 times in the short life of our Uncle Sam, a tyrant a thousand times more cruel than was ever King George of England. Much has been said lately about buying the 12 Federal Reserve banks. Why buy them? We have bought them and paid for them many times, but if necessary let us buy them once more. All the stock in the banks amounts to only $135,000,000. Why not just take them home? They were according to the first plan the people's banks.

Congress sent a delegation of Senators and Representatives and Governors or their representatives to Europe in order that we might have a decent banking and monetary system. They came home with a great program, and like a thief at night that stabs a dagger into his victim's back, predatory, plundering, international bankers stole from the people this their banking system. They have had full swing of this banking and money system for 23 years, and during this time brought us the three worst panics the Nation ever suffered, these while we were on a gold standard that they have told us was so safe and sound. They have told us the gold standard was an honest dollar, but now we know that it is the most treacherous thief that ever was. It stole from us our homes and farms and jobs and brought us deprivation and starvation and misery and want. I want to give you a little history of this Federal Reserve Banking Act, copied from the records in Congress.

First, I want to repeat what William Jennings Bryan said after this banking system had been in force for 10 years:

> The Federal Reserve bank that should have been the farmer's greatest protection has become his greatest foe. The deflation of the farmer was a crime deliberately committed not out of enmity to the farmer but out of indifference to him. Inflation of prices had encouraged him to buy and then deflation delivered him into the hands of the money lender. The Federal bank can be a blessing or a curse according to its management. If the Wall Street speculators are in control of it, they can drain the agricultural districts and keep up a fictitious prosperity among the members of the plunderbund.
>
> While the Federal Reserve bank law is the greatest economic reform achieved in the last half century, if not in our national history, it would be better to repeal it, go back to old conditions, and take our chances with individual financiers than to turn the Federal Reserve bank over to Wall Street and allow its tremendous power to be used for the carrying out of the plans of the Money Trust.

Why not just take over our banks? No; not to go into the banking business, but to get out of it. Take over our 12 Federal Reserve banks as subtreasuries of the Government, to expedite the speedy exchange of money and credit, and to furnish to our 15,000 banks clearing houses or for Government bonds they hold which were bought with depositors' money, and the cash they hold as reserves. Twenty-seven times the banks have failed us and destroyed the people's money, but no more. There shall be no more epidemics of bank failures. No more booms and depressions. Take over our 12 banks and let the 15,000 banks check on us and deposit according to the action of their demand depositors. For the banks must go out of the money-creating business and the business of creating booms and depressions, and the Government will go out of the money-lending business.

Among my papers I find a newspaper article by a then Member of Congress from Nebraska, written in 1912, in which he writes on the proposed Federal Reserve Banking System, at this time being formulated in Washington. He writes about the 12 regional banks, and so forth, and adds, "After all necessary expenses of the Federal Reserve Banking System have been paid, all the profits will inure to the Treasurer of the United States." And do you remember how we all rejoiced?

There had been sent to Europe a large delegation of our ablest men, at Government expense, Senators and Representatives and Governors of States, and they had come home with a great program. And we said, "Glory, now we shall truly have a great banking system when our great Government shall at last give to the people their constitutional rights to own and control their own money that shall answer as the wheels of equitable distribution." But the international bankers, like a thief at night, stole from the people this wonderful plan and warped it into a plan that would suit their abominable greed. And with the assistance of Senator GLASS, of Virginia, as their champion, they succeeded in distorting our purpose, and now listen to that famous section that has been warped and twisted every few years to suit the international bankers. I copied this from the records.

> SEC. 7. After the necessary expenses of the Federal Reserve banks have been paid or provided for, the stockholders shall be entitled to receive an annual dividend of 6 percent on the paid-up capital stock, which dividend shall be accumulative and all over this shall be paid to the Government as a franchise tax.

Lo and behold the transition, or the beautiful dream turned into a nightmare. The Government bank had turned into a stock company of bankers. Our people's bank had become a bankers' central bank. A reflex of the Aldrich Bank Act for central banking. It was the general understanding in conversation that they were still Government banks, and to disguise this still more it was stipulated that the bankers should pay the Federal Reserve Board, that was supposed to be the people's guardian. It certainly did sound fine. Evidently these pirates of finance did attend Sunday school once in childhood days, for they had learned the meaning of the Biblical phrase, "For the ox knoweth his owner, and the ass his master's crib."

Now listen to that notorious section 7:

> After all the necessary expenses of the Federal Reserve banks have been paid or provided for, the stockholders shall be entitled to receive an annual dividend of 6 percent on paid-up capital stock which shall be accumulative. After the aforesaid dividend claims have been fully met, all net earnings shall be paid to the United States as a franchise tax, except that half of such net earnings shall be paid into a surplus fund until it shall amount to 40 percent of the paid-in capital stock of such banks.

Selfish greed knows no limits. It was not now enough that they had taken the banks. Not enough that they were allowed fancy salaries for running them. Not enough that they should have 6-percent interest on stock, but now they wanted and were allowed to hold 40 percent of our franchise tax money until 40 percent of their stock had been given back to them by the people, but still they should have 6 percent on all the stock.

But still they were not satisfied. So far they had paid taxes as all the rest of us do, but presumably hesitating this far on their tax objections, and fearing perhaps that it might dawn on the people that these banks were not Government banks, growing bolder as time passed, just two little lines were added to the Federal Reserve Act, as follows:

> Taxation (approved by Congress December 23, 1923): Federal Reserve banks including the capital stock and surplus therein and the income derived therefrom shall be exempt from Federal, State, and local taxation.

So now they had our banks. They drew fancy salaries, took out stock at 6 percent, took also 40 percent of our money. And with all this they now paid no taxes. But still

they were not satisfied. Listen to that poor warped section 7, amendment of March 3:

After all the expenses of the Federal Reserve Banks had been fully met and provided for, the stockholders shall be entitled to receive an annual dividend of 6 percent on the paid-in capital stock which dividend shall be accumulative. After the aforesaid claims have been fully met the net earnings shall be paid to the United States as a franchise tax, except that the whole of such net earnings, including those for the year ending December 31, 1918, shall be paid into a surplus fund until it shall amount to 100 percent of the subscribed stock of such banks, and thereafter 10 percent of such net earnings shall be paid into a surplus fund of the banks.

So now they got fancy salaries, got 6 percent accumulative interest on stock, took all the profit that belonged to the people until they had a return of all the money they had invested, and paid no taxes, and now wanted 10 percent more than the money they had invested retained in the surplus fund for their use. But they were not satisfied with this. Listen to that degenerate section 7:

(Amendment approved June 16, 1933, effective July 1, 1932). The first paragraph of section 7 is amended to read as follows:

"* * * After all necessary expenses of the Federal Reserve banks shall have been paid or provided for the stockholders shall be entitled to receive an annual dividend of 6 percent on the paid-up capital stock, which dividend shall be accumulative; after the aforesaid claims have been fully met, all the net earnings shall be paid into a surplus fund of the Federal Reserve banks.

And thus the last amendment took the last penny from the Government and gave it to the bank. But a few privileges of the original act still remain, giving the Government the necessary power to take over without further legislation the ownership of the Federal Reserve banks as originally intended. The act provides that the Government can own this stock and thereby, of course, we can own the system. There is another little comforting thing about this act and that is that if any of the Federal Reserve banks die we can have the corpse, that is, "Should a Federal Reserve bank be dissolved or go into liquidation, any surplus remaining after the payment of all debts shall become the property of the United States and shall be similarly applied."

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

Mr. BINDERUP. Yes.

Mr. MURDOCK of Arizona. Having explained the part played by Senator GLASS and his attitude, will the gentleman go a step further and explain the part played and the present attitude of the act's coauthor, Senator Owen?

Mr. BINDERUP. He has said to me that one of the greatest disappointments in his life was when he found, regardless of his untiring efforts in behalf of the people, that the Federal Reserve banks were not Government institutions.

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

Mr. BINDERUP. Yes.

Mr. CRAWFORD. Would I be correct in assuming from the gentleman's remarks that any losses which the Government has to pay on account of bank failures through the F. D. I. C., and which are over and above the accumulated premium surplus collected into a treasury by the F. D. I. C., will be an additional premium that the Government is paying through not making charges under its loans?

Mr. BINDERUP. That is exactly true, if I understand the gentleman correctly. At the present time the F. D. I. C. is a bubble, a deception absolutely, making the banks and the people believe that they are safe, that their banks are insured and cannot fail. They have in their treasury, funds amounting to about $375,000,000, but they have guaranteed no less than $26,000,000,000, so in case of another money panic or depression the F. D. I. C. would be short $25,675,000,000. Let no one be fooled into believing that there is any bank insurance to the public in case of another bank-failure epidemic. It is a crime to make the people believe there is any insurance of bank deposits—only in case of an individual bank failure would this avail anything.

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

Mr. BINDERUP. Yes.

Mr. VOORHIS. Those deposits are guaranteed, but they are guaranteed by the United States Government, just the same as the banking system is perfectly safe however wrong it may guess as to the amount of expansion it can afford to make on fractional reserves. They know that the Government will not dare to let them fail.

Mr. BINDERUP. There is a provision that in case of a bank-failure epidemic the Government may lend some more money to the F. D. I. C. There is nothing compulsory; it is approved by the Government.

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

Mr. BINDERUP. Yes.

Mr. FLETCHER. The gentleman's time is drawing to a close. Before his time expires I want to ask him if he would not include in the RECORD for those of us who are interested in pursuing a study of this intricate subject, a list of authorities' research study, and the names of authors of various books on the subject which he is discussing?

Mr. BINDERUP. I thank the gentleman for making the request and shall be pleased to.

I want to add one thing more. We are reediting into book form for distribution the little loose-leaf folder, Uncle Sam's Hospital Chart. This and other books will be distributed so you will find all this information in this book. The book will also contain all the speeches I have made on the floor of the House.

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

Mr. BINDERUP. I yield.

Mr. LEAVY. The gentleman in this series of talks which he has made and in the addresses he has made heretofore in the Seventy-fifth Congress has shown himself to be a profound student of what appears to most of us to be a most difficult, and some of us think, a question that is almost beyond our comprehension and understanding.

May 28 in the Senate, Senator THOMAS of Oklahoma, delivered an address there on the same question, and I am wondering if the gentleman's views coincide with those of Senator THOMAS. I have made this statement for the purpose of asking the gentleman a question based upon a quotation that I would like to read from what he said in his address in the Senate May 28 and see whether the gentleman differs from him. This speech of Senator THOMAS is found in the RECORD at page 7695, where he says this:

"Every time the price level changes 1 point," using 1926 as his standard price level, "it makes a difference in value of the property of the Nation of approximately $4,000,000,000. As the dollar goes up, property throughout the country loses approximately $4,000,000,000 for every point the dollar goes up, because dollars measure value. Likewise, every time the dollar goes down 1 point, property values go down approximately $4,000,000,000. So, from 1926 to 1933, a great loss occurred in property values, the national income fell; the estimated value of all the property in the United States fell; farms fell in value; factories fell in value; railroad properties fell in value; everything that had value lost some of its value from 1926 until 1933."

In other words property values, according to the statement of Senator THOMAS, since last March, or March of 1937, have decreased in this country $64,000,000,000. I wonder if this statement is correct?

Mr. BINDERUP. That is statistically an absolute fact based on a ratio 4 to 1; that is, a 1-point decline in our price level means a loss of $4,000,000,000. That is a fact that has long since been established by statistics.

There is a further fact connected with that question which substantiates what I have said. Every time we lose one single point in our price level we lose $4,000,000,000 and this loss means a loss in the property values of the Nation and in the equity on which the banks must do business, and when we sacrifice the people's equities the banks are absolutely barred from doing any business. So the best thing in a monetary program is not alone that we increase the volume of money, but it is necessary that we create the velocity of money. There is only one way to create velocity of money and that is by security of a monetary system which is provided also in my bill.

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

Mr. BINDERUP. I yield with pleasure to the gentleman from Washington.

Mr. LEAVY. If we follow out this theory and continue to raise the dollar, or what we ordinarily call inflation, is there not danger that we will reach a point where we will have actual inflation; and if there is, how does the gentleman propose to control that?

Mr. BINDERUP. It is an easy matter to control inflation and deflation if you control it from the bottom up. It is an impossible thing to control inflation and deflation if you ask Wall Street to be your monetary authority.

The Federal Reserve Act, as it is at the present time, does not leave with the Federal Reserve Board any monetary control. It leaves with them the privilege only to turn it over to Wall Street, and may I tell you definitely how that has been done? We tried first to buy bonds. Then we bought the bonds, and naturally the banks held $20,000,000,000 of these bonds. When we bought the bonds of them we sent them the money, and we canceled the Government bonds, and so our monetary authority, supposed to be the Federal Reserve Board of Governors, sat with a canceled check in its lap. They sat with the bonds marked "paid." They could do nothing more. Their power here terminated. They had completely and definitely turned over to Wall Street bankers the monetary authority. They, Wall Street, had the money and it was up to Wall Street whether they wanted to put that money out in circulation, whether they wanted to deprive themselves of the great privilege they had enjoyed for years of issuing the Nation's money. So we were completely lost, and at the mercy of our enemies. Our monetary authority had in this case become dummies. They had no more power.

We tried the other example.

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

Mr. BINDERUP. Yes.

Mr. OLIVER. One of the purposes of the gentleman's bill, as I understand it, is to bring the price level up to that obtaining in 1926.

Mr. BINDERUP. Yes. That is the plan.

Mr. OLIVER. Why was 1926 picked?

Mr. BINDERUP. Because we have long since decided that 1926 was an average condition, a balance that would not rob creditor nor debtor. It was now 6 years since the crime of 1920, and some thought to go back again to 1920 would make two wrongs. Also, setting a standard does not mean we must remain at 1926. Congress can at anytime decide to go as many points above or below this standard as they wish. Also, all our records, tables, and computations are based on that year, and to change that now would be a great confusion, and, as stated, it makes no difference what year we measure by, just so we have a definite measuring starting point. It is neither the boiling point nor the freezing point, but we measure from the zero mark.

Mr. OLIVER. Has the gentleman any statistics to indicate to the Members of the House what the economic conditions were in 1926 with reference to unemployment, or the foreclosure of properties or any other indications along those lines to show whether 1926 was a particularly prosperous year?

Mr. BINDERUP. Nineteen twenty-six was not particularly prosperous. There were many foreclosures in that year, but we had been running along on a reasonable level for awhile in the different price levels and although we were far below what we were in 1929, we had a great collapse down to 1920, and we believed that two wrongs would not make a right; that to inflate and get up to 1920 would be unjust to the other class of people, and we decided in fairness to both debtor and creditor to maintain 1926.

Mr. OLIVER. Is it true or not true that the years 1918 and 1919 were perhaps the most prosperous years for the farmers?

Mr. BINDERUP. That is true.

Mr. OLIVER. Why would it not be a fair price level instead of 1926?

Mr. BINDERUP. The gentleman is completely right, if we had maintained the price level when we were there. You cannot crush down a price level. No nation ever did crush down a price level, when once established, without disastrous results. When you have bought your home and your goods and placed them on the shelf and have arranged your future contracts and promised to pay, and based everything on the future, and you have a price level which has been established, you cannot crush it down without resulting in bankruptcy and want and soup kitchens and bread lines and destruction. You cannot do it anymore than you can put a chicken back into the egg a week after it has been hatched, no more than you could put a pair of shoes on that you wore when you were 16. You have grown to a larger size, a new size, and you have to consider that size. That is the danger of inflation and deflation. Do not inflate to a high standard where you cannot maintain it. Then there is no way to deflation and so a monetary plan must maintain the volume of money necessary and also have a velocity of money.

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

Mr. BINDERUP. Yes. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. The result would be, therefore, no danger either of inflation or deflation.

Mr. BINDERUP. Inflation wrecks the creditor and deflation wrecks the debtor. If you have to have one of them, crucify the creditor, because there are fewer of them. But it is unjust.

A bill that is to last must be an honest bill. It must be one that protects the little deposits in the banks, the insurance companies and the insurance policies. It should be fair, always fair. If it is not fair it will not last.

Mr. MURDOCK of Arizona. Does the gentleman's bill undertake to stabilize the purchasing power of the dollar and give us an unvarying unit of measure?

Mr. BINDERUP. Absolutely it does. In place of tying 784 commodities to the fluctuations of the dollars we tie the dollar to 784 commodities. We are taking less chance on 784 commodities than we are on one.

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

Mr. BINDERUP. I yield.

Mr. MURDOCK of Arizona. The gentleman thinks, then, that the regulation of the value of the dollar by the banking fraternity having failed we must ourselves start to control its value.

Mr. BINDERUP. The gentleman from Arizona is correct.

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

Mr. BINDERUP. I yield.

Mr. BIERMANN. As I understand the gentleman's plan, it is to base the commodity dollar on 784 commodities.

Mr. BINDERUP. Yes; that is the plan.

Mr. BIERMANN. Hogs are included in the list, I suppose.

Mr. BINDERUP. Yes; it includes 784 of the leading commodities, including hogs, of course.

Mr. BIERMANN. And wheat is included in the list?

Mr. BINDERUP. Yes.

Mr. BIERMANN. We in Iowa think that hogs ought to be $10. The people in Kansas think that wheat ought to be $1.50. The price of hogs might go down to $5 and the price of wheat might go up to $2.50, yet the price index of the 784 commodities would remain the same.

Mr. BINDERUP. I am not sure I understand the gentleman from Iowa exactly. In our price level we do not undertake to freeze prices of commodities. We let any and all commodities seek their own price level according to supply and demand, but we do guarantee that the dollar will not go up and down and will measure the same yesterday, today, and tomorrow.

Mr. BIERMANN. Then would you not do an injustice to the Iowa hog raiser, and would you not do a great benefit to the wheat raiser of Kansas?

Mr. BINDERUP. We hold to the general price level. The price level of each individual commodity would not be just exactly even. We must not consider the price of one article, but of all 784. The proposition is just like a rope. In the rope there may be 784 individual fibers. Not a single fiber is straight, yet combined in the rope the whole pulls straight without change or variation.

When you stretch that out you have an entire price level.

Mr. BIERMANN. I can see that the average over the country might be all right, but it is possible under this commodity-dollar arrangement that a great injustice might be done the raiser of hogs, for instance.

Mr. BINDERUP. No; not at all.

Mr. BIERMANN. If a farmer sells something for 10 pounds of hogs, which would equal $1, and when he pays off he has to pay off with 20 pounds of hogs, that is an injustice to him. Of course, I can imagine that the 784 commodities might run along very evenly.

Mr. BINDERUP. Yes. That is exactly what we are striving to correct. So if, as you say, he buys at a certain measure by the dollar he should know he can sell at the same dollar measurement. If he borrows money and promises to pay in 10 years, he must know the dollar measures the same when he pays as when he bought.

Mr. BIERMANN. But an individual injustice might be impinged on a hog farmer or a wheat farmer.

Mr. BINDERUP. May I explain it in this way. When you raise hogs you are gambling on two things. You are gambling on whether the price of hogs will go up or down and you are also gambling on whether money is going up or down. We are controlling your price level. That does not mean you are going to get the right price for your hogs. Maybe there will be so many people selling hogs it will not pay and they will have to start raising cattle or something else. We do not wish to control the price level of individual commodities. In fact commodities must find their own price level governed by supply and demand of individual commodities. We take all the commodities in order to make a straight line, the average price of all commodities as established by the Bureau of Labor Statistics of the Department of Labor that has been in operation for over 35 years.

Mr. BIERMANN. While this thing might work out well for the sum total of the purchasers of the 784 commodities, it may conceivably work out very unfavorable to the producer of one kind of product to the advantage of the other.

Mr. BINDERUP. It cannot do that. If the dollar is a correct measure, then there is only one other thing that can change the price of your hogs and that is supply and demand for hogs, which is as it should be. We are not trying to regiment the price of hogs or anything else.

Mr. BIERMANN. If the price of hogs under this arrangement drops from $10 to $5 out in my country, they would say that was an injustice to the hog farmers.

Mr. BINDERUP. Yes; but this does not do that. The farmer is in the hog business, raising hogs; we merely provide the plan that when he sells his hogs he will get a square deal in the dollar, the unit of value for which he sells.

Mr. BIERMANN. If the man raised some wheat out in Kansas and the price rose from $1.50 to $2.50, he would consider it a good thing.

Mr. BINDERUP. I can only repeat to the gentleman from Iowa that we will control only the measure of value, not the prices of hogs and wheat, in the same way as the scale you weigh your hogs on does not determine if hog raising is profitable or not. It only assures correct weight. So do we assure you the dollar will not vary.

[Here the gavel fell.]

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 3 additional minutes.

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

There was no objection.

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

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

Mr. KELLER. I want to call attention, in the remaining 3 minutes, of the gentleman from Iowa that what he has said is not true. Whenever you talk about price of any given product, whether hogs, wheat, or what not, if you keep your dollars at the same level it then becomes a question of how much wheat you are going to raise and how much hogs you are going to raise. The men who produce the hogs and wheat know enough not to go on raising until you get them too low.

Mr. BINDERUP. Yes; my people out in Nebraska used to ask me, "Do you think land will go up or down? Do you think land will go back to its original price?" I tell them, "Yes; I think land will go up to $500 an acre, if you inflate your money supply enough." They would say that is impossible because land cannot yield that much. But land yields do not govern the price of land. The price of land is not determined by what the land yields. Our lands yield now just as much as it did in 1920 and yet it sells for 75 percent less. The price of land is established by the amount of money in circulation. You would raise that land to a thousand dollars an acre by putting too much money in circulation. You could bring it down to a nickel by taking enough money out of circulation.

Mr. BIERMANN. Will the gentleman yield?

Mr. BINDERUP. I yield to the gentleman from Iowa.

Mr. BIERMANN. The farmer would still be confronted with the problem of conforming his production to the market in which he can sell his products at a fair price.

Mr. BINDERUP. Absolutely; the gentleman is right.

Mr. BIERMANN. If a farmer cannot dispose of his hogs, that will not cure his ills.

Mr. BINDERUP. But that is his business.

The only thing a commodity dollar does is to assure that the dollar stays at the same price level. A man does not have to gamble on dollars when he is raising hogs; he is just gambling on the hogs and that is all. [Applause.]

[Here the gavel fell.]

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

Under the special rule of the House heretofore made, the gentleman from Michigan [Mr. CRAWFORD] is recognized for 5 minutes.

Mr. CRAWFORD. Mr. Speaker, I desire just a very few minutes to place in the RECORD a statement which has been made, as shown by the June 4 issue of the Saginaw News, of Saginaw, Mich., by about 2,000 farmers residing in my home county. This is a bill of particulars in the form of a protest which they have made against what they term to be unfairness in the administration of the 1938 soil-conservation program. This is a nonpartisan statement, which has been forwarded to me along with the signatures of 597 residents of my home county.

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

There was no objection.

The matter referred to follows:

SPONSORED BY BUENA VISTA FARMERS' UNION, LOCAL 249

To the Congress of the United States:

We, the undersigned, stand bitterly opposed to the 1938 soil-conservation program as being highly detrimental to the welfare of the entire United States in the principles hereto set forth:

1. It tends to curtail the production of salable agricultural commodities.

2. It entices the American farmer into the production of hay for which there is no market.

3. It increases production of salable commodities upon the lands of foreign shores and creates a ready market for same by the ever-increasing flow of importation of agricultural commodities from foreign lands.

4. It serves the purpose of creating great prosperity to the foreign countries at the expense of the American people.

5. We propose that this program is highly destructive from the standpoint that curtailing the production of goods in the United States likewise curtails the hours of labor involved in the production, transportation, and processing of such goods.

6. It must be acknowledged that all wealth is gained through the production of goods, and when such production is reduced to any degree, W. P. A., dole, and unemployment will be increased to the

same degree, for no man can dispute the very fact that it requires labor to produce.

7. Under the present system, foreign labor is greatly increased in the production and processing of a great portion of the food actually consumed upon American tables.

8. We do not believe in the principles of taxing the entire public for the administration of a program which is unprofitable to all concerned.

9. We do not believe in the principle of conceding to a meager benefit payment as a reward for the sacrifice of our home markets to foreign countries.

10. We believe to prolong, renew, or further sponsor such a program as is now being carried on would mean ruin, destruction, and complete chaos to the American progress of agriculture.

RESOLUTION

We hereby resolve that it is high time that we return to the sound American principles through which this country has prospered during its entire history.

We want adequate protective tariff, efficiently performed, to balance the difference in the cost of production and the value of the dollar between the United States and all foreign countries and save the American market for the American producer of goods.

We have a deep desire to have it thoroughly understood that this petition and resolution is wholly nonpartisan, and has been written purely from the standpoint of the highest American principles of good government, and for these reasons party affiliations will be designated by the letter before the signature.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Indiana [Mr. LUDLOW] is recognized for 3 minutes.

PEACE BY CONFERENCE

Mr. LUDLOW. Mr. Speaker, potentialities of a world-wide peace movement of the greatest importance not only to America but to the entire world are read between the lines of the address delivered by Secretary of State Hull to the Bar Association of Tennessee last Friday night when he said:

With the world groaning under the burden of mounting armaments, we are preparing to join with other nations in moving resolutely toward bringing about an effective agreement on limitation and progressive reduction of armaments.

No wiser or more statesmanlike utterance has come out of Washington in these troubled times, when nations are rushing to beat each other in armaments and all of the alarming preliminaries of a gigantic world war appear in the offing.

Secretary Hull says that America is preparing to move resolutely to bring about an effective international agreement on early limitation and progressive reduction of armaments. What cheerful news that is to humanity everywhere on the globe!

In this undertaking, so full of meaning to America and to the world, the administrative branch of our Government should not have to bear the entire brunt of leadership alone. The legislative branch, which speaks for the people, should sustain and support the administrative branch in this direct move for world peace. Every Member of Congress, figuratively speaking, should stand up and say, "Mr. Secretary, we are back of you in this movement to bring about disarmament and peace."

CONGRESS SHOULD SUPPORT SECRETARY HULL

Such a declaration by the congressional branch would demonstrate to the world that the Secretary of State speaks with the prestige of a united Nation back of him.

Fortunately the legislative branch has the means immediately at hand of showing its approval of this utterance of the administrative branch. On March 30 I introduced House Concurrent Resolution 46, which reads as follows:

Whereas a competitive race of armaments is sapping the financial strength of nations, breeding international distrust and suspicion, and endangering the peace of the world; and

Whereas there are unmistakable indications that the world is weary of war and strife and the colossal burden of armaments and would welcome a sincere movement in the interest of peace; therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress of the United States of America that a proposal to suspend by joint action all naval construction until January 1, 1940, should be submitted by the United States to all of the leading powers.

It is also the sense of the Congress of the United States of America that a peace conference should be held in the city of Washington on or about October 1, 1938, to which all of the leading powers should be invited to send delegates to discuss limitations of armaments and other questions associated with and promotive of international concord.

This resolution may be cited as the "Peace by Conference" resolution.

Adoption of this resolution now would give to the well-considered utterance of our Secretary of State the force and vitality and the moral support of an indorsement by the representatives of the people of America in Congress assembled.

This resolution is urged not in a spirit of antagonism but in a spirit of cooperation with the Executive department in carrying out a plan that is pregnant with hope for the human race all around the world; a plan that is greatly needed to insure the peace and security of America and to rescue us from the crushing burdens of an already authorized navy armament plan which, if it proceeds, will burn up the equivalent of the appraised value of four American States. There is nothing in the resolution that goes outside of the proper bounds and scope of congressional action. It does not direct the Executive establishment to do anything but it has the effect of giving congressional sanction to the principle of action so well expressed by Secretary Hull in his Tennessee address.

DISCHARGE PETITION FILED

In the hope that this House, composed of Representatives of the peace-loving people of America, may see fit to approve this resolution and thus give impetus to a world peace movement of great promise, I have filed a discharge petition at the Speaker's desk which, if it is signed by 218 Members, will order House Concurrent Resolution 46 out of committee and before the House for a vote. It may be that there is not sufficient time remaining of the present session to permit a vote to be taken on the resolution, but 218 Members would be a majority of the House, and the signing of the discharge petition by that number would have the desired effect of putting a majority of the House officially on record in favor of a world conference for limitation of arms in harmony with the principle of world disarmament so well stated in Secretary Hull's address. I hope, therefore, that all Members will sign Discharge Petition No. 42. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LANHAM (at the request of Mr. THOMASON of Texas), for today, on account of important business.

To Mr. COFFEE of Nebraska, for 1 week, on account of important business.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3113. An act for the relief of the Congress Construction Co.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 1591. An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States and for other purposes.

ADJOURNMENT

Mr. BOLAND of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 39 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 7, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce subcommittee on Tuesday, June 7, 1938, at 1:30 p. m. Business to be considered: Continuation of hearing on H. R. 10348, foreign radio-telegraph communication.

COMMITTEE ON THE POST OFFICE AND POST ROADS

A hearing will be conducted by Subcommittee No. 10 on Tuesday, June 7, 1938, at 10 a. m., on House Joint Resolution 663, operation of the Peru and Indianapolis Railway Post Office by motor vehicle over the public highways.

COMMITTEE ON NAVAL AFFAIRS

There will be a full open hearing before the Committee on Naval Affairs at 10 a. m. Tuesday, June 7, 1938, on S. 1131—a bill affecting the oil-shale reserves.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, June 8, 1938, in room 445, House Office Building, for the consideration of unfinished business before the committee.

COMMITTEE ON PENSIONS

The Committee on Pensions will hold a hearing at 10 a. m. Wednesday, June 8, 1938, on H. R. 8948, a bill to liberalize the laws providing pensions for veterans and the dependents of veterans of the Regular Establishment for disabilities or deaths incurred or aggravated in line of duty other than in wartimes.

EXECUTIVE COMMUNICATIONS, ETC.

1418. Under clause 2 of rule XXIV a letter from the Chairman of the Federal Trade Commission, transmitting the report of an investigation of the Agricultural Implement and Machinery Industry (H. Doc. No. 702), was taken from the Speaker's table referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. McGEHEE: Committee on the District of Columbia. H. R. 9813. A bill to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; without amendment (Rept. No. 2605). Referred to the House Calendar.

Mr. KENNEDY of Maryland: Committee on the District of Columbia. H. R. 10380. A bill to amend the act entitled "An act to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia"; with amendment (Rept. No. 2606). Referred to the House Calendar.

Mr. GUYER: Committee on the Judiciary. S. 3263. A bill for the relief of the State of Georgia; without amendment (Rept. No. 2607). Referred to the Committee of the Whole House on the state of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 6449. A bill to amend the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes"; with amendment (Rept. No. 2608). Referred to the Committee of the Whole House on the state of the Union.

Mr. HEALEY: Committee on the Judiciary. H. R. 10306. A bill to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of Government contractors whose costs of performance were increased as a result of the National Industrial Recovery Act, June 16, 1933; without amendment (Rept. No. 2609). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOLMES: Committee on Public Buildings and Grounds. H. R. 10355. A bill to transfer, assign, and convey to the Commonwealth of Pennsylvania a certain tract of land, containing about six and one-half acres situate in Tinicum Township, Delaware County, Pa.; without amendment (Rept. No. 2610). Referred to the Committee of the Whole House on the state of the Union.

Mr. PALMISANO: Committee on the District of Columbia. H. R. 10423. A bill relating to the levying and collecting of taxes and assessments, and for other purposes; without amendment (Rept. No. 2611). Referred to the Committee of the Whole House on the state of the Union.

Mr. PALMISANO: Committee on the District of Columbia. H. R. 10688. A bill authorizing advancements from the Federal Emergency Administration of Public Works for the construction of certain municipal buildings in the District of Columbia, and for other purposes; without amendment (Rept. No. 2612). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. House Concurrent Resolution 53. Concurrent resolution providing for the appointment of a committee of Senators and Representatives to participate in the one hundredth anniversary of the birth of the late John Hay, and for other purposes; without amendment (Rept. No. 2613). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. S. 662. An act for the relief of Bertram Rich; with amendment (Rept. No. 2598). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 667. An act for the relief of William E. Jones, Walter M. Marston, William Ellery, Richard P. Hallowell, 2d, and Malcolm Donald as executors under the will of Frank W. Hallowell; and Malcolm Donald as executor under the will of Gordon Donald; without amendment (Rept. No. 2599). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 945. An act for the relief of the Community Investment Co., Inc.; without amendment (Rept. No. 2600). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 3034. An act for the relief of Faye B. Millie; without amendment (Rept. No. 2601). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 3739. An act for the relief of Alpha T. Johnson; without amendment (Rept. No. 2602). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 3940. An act authorizing the Comptroller General of the United States to adjust and settle the claim of Oscar L. Mather; without amendment (Rept. No. 2603). Referred to the Committee of the Whole House.

Mr. MERRITT: Committee on Military Affairs. S. 1272. An act relative to the military record of James Meagher, deceased; without amendment (Rept. No. 2604). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9243) for the relief of Harold G. Haines, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KING: A bill (H. R. 10835) to authorize the county of Kauai to issue bonds of such county in the year 1938 under the authority of Act 186 of the Session Laws of Hawaii, 1937, in excess of 1 percent of the assessed value of the property in said county as shown by the last assessment for taxation; to the Committee on the Territories.

By Mr. BLAND: A bill (H. R. 10836) to provide for the continued operation of merchant vessels of the United States on essential trade routes; to the Committee on the Judiciary.

By Mr. CELLER: A bill (H. R. 10837) providing for the refund of certain taxes paid by State and municipal officers and employees; to the Committee on Ways and Means.

By Mr. ANDRESEN of Minnesota: A bill (H. R. 10838) to exempt nonbeverage distilled spirits from the increase in tax under the Revenue Act of 1938; to the Committee on Ways and Means.

By Mr. CASE of South Dakota (by request): A bill (H. R. 10839) granting pensions and other benefits to veterans and former service men, and for other purposes; to the Committee on Pensions.

By Mr. BLAND: A bill (H. R. 10840) to amend the act of March 2, 1929 (45 Stat. 1492), entitled "An act to establish load lines for American vessels, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL: A bill (H. R. 10841) to exempt from income tax under prior revenue acts compensation received by certain officers and employees; to the Committee on Ways and Means.

By Mr. WITHROW: A bill (H. R. 10842) creating the Cassville-Guttenberg Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Cassville, Wis., and Guttenberg, Iowa; to the committee on Interstate and Foreign Commerce.

By Mr. FERGUSON: A bill (H. R. 10843) to extend the benefits of the Social Security Act to employees of member banks of the Federal Reserve System; to the Committee on Ways and Means.

By Mr. ATKINSON: A bill (H. R. 10844) to provide for the establishment and operation of an experiment station for the study of pests and diseases affecting dark-fired tobacco; to the Committee on Agriculture.

By Mr. STEAGALL: A bill (H. R. 10845) to amend the Federal Reserve Act with respect to foreign branches and agencies of national banks and corporations engaged in foreign banking, and for other purposes; to the Committee on Banking and Currency.

By Mr. KELLER: A bill (H. R. 10846) to create the office of the Librarian emeritus of the Library of Congress; to the Committee on the Library.

By Mr. GRAY of Pennsylvania: Joint resolution (H. J. Res. 707) requesting the President of the United States to proclaim the week of May 31, 1939, National Flood Prevention Week; to the Committee on the Judiciary.

By Mr. COLLINS: Joint resolution (H. J. Res. 708) to equalize the application and enforcement of certain provisions of the revenue acts; to the Committee on Ways and Means.

By Mr. DICKSTEIN: Joint resolution (H. J. Res. 709) for the relief of certain aliens; to the Committee on Immigration and Naturalization.

By Mr. JONES: Joint resolution (H. J. Res. 710) to prescribe the acreage allotments for wheat for 1939; to the Committee on Agriculture.

By Mr. KELLER: Joint resolution (H. J. Res. 711) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

Also, joint resolution (H. J. Res. 712) providing for the filling of vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

By Mr. BARTON: Concurrent resolution (H. Con. Res. 55) to create a special joint congressional commission to investigate the probable effects of the Agricultural Adjustment Act of 1938; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 56) to create a special joint congressional commission to investigate the existing system of unemployment insurance and old-age benefits; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 57) to create a special joint congressional commission to investigate the activities of the Federal Government in the field of public utilities; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 58) to create a special joint congressional commission to investigate the revenue laws of the United States; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 59) to create a special joint congressional commission to investigate the administration of relief funds; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 60) to create a special joint congressional commission to investigate the trade agreements that have thus far been consummated; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 61) to create a special joint congressional commission to investigate the conditions of the railroads of this country; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Ohio, memorializing the President and the Congress of the United States to consider their resolution, House Resolution No. 165, dated May 25, 1938, requesting the United States to adopt legislation which would authorize the Federal Government to assume the assessments and bear the entire cost of the improvements made by the Muskingum conservancy district; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severaly referred as follows:

By Mr. CLAYPOOL: A bill (H. R. 10847) granting a pension to Anna B. Friel; to the Committee on Pensions.

By Mr. GAMBLE of New York: A bill (H. R. 10848) for the relief of Joseph Victor Perreault; to the Committee on Immigration and Naturalization.

By Mr. MAAS: A bill (H. R. 10849) to refund to the Railway Mail Mutual Benefit Association certain taxes erroneously collected; to the Committee on Claims.

By Mr. BIERMANN: A bill (H. R. 10850) for the relief of Carl Swanson, Geraldine Cecelia Swanson, a minor, and Almer Swanson; to the Committee on Claims.

By Mr. DISNEY: Joint resolution (H. J. Res. 713), conferring jurisdiction upon the Court of Claims concerning a claim of the Continental Petroleum Co. of Delaware; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5301. By Mr. FLAHERTY: Petition of the Sheet Metal Workers' International Association, Local 377, urging favorable action on House Bill 10127, providing for the regulation of interstate commerce by establishing an insurance system for individuals employed by certain employers engaged in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

5302. By Mr. SACKS: Petition of sundry citizens of Philadelphia, advocating the passage of House bill 8431, known as a Federal Workweek Act, and House bill 8428, known as a Federal Workers' Appeal Act; to the Committee on the Civil Service.

5303. By Mr. SMITH of West Virginia: Resolution of the Logan County Division of the West Virginia Petroleum Association, Logan, W. Va., urging the repeal of the duplicating gasoline tax; to the Committee on Ways and Means.

5304. Also, resolution of the New River and Winding Gulf Electrical and Mechanical Institute, of Beckley, W. Va., urging the National Bituminous Coal Commission to favorably consider West Virginia University in making plans for the establishment of a research bureau on bituminous coal; to the Committee on Ways and Means.

5305. By the SPEAKER: Petition of the Board of County Commissioners of Cowley County, State of Kansas, petitioning consideration of their resolution dated May 31, 1938, with reference to House bill 4199, known as the General Welfare Act; to the Committee on Ways and Means.

5306. Also, resolution of the Board of Supervisors of the County of Maui, Territory of Hawaii, urging passage of the bill before Congress appropriating $5,000,000 for the conservation of water on the island of Molokai; to the Committee on the Territories.

5307. By Mr. FLAHERTY: Petition of the Boston Lodge, No. 264, of the International Association of Machinists, urging favorable action on House bill 10127, providing for the regulation of interstate commerce by establishing an insurance system for individuals employed by certain employers engaged in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

SENATE

TUESDAY, JUNE 7, 1938

The Senate met at 12 o'clock meridian.

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

Almighty God, who alone spreadest out the heavens, and by whose divine artistry morning has dawned all golden on the hills, ushering in the winged hours when love waits at the doors of day and hope glows through the windows of the East: Grant, as we pause in loving gratitude for this beauteous revelation of Thyself, that we may find Thee in our duty, and discern Thee in the range and richness and mastery of our powers.

Let Thy manifold blessings be upon our President, our Vice President, the Congress, and all others who share in the responsibility of government, that they and all our people may come to that sublimest moment of true patriotism when the will defies fear, when the heart applauds the brain, when duty throws the gauntlet down to fate, and honor scorns to compromise with wrong. Grant that all mankind shall be imbued with the spirit of the Christ, whose wondrous acts of love must yet dispel all darkness and despair, and draw the world to victory and peace. We ask it in His name and for His sake. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, June 3, 1938, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LEWIS. Mr. President, as it is apparent that a quorum is not present, I suggest the absence of a quorum, and ask for a roll call.

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Borah	Connally	Glass
Andrews	Brown, Mich.	Copeland	Green
Ashurst	Brown, N. H.	Davis	Guffey
Austin	Bulkley	Donahey	Hale
Bailey	Bulow	Duffy	Harrison
Bankhead	Burke	Ellender	Hatch
Barkley	Byrd	Frazier	Hayden
Berry	Byrnes	George	Herring
Bilbo	Capper	Gerry	Hill
Bone	Caraway	Gibson	Hitchcock
Holt	McAdoo	Overton	Smathers
Hughes	McGill	Pepper	Smith
Johnson, Calif.	McKellar	Pittman	Thomas, Utah
Johnson, Colo.	McNary	Pope	Townsend
King	Maloney	Radcliffe	Truman
La Follette	Miller	Reames	Tydings
Lee	Milton	Reynolds	Vandenberg
Lewis	Minton	Russell	Van Nuys
Lodge	Murray	Schwartz	Wagner
Logan	Neely	Schwellenbach	Walsh
Lonergan	Norris	Sheppard	Wheeler
Lundeen	O'Mahoney	Shipstead	White

Mr. LEWIS. Mr. President, I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Missouri [Mr. CLARK], the Senator from Illinois [Mr. DIETERICH], the Senator from Iowa [Mr. GILLETTE], the Senator from Nevada [Mr. McCARRAN], and the Senator from Oklahoma [Mr. THOMAS] are detained from the Senate on important public business.

I ask that this announcement stand of record for the day.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent because of the death of his wife.

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

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under authority of the order of the Senate of the 3d instant, Mr. BAILEY, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment on June 6, 1938, and submitted reports thereon:

H. R. 4232. A bill for the relief of Barber-Hoppen Corporation (Rept. No. 1974);

H. R. 6508. A bill for the relief of Gladys Legrow (Rept. No. 1975);

H. R. 7761. A bill for the relief of Sibbald Smith (Rept. No. 1976);

H. R. 8193. A bill for the relief of the Long Bell Lumber Co. (Rept. No. 1977);

H. R. 8916. A bill for the relief of N. W. Ludowese (Rept. No. 1978);

H. R. 9200. A bill for the relief of Filomeno Jiminez and Felicitas Dominguez (Rept. No. 1979);

H. R. 9214. A bill for the relief of C. O. Hall (Rept. No. 1980); and

H. R. 9374. A bill for the relief of the Robert E. Lee Hotel (Rept. No. 1981).

Under authority of the order of the Senate of the 3d instant, Mr. BROWN of Michigan, from the Committee on Claims, to which was referred the bill (S. 2624) for the relief of Emmett Lee Payne, reported it on June 6, 1938, with an amendment and submitted a report (No. 1982) thereon.

Under authority of the order of the Senate of the 3d instant, Mr. BROWN of Michigan, also from the Committee on Claims, to which were referred the following bills, reported them severally without amendment on June 6, 1938, and submitted reports thereon:

S. 3062. A bill for the relief of Thomas H. Eckfeldt (Rept. No. 1983);

S. 3779. A bill for the relief of certain persons at certain projects of the Farm Security Administration, United States Department of Agriculture (Rept. No. 1984); and

H. R. 7998. A bill for the relief of the First National Bank & Trust Co. of Kalamazoo, Kalamazoo, Mich. (Rept. No. 1985).

Under authority of the order of the Senate of the 3d instant, Mr. CHAVEZ, from the Committee on Indian Affairs, to which was referred the bill (S. 3426) to authorize an appropriation for repayment to middle Rio Grande conservancy district, a subdivision of the State of New Mexico, of the share of the said district's construction and operation and maintenance costs applicable to certain properties owned by the United States, situated in Bernalillo County, N. Mex., within the exterior boundaries of the district; to authorize the Secretary of the Interior to contract with said district for future operation and maintenance charges against said lands; to authorize appropriation for extra construction work performed by said district for the special benefit of certain Pueblo Indian lands and to authorize ap-