

## PROMOTIONS IN THE REGULAR ARMY

James Irvin Muir to be colonel, Infantry.  
 John Julius Waterman to be colonel, Field Artillery.  
 Frank Drake to be colonel, Coast Artillery Corps.  
 Daniel Huston Torrey to be colonel, Adjutant General's Department.  
 John Millikin to be colonel, Cavalry.  
 Aaron Joseph Becker to be lieutenant colonel, Infantry.  
 Wilson McKay Spann to be lieutenant colonel, Infantry.  
 James Vernon Ware to be lieutenant colonel, Infantry.  
 Robert Washington Brown to be lieutenant colonel, Judge Advocate General's Department.  
 Charles Lowndes Steel to be lieutenant colonel, Infantry.  
 Manuel Benigno Navas to be lieutenant colonel, Infantry.  
 Enrique Manuel Benitez to be lieutenant colonel, Coast Artillery Corps.  
 Arthur Dana Elliot to be major, Ordnance Department.  
 Joseph Edward Schillo to be major, Quartermaster Corps.  
 John Paul Richter to be major, Air Corps (temporary major, Air Corps).  
 Rene Raimond Studler to be major, Ordnance Department.  
 Howard Burdette Nurse to be major, Quartermaster Corps.  
 John Montgcmery Heath to be major, Signal Corps.  
 Robert George Howie to be major, Infantry.  
 Ralph Wiltamuth to be major, Infantry.  
 Clarence Price Canby to be major, Dental Corps.  
 Edmund Harold Van Dervort to be captain, Dental Corps.  
 Robert James Brown to be captain, Veterinary Corps.  
 Earl Goss Kingdon to be captain, Veterinary Corps.  
 Harland William Layer to be first lieutenant, Medical Administrative Corps.  
 Eugene Gordon Cooper to be first lieutenant, Medical Administrative Corps.  
 Arthur Melville Henderson to be first lieutenant, Medical Administrative Corps.  
 Chaplain Ivan Loveridge Bennett to be chaplain with the rank of lieutenant colonel.

## MEDICAL CORPS

*To be lieutenant colonel*

William LeRoy Thompson

*To be majors*

Oliver Kunze Niess	Louis Holmes Ginn, Jr.
Carl Milo Rylander	Seth Gayle, Jr.
James Patrick Cooney	Howard Sterling McConkie
Harvey Francis Hendrickson	

*To be captains*

John Chisholm Fitzpatrick	Karl Herbert Houghton
Levi Martin Browning	Albert Charles Krukowski
John William Kemble	Kenneth Somers
John William Raulston	Edward Sigerfoos
William Ferrall Cook	Horace Craig Gibson
Conn Lewis Milburn, Jr.	Frank Rodney Drake
James Thomas McGibony	Jack Segal
Robert Henry Blount	Harold Augustus Vinson
John Kemp Davis	Nicholas Fred Atria
Louis Frederick Hubener	Joseph Wallace Batch
Wilbur Carmen Berry	

## POSTMASTER

## OHIO

Ross E. P. Benter, Addyston.

## HOUSE OF REPRESENTATIVES

MONDAY, JUNE 5, 1939

The House met at 12 o'clock noon.

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

Almighty God, our most merciful Father, without whom nothing is pure and nothing is enduring, we praise Thee that Thou carest for us; Thy mercies are so manifold. In our need we ask for a ray of hope and into life's sky Thou dost flash love's unfading bow of promise. Thou dost bless us with

loving friendships in whose hearts truth is truth and love is love. We pray Thee that we may be pure-hearted and clean-handed, and then we shall learn that the world is full of wonder, full of love, and full of God, and by these we are related to the precious gifts of life. Springing out of genuine sincerity, may the spirit of brotherhood prevail here from hour to hour. May the rich blessings of an all-wise, loving Father be upon our distinguished Speaker and the Congress. Help us all, dear Lord, to appreciate and preserve the trust and the dignity which have been reposed in us, and Thine shall be the praise. Through Christ our Saviour. Amen.

The Journal of the proceedings of Friday, June 2, 1939, was read and approved.

## MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On May 31, 1939:

H. R. 199. An act to amend section 10 (b), (c), and (d) of the act of June 26, 1884, as amended (U. S. C., 1934 edition, title 46, sec. 599), relative to the allotment of wages by seamen;

H. R. 1301. An act for the relief of John J. Trimble;

H. R. 1782. An act to amend section 4335 of the Revised Statutes of the United States relative to change of masters of vessels;

H. R. 1786. An act to amend section 4325 of the Revised Statutes of the United States, as amended, relative to renewal of licenses of vessels;

H. R. 2067. An act for the relief of the Atlas Powder Co.;

H. R. 3221. An act to authorize the Secretary of War to provide for the sale of aviation supplies and services to aircraft operated by foreign military and air attachés accredited to the United States, and for other purposes;

H. R. 3965. An act for the relief of Charles H. Parr;

H. R. 4131. An act for the relief of Melvin Gerard Alvey;

H. R. 4997. An act giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, N. Mex., on March 18, 1938;

H. R. 5076. An act to authorize further relief to water users on United States reclamation projects and on Indian reclamation projects; and

H. R. 5447. An act authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held May 18 to May 25, 1940.

On June 2, 1939:

H. R. 1784. An act to amend section 4498 of the Revised Statutes of the United States, as amended, relative to the renewal of licenses of vessels;

H. R. 2878. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. R. 2987. An act providing for the transfusion of blood by members and former members of the Military Establishment and by employees of the United States Government;

H. R. 3131. An act to authorize the Secretary of War to convey certain lands owned by the United States for other lands needed in connection with the expansion of West Point Military reservation, N. Y., and for other purposes;

H. R. 5501. An act authorizing the Secretary of Commerce to convey a certain tract of land to the State of Oregon for use as a public park and recreational site; and

H. J. Res. 280. Joint resolution authorizing the payment of salaries of the officers and employees of Congress on the first workday preceding the last day of any month when the last day falls on Sunday or a legal holiday.

On June 3, 1939:

H. R. 2097. An act for the relief of Homer C. Stroud;

H. R. 2926. An act for the relief of Bernard Woodruff;

H. R. 3897. An act for the relief of Harry L. Smigell;

H. R. 5324. An act to amend certain sections of the National Housing Act; and

H. R. 5485. An act permitting the War Department to transfer old horses and mules to the care of reputable humane organizations.

PERMISSION TO ADDRESS THE HOUSE

Mr. KEOGH. 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 [Mr. KEOGH]?

There was no objection.

Mr. KEOGH. Mr. Speaker and Members of the House, on Saturday, June 3, Georgetown University held its sesquicentennial convocation and its award of honors. It was indeed appropriate, therefore, that this great educational institution, upon the occasion of its one hundred and fiftieth anniversary, should honor another body founded at the same time. To receive the award, the university selected our beloved Speaker and conferred upon him the honorary degree of doctor of laws. [Applause.]

In his reply Speaker BANKHEAD said in part:

No government for a great people can hope to survive purely upon political ideology. There must be coupled with it cultural and spiritual and professional ideals and practices to stabilize the morale of the people, to govern their personal conduct by systems of sound moral ethics, and to teach them materialistic values are but a portion of the patrimony of a sound and enduring civilization.

Speaking as a representative of the legislative branch of our Government, I invoke with unrestrained confidence your further cooperation in sustaining in full strength and substance the essence of our democratic institutions which make men free—free to speak their honest convictions, free to worship their God in such fashion as conscience and conviction may choose without coercion or restraint from any temporal power; free to acquire and bequeath; free to set up our own altars and hearthstones without let or hindrance; free to order our own lives without punitive menace from any quarter; and free to cherish every noble memory that occasions like this inspire.

The Georgetown University has grown side by side with the Congress of the United States and was the first Catholic college founded in the United States.

The high light of the sesquicentennial ceremonies, along with the signal honor bestowed upon our worthy Speaker, was the receipt of a letter from Pope Pius XII in his own handwriting addressed to the president of the university, in which he paid high tribute to the university and its founder, John Carroll, first bishop of the Catholic hierarchy in the United States. The text of the letter of the Pope is as follows:

Georgetown University is commemorating during these days, beloved son, the 150 years that have passed since its foundation, and we cannot but share deeply your great joy, while we congratulate you on the splendid results achieved during these 15 decades. When in the year 1789 John Carroll, first bishop of the Catholic hierarchy in the United States, built his college on the heights of Georgetown he erected a monument significant and worthy of the zealous, far-seeing prelate, and of the ardent, genuine patriot. That college became, as he tells in his letters, the object dearest to his heart. For he saw clearly, as did likewise his great contemporary the first President of the nascent Republic, that the life and prosperity of his beloved country would depend in very large measure on the cultural and religious training of its youth. Nor could he contribute more effectively to safeguarding and strengthening the foundations of the state than by forging, as he did in Georgetown College, the beginnings of that magnificent chain of Catholic schools and colleges and universities, where the future citizen is taught the eternal truth, that only he can serve his country best who serves his God first.

For in vain would that man claim the tribute of patriotism who should labor to subvert religion and morality, those great pillars of human happiness, those firmest props of the duties of men and citizens. By act of Congress, signed March 1, 1815, by President James Madison, the state gave public testimony to its gratitude by raising Georgetown College to the full stature of a university; and on March 30, 1833, our predecessor of happy memory, Pope Gregory XVI, crowned the masterly work of Carroll by granting to the faculties of philosophy and theology the power of conferring degrees in those supreme sciences. With every good reason, therefore, beloved son, does Georgetown University recall with profound sentiments of gratitude to Almighty God 150 years of honorable service to God and country. Through the sacrifices and unstinting labors of these who have gone before you—and to whom we and you pay the homage of grateful memory—a single unit with a small group of students has grown steadily and strongly into the attractive university city with its six faculties and more than 3,000 students. During a century and a half members of the Society of Jesus uninterruptedly have devoted their learning and their lives to the enlightenment and character formation of the young men entrusted to their care.

During a century and a half these students, leaving the walls of their alma mater, have added Christian dignity and honor and right thinking to the family life, to the business and highest professional circles of their country. We rejoice with you in the consoling memories of these 150 years, and we offer our prayer of thanksgiving to God, the giver of every good gift. The destinies of Georgetown University under God are now in your hands. May he guide you and strengthen you so that the cherished hopes of the great Archbishop Carroll may each year be realized with ever-increasing fullness to the glory of God and to the spiritual grandeur of your country. As a token of our paternal interest and of our desire to encourage the all-important work of Catholic education that you are so ably carrying on, to you, beloved son, to the directors of Georgetown College, to the professors and students, and to all those present and united with you in your sesquicentennial celebrations we impart the apostolic blessing.

Given at Rome from St. Peter's, on the 21st day of May, A. D. 1939, the first of our pontificate.

(Signed) PIUS PP. XII.

The convocation opened with the reading of the congressional charter of the university, granted in 1815. The Very Reverend Arthur O'Leary, S. J., the president, aptly described the growth and aims of the university. He said:

Georgetown has been builded step by step with the self-sacrificing hands and devoted hearts of a long line of men, who have given their time and their talents and their very lives to the training of the hearts and minds and bodies of youth. We take pride in our past and we feel that the rich tradition of practical service to our Nation during all these years gives us every reason for great courage and high hope that the future may continue and even expand our sphere of usefulness. The past is a glowing lamp that will guide us upward and onward toward the goal of perfect service.

In view of the importance of this event, I think it fitting that we today acknowledge our sincere gratitude and deep appreciation to Georgetown University for its recognition of the character and service of our distinguished Speaker. The further honors he will wear, we can be certain, with increasing modesty and greater service to his country and to this body. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that this afternoon at the conclusion of the address by the gentleman from Michigan [Mr. ENGEL], under special order heretofore entered, I may be permitted to address the House for 12 minutes to present a request of the Press Gallery.

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

There was no objection.

UNVEILING OF STATUE OF WILL ROGERS

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to make an announcement.

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

There was no objection.

Mr. DISNEY. Mr. Speaker, tomorrow afternoon at 2 o'clock in the rotunda of the Capitol there will be unveiled a statue to Oklahoma's illustrious son, Will Rogers, to be placed in Memorial Hall. The Oklahoma delegation is pleased to invite the friends of Will Rogers and the Members of the House to attend this ceremony.

PROPOSED AMENDMENT TO WAGE AND HOUR BILL

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

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

There was no objection.

Mr. COX. Mr. Speaker, we have reached the point when this House should reclaim the right to legislate upon its own responsibility. [Applause.] The defeat of the motion to suspend the rules and pass the labor bill which is expected to come up this morning would be a step in this direction.

The doors of the Committee on Rules are still open ready to receive any Member of this House who will ask for an open rule for the consideration of that bill.

Mr. RANKIN. Will the gentleman yield?

Mr. COX. I yield to the gentleman from Mississippi.

Mr. RANKIN. Does the gentleman mean that we should vote down the motion for a second to the bill?

Mr. COX. That is what I hope the House will do.

Mr. RANKIN. As I understand the parliamentary situation, it is this: When a Member rises and moves to suspend the rules and pass this bill, then a second will be demanded. If a second is not granted by unanimous consent, then the House is forced to vote upon it. If the second is voted down, then the chairman of the committee will have to go to the Rules Committee and get a rule to bring that bill before the House?

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute in order to complete this colloquy.

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

There was no objection.

Mr. RANKIN. Will the gentleman answer that question?

Mr. COX. I may say to the gentleman, speaking for myself, that I oppose taking up so important a question as is proposed by the pending bill just referred to on a motion to suspend the rules. No request has been made of the Rules Committee for a rule covering consideration of this important measure. That committee stands ready, I am sure, to grant an open rule for the consideration of that bill.

Mr. RANKIN. That is what I want to know. If the request for a second is voted down, will the Rules Committee bring in an open rule and give the House the right to pass upon the bill?

Mr. COX. I can only say it is my belief, and I believe I speak advisedly, that the Rules Committee will upon application of any Member of the House, preferably a member of the Committee on Labor, grant an open rule for the consideration of the measure.

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. MAPES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article appearing in yesterday's papers by Mark Sullivan.

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

There was no objection.

#### GEN. GEORGE VAN HORN MOSELEY

Mr. SECCOMBE. 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 Ohio?

There was no objection.

Mr. SECCOMBE. Mr. Speaker, the press of Saturday carried the statement that Gen. George Van Horn Moseley, former Chief of Staff of the United States Army, had stated before the Dies committee that the President had sold the country down the river. One of my colleagues claims that he should be court-martialed for his statement. I claim he should be given a Congressional Medal of Honor. In that same spirit, General Moseley claimed that the White House should conduct a house cleaning of its own, and that President Roosevelt could in a few minutes' time rid the administration of the Communists by discharging them from the Government jobs.

Mr. RAYBURN. 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 Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I have heard made by new Members and old ones very unfortunate and very unfair statements about a President of the United States, but I have never heard a more unfortunate, unfair, or cruel statement reechoed on the floor of the House of Representatives. I am utterly amazed that the gentleman would repeat the statements of as irresponsible a man as General Moseley is, judging from the testimony he gave before the Dies committee as well as his general attitude. [Applause.]

#### EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial.

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

There was no objection.

#### AVIATION CADETS IN THE NAVAL AND MARINE CORPS RESERVES

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5765) to authorize commissioning aviation cadets in the Naval and Marine Corps Reserves upon completion of training, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, after "1939", insert "and shall take effect on July 1, 1939."

Page 5, line 23, strike out "Speaker of the House of Representatives" and insert "Congress."

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

Mr. MAPES. Reserving the right to object, Mr. Speaker, I understand the amendments of the Senate have been considered by the Committee on Naval Affairs of the House and unanimously agreed to by them, but I believe the chairman should explain these amendments for the RECORD.

Mr. VINSON of Georgia. I have consulted with the ranking minority member, and there is no disagreement from his viewpoint with reference to these amendments.

Mr. MAPES. Will the gentleman state just what the amendments are?

Mr. VINSON of Georgia. When the bill passed the House it was referred to as the Naval Reserve Act of 1939. The Senate amended the bill to make it effective on July 1, 1939. The House provided that a report should be presented to the Speaker of the House of Representatives. The Senate changed it so that the report would be submitted to the Congress. These are the only two amendments.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### JEFFERSON DAVIS—A JUDICIAL ESTIMATE

Mr. RANKIN. 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 Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein some extracts from an address delivered by Bishop Charles B. Galloway, of my State.

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

There was no objection.

Mr. RANKIN. Mr. Speaker, last Saturday, June 3, was the anniversary of the birth of Jefferson Davis, the great White Chieftain of the Confederacy, one of the greatest men this Nation has ever produced. [Applause.]

He has been maligned, abused, and misrepresented more than any other man who has ever served in public life in this country.

No man ever paid him a higher tribute, or a more deserved tribute than that delivered by Bishop Charles B. Galloway, of the Southern Methodist Church of my own State. I shall insert in the RECORD as a part of my remarks Bishop Galloway's address in order that the American people may, at this late date, know the truth about this great man who has now been dead these 50 years. A greater patriot, an abler statesman, a braver soldier, or a more consecrated Christian this Nation has not seen. [Applause.]

The matter referred to follows:

ADDRESS OF BISHOP CHARLES B. GALLOWAY AT THE UNIVERSITY OF MISSISSIPPI ON THE ONE HUNDREDTH ANNIVERSARY OF THE BIRTH OF JEFFERSON DAVIS

With unaffected distrust of my ability to meet the demands of such a great hour as this, I rejoice to be again on the beautiful campus of my alma mater and have the opportunity of bringing a message to the young men of my country. And as this commencement day chances to be the one hundredth anniversary of the birth of Jefferson Davis, the most illustrious citizen whose name ever adorned and enriched the annals of Mississippi, I have had the temerity to select his Life and Times as the theme of this hour's discussion. To paint, with skillful hand, the full-length portrait of that majestic man, or adequately portray the qualities that gave him greatness and the virtues that make him immortal, I cannot; but, with you, I can reverently sit at his feet and listen to a story that will stir within us many a noble aspiration and cause us to seek more diligently the old paths of manly honor and high endeavor. My purpose is not to indulge in extravagant or indiscriminate eulogy but, if possible, give a judicial estimate of a great man who was the most commanding figure in a fierce and eventful national crisis. It shall be alike removed from unreasoning censure and unreasoning praise. We need not deify Mr. Davis, or disproportionately exalt the pedestal on which the Genius of History will surely place him, in order to show adequate appreciation of his noble character and splendid genius. On the other hand, the use of bitter invective and lurid superlatives about this man of destiny may evidence literary ingenuity and partisan malignity, but can never any more command the respect of patriotic, thoughtful students of our national history.

The days of malignant vituperation are gone, and the time of judicial interpretation has come. It is not necessary now to "measure all facts by considerations of latitude and longitude." The character and life work of Jefferson Davis were never so diligently and dispassionately studied as today. War passions have sufficiently cooled, and war clouds have so floated from our national skies that even the most ardent and sentimental nationalist can study the man and his times in a clear, white light. A citizen whose moral and religious ideals were the most exalted, and whose daily conduct was sought to be modeled after the Man of Galilee, and whose life has in it as little to explain or apologize for, as any leader in American politics, can never be caricatured as a monster or condemned as a traitor, and have anybody really believe it.

The unanswered question in England for 240 years was, "Shall Cromwell have a statue?" It required nearly 2½ centuries for public opinion to reach a just estimate of the most colossal figure in English history. The great lord protector died at Whitehall and was laid to rest, with royal honors, in Westminster Abbey. But when the monarchy was restored, and Charles II ascended the throne, his body was disinterred, gibbeted at Tyburn Hill and buried under the gallows, the head being placed on Westminster Hall. Now, a magnificent statue of the great Oliver stands opposite where his head was exposed to the jeers of every passerby—England's sane and final estimate of the mightiest man who ever led her legions to victory or guided the course of her civil history. In the new world, events move faster, popular passion cools quicker, and calm judgment more speedily reascends its sacred throne. After 40 years since the Civil War, the Nation's estimate of Jefferson Davis—the Oliver Cromwell of our constitutional crisis—has almost entirely changed, and points to the not far-off day when no place in our Federal capital will be too conspicuous for his heroic statue. Mr. Davis can no more be understood by reading the heated columns of the political newspapers and historical writers of the days immediately succeeding the Civil War than Oliver Cromwell could be judicially interpreted by the obsequious literature of the reign of Charles II.

Mr. Davis had his limitations and was not without his measure of human faults and frailties; but he also had extraordinary gifts and radiant virtues and a brilliant genius that rank him among the mightiest men of the centuries. He made mistakes, because he was mortal, and he excited antagonisms because his convictions were stronger than his tactful graces; but no one who knew him, and no dispassionate student of his history, ever doubted the sincerity of his great soul or the absolute integrity of his imperial purpose. Let us, on his anniversary day, learn some patriotic lessons from the life history of this greatest Mississippian, rekindle our faith in the unalterable principles of constitutional liberty to which he was passionately devoted, and renew our fealty to the flag of our reunited country, which he never ceased to love.

I have read of a peculiar notion entertained by the ancient Norsemen. They supposed that, beside the soul of the dead, a ghost survived, haunting for awhile the scenes of his earthly labors. Though at first vivid and lifelike, it slowly waned and faded, until at length it vanished, leaving behind no trace or memory of its spectral presence. I am glad that the ghosts of old sectional issues are vanishing and soon will cease to haunt and mock the fears of the most anxious and nervous of American patriots. It is a grateful fact, in which all rejoice, that this Nation is more united in heart and purpose today than ever in its history.

While I would not needlessly stir the embers of settled strife or reopen the grave of buried issues or, by a word, revive the bitter memories of a stormy past, it is due the truth of history that the fundamental principles for which our fathers contended should be often reiterated, in order that the purpose which inspired them

may be correctly estimated and the purity of their motives be abundantly vindicated.

If the condition of affairs in 1860 be thoroughly understood, and one has a clear and accurate knowledge of the nature and character of the Federal Government, together with the rights of the States under the Constitution, we need not fear the judgments that may be formed and the conclusions that will be reached. But unfortunately for the truth of history, up to recent years, we have been "confronted by dogmas which are substituted for principles, by preconceived opinions which are claimed to be historical verities, and by sentimentality which closes the avenues of the mind against logic and demonstration."

But before studying the lessons of a great cause, a great leader, and a great era, I call attention to a rather singular historic fact. The most illogical and unreasoning sentiment—which yet lingers, but is fast fading—a sentiment universal in the North and more or less entertained in the South—is that which has persistently discriminated against Mr. Davis, holding him to vindictive account for the ever-to-be-lamented war and all its terrible consequences, while others have been acquitted of blame, and many applauded as patriots and heroes. Upon his weary shoulders have been piled the sins of the South, and he has been execrated as the arch traitor of American politics. Those who thus judge have taken counsel of their prejudices, and evidence an almost criminal ignorance of the facts of history. Was Mr. Davis more a sinner than Robert E. Lee and Stonewall Jackson, that he should be condemned and they so universally praised? Did he follow any flag for which they did not draw their swords? Did he advocate any doctrine to which they did not subscribe, and write their names in blood? Did he avow allegiance to any government to which they did not pledge life and sacred honor? And yet, in some sections of our country, he has been gibbeted, and they have been applauded.

I know there is a certain glamour that gathers about a military hero which commands admiration and calls for extravagant laudation. One who braves the shout of battle and wins the chaplet of victory, is unconsciously invested with a halo more brilliant than the crown of any civilian, however marvelous his gifts or magnificent his achievements or immortal the results of his public labors. People will applaud the returning conqueror while they forget the founder of an empire or the author of a nation's constitution. By virtue of his exalted position, first as the trusted political leader of a great party, and then as the President of a storm-cradled nation, Mr. Davis invited antagonisms and could not escape the sharpest criticism. Having to deal with the rivalries of political leaders, the jealousies of military aspirants, the bitterness of the disappointed, the selfishness of the discontented, and indeed all classes, in every department of the civil and military service, he had to hear every lament and patiently bear every complaint. In the North, he was charged with everything, from the sin of secession to the "horrors of Andersonville" and the assassination of Mr. Lincoln. In the South he was held accountable for everything, from the failure to capture Washington after the first battle of Manassas, to the unsuccessful return of the peace commission and the surrender of Lee's tattered legions at Appomattox.

As this discussion will be more the study of an epochal man and his times, rather than the recital of personal history, I shall not repeat in detail the well-known facts of an eventful career. The son of a gallant Revolutionary soldier, and with the finest strain of Welsh blood flowing in his generous veins, Jefferson Davis was born in the State of Kentucky. In infancy he was brought by his father to Mississippi, and here his entire life was spent. At the county school he was prepared for Transylvania College, from which, at the age of 16, he passed to the United States Military Academy at West Point. In that institution he was distinguished as a student and a gentleman, and in due time was graduated with high honor.

Jefferson Davis began life well. He had a clean boyhood, with no tendency to vice or immorality. That was the universal testimony of neighbors, teachers, and fellow students. He grew up a stranger to deceit and a lover of the truth. He formed no evil habits that he had to correct, and forged upon himself no chains that he had to break. His nature was as transparent as the light that shone about him; his heart was as open as the soft skies that bent in benediction over his country home; and his temper as sweet and cheery as the limpid stream that made music in its flow through the neighboring fields and forests.

Graduating from West Point in 1828, he was commissioned a second lieutenant in the Regular Army, and spent 7 laborious years in the military service, chiefly in the middle Northwest, and had some conspicuous part in the Black Hawk War. In 1835 Lieutenant Davis resigned from the Regular Army, married the charming daughter of Gen. Zachary Taylor, and settled on his Mississippi plantation, to follow the luxurious, literary life of a cultured southern gentleman. But the untimely death, in a few short months, of his fair young bride, crushed his radiant hopes and disappointed all his life plans. After 7 years, spent mostly in agricultural pursuits, and in literary study, especially the study of political philosophy and constitutional history, he entered public life, and almost immediately rose to trusted and conspicuous leadership.

In 1844 Mr. Davis was elected to Congress, and ever thereafter, up to the fall of the Confederate Government, was in some distinguished capacity or other connected with the public service of his country. When he entered the Halls of Congress, the Oregon question, the reannexation of Texas, and the revision of the tariff were the stormy issues that divided the Nation into two hostile

camps. The scholarly young Representative from Mississippi soon appeared in the lists, and by his thorough mastery of the questions involved attracted national attention. The venerable ex-President, John Quincy Adams, the "old man eloquent," at that time a Member of the House, was greatly impressed with his extraordinary ability and predicted his brilliant parliamentary career. Referring to his first set speech in Congress, a recent biographer, makes this just and suggestive observation: "He manifests here, in his early efforts as a legislator, some of the larger views of national life and development which have been so persistently ignored by those who have chronicled his career."

In that first great speech, which had all the marks and carried all the credentials of the profoundest statesmanship, Mr. Davis made this broad declaration from the principle of which he never receded: "The extent of our Union has never been to me the cause of apprehension; its cohesion can only be disturbed by violation of the compact which cements it."

Believing as he did in the righteousness of the conflict with Mexico, Mr. Davis earnestly advocated the most liberal supply of means and men to prosecute the war, and announced himself as ready, should his services be needed, to take his place in the tented field. In June 1846 a regiment of Mississippi volunteers was organized at Vicksburg, and Jefferson Davis was elected its colonel. He accordingly resigned his seat in Congress, hastened to join his regiment, which he overtook at New Orleans, and reported for duty to General Taylor on the Mexican border. At Monterey and Buena Vista, crucial positions of the war, his command rendered conspicuously heroic service. Our American knighthood was in fairest flower that day, especially on the plains of Buena Vista, when Colonel Davis, against overwhelming numbers, snatched victory from almost certain defeat, and won immortal fame for himself and his gallant Mississippi rifles. By a brilliant tactical movement he broke the strength of the Mexican army and sent General Santa Anna southward with only half the force of the day before. Though severely wounded he remained in his saddle, refusing to quit the field until the day of glorious triumph was complete. General Zachary Taylor, commander in chief of the American forces, paid this eloquent tribute to the soldierly courage and genius of the distinguished Mississippian: "Napoleon never had a marshal who behaved more superbly than did Colonel Davis today."

Returning from Mexico, having won the highest honors of war, Colonel Davis and the brave remnant of his magnificent regiment, were everywhere welcomed with boundless enthusiasm. He was tendered the position of brigadier general of volunteers by President Polk, but declined, on constitutional grounds, holding that such appointment inhered only in the State.

Within 2 months after his return from Mexico, crowned with immortal honor, Mr. Davis was appointed by the Governor to represent Mississippi in the United States Senate, a vacancy having occurred by the death of Senator Spaight. When the legislature met he was elected unanimously for the remainder of the unexpired term, all party lines having disappeared in a universal desire to honor the brilliant young colonel of the Mississippi Rifles. That was a position most congenial to his tastes and ambitions, and there his superb abilities shone with a splendor rarely equaled in the parliamentary history of America. He was an ideal Senator, dignified, self-mastered, serious, dispassionate, always bent on the great things that concerned the welfare of the Nation. He was never flippant—never toyed with trifles—and never trifled with the destiny of his people. His was the skill and strength to bend the mighty bow of Ulysses.

When Jefferson Davis entered the United States Senate the glory of that upper Chamber was at its height. Possibly never at one time had so many illustrious men sat in the highest council of the Nation. There were giants in those days. There sat John C. Calhoun, of South Carolina; Daniel Webster, of Massachusetts; Henry Clay, of Kentucky; Thomas H. Benton, of Missouri; Lewis Cass, of Michigan; Salmon P. Chase, of Ohio; Stephen A. Douglass, of Illinois, and other men of lesser fame. In that company of giants Jefferson Davis, of Mississippi, at once took rank among the greatest, "eloquent among the most eloquent in debate," and worthy to be the premier at any council table of American statesmen. The historian Prescott pronounced him "the most accomplished" Member of the body.

One who spoke by the authority of large experience with the upper Chamber thus correctly characterized our brilliant and accomplished young Senator: "It is but simple justice to say that in ripe scholarship, wide and accurate information on all subjects coming before the body, native ability, readiness as a debater, true honor, and stainless character, Jefferson Davis stood in the very first rank, and did as much to influence legislation and leave his mark on the Senate and the country as any other who served in his day."

Senator Henry Wilson, of Massachusetts, afterward spoke of him as "the clear-headed, practical, dominating Davis."

That which preeminently signaled the public character and parliamentary career of Jefferson Davis was his sincere, unwavering devotion to the doctrine of State sovereignty, and all the practical questions that flowed therefrom. He held with unrelaxing grasp to the fundamental fact that the Union was composed of separate, independent, sovereign States, and that all Federal power was delegated, specifically limited, and clearly defined. The titanic struggles of his entire public life were over this one vital issue, with all that it logically involved for the weal or woe of his beloved country. The Articles of Confederation declared, in express terms, that "each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States in Congress

assembled," and that principle was transferred intact to the Constitution itself. And as one function of sovereignty was the right to withdraw from a compact, if occasion demanded, he planted himself squarely upon that doctrine, and never wavered in its able and fearless advocacy—a doctrine, by the way, that was never questioned by any jurist or statesman for 40 years after the Constitution was adopted.

Having read and reread, with great diligence and no less delight, the whole history of the fierce controversies that culminated in the War between the States, including the ablest speeches of our profoundest statesmen on both sides, and with all my genuine pride in a restored Union, I am bound to say that the southern position was never shaken, and that the overwhelming weight of argument was on the side of John C. Calhoun and Jefferson Davis. And further, it was by surrendering the constitutional argument and resorting to what was denominated "the higher law" of political conduct and conscience that the North found apology or defense for its attitude toward the inalienable rights of the Southern States.

In order that you may appreciate the grounds of my confident assertion, I quote a few paragraphs from what seems to me an absolutely unanswerable argument by John C. Calhoun, the greatest logician and profoundest political philosopher in the Nation: "In that character they formed the old confederation, and when it was proposed to supersede the Articles of the Confederation by the present Constitution, they met in convention as States, acted and voted as States, and the Constitution, when formed, was submitted for ratification to the people of the several States. It was ratified by them as States, each State for itself; each, by its ratification, binding its own citizens; the parts thus separately binding themselves, and not the whole, the parts; and it is declared in the preamble of the Constitution to be ordained by the people of the United States, and in the article of ratification, when ratified, to be binding between the States so ratifying. The conclusion is inevitable that the Constitution is the work of the people of the States, considered as separate and independent political communities; that they are its authors—their power created it, their voice clothed it with authority; that the Government formed is in reality their agent; and that the Union, of which the Constitution is the bond, is a Union of States and not of individuals."

And it is an interesting and suggestive fact that the latest historians and writers on constitutional government sustain the fundamental contention of southern statesmen.

The Honorable Henry Cabot Lodge, the accomplished scholar and distinguished Senator of Massachusetts, in his *Life of Daniel Webster*, makes this candid statement: "When the Constitution was adopted by the votes of the States at Philadelphia and accepted by votes of States in popular conventions, it was safe to say there was not a man in the country, from Washington to Hamilton on the one side, to George Clinton and George Mason on the other, who regarded the new system as anything but an experiment entered upon by the States, and from which each and every State had the right to peacefully withdraw—a right that was very likely to be exercised."

And in a recent illuminating address, the Honorable Charles Francis Adams, abundantly and absolutely vindicates the contention of Mr. Davis and other southern leaders, in this noble utterance: "To which side did the weight of argument incline during the great debate which culminated in our Civil War? The answer necessarily turns on the abstract right of what we term a sovereign State to secede from the Union at such time and for such cause as may seem to that State proper and sufficient. The issue is settled; irrevocably and for all time decided; it was settled 40 years ago, and the settlement since reached has been the result not of reason based on historical evidence, but of events and of force." And Mr. Adams further added: "The principles enunciated by South Carolina on the 20th of December, 1860, were enunciated by the Kentucky resolutions, November 16, 1798."

The position of Jefferson Davis, though by his enemies often denied and persistently obscured, was this—that while consistently and unanswerably defending the right of a State to secede, he never urged it as a policy, and deplored it as a possible necessity. Or to use the language of the resolution adopted by the States Rights Convention of Mississippi in June 1851, drawn by his own hand, "Secession was the last alternative, the final remedy, and should not be resorted to under existing circumstances."

It may be interesting in this connection to inquire when the exercise of a State's right to secede had its first and most threatening assertion. Alexander H. Stevens affirms that the right of a State to withdraw from the Union was never denied or questioned by any jurist, publicist, or statesman of character and standing "until Kent's Commentaries appeared in 1826, nearly 40 years after the Government had gone into operation." And it is historic truth to state that the first threat to exercise this right, universally recognized in the early days of the Republic, was not heard in the South; "it first sprang up in the North." Not only so, but from 1795 to 1815, and again in 1845, there was an influential party in New England who favored and threatened the formation of a northern confederacy. Roger Griswold, a Representative in Congress from the State of Connecticut in 1804, declared that he was in favor of the New England States forming a republic by themselves and seceding from the Union. Joseph Story, when in Congress, afterward a Justice of the Supreme Court and commentator on the Constitution, said: "It was a prevalent opinion then in Massachusetts . . . of a separation of the Eastern States from the Union."

In a famous speech delivered by Josiah Quincy, in Congress, January 14, 1811, against the admission of Louisiana into the Union as a State, these sentiments were defiantly uttered: "I am compelled to declare it as my deliberate opinion that if this bill passes, the bonds of this Union are virtually dissolved; that the States which compose it are free from their moral obligations, and that, as it will be the right of all, so it will be the duty of some, to prepare definitely for a separation, amicably, if they can, violently if they must." It must not be forgotten that these are not the words of Jefferson Davis. When he defended the doctrine of a State's right to sever its relation with the Union, he was denounced as a conspirator against the life of the Nation.

On December 15, 1814, the Hartford Convention assembled, composed of delegates from all the New England States, to protest against the war then in progress between the United States and England. They had suffered immense loss by the destruction of their commerce and fisheries, and rather than endure more for the Nation's account, they preferred to withdraw from the Union. The report, adopted unanimously by the convention, contains this language: "In case of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a State, and the liberties of the people, it is not only the right, but the duty of such a State to interpose its authority for their protection, in the manner best calculated to secure that end. When emergencies occur, which are either beyond the reach of judicial tribunals, or too pressing to admit of the delay incident to their forms, States which have no common umpire, must be their own judges and execute their own decisions."

While that threat was never carried into execution—the treaty of Ghent having been signed in the meantime—there is the solemn assertion on the part of these New England delegates of their sovereign right to withdraw from the Union if occasion seemed to demand. I make no comment upon the fact that while New England was meditating withdrawal from the Federal compact Gen. Andrew Jackson and his heroic legions in the battle at New Orleans were shedding their blood for the honor of our national flag. But I venture to ask this question, Is there anything in the lapse of a few years to make the utterances of Roger Griswold and Rufus King and Joseph Story and Josiah Quincy and the Hartford Convention less disloyal than the calm, philosophic reasoning of John C. Calhoun and Jefferson Davis? And yet no one ever hears of New England as "the hot bed of secession" and her political leaders as conspirators against the life of the Nation. No fair-minded student of history can acquit Josiah Quincy and find fault with Jefferson Davis.

The Legislature of Massachusetts in 1809 declared the embargo law "not legally binding on the citizens of the State." Now, in New England that was simply the assertion of inalienable rights. If in South Carolina, it would have been, and was, denounced as the vilest nullification.

Now I come to the conditions and questions that immediately preceded, if they did not precipitate, the dismemberment of the Union. Slavery, which existed in all but 1 of the States when the Union was formed, and in 15 of them when the war began, was the occasion but not the cause of the lamented conflict. But as Mr. Davis well said, "In the later controversies \* \* \* its effect in operating as a lever upon the passions, prejudices, or sympathies of mankind was so potent that it has been spread like a thick cloud over the whole horizon of historic truth."

The right or wrong of slavery we need not discuss, or attempt to determine who was most responsible therefor. The institution is dead beyond the possibility of resurrection, and the whole Nation is glad. The later geographical limitations of slavery in the United States were determined not by conscience but by climate. It was climate at the North and the cotton gin in the South that regulated the distribution of slave labor. I have scant respect for a conscience too sensitive to own certain property because it is immoral, but without compunction will sell the same to another at full market value. Had the slave holders of the North manumitted their slaves, and not sold them because their labor ceased to be profitable, there would have been more regard for their subsequent abolition zeal. It is a matter of pride with us that no Southern Colony or State ever had a vessel engaged in the slave trade. And several of the Southern States were the first to pass stringent laws against the importation of African slaves.

But apart from the ethical question involved, as we now see it, slave property was recognized by the Constitution and existed in every State but one when the Union was formed. And a clear mandate of the Constitution required slaves to be delivered up to their owners when escaping into another State. Congress passed laws to enforce the same, and their constitutionality was sustained by the Supreme Court in the famous Dred Scott decision. Daniel Webster, too great to be provincial, and too broad to be a narrow partisan, in a noble speech at Capon Springs, Va., in 1851, made this emphatic declaration:

"I have not hesitated to say, and I repeat, that if the Northern States refuse, willfully and deliberately, to carry into effect that part of the Constitution which respects the restoration of fugitive slaves, and Congress provide no remedy, the South would no longer be bound to observe the compact. A bargain cannot be broken on one side and still bind the other side. I say to you, gentlemen in Virginia, as I said on the shores of Lake Erie and in the city of Boston, as I may say again, that you of the South have as much right to receive your fugitive slaves as the North has to any of its rights and privileges of navigation and commerce."

And yet Charles Sumner, speaking for a great party growing in strength and dominance, with the rising sun of every day, said

the North could not and would not obey the law. Wm. H. Seward declared that there was "a higher law" than the Constitution which would be the rule of their political conduct.

Now the insistence of Mr. Davis and his compatriots was that the Constitution and laws should be obeyed: that the individual, sovereign States must regulate their own domestic affairs without Federal interference, and that their property, of whatever kind, must be respected and protected. They resisted any invasion of the State's right to control its own internal affairs as a violation of the sacred Federal compact. Over that one fundamental question an "irrepressible conflict" was waged for many stormy years. The advocates of State sovereignty were charged with disloyalty to the Union, while the Federalists were denounced as enemies of the Constitution and usurpers of the rights of the States.

And, by the way, our present day political discussions are eloquently vindicating the patriotic jealousy of Mr. Davis for the rights of the States. The most significant fact of these strenuous times is the solemn warnings, in endless iteration and from both political parties, against the ominous encroachments of Federal authority. More and more the Nation is seeing that Jefferson Davis was not an alarmist or an academical theorist, but a practical, sagacious, far-seeing statesman, when he contended so persistently for the rights and unconstrained functions of each member of the Federal Union.

Sectional agitation and alienation continued, with slight interruption and increasing violence, for many weary years. Every lover of the Union deplored it, and every patriotic American sought some common ground on which all could stand, and the rights of each be preserved. But with every congressional debate and political convention and Supreme Court decision, this animosity was kindled into fiercer flame. On both sides the bitterness was intense. Political differences ripened into personal hates and hostilities. Encounters between Congressmen over sectional issues were a daily dread in Washington. One Senator said: "I believe every man in both Houses is armed with a revolver." Fourteen of the Northern States passed so-called personal liberty laws, designed to nullify the Constitution, and encourage the people to disregard the Dred-Scott decision of the Supreme Court. State officers were prohibited from assisting in the arrest of fugitive slaves, while State's attorneys were required to defend them, and provision made for paying the fugitive's expenses out of the State treasury. Charles Sumner openly declared that the North would not obey the fugitive-slave laws. William H. Seward, it was said, contributed money to John Brown which was used for pillage and murder. John Brown's midnight raid on Harpers Ferry was applauded to the echo throughout the North. And when the old assassin was executed, according to law, bells were tolled in many places, cannon were fired, and prayers offered for him as if he were the saintliest of martyrs. By fervid orators he was placed on the same canonized roll with Paul and Silas.

On the other hand the South was equally intolerant and aflame with intense excitement. Commercial conventions in Charleston, Montgomery, Memphis, and elsewhere adopted retaliatory measures against the aggressions of the North. Southerners declared that nonintercourse in business was "the one prescription for northern fanaticism and political villainy." Southern parents were condemned for patronizing northern colleges, and urged to enlarge and equip their own institutions and to use only southern textbooks. "If our schools are not good enough," they said, "let them be improved by a more hearty support; if this is not enough, let them patronize the universities of Europe rather than aid and abet in any way the bitter enemies of the Southland."

And as further evidence that northern leaders had determined no longer to uphold the Constitution and give to the South what she considered her rights and equality in the Union, we have only to reread the extreme and inflamed utterances of their chief men. What could the Nation hope for when men in authority declared that the Constitution under which we lived is no longer of binding force, and that there is a "higher law" for the guidance of a citizens' conduct and conscience? William H. Seward, the acknowledged head of the Republican Party, and the author of that doctrine, uttered these words: "There is a higher law than the Constitution which regulates our authority over the domain. Slavery must be abolished, and we must do it."

Horace Greely a most potential voice in the councils of his party, did not hesitate to say: "I have no doubt but the free and slave States ought to be separated—the Union is not worth supporting in connection with the South."

William Lloyd Garrison, at first derided as a fanatic, but afterward followed as the voice of an apostle, thus advocated the cause of disunion: "The Union is a lie. The American Union is an imposture, a covenant with death and an agreement with hell. We are for its overthrow. Up with the flag of disunion, that we may have a free and glorious republic of our own."

Wendell Phillips, the most eloquent orator in New England, and whose leadership was commanding, fed the flames of sectional animosity with speeches such as this: "There is merit in the Republican Party. It is this: It is the first sectional party ever organized in this country—it is not national; it is sectional. It is the North against the South. The first crack in the iceberg is visible; you will yet hear it go with a crack through the center."

The New York Tribune, for many years the acknowledged and most influential organ of Republican opinion in the United States, thus bade the South a respectful adieu: "The time is fast approaching when the cry will become too overpowering to resist. Rather than tolerate national slavery as it now exists, let the Union be dissolved at once."

With such utterances and the applauding echoes of a party flushed with political victory ringing in their ears, the South had little occasion to hope for aggressions to cease and conditions to improve. But through all the years this storm was fiercely raging, the cool, sagacious Jefferson Davis never lost the clearness of his vision or allowed himself to be swept from his political moorings. He fought with all his superb skill and herculean strength for the rights of the States and warned his opponents that continued Federal invasion might drive them from the Union, but at the same time he reiterated his undying love for the whole country and its organic law, and prayed that the day of disunion would never dawn.

In an eloquent speech delivered at Portland, Maine, in 1858, Mr. Davis strikingly demonstrated the fact that State pride and devotion to State integrity strengthened rather than weakened our attachment to the Federal Union; that the larger love we have for our national flag is fed by the passionate devotion we manifest in the welfare of an individual State. He said: "No one more than myself recognizes the binding force of the allegiance which the citizen owes to the State of his citizenship, but the State being a party to our compact, a member of the Union, fealty to the Federal Constitution is not in opposition to but flows from the allegiance due to one of the United States. Washington was not less a Virginian when he commanded at Boston, nor did Gates and Green weaken the bonds which bound them to their several States by their campaigns in the South. In proportion as a citizen loves his own State will he strive to honor her by preserving her name and her fame free from the tarnish of having failed to observe her obligations and to fulfill her duties to her sister States. Do not our whole people—interior and seaboard, North, South, East, and West—alike feel proud of the Yankee sailor, who has borne our flag as far as the ocean bears its foam, and caused the name and character of the United States to be known and respected where there is wealth enough to woo commerce and intelligence to honor merit? So long as we preserve and appreciate the achievements of Jefferson and Adams, of Franklin and Madison, of Hamilton, of Hancock, and of Rutledge—men who labored for the whole country and lived for mankind—we cannot sink to the petty strife which saps the foundations and destroys the political fabric our fathers erected and bequeathed as an inheritance to our posterity forever."

And a few weeks thereafter, when on a visit to Boston, addressing a great audience in Faneuil Hall, and speaking not only for himself but for the entire South as well, he uttered sentiments as broadly and loyally national as were ever spoken by Thomas Jefferson or sung in the battle hymns of the Republic. "As we have shared in the toils," said he, "so we have gloried in the triumphs of our country. In our hearts, as in our history, are mingled the names of Concord, and Camden, and Saratoga, and Lexington, and Plattsburg, and Chippewa, and Erie, and Moultrie, and New Orleans, and Yorktown, and Bunker Hill. Grouped all together they form a record of the triumphs of our cause, a monument of the common glory of our Union. What southern man would wish it less by one of the northern names of which it is composed? Or where is he who, gazing on the obelisk that rises from the ground made sacred by the blood of Warren, would feel his patriot's pride suppressed by local jealousy?"

As late as December 20, 1860, after the Presidential election and when events were hastening to a crisis, on the floor of the United States Senate, Mr. Davis reannounced his passionate love for the Union and pathetically pleaded for a spirit of conciliation that would make unnecessary the withdrawal of the South from their national fraternity. He said: "The Union is dear to me as a union of fraternal States. It would lose its value if I had to regard it as a union held together by physical force. I would be happy to know that every State now felt that fraternity which made this Union possible, and, if that evidence could go out, if evidence satisfactory to the people of the South could be given that that feeling existed in the hearts of the northern people, you might burn your statute books and we would cling to the Union still."

Instead of conspiring to disrupt the Union, as has been charged, Mr. Davis loved this great Republic with passionate ardor and sealed that devotion with his richest blood. He served his country with a conscientious fidelity that knew no flagging. He went out at last in obedience to what he felt was imperative necessity, and the going almost broke his great heart. So reluctant was he to sever relations with the Union that some more ardent friends became impatient with his hesitation and almost suspected his loyalty. Despairing of any fair and final adjustment of issues that had agitated the Nation for more than a half century, and believing that the election of Mr. Lincoln would embolden his party to great aggressions upon the constitutional rights of the Southern States, he at length, with many a heartache, yielded to the inevitable and joined his people in the establishment of a separate civil government.

On January 20, in a letter to his special friend ex-President Franklin Pierce, he thus expressed the grief of his patriotic heart: "I have often and sadly turned my thoughts to you during the troublous times through which we have been passing, and now I come to the hard task of announcing to you that the hour is at hand which closes my connection with the United States, for the independence and union of which my father bled, and in the service of which I have sought to emulate the example he set for my guidance."

As Mr. Blaine justly said of L. Q. C. Lamar, so will history say of Jefferson Davis: "He stood firmly by his State in accordance with the political creed in which he was reared; but looked back with tender regret to the Union whose destiny he had wished to

share, and under the protection of whose broader nationality he had hoped to live and die."

And so consistent was his entire public career, and so conspicuous the unstained purity of his motives, that when nearing the close of his eventful life, he could challenge the world and triumphantly say: "The history of my public life bears evidence that I did all in my power to prevent the war; that I did nothing to precipitate collision; that I did not seek the post of Chief Executive, but advised my friends that I preferred not to fill it."

Long after Yancey and Rhett and Toombs and others had thrown hesitancy to the winds Mr. Davis still wrought with all his great ability and influence to preserve the Union. He favored and earnestly advocated the "Crittenden Resolutions" on condition that the Republican Members accept them. Had they not stubbornly refused—and they did it on the advice of Mr. Lincoln—war would have been averted and the dissolution of the Union prevented or postponed. All the undoubted facts go to prove that Jefferson Davis, at the peril of sacrificing the confidence of his people, exhausted all resources consistent with sacred honor and the rights of the States to stay the fatal dismemberment of the Union.

Jefferson Davis' farewell to the United States Senate, in which he had so long towered as a commanding figure and where he had rendered his country such distinguished service, was one of the most dramatic and memorable scenes in the life of that historic Chamber. Mississippi, by solemn ordinance and in the exercise of her sovereign right, had severed her relation with the Union, and he, as her representative, must make official announcement of the fact, surrender his high commission, and return home to await the further orders of his devoted people. It was a supreme—a fateful hour—in our country's history. The hush of death fell upon the Chamber when Jefferson Davis arose. The trusted leader and authoritative voice of the South was about to speak, and an anxious Nation was eager to hear. Every Senator was in his seat, Members of the House stood in every available place, and the galleries were thronged with those whose faces expressed the alternating hopes and fears of their patriotic hearts. The fate of a nation seemed to hang upon that awful hour.

Pale, sad of countenance, weak in body from patriotic grief and loss of sleep, evidently under the strain of sacred, suppressed emotion, and yet with the calmness of fixed determination and settled conviction, the majestic Senator of Mississippi stood, hesitant for a moment, in painful silence. The natural melancholy in his face had a deeper tinge "as if the shadow of his country's sorrow had been cast upon it." His good wife, who witnessed the fateful scene, and felt the oppressive burden that almost crushed the brave heart of her great husband, said that "Had he been bending over his bleeding father, needlessly slain by his countrymen, he could not have been more pathetic and inconsolable." At first there was a slight tremor in his speech, but as he proceeded his voice recovered its full, flutelike tones, and rang through the Chamber with its old-time clearness and confident strength. But there was in it no note of defiance, and he spoke no word of bitterness or reproach. He was listened to in profound silence. Hearts were too sad for words and hands too heavy for applause. Many eyes, unused to weeping, were dimmed with tears. And when he closed with these solemn words, there was a sense of unutterable sorrow in the entire assembly: "Mr. President and Senators, having made the announcement which the occasion seemed to me to require, it only remains for me to bid you a final adieu." Senators moved softly out of the Chamber, as though they were turning away from a new-made grave in which were laid their dearest hopes. Mrs. Davis says that the night after this memorable day brought no sleep to his eyelids, and all through its restless hours she could hear the oft-repeated prayer: "May God have us in His holy keeping, and grant that before it is too late peaceful councils may prevail."

In this open, manly, but painful way, the Southern States withdrew, with never a suggestion of conspiracy against anything or anybody. The men of the South wore no disguises, held no secret councils, concealed no plans, concocted no sinister schemes, organized no conclaves, and adopted no dark-lantern methods. They spoke out their honest convictions, made their pathetic pleas for justice, and openly announced their final, lamented purpose if all efforts at a peaceful adjustment should fail. And at length, whether wisely or unwisely, feeling that nothing else would avail, they determined to take the final step and fling defiance to the face of what they considered an aggressive, overbearing, tyrannous majority.

As Alexander H. Stephens admirably and correctly says, the real object of those who resorted to secession "was not to overthrow the Government of the United States, but to perpetuate the principles upon which it was founded. The object in quitting the Union was not to destroy but to save the principles of the Constitution." And it is a significant fact, that the historic instrument, in almost its exact language, became the organic law of the Confederate Government. The Southern States withdrew from the Union for the very reason that induced them at first to enter into it; that is, for their own better protection and security.

Secession was not a war measure; it was intended to be a peace measure. It was a deeply regretted effort on the part of the South to flee from continued strife, feeling that "peace with two governments was better than a union of discordant States." Hence Greely himself said: "If the Cotton States shall decide that they can do better out of the Union than in it, we insist on letting them go in peace." And, while fearing the direful possibility, the Southern States seceded without the slightest preparation for war. As Dr. J. L. M. Curry said: "Not a gun, not an establishment for their manufacture or repair, nor a soldier, nor a vessel had been provided as preparation for war, offensive or defensive. On the

contrary, they desired to live in peace and friendship with their late confederates and took all the necessary steps to secure that desired result. There was no appeal to the arbitrament of arms nor any provocation to war. They desired and earnestly sought to make a fair and equitable settlement of common interests and disputed questions." And the very first act of the Confederate Government was to appoint commissioners to Washington to make terms of peace and establish relations of amity between the sections.

Some days after his farewell to the Senate Mr. Davis returned to his home in Mississippi to await results and render any service to which his country might call him. He did not, however, desire the leadership of the Confederacy that was in process of organization. But the people who knew his pre-eminent abilities and trusted his leadership declined to release him. By a unanimous and enthusiastic vote he was elected to the Presidency of the young republic, and felt compelled to accept responsibilities from which he hoped to escape. It was the thought of his countrymen, voiced by the eloquent William L. Yancey, that "the man and the hour have met." He could well say, therefore, in his inaugural address, delivered a few days after, that "It is joyous in the midst of perilous times to look around upon a people united in heart, when one purpose of high resolve animates and actuates the whole; when the sacrifices to be made are not weighed in the balance against honor and right and liberty and equality." His address was conservative and dispassionate, but strong and resolute, not unequal to the luminous and lofty utterance of Thomas Jefferson. If others failed to measure the awful import of that epochal hour, not so the serious and far-seeing man about to assume high office, who was at once an educated and trained soldier and a great statesman of long experience and extraordinary genius.

To rehearse in detail the well-known story of carnage and struggle is not within the purpose of this discussion. Nor is it necessary to consider at length the many and perplexing problems which signalized the administration of the young Nation's first and only President. It is sufficient to say that he conducted the affairs of the stormy government with consummate wisdom, meeting the sternest responsibilities, awed by no reverses, discouraged by no disaster, and cherishing an unshaken faith that a cause could not fail which was "sanctified by its justice and sustained by a virtuous people." Even after Richmond was evacuated and the sun of Appomattox was about to go down amid blood and tears, a final appeal was issued in which he said: "Let us not despair, my countrymen, but meet the foe with fresh defiance and with unconquered and unconquerable hearts."

Mr. Davis was a great President. In administering the affairs of the Confederate Government he displayed remarkable constructive and executive genius. Considering the resources at his command, all the southern ports blockaded and without the recognition of any foreign nation, with no opportunity to sell cotton abroad and import supplies in return, having to rely entirely upon the fields and strong arms of the homeland, and constantly menaced by one of the greatest armies of the world, it was remarkable that the young nation could have survived a few months, instead of 4 memorable years. And much of that wonderful history is due to its Chief Executive. In answer to one who sought General Lee's estimate of Mr. Davis as the head of the government, he thus replied: "If my opinion is worth anything, you can always say that few people could have done better than Mr. Davis. I know of none that could have done as well."

And on the other side harsh criticism is giving way to generous and discriminating judgment. The Honorable Charles Francis Adams in a recent review of the latest Life of Jefferson Davis, which has issued from the press, pays fitting tribute to the extraordinary ability displayed by the Confederacy's great President: "No fatal mistake," says he, "either of administration or strategy, was made which can fairly be laid to his account. \* \* \* He did the best that was possible with the means that he had at command. Merely the opposing forces were too many and too strong for him. Of his austerity, earnestness, and fidelity it seems to me there can be no more question than can be entertained of his capacity."

Mr. Davis has been charged with cruelty to prisoners, and on his shoulders have been laid the so-called "horrors of Andersonville," a charge as utterly baseless as it is despicably mean. No more humane or gentle spirit ever walked this earth than Jefferson Davis. As a matter of fact, there was no deliberate purpose on either side to maltreat prisoners of war or fail to make proper provision for their care. The sufferings endured were only the exigencies of the awful days when great armies were in the death struggle for mastery. All that humanity could suggest and the meager resources of the South could provide were freely given for the brave men captured in battle. Mr. Davis said they were given exactly the same rations "in quantity and quality as those served out to our gallant soldiers in the field, which has been found sufficient to support them in their arduous campaigns." On the contrary, goaded doubtless by false reports from the South, the United States War Department, on April 20, 1864, reduced by 20 percent the rations issued to Confederate prisoners.

"With 60,000 more Federal prisoners in the South," said Senator Daniel, "than there were Confederate prisoners in the North, 4,000 more Confederates than Federals died in prison." If those figures are correct the very repetition of the charge is an insult to intelligence and blasphemy against the truth. The real reason for so much suffering and mortality among the men in southern prisons was that the Federal Government refused to observe the cartel agreed upon for the exchange of prisoners. And General

Grant boldly assumed the responsibility for such refusal in these words: "It is hard on our men in southern prisons not to exchange them, but it is humanity to those left in the ranks to fight our battles. If we commence a system of exchanges which liberates all prisoners taken, we will have to fight on until the whole South is exterminated. If we hold those caught they amount to no more than dead men. At this particular time to release all rebel prisoners North would insure Sherman's defeat and compromise our own safety here."

If any unfortunate prisoner was not comfortably provided for, it was not because the South would be cruel to a brother but on account of her exhausted source of supply. During the last year of the war General Lee had meat only twice a week, and his usual dinner was "a head of cabbage boiled in salt water, sweetpotatoes, and a pone of corn bread." If the peerless commander in chief of the Confederate armies was reduced to such scanty fare, the Government could not well provide very liberally for the gallant men in the ranks or behind prison doors.

Now, with this very imperfect sketch of a most remarkable career I shall briefly refer to some of the qualities that made this heroic history a sublime possibility.

He was an accomplished orator and a magnificent debater. Having always complete mastery of himself and of the subject in hand, he became a veritable master of assemblies. He met Sargent S. Prentiss in debate, that inspired wizard of persuasive and powerful speech, and his friends had no occasion to regret the contest. Stephen A. Douglass found in him the mightiest champion with whom he ever shivered a lance. During an exciting discussion in 1850, Henry Clay turned to the Mississippi Senator and announced his purpose, at some future day, to debate with him a certain great question. "Now is the moment," was the prompt reply of the brilliant southern leader, whose intrepid courage and diligent student habits kept him fully armed for the issues of any hour.

"He was an archer regal  
Who laid the mighty low,  
But his arrows were fledge by the eagle  
And sought not a fallen foe."

One of Mr. Davis' biographers, well acquainted with his parliamentary career, who knew his mastery in debate and his superb power as a statesman and an orator, and who witnessed his brilliant gladiatorial combat in the Senate with Stephen A. Douglass, gives this discriminating estimate of the great Mississippian:

"In nearly all of Mr. Davis' speeches is recognized the pervasion of intellect, which is preserved even in his most impassioned passages. He goes to the very foundations of jurisprudence, illustrates by historical example, and throws upon his subject the full radiance of that light which is shed by diligent inquiry into the abstract truths of political and moral science. Strength, animation, energy without vehemence, classical elegance, and a luminous simplicity are features in Davis' oratory which rendered him one of the most finished, logical, and effective of contemporary parliamentary speakers. \* \* \* He had less of the characteristics of Mirabeau than of that higher type of eloquence, of which Cicero, Burke, and George Canning were representatives, and which is pervaded by passion, subordinated to the severer tribunal of intellect."

His sensitiveness to personal and official honor, and his exceeding conscientiousness in the discharge of public duties were among the chief characteristics of this serious and stainless man. "Great politicians," said Voltaire, "ought always to deceive the people." But such was not the sacred creed of Jefferson Davis, who held that public men should invariably and scrupulously be honest with the people, having no confidences from which they are excluded and no policies in which they were not invited to share. Free from conscious sophistry and the very soul of candor, he never sought to conceal or obscure, but to make the truth so luminous that he who ran could read. His own eloquent characterization of President Franklin Pierce might be fittingly applied to Jefferson Davis himself: "If treachery had come near him it would have stood abashed in the presence of his truth, his manliness, and his confiding simplicity."

In official life he knew no word but duty. When in Congress a river and harbor bill was pending on one occasion, and seeing that combinations had been formed to secure certain local, trivial appropriations, he opposed the measure with characteristic vigor. In the course of the debate he was asked if he did not favor appropriations for Mississippi, in response to which he retorted sharply and concluded: "I feel, sir, that I am incapable of sectional distinctions upon such a subject. I abhor and reject all interested combinations."

He was the very soul of chivalry. No plumed knight of the Middle Ages ever had higher regard for the virtue of woman or the integrity of man or the sacredness of a cause. Sensitive to wrong, cherishing above measure his stainless honor, he never in the least betrayed it nor allowed another to impugn it. Had he remained in the military service I doubt not that he would have been on the tented field what Sir Henry Havelock became to the chivalry of England.

His was a proud but a noble and affectionate nature. Some have thought him a cold, austere, severe man, lacking in the gentler elements and sympathies of a generous soul. But nothing could be further from the fact. His affections were most ardent, his friendships partook of the pathetic, and the tenderness of his heart often dimmed his eyes with tears. And he was at all times most approachable. No citizen was so poor, no soldier so humble,

no man so obscure, as not to have ready access to his presence and sympathetic attention.

Mr. Davis was a statesman, with neither taste nor ability for mere political manipulation. He relied upon high argument, and not political management, to achieve the great ends for which his party stood, and for which this young republic was called into being. It was impossible for him to resort to questionable methods and demagogical appeal in order to win elections and carry out party or governmental policies.

He was a profound, philosophical statesman, with a thoroughly trained intellect and an exalted sense of moral responsibility. In his logical processes he quite resembled the illustrious John C. Calhoun, whose genius he greatly admired and with whose political creed he was in substantial accord. And when Mr. Calhoun passed away, amid the lamentations of the whole Nation, the great party he had led with such consummate skill turned instinctively to Jefferson Davis as incomparably the ablest exponent of the basic principles for which they fearlessly stood. His superb and commanding leadership vindicated their generous confidence and vastly enlarged the strength and measure of his national influence.

As Secretary of War in the Cabinet of Franklin Pierce, and by common consent he was the premier in that body of statesmen; it is no disparagement of others to say that no abler or more accomplished Secretary ever sat at the council table of an American President.

Providence designed him for leadership and amply endowed him with gifts to meet its repeated exigencies and imperial responsibilities. And in every position to which he was summoned the results of his labors and the splendor of his achievements gave eloquent attention to the prescience of his statesmanship and the grandeur of his character. The verdict of history will be, notwithstanding the fall of the Confederate Government, that he was preeminently the man for a crisis. His genius was most resplendent when the clouds were darkest and the tension was greatest and the danger was nearest. When passion swayed the hour, he was in most perfect command of his highest powers and seemed to exercise the coolest judgment. He was cautious without timidity, intrepid without rashness, courteous with condescension, plous without pretense.

And no public man ever had more loyal support and a more enthusiastic following. The Tenth Legion of Caesar and the Old Guard of Napoleon never followed their leaders with more perfect assurance or thrilling ardor than did the friends of the superb chieftain whose one hundredth anniversary we celebrate today.

"Courage that could dare and do,  
Steadfast faith and honesty,  
Were the only craft he knew  
And his sole diplomacy."

Mr. Davis was a devout believer in the fundamental verities of our Christian faith, and sought to make them the inspiring rule of his daily life. He was acquainted with the scriptures from a child, and knew the place and power of prayer. His unshaken faith gave him sublime courage for duty, a serene fortitude in calamity, softened the rigor of the cruel prison, and made radiant the evening skies of life's long stormy day. His intimate friend, the eloquent Senator Benjamin H. Hill, of Georgia, paid this heart tribute to the beauty and consistency of his Christian character: "I know Jefferson Davis as I know few men. I have been near him in his public duties. I have seen him by his private fireside; I have witnessed his humble Christian devotions, and I challenge the judgment of history when I say no people were ever led through the fiery struggle for liberty by a nobler, truer patriot, while the carnage of war and the trials of public life never revealed a purer and more beautiful Christian character."

When after their capture his friend, the Honorable John H. Reagan, the postmaster general of the Confederacy, was separated from him to be sent to a northern prison, while he remained at Fortress Monroe, Mr. Davis said: "My old friend read frequently the twenty-sixth Psalm; it has often given me the surest consolation." While enduring in agony and chains his imprisonment at Fortress Monroe, a cruelty that will ever be a blot upon our country's fair fame, he wrote thus cheerfully to his anxious and devoted wife: "Tarry there the Lord's leisure, be strong and He will comfort thy heart. Every day, twice or oftener, I repeat the prayer of St. Chrysostom." Again, from the dungeon he wrote to a friend: "Separated from my friends of this world, my Heavenly Father has drawn nearer to me."

And when his 2 pitiless years of imprisonment were ended, broken in health but unbroken in spirit, and when the short court proceedings were concluded in Richmond, which restored him to liberty and the bosom of his family, and a party of friends had joined Mrs. Davis at the hotel, the venerable chief of the lost cause turned to his old pastor and said: "Mr. Minnegarode, you have been with me in my sufferings and comforted and strengthened me with your prayers; is it not right that we now once more should kneel together and return thanks?"

After his release, in shattered health and poverty, his fortune having gone with the cause he served and for which he suffered, but rich in the affectionate devotion of the people, who vied with each other in doing him honor, he returned to his beloved Mississippi and here spent the remnant of his heroic years. Out of fire and tempest and baptism of blood he came with an unflinching purpose and an unclouded sky. There is something strangely beautiful in the old age of a great and good man. No sun sweeping through the opening gates of the morning has ever the radiant glory of his calm setting. Beautiful and buoyant as is the springtime, it fades before the color

and splendor of the autumn. And so there is a sweet serenity and chastened beauty about the evening of a cheerful, well-spent life that far exceeds the brightness and bloom of its fair young morning.

The last days of Jefferson Davis were peaceful and beautiful. They were spent in dignified retirement, cultivating the sweet companionship of books, enjoying the association of friends, and in writing a masterly exposition of the great principles of government that had been the creed of his political faith and the ground of his people's hopes. This was his last will and testament to those "who have glorified a fallen cause by the simple manhood of their lives, the patient endurance of suffering, and the heroism of death."

Though never an indifferent observer of passing events, he wisely took no part in public affairs and rarely ever appeared on public occasions. When occasionally one of the numerous invitations with which he was overwhelmed was accepted, it was to speak words of encouragement and hope to his people, urging them, with stout hearts and strong hands, to labor for the largest good of our reunited country.

In a notable address before the Legislature of Mississippi in 1864, when in age and feebleness extreme, standing in the old hall where in the days of his splendid prime he swayed enraptured audiences as with the wand of a mighty magician, he thus spoke to the people who had ever held the highest place in his affectionate heart: "Reared on the soil of Mississippi, the ambition of my boyhood was to do something which would redound to the honor and welfare of the State. The weight of many years admonishes me that my day of actual services has passed, yet the desire remains undiminished to see the people of Mississippi prosperous and happy, and her fame not unlike the past, but gradually growing wider and brighter as the years roll away. \* \* \* Fate decreed that we should be unsuccessful in the effort to maintain and resume the grants made to the Federal Government. Our people have accepted the decree; it therefore behooves them to promote the general welfare to the Union, to show to the world that hereafter, as heretofore, the patriotism of our people is not measured by lines of latitude and longitude, but is as broad as the obligations they have assumed and embraces the whole of our ocean-broad domain."

And now, young men of our reunited country, sons of heroic sires, proud of the flag that floats over us, and jealous of its increasing and unfading glory, glad that there is a star on it that answers to the name of Mississippi, I commend to your emulation the words of solemn counsel and patriotic encouragement with which Mr. Davis concluded his masterly and monumental work, *The Rise and Fall of the Confederate Government*: "In asserting the right of secession it has not been my wish to incite to its exercise. I recognize the fact that the war showed it to be impracticable, but this did not prove that it was wrong, and now, that it may not be again attempted, and the Union may promote the general welfare, it is needful that the truth, the whole truth, should be known, so that crimination and recrimination may forever cease, and then, on the basis of fraternity and faithful regard for the rights of the States, there may be written on the arch of the Union, 'Esto Perpetua.'"

By the sacred political convictions which had inspired his every public and patriotic service, he consistently lived to the end, and went down to his grave without laying any sacrifice of repentance upon the altar of his conscience or his country. Without compromise or modification, and with never a suggestion of contrition or concession, he died in the accepted faith of his fathers. And for that fearless and unshaken fidelity to his honest conception of truth and duty the South will continue to adore him, the world will never cease to admire him, and with a wreath of unfading glory the genius of history will not fail to crown him. For the future he had no fear. In the last public paper that emanated from his pen, representing himself and his countrymen, he calmly reiterated his unflinching faith in these words: "We do not fear the verdict of posterity on the purity of our motives or the sincerity of our belief, which our sacrifices and our career sufficiently attested."

Had he ever recanted or even receded, had he ever apostatized or even compromised, had he shown in any way that his often reiterated doctrines were not the undying convictions of his sincere soul, had he ever plead for pardon on the ground that he had misconceived the truth and misguided his people—the South would have spurned him, the North would have execrated him, and the verdict of history would have deservedly and eternally condemned him. But, in the calm consciousness of having done what sacred duty and the cause of constitutional liberty seemed to demand, to the end of his days he walked with a steady step that knew no variability or shadow of turning. The banner under which he fought went down in blood and tears but was never furled by his hands.

And for us to be honestly and absolutely loyal to the whole country and our glorious flag, we need not and will not forget or cease to venerate the exalted character and splendid virtues and unsullied patriotism of Jefferson Davis and his compeers.

"Time cannot teach forgetfulness  
When grief's full heart is fed by fame."

Over the portico of the Pantheon in Paris are these words in large letters, "To great men, the grateful Fatherland." Fellow Mississippians, I cannot repress the painful regret that it is not the proud privilege of Mississippi to be "the grateful fatherland" of the greatest Mississippian, and to keep holy watch and ward over the sacred dust of her most illustrious son. He was great to those who knew him best—those who were nearest to him in intimate, confidential companionship, and he will grow greater

with the growing years. Caleb Cushing, in introducing him to a vast audience in Faneuil Hall, said he was "eloquent among the most eloquent in debate, wise amongst the wisest in council, and brave among the bravest in battle." Senator Reagon, of Texas, the Postmaster General of the Confederate Government, said, "He was a man of great labor, of great learning, of great integrity, of great purity." The great-hearted and marvelously eloquent Senator, Benjamin H. Hill, of Georgia, said: "I declare to you that he was the most honest, the truest, gentlest, bravest, tenderest, manliest man I ever knew."

Greatest of Mississippians, the leader of our armies, the defender of our liberties, the expounder of our political creeds, the authoritative voice of our hopes and fears, the sufferer for our sins, if sins they were, and the willing martyr to our sacred cause, we shall ever speak his name with reverence and cherish with patriotic pride the story of his matchless deeds. He died without citizenship here, but he has become a fellow citizen with the heroes of the skies.

Marvelous, many-sided, masterful man, his virtues will grow brighter and his name be writ larger with each passing century. Soldier, hero, statesman, gentleman, American—a prince of Christian chivalry, the uncrowned chief of an invisible republic of loving and loyal hearts—when another hundred years have passed, no intelligent voice will fail to praise him, and no patriotic hand will refuse to place a laurel wreath upon his radiant brow.

"Nothing need cover his high fame but heaven,  
No pyramid set off his memories  
But the eternal substance of his greatness.  
To which I leave him."

#### RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following resignation from committees:

WASHINGTON, D. C., June 1, 1939.

Hon. WILLIAM B. BANKHEAD,  
Speaker of the House of Representatives,  
United States Congress, Washington, D. C.

DEAR MR. SPEAKER: In view of my election to an exclusive committee, I hereby tender my resignation from the following committees: Claims, Public Lands, Revision of Laws, and Territories.  
Yours sincerely,

CLYDE T. ELLIS.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

#### EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in two respects: First, on the subject of Chile and good will to South America; and second, to incorporate a statement made by my secretary, Seymour Guthman, before the B'nai B'rith, on religious tolerance.

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

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. COLMER. 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 Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, last week we heard a great deal about a gag rule on the so-called Townsend bill, mostly from those who favored the Townsend bill. I opposed that rule in the committee and opposed it on the floor because I do not believe in that kind of a gag rule. Yet today we are called upon to have another gag rule on the proposed amendments to the wage and hour law. This House voted that proposition down on a previous occasion, yet it is back here today in practically the same form.

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

Mr. COLMER. I am sorry; I have only a minute.

This House has a right to legislate today on this proposal just as it had a right to legislate the other day upon the Townsend bill. I hope the House will see that that is done when it is given that opportunity today.

There is no justification either in expediency or justice for legislation as important as this legislation is to be considered by this House under the suspension route with 20 minutes to the side for debate and no opportunity for amendments. This is the most obnoxious form of gag rule. I am opposed to that manner of legislating.

Will anyone take the floor to argue in behalf of such gag procedure? I do not think they will. This House is a legis-

lative body. Will the House say by its vote today that it is not willing to trust itself? Will anyone answer the question why the Labor Committee should not come before the Rules Committee and ask for a rule on this important legislation, which is the ordinary procedure in similar cases? Is the committee afraid of an open rule that would give the House an opportunity to fully discuss and amend the law if it saw fit? I am not saying that I oppose these amendments. Neither am I prepared to say that there are not some other amendments that would be justifiable. It simply resolves itself down to a question of whether the Labor Committee is going to legislate or whether the House is going to legislate. And in this connection, let me say that I have taken it upon myself to poll a majority of the members of the Rules Committee and have their assurances that if the chairman of the Labor Committee will apply for a rule an open rule will be granted. The membership of this House has the opportunity to answer these questions when the vote is taken in a few minutes on the question of ordering a second to the motion to suspend the rules. If you vote this second down the responsibility is then upon the Labor Committee to apply before the Rules Committee and seek such a rule. [Applause.]

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a citation delivered by the dean of the School of Law of the University of Colorado on the occasion of the awarding of an honorary degree to our colleague, the Honorable EDWARD T. TAYLOR.

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

There was no objection.

Mr. IGLESIAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution of the Legislature of Puerto Rico.

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

There was no objection.

#### DESIGNATION OF AMERICA AS A NATIONAL HYMN

Mr. HILL. Mr. Speaker, I have today introduced a resolution to designate America a national hymn, and I ask unanimous consent to extend my own remarks in the RECORD at this point.

There was no objection.

Mr. HILL. Mr. Speaker, as many of you will remember, on March 3, 1931, our immortal national anthem, The Star-Spangled Banner, was recognized by statute. This was, indeed, a fitting tribute to Francis Scott Key's musical picture of the inspiration of our flag to the defenders of Fort McHenry during the War of 1812.

Mr. Speaker, today I have introduced a resolution to designate our other outstanding national song, America, as our national hymn. Since it has been recognized unofficially for so many years and since it will live forever in the hearts of the American people, I think we should give it official recognition.

Students of our national ballads tell us that on a dismal February in 1832 the young student who later became the Reverend Samuel Francis Smith, was poring over some German music books. One melody attracted him because of its simple and natural movement, and glancing at the footnote, he noticed that the words were patriotic. Reverend Smith says he was "instantly inspired to write a patriotic hymn," and after a half hour's labor he completed the words which we now sing.

Smith did not know at the time the music was the same as that used by the British in God Save the King. He did not, in fact, purpose to write a national hymn, but weeks later sent his effort to Lowell Mason, a noted composer, organist, and choirmaster, who recognized it immediately as especially fitted for childish voices and children's choirs. On the following July 4 (1832), Mason directed a choir of children's voices in singing America. Soon it became sung in numerous schools, picnics, and at patriotic and semi-

patriotic gatherings, and was translated into Latin, Italian, German, and Swedish. On October 21, 1892, the day then celebrated as Columbus Day, the Governor of Massachusetts recommended that America be sung in all the schools of the State at an hour when all would be singing it together.

There are many references in history to this immortal hymn of our beloved land. In telling of the Rough Riders President Roosevelt told of when at an improvised open-air hospital, after the fight of Las Guasimas, in Cuba, men were suffering from painful wounds and morale was low. Suddenly Edward Marshall, a war correspondent who, nevertheless was so badly wounded that he was not expected to live, heard a soldier begin "My country, 'tis of thee." As Marshall and others joined in, the morale of the wounded, which had nearly ebbed, was restored and thoughts of returning to their homes and loved ones gave many of the injured the strength they needed to withstand death.

Scholars disagree as to the origin of the melody. Kling maintains that the English royal hymn was taken from the national Swiss hymn, written to celebrate the victory of the ancient Republic of Geneva over the troops of the Duke of Savoy in about 1602. Handtmann attempts to prove the melody of the English hymn was taken from a Silesian pilgrim song. In the early eighteenth century Lully worked it into a French patriotic song for the glorification of Louis XIV. The French claim is also supported by the testimony of three nuns of the convent of St. Cyr, who refer to it as a song used in that convent during the seventeenth century. The English version was written by Henry Carey, who also composed Sally in Our Alley. Carey introduced it as God Save Great George, Our King, in 1793 at a dinner party celebrating the capture of Porto Bello.

Other nations still have adopted the music in various centuries. In 1760 a Bavarian lutist arranged the melody for his instrument; in 1766 it appeared in the song book of the Holland Free Masons; in 1790 Harries published words to be sung in honor of the Danish King.

But whatever the origin of the music, the words are unmistakably American. That it has inspired Americans on many occasions is a matter of record. One author records that it was sung by the American soldiers while fighting the British, who sang the same tune to the words "God Save the King."

In an editorial entitled "America" by my good friend R. E. Gay, editor of the Prosser (Wash.) Record-Bulletin, Gay well states the position we should take when he says:

The tune America is dignified, patriotic, and inspiring and is sufficiently simple that anyone who can carry a tune can sing it. The criticism has been placed that this same tune is used in God Save the King, the British national anthem, and therefore it will not do for Americans. But to us this is an added charm. It bears evidence of the Anglo-Saxon origin of this Nation and the kinship of these two peoples—a relationship of which no one need be ashamed and of which many of us are proud.

America is big enough to have two national anthems and we would like to see Congressman KNUTE HILL sponsor a bill giving America the recognition which it deserves by placing it on an equal footing with The Star-Spangled Banner.

#### EXTENSION OF REMARKS

Mr. ALLEN of Pennsylvania asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by John C. LeClair on neutrality.

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

There was no objection.

Mr. WHITE of Ohio. Mr. Speaker, I ask unanimous consent to print in the RECORD an article by the gentleman from New York [Mr. BARTON], appearing in the June issue of Readers Digest.

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

There was no objection.

#### WORKERS ALLIANCE OF AMERICA

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this

point and to include therein four letters, one addressed to me by the International Labor Defense League and my reply thereto; one from the Workers Alliance by Mr. Benjamin and my reply thereto.

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

There was no objection.

The letters referred to follow:

WORKERS ALLIANCE OF AMERICA,  
NATIONAL HEADQUARTERS,  
Washington, D. C., May 3, 1939.

HON. LELAND M. FORD,

House Office Building, Washington, D. C.

DEAR MR. FORD: My attention has been called to your remarks about the Workers Alliance of America and the California Workers Alliance, as they appear in volume 84, of the CONGRESSIONAL RECORD of May 1, 1939.

A reading of these remarks must certainly convince any informed person either that you are badly misinformed or that you are maliciously exploiting your congressional immunity in order to engage in slander, misrepresentation, and criminal libel.

Regardless of the reason for your remarks, it is my duty as an officer of the Workers Alliance of America to not only formally protest but to state categorically that your wild charges and intemperate inferences about the Workers Alliance are absolutely false and misleading.

You state that you believe the officials of the Workers Alliance to be interested only in the hypothetical amount which they could collect as dues and initiation fees. The fact that officials of the Workers Alliance have continuously and consistently served the interests of the unemployed for many years, although the income of the organization never equaled even 1 percent of the sum you mention, should convince all fair-minded men that your belief is without any basis in fact.

Perhaps you cannot understand such devotion to a humane cause. But the world knows that hundreds of our officers and members have given their time, their energy, and even jeopardized their freedom and their lives without a single penny of compensation or at a bare subsistence wage, in order to help improve conditions for the victims of involuntary unemployment.

You charge that we engage in strong-arm tactics, that we are taking the law into our own hands, rioting, breaking the peace, violating the law, and preaching destruction of the American form of government.

The only evidence you produce to support these serious charges are clippings from unfriendly newspapers in which six of our members are reported as having "visited the Bel-Air home of Dr. Jesse Randolph Kellems \* \* \* leader of the economy bloc in the legislature." It is this self-admitted leader of the bloc which is opposing the relief appropriation recommended by the Governor of California who describes such visits by his constituents as a resort to strong-arm tactics.

Since when has it become unlawful for people to call upon their elected officials? Since when and by whom has it been proclaimed that urging support for the recommendations of the Governor of a great State, who was elected by an overwhelming majority because of his liberalism, constitutes "preaching destruction of the American form of government"?

Third. You gratuitously inject the issue of communism. This is, of course, no new tactic. But you choose in that connection to make the false statement about "Lasser's and Benjamin's admission, with reference to their communistic activities." Neither Lasser nor Benjamin made any admissions that they were, as suggested by you, presently engaged in communistic activities. On the contrary, they insisted, and were able to prove, that all their activities concern only their official duties, which are in accordance with the program and democratic will of the membership of the Workers Alliance of America.

In the light of the foregoing, I think it obvious that you and those associated with you are merely resorting to rather questionable subterfuge in an effort to becloud the real issue. You and your associates of the so-called economy bloc insist on reducing relief appropriations, regardless of the suffering this will cause among the people who are unemployed through no fault of their own. Perhaps you believe that this will be in the public welfare in the long run. If you do believe this, why not argue your case on that basis? Why resort to slander and prejudice?

Our organization believes that the way of President Roosevelt and the way of Governor Olson is the American way of treating with the needs of the majority of the American people.

You evidently believe that the way of Herbert Hoover and the way of former Governor Merriam is the better way. Well, the American people have tried both your way and the way of the New Deal. If you had the courage of your convictions, you would frankly and honestly state that you want the people to return to the way of Herbert Hoover; and if this is what they would choose to support, you would be justified in protesting that yours is the more American way.

Since you are willing to take your stand before the people on the real issue, it is you and your associates who stand convicted of trying by slander and misrepresentation to impose a policy which is in conflict with the needs and will of the American people. It is you, therefore, who are un-American.

And it is of you and your associates rather than of those to whom you refer that we may say in your words:

"One cannot count, however, upon fair practice or a code of ethics from this reactionary group because their reactionary ethics is to accomplish their ends, regardless of what means they use."

Let me assure you, in conclusion, that the Workers Alliance of America has no fear of any fair investigation of its program, nor of the activities of its officers and members. Such investigation can only prove that the Workers Alliance, together with all liberal and progressive forces in our Nation, are working by every legitimate, democratic means to prevent a return to the economic policies of Hoover, which bring in their trail political repression and social disorder.

Very truly yours,

HERBERT BENJAMIN,  
General Secretary-Treasurer.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., June 5, 1939.

Mr. HERBERT BENJAMIN,  
General Secretary-Treasurer, Workers Alliance of America,  
930 M Street NW., Washington, D. C.

MY DEAR Mr. BENJAMIN: This will acknowledge receipt of your letter of May 3, in which you refer to remarks made by me about the Workers Alliance. In the second paragraph of your letter I note you state I might be misinformed or that I was maliciously exploiting my congressional immunity in order to engage in slander, misrepresentation, and criminal libel.

In my opinion, your letter conforms to the usual practice of the Workers Alliance to mislead and cover up. You might give that letter to somebody who did not know the Workers Alliance or who had not had any experience, but I know your group, as I had experience with them for 3½ years in Los Angeles County. I know the things they do and I know how they work, so you cannot put over the ideas on me that you tried to put over in your letter. If you were in close contact with your Workers Alliance group in California they would so inform you, because after they threatened me in Los Angeles County; they were thoroughly whipped and finally realized it; and my prediction is that you are going to be thoroughly whipped in the United States from one end to the other.

In the fourth paragraph of your letter you would insinuate that you do not collect initiation fees and dues. I know that in Los Angeles County your own people told us that they collected initiation fees and dues from the paupers of Los Angeles County. While they did not use the term "pauper," that is exactly what they were doing, because the people in question who were being talked about were the unemployable indigents. Therefore that was the ground for my opinion that the Workers Alliance had become the parasite of the poor, and, as I told Zucas, the representative that you sent out from New York City, "it was the Workers Alliance that was taking the babies' milk away from the pauper." I can understand devotion to a humane cause, but of the thousands of Workers Alliance that appeared before me as an officer of Los Angeles County my opinion is that they are the biggest bunch of racketeers that ever got together in one group.

With reference to Communists, Larue McCormick, a registered Communist in that county, was one of the leaders. The testimony of Lasser before the recent congressional committee, in my opinion, tells exactly what he is, and in my further opinion the testimony exposes your friends as a communistic group.

Your group howled to heaven about their constitutional right to free speech, free movement, and freedom in this country. Then the same group who howled for these things for themselves attempted to deny legislators or governmental officials the right to exercise their own free judgment. The best proof of this is in my own case, when the Workers Alliance group threatened that I would never leave the building if I did not change my vote. That same group stormed my office and attempted to keep me from going out of the building. They wanted to know, before I started to go out, what my answer would be. However, I did pass through them, and a day or two following, when they attempted to interfere with the board members of the Los Angeles County Board of Supervisors in the performance of their duties, I was compelled to call the sheriff's office to throw them out.

You say the only evidence I produced to show that your outfit engaged in "strong-arm tactics," "took the law into their own hands," "rioting, breaking the peace, violating the law, and preaching destruction of the American form of government," was from clippings from unfriendly newspapers. From my past experience it appears to me that you draw your usual Workers Alliance conclusion, which conclusions, in my opinion, are, 9 times out of 10, wrong. I was quoting from my own experience with your outfit, wherein they were so un-American that they refused to abide by the American form of government and were actually going to take over the government in Los Angeles County if they could.

You ask, "Since when has it become unlawful to call on elected officials?" To my knowledge, it never has been unlawful to call on officials in an orderly manner; but my contact with the Workers Alliance has been that they usually come in menacing groups; they never request anything, but they demand everything; and along with their demands go their threats, either of a sit-down strike or of property or personal injury. I do not get this out of any newspaper, but I know these facts from my own personal experience with your representatives in Los Angeles County; and my opinion is there is not room for this type of lawbreaker in the United States.

You refer to "subterfuge" of the "economy bloc." If you mean that group of American officials who are not afraid to tell you fellows where to get off, and who cannot be intimidated by racketeers, but tell them that, so far as they are concerned, their racket is at an end and that the taxpayer is going to be given consideration against any group of racketeers, you will always find me lined up against any unlawful group, because I will never vote one cent of public money to carry on a program of sit-down strikes, agitating, or rioting in mobs before Government officials.

Very truly yours,

L. M. FORD, M. C.

INTERNATIONAL LABOR DEFENSE,  
SOUTHERN CALIFORNIA DISTRICT,  
Los Angeles, Calif., June 5, 1939.

Congressmen LELAND M. FORD,  
House of Representatives, Washington, D. C.

HONORABLE SIR: Our organization wishes to go on record as opposing H. R. 5138, an omnibus bill introduced by Congressman SMITH of Virginia.

Analysis of this bill reveals that it contains a criminal syndicalism law, provisions for the registration and fingerprinting of aliens, and the provision of concentration camps for undeported aliens. We ask that you vote against this bill, which is unparalleled in its viciousness.

We also oppose H. R. 5643, the Hobbs concentration camp bill which, to quote from Congressman CELLER's speech, "is in variance with the American tradition of due process of law."

We further ask that you vote against the group of antialien bills Nos. H. R. 1650, S. 407, S. 408, S. 409, S. 410, S. 411, respectively, all of which would hamper and oppress not only aliens but the entire labor and progressive movement.

The entire group of bills referred to above are of a Fascist nature and have no place in a Government founded on the principles of liberty and democracy.

Very truly yours,

LARUE McCORMICK,  
Executive Secretary, International  
Labor Defense, Southern California District.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., June 2, 1939.

Miss LARUE McCORMICK,  
Executive Secretary, International Labor Defense, Southern  
California District, 127 South Broadway, Room 318, Los  
Angeles, Calif.

DEAR MADAM: This will acknowledge receipt of your letter dated April 20, 1939. I would have answered this letter sooner but have had a serious illness that kept me away from the office. Upon my return I found it.

I note that your organization is opposing, and asks me to oppose, H. R. 5138, H. R. 5643, H. R. 1650, S. 407, S. 408, S. 409, S. 410, and S. 411.

H. R. 5138 is a bill to make unlawful attempts to overthrow the Government of the United States; to require the licensing of civilian military organizations; to make unlawful attempts to interfere with the discipline of the Army and Navy; to require registration and fingerprinting of aliens; to enlarge the jurisdiction of the United States Circuit Court of Appeals in certain cases; and for other purposes.

H. R. 5643 is the Hobbs concentration camp bill.

H. R. 1650 is the bill to deny United States citizenship to persons who believe in any form of government for the United States contrary to that now existing in the United States.

S. 407 is a bill to reduce immigration, to authorize the exclusion of any alien whose entry into the United States is inimical to the public interest, to prohibit the separation of families through the entry of aliens leaving dependents abroad, and for other purposes.

S. 408 is a bill to provide for the national defense by the registration of aliens in the United States. S. 409, to protect American labor and stimulate the employment of American citizens on American jobs. S. 410, to provide for the deportation of aliens subsisting on relief under certain circumstances, and S. 411, to provide for the deportation of aliens inimical to the public interest.

I could see where you personally, and probably your organization, International Labor Defense, inasmuch as you are one of its officers, would oppose these bills, as you are Communist, being one of the few Communists that openly register as one and run for office under the Communist banner, as you did in the last November election.

I do not want to appear to be discourteous to you in consideration of your request, but inasmuch as you apparently believe in the communistic principles and I do not believe in any of the communistic principles, nor do I believe in the Fascist principles, nor the Nazi principles, nor the Socialist principles, my belief is exactly opposite to yours. I therefore must tell you very frankly and very freely that I would be for every one of those bills and advocate their passage to protect that thing which apparently you do not care as much about as I do, that is, Americanism.

Every single one of the bills you ask me to oppose stands for and will protect that Americanism, and so far as I am concerned, I propose to protect it and stand for it to the last ditch and I can assure you that when you ask me to oppose bills of this nature, due to our opposite political philosophies I can never support any such request.

Very truly yours,

L. M. FORD.

## EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including a very brief editorial from the Denver Post.

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

There was no objection.

Mr. JOHNSON of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by my colleague the gentleman from Indiana [Mr. HARNESS] over the National Broadcasting System.

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

There was no objection.

## RIVER AND HARBOR APPROPRIATIONS

Mr. PIERCE of Oregon. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. PIERCE of Oregon. Mr. Speaker, I find much misapprehension in my State as to our method of appropriating money for flood control and river and harbor improvements. I wrote a letter to our colleague, the chairman of the Rivers and Harbors Committee, and asked him to state the law and the practice, which he has done in a letter addressed to me.

Mr. Speaker, I ask unanimous consent that this letter may be printed as a part of my remarks.

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

There was no objection.

The letter referred to follows:

COMMITTEE ON RIVERS AND HARBORS,  
HOUSE OF REPRESENTATIVES, UNITED STATES,  
Washington, D. C., May 26, 1939.

Hon. WALTER M. PIERCE,

House of Representatives, Washington, D. C.

MY DEAR GOVERNOR: Replying to your letter of May 24, inquiring as to the method by which the money is allocated at the present time for navigation and flood-control improvements, I beg to say that under the provisions of the Budget and Accounting Act, 1921, the President is required to transmit to Congress on the first day of each regular session, the Budget, which shall set forth in detail, among other things, estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year.

There was created under this act the Bureau of the Budget, to which Bureau all departments of the Government submit their estimates. I am advised by the Chief of Engineers that estimates for new work and maintenance on projects heretofore adopted for navigation and flood-control improvements are submitted in October of each year, and that hearings are usually held by the Bureau on them in November. When the Budget reaches Congress it carries lump-sum estimates for new work and maintenance on navigation work, and separate estimates for Fort Peck Dam and Bonneville Dam. The estimates for flood-control work are divided as follows: Mississippi River and tributaries; emergency work on tributaries of Mississippi River; Sacramento River, Calif.; and projects in act of 1936 and amendments thereto.

Hearings are held on these estimates by the Appropriations Committees of the two Houses during which the United States engineers submit statements showing how proposed lump-sum appropriations will be allocated. The engineers, however, under the law, are not required to follow these statements in making allocations. The wording of the provision in the War Department Civil Appropriations Act is as follows: "For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interest of commerce and navigation."

I might add that the engineers do follow pretty closely the statements furnished the Committees on Appropriation in making allotments; also, that when our committee had jurisdiction over appropriations we found it advisable to allow them considerable leeway in making allotments so that they could maintain a fund for emergency work, such as that caused to important works by storms.

Trusting that this explanation is satisfactory, and with kind regards, I am,

Very sincerely,

J. J. MANSFIELD, Chairman.

WHEN A-TRAVELING YOU GO, VISIT OREGON, THE AIR-CONDITIONED VACATION LAND

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to speak for 1 minute and to include in my remarks a message from the Governor of Oregon.

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

There was no objection.

Mr. ANGELL. Mr. Speaker, summer is upon us, and it is hoped that before a great while the Congress will have completed its business so we may go home. I have taken the liberty of sending to each of you, my colleagues, a little booklet entitled "Drive Oregon Highways," which will give you a glimpse of what Oregon has to offer to the vacationist. I trust you will peruse it and come to Oregon soon and enjoy our hospitality.

Many of you, no doubt, will be vacationing sometime this summer or fall. When a-traveling you go, come to Oregon, the air-conditioned vacation land, on the most western rim of continental United States, out where the West begins. I am sure that you will visit the superb Golden Gate International Exposition now in progress in San Francisco. If you do, you will want to go or return by the Pacific Northwest. There you will find hundreds of miles of fine, smooth, hard-surfaced highways leading through virgin forests, along rugged seashores, and by mountain streams and beautiful lakes. These lakes and streams are stocked with game fish which will test your abilities as fishermen. You may try your luck in the sport of kings with rod and line, matching skill with the Royal Chinook salmon or steelhead trout, or you may enjoy alpine climbing or skiing on the many snow-clad peaks in our rugged mountain ranges.

The Oregon Trail Highway, leading through the Columbia Gorge to the sea will be of special interest. The Columbia River, the second largest river in the United States and the only one in our Nation that cuts its way through two mountain ranges to find an outlet in the sea, was followed by Lewis and Clark in 1804 in their memorable journey of exploration. You will want to retrace their footsteps.

The Coast Highway for 300 miles leads along the Pacific shoreline, jutting back inland here and there to avoid impassable crags and cliffs, then passing along sheer precipices overhanging the sea with the white-capped surf pounding the rock ledges below. The road leads through tunnels in places too precipitous to conquer otherwise. The rivers are spanned by five modern bridges—models of graceful bridge architecture. Along the highway are many towns and beach resorts with sandy bathing beaches where surf bathing may be enjoyed.

In eastern Oregon extensive wheat fields, irrigated areas with diversified farming, and on the uplands, stock farms with great herds of sheep and cattle will demand your attention. In the Hood River Valley, the Willamette Valley, and in southern Oregon will be found extensive commercial orchards of apples, pears, peaches, cherries, and small fruits and berries. In the Willamette Valley and on the coast extensive dairy farms also abound. You will also find flax, hops, and numerous other products of the field in this diversified agricultural State.

Oregon is an ideal retreat for the vacationist who desires to leave the beaten pathways and lose himself in the deep woods or by the side of a mountain lake or the rugged seashore and commune with nature. Our far-famed Oregon caves, with miles of beautiful, weird underground caverns; Crater Lake, nestling in the pit of an extinct volcano 6,000 feet up on the top of a mountain range, with deep blue water 2,000 feet or more deep, stocked with trout; and Timberline Lodge perched on the side of majestic Mount Hood, up under the stars, where summer snow and forests meet, will all intrigue you. The immense virgin forests of cedar, pine, fir, hemlock, and redwood will cause you to linger and enjoy the beauties of the woodland. The awe-inspiring redwoods, the oldest living things on earth, are there for your inspection and admiration. Some of these giants of the forests were growing when Christ was born in the manger. Wildlife abounds on every hand. You will see in their native habitat the vanishing antelope, Nature's swiftest creatures, the majestic elk, and the graceful deer.

Two hundred thousand automobiles from other States and countries, bringing 600,000 visitors, came to Oregon last year. Many thousand more came by air, water, rail, and

bus line. You will find the latchstring on the outside and a welcome from all of us who reside on the Pacific shores. Our Governor, Hon. Charles A. Sprague, recently extended a welcome to you all, and I desire to include it as a part of my remarks. Governor Sprague said:

WELCOME TO VACATIONISTS

It gives me pleasure to extend a personal invitation to vacationists throughout the United States to come to Oregon this summer and see at first hand the Nation's biggest and newest vacation land.

Oregon is better prepared than ever before this year to make your stay a truly memorable event. Our network of paved highways is at a high point of efficiency to enable you to find the exact kind of recreation you like best.

The Oregon Coast Highway skirts 300 miles of rugged coast line and beautiful beaches, or you may prefer to explore the high Cascades, literally crowded with lakes and swift running and well stocked fishing streams. East of the mountains the highways lead you to the dude ranches, pine forests, and still more mountains.

I think you will enjoy Crater Lake National Park or the sports on Mount Hood. New Timberline Lodge on Mount Hood is the center for a vacation unexcelled in its infinite variety. You can golf or ski in mid-July on Mount Hood.

But Oregon has something else to offer the vacationist. Its scenery, resorts, fishing, hunting, and beaches would be less attractive were they not accompanied by Oregon's friendliness and sincere desire to make your stay a memorable one.

Again I invite you to Oregon, because I know you will like our State and will be loath to leave it.

AMENDMENT OF THE TENNESSEE VALLEY AUTHORITY ACT

Mr. MAY. Mr. Speaker, I ask unanimous consent that I may address the House for 1 minute.

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

There was no objection.

Mr. MAY. Mr. Speaker, my purpose in asking for this time at this moment is to advise the House that in another body a rather unprecedented proceeding relative to proposed amendments to the Tennessee Valley Authority Act has been had.

The House Military Affairs Committee has been holding hearings every hour it was possible to do so on an identical amendment, which was passed a few weeks ago by the Senate.

We are ready to go into executive session for consideration of amendments to the bill, and it is my view that the House of Representatives ought not to take any action upon any of these proceedings until the committee has had an opportunity to present its reasons and arguments as to why its bill should be considered.

[Here the gavel fell.]

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

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

There was no objection.

Mr. FISH. Mr. Speaker, I have asked this time for the purpose of inquiring of the gentleman from Kentucky [Mr. MAY] when his committee proposes to bring before the House legislation to take the profits out of war?

Mr. MAY. Mr. Speaker, I would say in answer to the gentleman from New York that I enjoyed very much last night the joint debate between him and some distinguished Senators on the subject of taking the profits out of war. My committee during the last Congress considered for weeks in open hearings the question of taking the profits out of war, and reported what we believed then and what I believe now to be a perfect bill for that purpose. It was not a bill, however, to disrupt and destroy private industry in this country, and there is no bill before the committee at this time.

The SPEAKER. The time of the gentleman has expired.

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order to ask a question of the gentleman from Kentucky [Mr. MAY].

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMASON. Mr. Speaker, will the gentleman from Kentucky kindly tell us when he will report out the T. V. A. bill?

Mr. MAY. Mr. Speaker, if we report out a bill on the T. V. A., we will do it either today, tomorrow, or next day.

The committee has adjourned until 3 o'clock for the purpose of enabling members to be on the floor of the House during the call of the Consent Calendar today. We meet again with the last witness on the witness stand for slight additional cross-examination, and as soon as we can get it settled in the minds of the committee, which is giving careful consideration to the bill, it will be reported.

Mr. THOMASON. Mr. Speaker, I agree with the chairman of my committee that if we are going to report out this bill and are going to do it promptly, then I should prefer that procedure to the one followed in the Senate, but I undertake to say that the action taken in the Senate is not without precedent, especially in view of the fact that this is an emergency and must be acted on by June 20 if it is of any value.

Therefore, in view of the long delay and the hearings that have dragged along for 6 or 8 weeks, I think we ought to immediately report out the bill. All parties affected by the contract involved are agreed. There is no need to rehash the entire history of T. V. A. If this bill is not reported out tomorrow, then we ought to take up the Senate amendment.

Mr. MAY. Mr. Speaker, in answer to the gentleman from Texas I must say he is entirely wrong in stating there has been any delay because the general committee and the subcommittee have, since the bill was introduced about 6 weeks ago, held 32 meetings, and furthermore there is no occasion for speed as suggested by the gentleman from Texas.

There is much talk about a supposed emergency on account of a date fixed in the contract for its closing. Both parties to the contract—T. V. A. and Commonwealth & Southern—have said they want the agreement carried out, and both competent to make the agreement can surely agree to an extension, but the whole trouble is that some people do not want the House committee to bring the facts to the attention of the House—and that I am determined to do. That is all I have to say.

THE CONSENT CALENDAR

The SPEAKER. Today is Consent Calendar day, and the Clerk will call the first bill on the Consent Calendar.

LOUISIANA-VICKSBURG BRIDGE COMMISSION

The Clerk called the bill (H. R. 3224) creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, La., and Vicksburg, Miss.

The SPEAKER. Is there objection?

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice?

The SPEAKER. Is there objection?

There was no objection.

UNIFORM RULE FOR NATURALIZATION OF ALIENS

The Clerk called the bill (H. R. 5030) to amend section 4 of the act of June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States."

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?

There was no objection.

QUAPAW INDIANS, OKLAHOMA

The Clerk called the bill (H. R. 3796) to extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes.

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

*Be it enacted, etc.,* That all existing restrictions, tax limitations, and exemptions affecting lands of the Quapaw Indians in Oklahoma be, and the same are hereby, extended for a further period of 25 years from the date on which such restrictions, limitations, and exemptions would otherwise expire: *Provided, however,* That nothing herein contained shall be construed as preventing the Secretary of the Interior, in his discretion, from removing such restrictions, in whole or in part, upon application of any adult Indian

owner of any such lands, on any interest therein, whenever the Secretary of the Interior finds it to be advantageous to the Indian owner to do so.

Sec. 2. That all lands owned in whole or in part by restricted Quapaw Indians, including those tracts in which there may be undivided interests acquired by others, may be leased for business, mining, or other purposes in accordance with such rules and regulations as the Secretary of the Interior may prescribe, and not otherwise: *Provided, however,* That no lease, modifications, or assignment thereof shall be made over the written protest of adult Indians owning a majority interest therein.

With the following committee amendment:

Page 2, line 3, strike out lines 3, 4, and 5 and insert in lieu thereof "That said restricted tracts of land or any part thereof."

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

#### SAN CARLOS APACHE INDIANS

The Clerk called the bill (S. 18) 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 pro tempore (Mr. WARREN). Is there objection?

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

The SPEAKER pro tempore. Is there objection?  
There was no objection.

#### WAPATO SCHOOL DISTRICT, WASHINGTON

The Clerk called the bill (H. R. 3824) to provide funds for cooperation with Wapato School District, No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

The SPEAKER pro tempore. Is there objection?

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

The SPEAKER pro tempore. Is there objection?  
There was no objection.

#### AMENDING SUBSECTION (H) OF SECTION 344 OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

The Clerk called the next bill, H. R. 5911, to amend subsection (h) of section 344 of the Agricultural Adjustment Act of 1938, as amended.

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

Mr. WOLCOTT. 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 Michigan?

There was no objection.

#### CLOSER AND MORE EFFECTIVE RELATIONSHIP BETWEEN AMERICAN REPUBLICS

The Clerk called the next bill, H. R. 5835, to authorize the President to render closer and more effective the relationship between the American Republics.

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

*Be it enacted, etc.,* That in order to render closer and more effective the relationship between the American Republics, the President of the United States is hereby authorized, subject to such appropriations as are made available for the purpose, to utilize the services of the departments, agencies, and independent establishments of the Government in carrying out the reciprocal undertakings and cooperative purposes enunciated in the treaties, resolutions, declarations, and recommendations signed by all of the 21 American Republics at the Inter-American Conference for the Maintenance of Peace, held at Buenos Aires, Argentina, in 1936, and at the Eighth International Conference of American States held at Lima, Peru, in 1938.

With the following committee amendment:

On page 2, after line 4, insert the following:

"Sec. 2. The President is authorized to create such advisory committees as in his judgment may be of assistance in carrying out the undertakings of this Government under the treaties, resolutions, declarations, and recommendations referred to, but no committee or member thereof shall be allowed any salary or other compensation for services: *Provided, however,* That they may, within the limits of appropriations made available therefor by the Congress, which appropriations are hereby authorized, be paid their actual

transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses while away from their homes in attendance upon meetings under instructions from the Secretary of State."

Mr. WOLCOTT. Mr. Speaker, I offer an amendment to the committee amendment, that the spelling of the word "appropriations", in line 13, on page 2, may be corrected.

The Clerk read as follows:

Amendment to the amendment offered by Mr. Wolcott: Page 2, line 13, strike out "appropriations" and insert "appropriations."

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.

#### WESTERN OR OLD SETTLER CHEROKEES

The Clerk called the next bill, H. R. 4498, for the relief of the Western or Old Settler Cherokees, and for other purposes.

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

Mr. COCHRAN, Mr. WOLCOTT, and Mr. COSTELLO objected.

#### PAYMENT OF EXPENSES TO CERTAIN INDIANS ON THE QUINAIELT RESERVATION, STATE OF WASHINGTON

The Clerk called the next bill, H. R. 2654, authorizing the payment of necessary expenses incurred by certain Indians allotted on the Quinaielt Reservation, State of Washington.

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

Mr. LEAVY. 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 Washington?

There was no objection.

#### PORTRAIT OF FORMER PRESIDENT HOOVER

The Clerk called the next business, House Joint Resolution 208, authorizing the Joint Committee on the Library to procure an oil portrait of former President Herbert Hoover.

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

*Resolved, etc.,* That the Joint Committee on the Library is hereby authorized to procure an oil portrait of former President Herbert Hoover, for the White House, to be painted by American artists, at a cost not to exceed \$2,500. The committee shall have the advice of the Commission of Fine Arts in accordance with the act of Congress approved May 17, 1910.

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.

#### PAPAGO INDIAN RESERVATION IN ARIZONA

The Clerk called the next bill, H. R. 5758, to add certain lands to the Papago Indian Reservation in Arizona.

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

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute Senate bill 2149 for the House bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized to purchase for the use and benefit of the Papago Indians with any funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the act of June 18, 1934 (48 Stat. 984), notwithstanding any general limitation in acts making such appropriations against the use of the appropriated funds for the acquisition of lands outside of Indian reservations in Arizona, all privately owned lands, water rights, and improvements within the south half of section 9, township 14 south, range 11 east, Gila and Salt River base and meridian, containing 320 acres, more or less, in the State of Arizona, at the appraised value of \$5,570.

Sec. 2. Title to the lands shall be taken in the name of the United States in trust for the Papago Tribe, and the lands, when purchased, shall become a part of the Papago Indian Reservation.

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

A similar House bill, H. R. 5753, was laid on the table.

**ACQUISITION OF ADDITIONAL LAND FOR MILITARY PURPOSES**

The Clerk called the next bill, H. R. 5735, to authorize the acquisition of additional land for military purposes.

The SPEAKER pro tempore. Is there objection?

Mr. STEFAN, Mr. CURTIS, Mr. WOLCOTT, and Mr. HEINKE objected.

**CREDIT CERTAIN INDIAN TRIBES WITH EXPENDITURES FROM TRIBAL FUNDS ON INDIAN IRRIGATION WORK**

The Clerk called the next bill, H. R. 2777, to credit certain Indian tribes with sums heretofore expended from tribal funds on Indian irrigation works.

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

Mr. COCHRAN. Mr. Speaker, I object.

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

Mr. O'CONNOR. Mr. Speaker, I reserve the right to object to the passing of this bill over without prejudice.

Mr. COCHRAN. I have already objected to the consideration of the bill.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. COCHRAN] objected and the bill, therefore, goes over.

Mr. COCHRAN. I objected because this bill takes about \$4,000,000 out of the taxpayers' pockets.

Mr. O'CONNOR. But the money belongs to the Indians.

Mr. COCHRAN. It is here also despite the recommendations of officials of the Government, including the Bureau of the Budget.

Mr. WHITE of Idaho. Will the gentleman allow the bill to go over without prejudice?

Mr. COCHRAN. I am willing to let it go over, but why let bills like this remain on the Consent Calendar?

Mr. O'CONNOR. Mr. Speaker, I object to the bill going over without prejudice. I wish to make a statement. I do not think the gentleman from Missouri is informed on this subject. Justification for this is to be found in the act of May 18, 1916, wherein it is provided that tribal funds heretofore expended to reimburse the United States in part for irrigation construction costs on the Blackfeet, Flathead, and Fort Peck Indian Reservations in Montana should be placed to the credit of the tribes and be available for such expenditures for tribal benefit as Congress may direct.

This money does not go to the Indians, it goes into the United States Treasury subject to disposition by Congress; and the United States has already got another lien upon their lands. It is unjust not to pass this bill in behalf of these Indians who expend this money. The money in the first place was expended without their consent.

Mr. COCHRAN. If you pass this bill, you now put your left hand in the Treasury, then after you pass it, you will be ready to put your right hand in and take the cash.

Mr. O'CONNOR. That is not true, because nearly every one has both hands in the Treasury all the time; why not give an Indian a chance?

Mr. COCHRAN. If the gentleman will not agree that this bill may go over without prejudice, I will object to the bill.

Mr. O'CONNOR. I withdraw my objection to the bill's going over without prejudice.

Mr. COCHRAN. My objections to this legislation is based upon the last two paragraphs of the report signed by the Acting Secretary of the Interior, reading as follows:

While I favor the enactment of legislation of this nature I wish to call your attention to the act of June 22, 1936 (49 Stat. 1803), by the terms of which the Secretary of the Interior is authorized and directed to make investigations of all Indian irrigation projects and to make adjustments of irrigation charges subject to approval by Congress. Investigations are now being made under that act, and as the reports come in they will be submitted to Congress. These reports will include a complete accounting of tribal moneys

expended on irrigation projects, and it would probably be advisable to await the completion of these investigations before authorizing reimbursement of specific amounts to the various tribes.

The Acting Director of the Bureau of the Budget advised under date of February 18 that a draft of a proposed bill similar to H. R. 2777, prepared by this Department for submission to Congress, would not be in accord with the program of the President.

Sincerely yours,

HARRY SLATTERY,  
Acting Secretary of the Interior.

Why not follow the suggestions of the Department and wait until the investigation referred to is completed? That seems the wise thing to do because it is evident if this bill passes others will follow.

The gentleman from Montana [Mr. O'CONNOR], I know, has been most active in connection with legislation beneficial to the Indians and while his whole thoughts seem to be for the Indians some of us must think of the Treasury and taxpayers. I am not going to let this legislation pass by unanimous consent but propose to follow the recommendations of the Department of the Interior and Bureau of the Budget.

The SPEAKER pro tempore. The gentleman from Missouri has already objected.

**TO INCREASE THE PUNISHMENT FOR ESPIONAGE**

The Clerk called the next bill, H. R. 6075, to increase the punishment for espionage.

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 section 1 of title I of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917 (40 Stat. 217, U. S. C., title 50, sec. 31), be, and it is hereby, amended to read as follows:

"SECTION 1. That (a) whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, files over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the national defense, owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section 6 of this title; or (b) whoever for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made, or disposed of by any person contrary to the provisions of this title; or (d) whoever, lawfully or unlawfully, having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than 10 years, or both."

Mr. McCORMACK. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. McCORMACK: On page 4, after line 5, insert a new section, as follows:

"Sec. 2. Whoever knowingly or willfully advocates the overthrow of government by force and violence shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than 5 years, or both."

Mr. McCORMACK. Mr. Speaker, the amendment which I have offered is a very important one. It was a recommendation of the special committee of which I was chairman 5 years ago, when we investigated communism, nazi-ism, and fascism, of which committee my distinguished friend from Tennessee [Mr. TAYLOR], who is sitting in front of me, was also a member. It is necessary legislation which should be upon our statute books.

Under present Federal law upon the statute books the only thing of this nature made a crime is where two or more persons conspire to overthrow the Government by force and violence; and the conspiracy statute is for all practical purposes a dead-letter law, because, first, not only must a conspiracy be established, but an overt act in furtherance of the conspiracy must be established and proved.

The amendment which I have offered is very carefully drafted, one that protects thoroughly the interests of everyone, and yet at the same time it is an amendment which everyone should gladly support. It provides that "whoever knowingly or willfully"—I impose the stiffest burden of proof possible upon the Government; it should be so—"whoever knowingly or willfully advocates the overthrow of government by force and violence" shall be guilty of a crime.

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

Mr. McCORMACK. I yield.

Mr. WALTER. Is not the language of this amendment identical with the language of a bill that 2 years ago passed the House by unanimous consent?

Mr. McCORMACK. Two years ago the Committee on the Judiciary reported a bill—that is, the Congress before the last Congress, the Seventy-fourth Congress—and that bill, whether it passed the House or not, was reported out by the Committee on the Judiciary. It is my recollection the bill was not acted on in the House. This is one of the major recommendations made by the special committee of which I was chairman. The other was the Registration of Alien Propaganda Act, which passed the House last year by unanimous consent.

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

Mr. McCORMACK. I yield.

Mr. HOBBS. To which one of the classes the gentleman named did he intend to charge the distinguished gentleman from Tennessee with belonging?

Mr. McCORMACK. My friend from Tennessee?

Mr. HOBBS. Yes.

Mr. McCORMACK. He belongs where you and I belong, on the side of American institutions and Government.

Mr. TAYLOR of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. TAYLOR of Tennessee. The gentleman has quoted me correctly; that is exactly where I stand. I am for the amendment.

Mr. McCORMACK. That is where the gentleman has always stood.

Mr. Speaker, this is a fair amendment, it is a reasonable amendment, it is a necessary amendment; and no one should object to its adoption.

[Here the gavel fell.]

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

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—yeas 142, nays 4.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground there is not a quorum present, and make the point of order that a quorum is not present.

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

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, may the amendment be read again?

The SPEAKER pro tempore. Under present procedure that cannot be done.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 357, nays 17, not voting 56, as follows:

[Roll No. 86]

YEAS—357

Alexander	Delaney	Houston	O'Neal
Allen, Ill.	Dempsey	Hull	Owen
Allen, La.	DeRouen	Hunter	Pace
Allen, Pa.	Dickstein	Izac	Parsons
Andersen, H. Carl	Dingell	Jacobsen	Patrick
Anderson, Calif.	Dirksen	Jarman	Patton
Anderson, Mo.	Disney	Jarrett	Pearson
Andresen, A. H.	Dondero	Jenkins, Ohio	Peterson, Fla.
Andrews	Doughton	Jensen	Peterson, Ga.
Angell	Dowell	Johns	Pfeifer
Arends	Doxey	Johnson, Ill.	Pittenger
Arnold	Drewry	Johnson, Ind.	Plumley
Ashbrook	Duncan	Johnson, Luther A.	Poage
Austin	Dunn	Johnson, Lyndon	Polk
Ball	Dworshak	Johnson, Okla.	Powers
Barden	Eaton, Calif.	Johnson, W. Va.	Ramspeck
Barnes	Eaton, N. J.	Jones, Ohio	Randolph
Barry	Eberharter	Jones, Tex.	Rankin
Barton	Edmiston	Kean	Rayburn
Bates, Ky.	Elliott	Kee	Reed, Ill.
Bates, Mass.	Ellis	Keefe	Reed, N. Y.
Beam	Elston	Kennedy, Martin	Rees, Kans.
Beckworth	Engel	Kennedy, Michael	Rich
Blackney	Englebright	Keogh	Richards
Bland	Evans	Kerr	Risk
Bloom	Fenton	Kilday	Robertson
Boehne	Ferguson	Kinzer	Robson, Ky.
Boland	Fernandez	Kitchens	Rockefeller
Bolles	Fish	Kocalkowski	Rodgers, Pa.
Boren	Flannagan	Kramer	Rogers, Mass.
Boykin	Flannery	Kunkel	Rogers, Okla.
Bradley, Mich.	Ford, Leland M.	Lambertson	Routzohn
Brewster	Ford, Miss.	Landis	Rutherford
Brooks	Fries	Lanham	Ryan
Brown, Ga.	Fulmer	Larrabee	Sacks
Buckler, Minn.	Gamble	Lea	Sandager
Bulwinkle	Garrett	Leavy	Sasser
Burch	Gartner	LeCompte	Satterfield
Burgin	Gathings	Lesinski	Schaefer, Ill.
Byrne, N. Y.	Gavagan	Lewis, Colo.	Schaefer, Wis.
Byrns, Tenn.	Gearhart	Lewis, Ohio	Schiffler
Byron	Gehrmann	Luce	Schuetz
Caldwell	Gerlach	Ludlow	Schulte
Cannon, Fla.	Gibbs	McAndrews	Scrugham
Cannon, Mo.	Gillie	McCormack	Secombe
Carlson	Gore	McDowell	Secrest
Carter	Gossett	McGehee	Shafer, Mich.
Cartwright	Graham	McGranery	Shanley
Casey, Mass.	Grant, Ala.	McKeough	Shannon
Chandler	Grant, Ind.	McLeod	Sheppard
Chapman	Green	McMillan, John L.	Short
Chipperfield	Gregory	Maas	Simpson
Church	Griffith	Mahon	Smith, Conn.
Clark	Griswold	Maloney	Smith, Maine
Clason	Gross	Mansfield	Smith, Ohio
Claypool	Guyer, Kans.	Mapes	Smith, Va.
Clevenger	Gwynne	Martin, Colo.	Smith, W. Va.
Cluett	Hall	Martin, Ill.	Snyder
Cochran	Halleck	Martin, Iowa	Somers, N. Y.
Coffee, Nebr.	Hancock	Mason	South
Cole, Md.	Hare	Massingale	Sparkman
Cole, N. Y.	Harness	May	Spence
Collins	Harrington	Merritt	Springer
Colmer	Hart	Michener	Starnes, Ala.
Connery	Harter, N. Y.	Miller	Steagall
Cooper	Harter, Ohio	Mills, Ark.	Stearns, N. H.
Corbett	Hartley	Mills, La.	Stefan
Costello	Hawks	Monkiewicz	Sullivan
Courtney	Healey	Monrone	Summer, Ill.
Cox	Heinke	Moser	Sutphin
Crawford	Hendricks	Mott	Sweeney
Creal	Hennings	Mouton	Taber
Crowe	Hess	Mundt	Talle
Crowther	Hill	Murdock, Ariz.	Tarver
Culkin	Hinshaw	Murray	Taylor, Tenn.
Cullen	Hobbs	Nichols	Tenerowicz
Cummings	Hoffman	Norrell	Terry
Curtis	Holmes	Norton	Thill
D'Alesandro	Hook	O'Brien	Thomas, N. J.
Darden	Hope	O'Leary	Thomas, Tex.
Darrow	Horton	Oliver	Thomason

Thorkelson	Vorys, Ohio	Wheat	Wolfenden, Pa.
Tibbott	Vreeland	Whelchel	Wolverton, N. J.
Tinkham	Wadsworth	White, Ohio	Woodruff, Mich.
Tolan	Wallgren	Whittington	Woodrum, Va.
Treadway	Walter	Wigglesworth	Youngdahl
Van Zandt	Warren	Williams, Del.	Zimmerman
Vincent, Ky.	Weaver	Williams, Mo.	
Vinson, Ga.	Welch	Winter	
Voorhis, Calif.	West	Wolcott	

## NAYS—17

Burdick	Lemke	O'Day	Smith, Wash.
Celler	Magnuson	Pierce, Oreg.	White, Idaho
Coffee, Wash.	Marcantonio	Robinson, Utah	
Geyer, Calif.	Murdock, Utah	Sirovich	
Keller	O'Connor	Smith, Ill.	

## NOT VOTING—56

Bell	Douglas	Kennedy, Md.	Nelson
Bender	Durham	Kirwan	Osmers
Bolton	Faddis	Kleberg	O'Toole
Bradley, Pa.	Fay	Knutson	Patman
Brown, Ohio	Fitzpatrick	McArdle	Pierce, N. Y.
Bryson	Flaherty	McLaughlin	Rabaut
Buck	Folger	McLean	Reece, Tenn.
Buckley, N. Y.	Ford, Thomas F.	McMillan, Thos. S.	Romjue
Case, S. Dak.	Gifford	McReynolds	Sabath
Cooley	Gilchrist	Maclejewski	Schwert
Crosser	Havenner	Marshall	Seeger
Curley	Jeffries	Martin, Mass.	Summers, Tex.
Dies	Jenks, N. H.	Mitchell	Taylor, Colo.
Ditter	Kelly	Myers	Wood

So the amendment was agreed to.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Thomas S. McMillan with Mr. Martin of Massachusetts.  
 Mr. Kleberg with Mr. Douglas.  
 Mr. Rabaut with Mr. Bolton.  
 Mr. Nelson with Mr. Knutson.  
 Mr. Cooley with Mr. Seger.  
 Mr. McReynolds with Mr. Gifford.  
 Mr. Collins with Mr. Reece of Tennessee.  
 Mr. Dies with Mr. McLean.  
 Mr. Kelly with Mr. Gilchrist.  
 Mr. Romjue with Mr. Case of South Dakota.  
 Mr. Buck with Mr. Osmers.  
 Mr. Crosser with Mr. Jenks of New Hampshire.  
 Mr. Fitzpatrick with Mr. Pierce of New York.  
 Mr. Taylor of Colorado with Mr. Marshall.  
 Mr. Summers of Texas with Mr. Brown of Ohio.  
 Mr. Bell with Mr. Jeffries.  
 Mr. Wood with Mr. Bender.  
 Mr. McArdle with Mr. Kirwan.  
 Mr. Patman with Mr. Bradley of Pennsylvania.  
 Mr. Fay with Mr. Folger.  
 Mr. McLaughlin with Mr. O'Toole.  
 Mr. Myers with Mr. Bryson.  
 Mr. Faddis with Mr. Kennedy of Maryland.  
 Mr. Curley with Mr. Durham.  
 Mr. Thomas F. Ford with Mr. Buckley of New York.  
 Mr. Flaherty with Mr. Havenner.

The doors were opened.

The result of the vote was announced as above recorded.

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

## EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech made by the Postmaster General of the United States on the fiftieth anniversary of the Missouri Military Academy.

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

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and to include information which I think the Congress ought to have.

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

There was no objection.

Mr. THORKELSON. Mr. Speaker, "Court-martial General Moseley" has been featured in the press of the invisible government and in its broadcasts. Why? To destroy his character and to spread confusion among the people. The invisible government lies in its papers and in its broadcasts, and it produces lying moving pictures of conditions that have never existed. Why is this done? To spread propaganda among

the people so that they will sit patiently and wait for their own destruction.

I realize that money is power, but no one can tell me that 120,000,000 real, patriotic American citizens have capitulated to the crowd in Chicago, New York City, and Washington. I know the boys out West, and if those unacquainted with them will read history it will be found that they can do their own cleaning when the proper time comes.

Hearings on un-American activities should not be held under a battery of moving-picture cameras or innumerable flashlights, for un-Americanism is not a show and should not be featured by Hollywood nit-wits. Un-Americanism or communism is an evil blight which is destroying our Nation, and those who are now engaged in it should be charged with treason.

Who in the Federal Government gave out the information that General Moseley was to be court-martialed? Nothing was said by the same papers when the President declared the Justices of the Supreme Court suffered from senile degeneration before he dressed the Court in pink and red. His own supporters did not criticize him when he called his followers tweedledums and tweedledees when they stumbled toward sanity. Discipline and respect for law should begin at the head of the Nation, for he is the one to set an example as the commander in chief.

Of course, no one is going to court martial General Moseley for being a good, honest, patriotic officer. Such blunder would lift the scarlet cloak of the New Deal and expose the most criminal attempt to convert our country into a proletarian communistic despotism. I say, therefore, let them go to it. There will be hundreds and hundreds that will turn the heat on the Communist so that he will be driven from our shores.

Mr. Speaker, I now inform the Members of Congress that completion of a plan to convert the United States into a proletarian democracy and totalitarian state is nearly consummated. Information is now in the hands of two intelligence sources of the Federal Government, but the spoilers are not quite ready. It is necessary that all avenues to communication be closed, and there are bills drawn for that purpose. In addition to restrictions on communication, the socialistic planning board has drawn Wagner's National Health Act and the Binderup-Voorhis Monetary Control Act. The Chain-Store Tax Act will help to create confusion. When these laws are enacted they will seal the life of the Republic, for after that the people will have to fight to regain control. The only profession left free will be those who have drawn the laws, and they will have nothing to do except to view the wreck of the Republic.

The safest course for those who are involved in this subversive plan is not to follow their customary procedure to prevent disclosure, for others have the same plans and will expose them. I may also state that that income-tax squeeze will not affect the holders of these plans, for patriotism is all they have left, and that cannot be taxed, but will eventually clean the Nation of communism and those who adhere to it. To protect the innocent and dupes of the invisible government, I suggest that those implicated—apostles of "pink," "red," and "scarlet" activities—report to the President of the United States immediately, so that he may see that the law is faithfully obeyed with the power he has under his control. I further suggest that they report all Fascists and Nazis to the President and the Dies committee, for I and others have already reported the "pink," "red," and "scarlet" gentry. This I have done in order to help the President to carry out the law as set forth in the Constitution of the United States.

I also request all newspapers that are not controlled by the invisible government to print these remarks on their front pages so that the people may be informed of the facts. Much is said in daily papers about the Fascist and Nazi activities, but no mention is made of the Socialist or Communist activities. For personal information and to clear up the situation, I will pay the daily papers \$2 for every Fascist and Nazi and for each of their publications that they can prove and present,

if the same papers will pay me \$1 for every Communist and communistic paper that I can present. This should be a good deal even for a Shylock, for I am paying 2 to 1 and will deposit \$100 any time the papers accept my challenge. I am engaging in this commercialism in order to prove that the newspapers either lie or do not know what they are talking about. The people are tired of reading, hearing, and seeing the Socialist and Communist shout "Nazi" and "Fascist" to distract attention from themselves, for there is not one newspaper that can tell me intelligently what Nazi activities are, for the simple reason that Germany is a Socialist, totalitarian state.

I dare the same papers to come out for return to constitutional government, return to States' rights, restoration of rights to the people and business, for liquidation of all planning organizations that are nothing but patterns taken from communistic socialism, liquidation of all committees and organizations that are now operating subversively to transform our republican government into a communistic state. Let the papers come out and violently oppose extension of emergency and monetary power to the President and the Secretary of the Treasury. Let the papers come out for gold-secured currency and investments and an embargo on all gold, so that it cannot be removed from the Treasury of the United States and shipped back to Europe; for repeal of all the trade pacts and international planning, which began with the League of Nations. Let the papers come out in full support of farmers and all national industries. If the papers will do this, they will be loyal to the United States of America and to the people and not mouthpieces for the invisible government.

A campaign should be instigated by the same papers to repeal all unconstitutional laws, which are not based upon the Constitution but instead tolerated by erroneous opinions of the Supreme Court. Constitutionality of laws should never be determined upon decisions by courts or individuals but upon the Constitution itself.

I shall now try to prove who writes some of the legislation that is introduced in Congress, and here is evidence No. 1.

It was my intention to add this evidence, but objection was raised to its inclusion.

#### EXTENSION OF REMARKS

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio address I gave last night.

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

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a memorial from the Legislature of the State of Oregon.

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

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two speeches recently made in Kansas by the Postmaster General of the United States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas [Mr. HOUSTON]?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution adopted and published in the Bulletin concerning Senator WAGNER.

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

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain short excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

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

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address made by me on May 30.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. SCHIFFLER]?

There was no objection.

#### CONSENT CALENDAR

The SPEAKER pro tempore. The Clerk will report the next bill on the Consent Calendar.

#### CONFISCATION OF FIREARMS

The Clerk called the next bill, S. 189, to provide for the confiscation of firearms in possession of persons convicted of felony and disposition thereof.

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

*Be it enacted, etc.,* That at the time any person is convicted of a felony in any court of the United States, firearms and ammunition found in his possession or under his control at the time of his arrest may be confiscated and disposed of in accordance with the order of the court before which such person was tried. The court may direct the delivery of such firearms or ammunition to the law-enforcement agency which apprehended such person, for its use or for any other disposition in its discretion.

With the following committee amendment:

Strike out all of lines 3 to 7, inclusive, and insert the following: "That when any person is convicted in any court of the United States of any of the crimes of murder, manslaughter, felonious assault, rape, killing or assaulting a Federal officer, robbery, burglary, bank robbery, killing or kidnaping in committing bank robbery or in avoiding or attempting to avoid apprehension for the commission of bank robbery or in freeing one's self or attempting to free one's self from arrest or confinement for bank robbery, transporting or causing to be transported a kidnaped person in interstate or foreign commerce, transporting or causing to be transported a stolen motor vehicle in interstate or foreign commerce, or any felony perpetrated in whole or in part by the use of firearms, or an attempt to commit any of the foregoing crimes, the court in its judgment of conviction may, in addition to the penalty or penalties prescribed by law for the punishment of such crime or crimes, order the confiscation and disposal of firearms and ammunition found in the possession or under the immediate control of such person at the time of his arrest."

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.

#### ESTABLISHMENT AND MAINTENANCE OF THE FRANKLIN D. ROOSEVELT LIBRARY

The Clerk called the joint resolution (H. J. Res. 268) to provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes.

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

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

Mr. KELLER. Will the gentleman withhold his objection?

Mr. WOLCOTT. I am asking unanimous consent that the joint resolution may be passed over without prejudice.

Mr. KELLER. I would like to discuss that with the gentleman. If that request is made, I shall object. I shall later ask consideration of the joint resolution under suspension of the rules.

Mr. WOLCOTT. I may say to the gentleman I understood he was going to do that and that is one of the reasons for asking that this bill go over without prejudice.

Mr. KELLER. If there is objection, I shall do that, of course.

Mr. WOLCOTT. There would have been an objection.

Mr. KELLER. Then, I shall move to suspend the rules and pass the bill.

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

Mr. KELLER. Mr. Speaker, I object.

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

Mr. WOLCOTT, Mr. BOLLES, and Mr. CHURCH objected.

AUTHORIZING RETURN TO WILLIAMSBURG LODGE, NO. 6, A. F. AND A. M., OF VIRGINIA, OF ORIGINAL MANUSCRIPT

The Clerk called the joint resolution (H. J. Res. 183) authorizing the Librarian of Congress to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge.

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

*Resolved, etc.*, That the Librarian of Congress is hereby authorized and directed to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge, which is contained in one bound volume now in the manuscript division of the Library of Congress, marked "Virginia, Williamsburg Masonic Lodge, Minute Book, 1773-1779, L. C.," and which manuscript was taken from the files of said lodge during the Civil War by some party or parties unknown.

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.

#### CITY OF KETCHIKAN, ALASKA

The Clerk called the next bill, H. R. 2413, for the protection of the water supply of the city of Ketchikan, Alaska.

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

*Be it enacted, etc.*, That the two tracts of public lands within the areas hereinafter described, situated in the Territory of Alaska, are hereby reserved from all forms of location, entry, or appropriation, whether under the mineral or nonmineral land laws of the United States, and set aside as municipal water-supply reserves for the use and benefit of the people of the city of Ketchikan, a municipal corporation of the Territory of Alaska, as follows, to wit: (a) Starting at the east end of the Ketchikan Public Utilities Dam, situated at lower end of the lower Ketchikan Lake, and extending thence in a northwesterly direction, following the divide to the summit of Minerva Mountain; thence in a northerly direction along the divide to the summit of Diana Mountain; thence following the high divide around the Ketchikan Lakes and Granite Basin over the summits of Dude Mountain and John Mountain; and thence in a southerly direction along the divide to the summit of Sylvis Mountain to the summit of Deer Mountain; thence in a westerly direction along the small divide to Ketchikan Creek at a point approximately 4,800 feet below the dam; thence along Ketchikan Creek to the dam, the place of beginning; said area being the drainage area of Ketchikan Lakes and Granite Basin above the Ketchikan city water supply. (b) And starting at the east end of the Ketchikan Public Utilities Dam at lower end of Carlanna Lake, and extending thence along the small divide in a northerly direction to the summit of Ward Mountain; thence along the high divide in an easterly direction to the summit of Juno Mountain; thence along the same divide in a southeasterly direction to the summit of Minerva Mountain; thence in a southerly direction along the small divide to the eastern side line of United States Survey 1229, of E. A. Heath, approximately 2,850 feet from the northeast corner of said survey; thence along said side line to the northeast corner; thence in a westerly direction along the northern boundary line to the northwest corner of said survey; thence in a northerly direction along the divide to Carlanna Lake Dam, the point of beginning; said area being the drainage area of Carlanna Lake and Hoadley Creek above the Ketchikan city water supply.

Sec. 2. The public lands heretofore described and reserved for municipal water-supply purposes, not a part of the Tongass National Forest, shall be administered by the Secretary of the Interior, and those within the Tongass National Forest shall be administered by the Secretary of Agriculture, for the purpose of storing, conserving, and protecting from pollution the said water supply, and preserving, improving, and increasing the timber growth on said lands, to more fully accomplish such purposes; and to that end said municipality shall have the right, subject to the approval of the Secretary of the Interior and the Secretary of Agriculture, to the use of any and all parts of the lands reserved for the storage and conveying of water and construction and maintenance thereon of all improvements for such purposes.

Sec. 3. The Secretary of the Interior and the Secretary of Agriculture are hereby authorized to prescribe and enforce such regulations as may be found necessary to carry out the purpose of said act, including the right to forbid persons other than those authorized by them and the municipal authorities of said municipal corporation from entering or otherwise trespassing upon these lands, and any violation of this act or of regulations issued thereunder shall be punishable as is provided for in section 5050, Compiled Laws of Alaska, 1933.

Sec. 4. Nothing herein contained shall affect any valid right or claim to any part of said lands heretofore acquired under any law of the United States.

With the following committee amendments:

Page 3, line 19, after the word "purposes", strike out the period and insert a colon in lieu thereof, and after the colon the following: "Provided, That the merchantable timber on the land to be

used by the said municipality which is under the jurisdiction of the Secretary of the Interior may be sold by the said Secretary under rules and regulations to be prescribed by him: *And provided further*, That the right to the use by the city of Ketchikan of the lands reserved by this act shall terminate upon the abandonment of the use by such municipality in accordance with the terms of this act, and upon a finding of such nonuse or abandonment, for a period of 2 years, by the head of the department having jurisdiction over the land involved, whereupon the reservation created by this act shall terminate to the extent of such lands involved."

Page 4, line 14, after the word "be", insert "a misdemeanor and shall be."

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.

#### MENOMINEE INDIAN CHILDREN

The Clerk called the next bill, H. R. 4497, to prescribe rules for the enrollment of Menominee Indian children born to enrolled parents, and for other purposes.

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

*Be it enacted, etc.*, That regardless of the act of June 15, 1934 (48 Stat. L. 965), upon receipt of proper birth certificates the names of unenrolled living Menominee Indian children born prior to that date of an enrolled parent or parents residing on the reservation at the time of their birth, and the names of children born thereafter otherwise qualified under section 4 of said act but irrespective of the derivation of their Menominee blood, shall be automatically placed upon the official roll approved on December 27, 1935; and such children shall be entitled to participate in any tribal payments made between the time of their birth and enrollment.

Sec. 2. The Secretary of the Interior is hereby authorized and directed on or before June 30, 1940, to investigate and determine the correct degree of Menominee Indian blood of every person whose name appears on the basic official roll as originally approved December 27, 1935. The determination made by the Secretary of the Interior shall be final and conclusive for enrollment purposes under the act of June 15, 1934, and any changes necessary to conform to such determination shall be made in the appropriate column of said roll.

With the following committee amendments:

Page 2, line 4, strike out "1940" and insert in lieu thereof "1941."  
Page 2, line 10, after "1934", insert "as modified herein."

The committee amendments were agreed to.

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

#### EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend in the RECORD the remarks I made this morning and to include two paragraphs from a report.

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

There was no objection.

#### CONSENT CALENDAR

##### TONGUE INDIAN RESERVATION, MONT.

The Clerk called the next bill, H. R. 5506, to authorize the Secretary of the Interior to contract with the State Water Conservation Board of Montana and the Tongue River Water Users' Association for participation in the costs and benefits of the Tongue River Storage Reservoir project for the benefit of lands on the Tongue River Indian Reservation, Mont.

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

Mr. HORTON. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Montana just what this bill tries to do?

Mr. O'CONNOR. I may say to the gentleman that this bill was introduced at the request of the Department of the Interior. The bill authorizes the Secretary of the Interior to purchase water to irrigate lands on the Tongue River Indian Reservation. The water is to be purchased on contract from the State Water Conservation Board of Montana and the Tongue River Water Users' Association.

Let me say that ordinarily, under the law, Indians have a prior right to the use of the water upon Indian reservations,

but in the Tongue River Reservation this is an exception. The only means by which these Indians may have water to irrigate their lands is by impounding the water in accordance with a scheme that has been developed by the Water Conservation Board of the State of Montana.

May I say to the gentleman from Wyoming that this does not affect his people in Wyoming at all. This simply impounds the water in Montana of the Tongue River, to the end that these Indians will have some water with which they may raise crops. If they cannot secure the water in this fashion they cannot secure it at all.

Mr. HORTON. In other words, they will be satisfied, then, to have their supplemental water supplied from water that is already impounded or is to be impounded?

Mr. O'CONNOR. That is right.

Mr. HORTON. And they will not thereafter come back here with a request for additional stream flow?

Mr. O'CONNOR. The gentleman is correct.

Mr. RICH. Reserving the right to object, Mr. Speaker, will it be necessary for the Interior Department to purchase this water from the State of Montana?

Mr. O'CONNOR. A Water Users' Association dam has already been constructed there.

Mr. RICH. Who owns and controls it?

Mr. O'CONNOR. The State.

Mr. RICH. Then, the gentleman wants the Federal Government to buy water from his State in order to take care of his own people?

Mr. O'CONNOR. The gentleman understands there has already been expended \$1,200,000 on this project, less \$360,-750.

Mr. RICH. Who spent that money?

Mr. O'CONNOR. The United States Government and the State of Montana. It is a P. W. A. project. The dam has practically all been built. What we want now is authority to enter into this contract with the Secretary of the Interior through the water conservation board to furnish the water to these Indian lands. The cost will be repaid in the course of 37 years at the rate of \$9,750 per year. Further, the Government has a lien upon the land, so the Government is assured of getting this money back.

Mr. RICH. Then the contract is between the Interior Department and the State of Montana; and the Government will not have to pay any additional money into the State, but the State, in turn, will collect the money from the users of the water and return that money to the Federal Government?

Mr. O'CONNOR. That is correct.

Mr. RICH. Are you sure we are going to get the money?

Mr. O'CONNOR. Of course you are going to get the money. You have the best land in the world as security for the repayment of this money as well as the promise of the Indians.

Mr. RICH. Yes; but people interested in such lands are always after something.

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

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

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

The SPEAKER pro tempore. Objection is heard.

Is there objection to the present consideration of the bill?

Mr. KEAN. I object, Mr. Speaker.

#### SAN CARLOS AND FLATHEAD INDIAN PROJECTS

The Clerk called the joint resolution (H. J. Res. 264) to approve the action of the Secretary of the Interior deferring the collection of certain irrigation construction charges against lands under the San Carlos and Flathead Indian irrigation projects.

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

Mr. O'CONNOR. Reserving the right to object, Mr. Speaker, I believe if the gentleman understood what this bill is about he would not object to it. The Government has already suspended payments for the white people in this area. Certainly we want to give the Indians the same

rights with respect to irrigation projects that the white man has, and that is all that this bill does.

The Secretary of the Interior has already deferred these payments, and this bill is simply for the purpose of approving what the Secretary has done.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. BATES] that the bill be passed over without prejudice?

There was no objection.

#### LIMITING AUTHORITY OF CIRCUIT JUDGES TO HOLD DISTRICT COURTS AND OF DISTRICT JUDGES TO SIT IN CIRCUIT COURTS OF APPEALS

The Clerk called the next bill, H. R. 2566, to limit the authority of circuit judges to hold district courts and of district judges to sit in circuit courts of appeals.

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

*Be it enacted, etc.*, That the first paragraph of section 18 of the Judicial Code, as amended (U. S. C., title 28, sec. 22), is hereby amended to read as follows:

"The Chief Justice of the United States, or the circuit justice of any judicial circuit, or the senior circuit judge thereof, may, if the public interest requires, designate and assign any circuit judge of a judicial circuit to hold a district court within such circuit, when requested to do so by, or with the consent of, the senior district judge for such district."

Sec. 2. Section 120 of the Judicial Code (U. S. C., title 28, sec. 216) is hereby amended to read as follows:

"Sec. 120. The Chief Justice and the Associate Justices of the Supreme Court assigned to each circuit shall be competent to sit as judges of the circuit court of appeals within their respective circuits. The several district judges within each circuit shall also be competent to sit as judges of the circuit court of appeals, but only in the event that by reason of the disability or disqualification of one or more circuit judges, or a vacancy or vacancies in the office or offices of one or more circuit judges for such circuit, the full court at any time cannot be composed otherwise. In such event, such district judge or judges shall sit in the court according to such order or provision among the district judges as either by general or particular assignment shall be designated by the court. In case the Chief Justice or an Associate Justice of the Supreme Court shall attend at any session of the circuit court of appeals, he shall preside. In the absence of such Chief Justice, or Associate Justice, the circuit judges in attendance upon the court shall preside in the order of the seniority of their respective commissions. No judge before whom a cause or question may have been tried or heard in a district court shall sit on the trial or hearing of such cause or question in the circuit court of appeals."

Mr. CELLER. Mr. Speaker, I move to strike out the last word, and I ask unanimous consent to proceed out of order for 5 minutes.

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

There was no objection.

Mr. CELLER. Mr. Speaker, when we considered the bill increasing penalties on espionage bill a few moments ago, on which there was a roll call on an amendment offered by the gentleman from Massachusetts [Mr. McCORMACK], we tagged onto that bill, which was a rather inconsequential measure, a very important amendment making it a crime for anyone willfully or knowingly to advocate the overthrow by force or violence of the Government.

Without commenting on the merits of that amendment, I want to say that that kind of legislating is a very serious matter and should not be adhered to, and there should be no repetition of the procedure, if I may caution the Members, because the Judiciary Committee of the House is considering a bill of that character at this very moment. Our committee works carefully, deliberately, and, we hope, with wisdom. We may act too slowly for some impetuous, impatient Members. We recently passed, for example, the Dempsey bill, which referred to the same subject matter. Now we pass in broader terms this amendment to the Walter bill, and the amendment creates nothing but confusion, and I do hope that the Members will not amend on the floor without hearings, without deliberation general bills on the Consent Calendar, especially where the amendment is as far reaching as the McCormack amendment. This amendment is broader than it seems. It contains no judicial definitions. It leaves to a judge unlimited power to determine what is meant by "overthrow of the Government." Surely careful legislating would require at least some deliberation and inquiry as to the import and meaning and implications involved in the amendment.

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

Mr. CELLER. I yield.

Mr. WALTER. Does not the gentleman feel that the adoption of this amendment might obviate the necessity of further considering similar legislation?

Mr. CELLER. I think it would. For example, the so-called important Smith bill, which the Judiciary Committee has been wrestling with for months, might be imperiled, if I may use that term advisedly, by the passage of the so-called McCormack amendment. Our committee votes on the Smith bill tomorrow. So I simply sound this word of caution to the Members.

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

Mr. CELLER. I yield.

Mr. MURDOCK of Utah. Was not the amendment adopted by the House an improper amendment to the bill to which it was attached?

Mr. CELLER. Unquestionably so.

Mr. MURDOCK of Utah. And could have been stricken out on a point of order as not being germane.

Mr. CELLER. Unquestionably so, but there seems to be a sort of hysteria sweeping the country, as well as the House, with respect to bills of this character and we are carried off our feet, in a way, and vote for these bills or for these amendments, without much ado, in a sort of fit of pseudo patriotism. I do hope the Members will exercise better judgment in the future.

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

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

Mr. WOLCOTT. I may say to the gentleman that we have great respect for the Committee on the Judiciary and for its ability to report out very worth-while legislation. I think the vote today penalizing the advocacy of overthrow of the Government by force was occasioned by the impatience of this House with the Judiciary Committee in not reporting out some legislation. We have been studying this question of subversive influences and activities for over a year and a half without doing anything about it, and for one I was pleased today at an opportunity to put this House on record as being against subversive influences and against any attempt to overthrow the Government by force.

Mr. CELLER. I know the gentleman wants to be fair; he is somewhat unfair showing impatience with our committee. The Judiciary Committee has been laboring incessantly on these bills. We reported only a short time ago the so-called Hobbs bill, which was passed. I objected to it, but it was passed. We are working on the Smith bill, and there are a score of other bills that we have been deliberating upon. You cannot roll these bills out like out of a gristmill.

The SPEAKER pro tempore. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 2, line 6, after the word "judges", insert the words "and retired judges"; and in line 13, strike out the word "district."

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.

#### NATURALIZATION OF ALIEN SPOUSES

The Clerk called the bill (H. R. 5401) to provide for the naturalization of certain alien spouses of citizens of the United States, and to validate the naturalization of certain persons.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object. If no one is here to explain the bill, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. SPARKMAN. Mr. Speaker, I reserve the right to object. I call the gentleman's attention to the fact that this bill is identical with one that passed this House 2 years ago. It has for its purpose simply the clarifying of a condition in existing law. Two circuit courts of appeals and the district court of the District of Columbia have given different interpretations to the so-called Cable law. All of the other courts

have ruled the other way and this clarifies the situation resulting from the ruling of those two circuit courts and one district court.

Mr. JENKINS of Ohio. Yes; I know. The Cable Act was a wonderful piece of legislation and has met the approval of everyone who knows much about it. I refer especially to the departments and students of immigration. As I read the report, you seek to do certain things. If I remember correctly, at one time we allowed a bill to be passed granting privileges to certain aliens in this country if they had been here 6 years. That 6 years was a stop-gap requiring a man to be here upon the theory that if he had been here for 6 years and had no trouble he might be a pretty good sort of man. In this bill you seek to change that 6 years to 1 year, and make other changes. Why not let this go over until the next call of the calendar and give us a chance to go over the matter and perhaps we can agree upon it.

Mr. SPARKMAN. I would like to say this. This does not change any 6 years to 1 year. This simply puts into effect what the Cable Act was intended to do, and clarifies the confusion that has arisen by reason of the decision of the two circuit courts of appeals.

Mr. JENKINS of Ohio. But it does another thing. There was always a difference in the early days of the immigration restriction laws between concessions to male and concessions to females. More restrictions were placed against a man who was coming in, because it was maintained that a lot of girls in this country married these counts, or "no-accounts," and we always put more restrictions against the man than we did against the woman. In this law they allowed them 6 years' residence, and now you are putting that down to 1 year, and the next thing you know we will put these no-account fellows on the same basis as our fine American girls. Let us put it over until the next call of the calendar.

Mr. SPARKMAN. If the gentleman insists, I shall not object.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio that the bill go over without prejudice?

#### AMENDING HAWAIIAN ORGANIC ACT

The Clerk called the bill (H. R. 161) to amend section 73 of the Hawaiian Organic Act, approved April 30, 1900, as amended.

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

*Be it enacted, etc.*, That section 73 of the Hawaiian Organic Act, as amended, be, and the same is hereby, further amended by adding at the end of paragraph (1) of said section 73 the following: "Provided, however, That any such lot not taken or taken and forfeited, or any lot or part thereof surrendered with the consent of the Commissioner, may, instead of being disposed of as hereinabove provided, be disposed of for cash and forthwith patented to any citizen of the United States, possessing the qualifications of a homesteader as now provided by law, applying therefor and who has qualified for and received a loan under the provisions of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937, for the acquisition of a farm: *And provided further*, That any patent issued upon any such sale shall contain the same restrictive provisions as are now contained in a patent issued after compliance with a right of purchase lease, cash freehold agreement, or special homestead agreements."

SEC. 2. This act shall be in force and effect from and after its passage.

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

The Clerk read as follows:

Amendment offered by Mr. KING: Page 2, after the figures "1937", insert "(U. S. C., 1934 ed., Supp. IV, title 7, ch. 33)."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the Delegate from Hawaii.

The amendment was 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.

#### AMENDING ACTS OF JUNE 30, 1834, AND JUNE 22, 1874, RELATING TO PURCHASE OF GOODS FROM INDIANS

The Clerk called the next bill, S. 2154, to modify the provisions of section 10 of the act of June 30, 1834, and section 10 of the act of June 22, 1874, relating to the Indians.

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

*Be it enacted, etc.*, That anything contained in section 10 of the act of June 30, 1834 (4 Stat. 738), or in section 10 of the act of June 22, 1874 (18 Stat. 177), now sections 68 and 87, respectively, title 25, United States Code, to the contrary notwithstanding, employees of the United States Government, including those in the Indian Service, may, under such rules and regulations as the Secretary of the Interior shall prescribe, be permitted to purchase from any Indian or Indian organization any arts and crafts or any other product, service, or commodity produced, rendered, owned, controlled, or furnished by any Indian or Indian organization: *Provided*, That nothing contained in the acts of Congress above referred to shall be construed as preventing Indian employees of the United States Government, of whatever degree of Indian blood, during their term of employment or otherwise, from obtaining or receiving any benefit or benefits made available to the Indians generally or to the members of any particular tribe, under any act of Congress, nor to prevent such employees having Indian blood from being members of or receiving benefits by reason of their membership in Indian tribes, corporations, or cooperative associations organized by the Indians, when authorized by the Secretary of the Interior under appropriate regulations to be promulgated by him.

With the following committee amendments:

Page 1, line 3, strike out "10" and insert "14"; page 2, line 3, after the word "organization", insert "*Provided, however*, That no employee of the United States Government shall be permitted to make any such purchases for the purpose of engaging, directly or indirectly, in the commercial selling, reselling, trading, or bartering of said purchases by the said employee: *Provided further*."

The 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 to modify the provisions of section 14 of the act of June 30, 1834, and section 10 of the act of June 22, 1874, relating to the Indians."

FEDERAL AID TO STATE OR TERRITORIAL HOMES FOR SUPPORT OF DISABLED SOLDIERS AND SAILORS

The Clerk called the next bill, H. R. 4647, to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States.

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

*Be it enacted, etc.*, That the act entitled "An act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States," approved August 27, 1888, as amended (U. S. C., 1934 ed., title 24, sec. 134), is amended by striking out in the first paragraph thereof "\$120 per annum" and inserting in lieu thereof "\$1 per diem."

With the following committee amendment:

Page 1, line 8, after the word "thereof", strike out "\$1 per diem" and insert "\$240 per annum."

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.

NATIONAL FLAGS FOR BURIAL OF HONORABLY DISCHARGED FORMER SERVICE MEN AND WOMEN

The Clerk called the next bill, H. R. 2310, to provide national flags for the burial of honorably discharged former service men and women.

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

*Be it enacted, etc.*, That paragraph 1, Veterans Regulations No. 9 (a), as amended (U. S. C., 1934 edition, title 38, ch. 12, appendix), be amended to read as follows:

"1. Where an honorably discharged veteran of any war, or a person honorably discharged from the United States Army, Navy, Marine Corps, or Coast Guard after serving at least one enlistment or for disability incurred in line of duty, dies after discharge, a flag to drape the casket shall be furnished in all cases; such flag to be given to the next of kin after burial of the veteran.": *Provided*, That this amendment shall become effective on the date of enactment hereof.

With the following committee amendments:

Page 1, line 3, after the word "paragraph", strike out the figure "1" and insert "I";

Page 1, line 6, strike out the figure "1" and insert "I."

The committee amendments were agreed to.

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

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, the Regular Veterans' Association, through their national adjutant, has submitted a brief statement concerning this bill.

I ask unanimous consent to extend my own remarks and include this brief statement at this point.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The statement is as follows:

I am J. E. Nieman, national adjutant and educational director, Regular Veterans' Association, with national headquarters at 1115 Fifteenth Street NW, Washington, D. C. Our membership, gentlemen, is those persons who have served their Nation and flag, be it war, peaceful invasions, floods, national emergencies, earthquakes, or what ere may befall. Our oldest member is 102, our youngest but 19.

This association has striven for enactment of a bill which would give, by law, an American flag for the casket of Regulars that would then go to their nearest of kin. We have felt keenly this pointed discrimination between men who have served during a time of war and those who have served and sacrificed in a time other than war. It is not a matter of food for empty stomachs, a roof for unprotected heads, or clothing for naked backs, but this flag—our Stars and Stripes—is the symbol of the greatest country in the world, the United States of America, and denial thereof on the casket of one group who has served the colors and presentation to another group is hard to take.

Permit me to state that there is not a mother in this Nation whose son served in the Regular Establishment who would not secure ease from her pain at the death of her son if she could hide her face in the beautiful glory of our flag; there is not a widow of a Regular but would mingle her tears with the stars and stripes on that flag as she secured solace that her man had served that flag honestly, fearlessly, and with complete freedom of mind; and there is not the son or daughter of a Regular in this Nation, gentlemen, but would look many times at the flag that covered their dead father's mortal remains and feel their heart swell that daddy, their daddy, gentlemen, had been a soldier or sailor in the service of the United States of America.

It is apropos to mention just why the Regular Veterans' Association feels so keenly about this denial of the flag to our casket. Reasons are many, some readily apparent, some obtuse, some sentimental:

1. Service personnel are the lowest paid of all Government employees—by far the lowest, receiving a pay, all allowances considered, that is far under one-half the pay of other Government employees on comparative jobs, and of civilian pursuits of like nature.

2. They have for several years now, been denied the reenlistment allowance, an allowance which has been rightly considered a part of their pay for many years. We are grateful that this Congress has seen fit to overwhelmingly vote that the allowance be resumed.

3. If these men are disabled in line of duty, and approximately 3,000 were added to the pension rolls last year, they are pensioned at a rate that is nothing short of a national disgrace being less than one-half that our war veterans receive for like disabilities.

4. If killed in line of duty, and well over 1,000 dependents of line-of-duty deceased Regulars are added to the rolls yearly, the pensions for such dependents are actually as low as but 33 1/2 percent of comparative rates for dependents of line-of-duty deceased war veterans.

5. The disabled Regular is even denied preference to the W. P. A. employment.

6. He is denied enrollment in C. C. C. unless within the age limit and passing physical examination, which is rather rigid.

7. He is even denied relief if drawing a small pension.

8. Bills have been introduced into this Congress which will take every vestige of civil-service preference away from all Regulars whether disabled or not.

9. Ad infinitum.

It is noted in the report of the Veterans' Administration on the bill S. 947, Seventy-fifth Congress, that the cost of these flags is estimated at \$7 for each flag and that the first year cost would be approximately \$82,800. It is noted that the Veterans' Administration suggests that the War and Navy Departments could probably provide a more comprehensive report on the cost.

For the information of this committee, R. V. A. has contacted several manufacturers of comparable flags with a low quotation (5,000 lots) of \$2.75 (wool bunting 5 by 9 1/2) and a high quotation of \$3.25 (wool bunting 5 by 9 1/2). Basing the number of deaths on the Veterans' Administration report last year, approximately 12,000, the first year cost of flags would be but \$33,000 (low quotation above) and \$39,000 (high quotation above).

It is noted that the cost of storm flags is stated by the Secretary of War (S. 947, 75th Cong.) as \$5.47 each. R. V. A. quotations were secured yesterday, April 13. It is assumed that the price of flags

has been reduced measurably over the last year. Total cost at the Secretary of War quotation would be but \$65,640 for 12,000 flags, and as indicated above, the cost of such flags is certain to have been reduced in the last year as quotations R. V. A. secured are from reputable manufacturing firms and in 5,000 lots only. It follows that a further reduced price would be secured in greater orders.

R. V. A. is firmly convinced, gentlemen, that if this bill be enacted into law it will be a noticeable service morale builder, for Regulars feel that this discrimination is criterion of the lack of consideration heretofore given Regulars and that elimination of it is the forerunner to a complete consideration of the problems confronting the man behind the gun.

In closing, Mr. Chairman, I wish to advise that I have been authorized to state that the Regular Veterans' Woman's Association unites with the R. V. A. in our plea for removal of this cloud of discrimination from the service and sacrifices of our Regulars.

I have also been authorized by Carl Gardner, editor, Our Army (magazine), 11 Park Place, New York, N. Y., and by H. C. Blackerby, editor, Navy News (magazine), California Theater Building, San Diego, Calif., to state to this committee their full approval of the bill, and that they strongly urge favorable consideration thereof.

OLD COURTHOUSE BUILDING, PORTLAND, OREG.

The Clerk called the next bill on the Consent Calendar, H. R. 6017, to authorize the disposal of the Portland, Oreg., old courthouse building.

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

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill, S. 2404.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the proviso reading as follows: "Provided, That the present Federal building and site at Morrison, Fifth, Yamhill, and Sixth Streets shall not be sold for an amount less than \$1,750,000," limiting the paragraph making an appropriation for a courthouse, etc., at Portland, Oreg., in the act entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes," approved March 5, 1928 (Public, No. 93, 70th Cong.; 45 Stat. 181), shall not apply to any contract providing for the demolition of said building which does not involve a sale of the land upon which the building is located.

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. 6017) was laid on the table.

OLD POST-OFFICE BUILDING AND SITE, AKRON, OHIO

The Clerk called the next bill, H. R. 6021, to repeal the minimum-price limitation on sale of the Akron, Ohio, old post-office building and site.

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

*Be it enacted, etc.,* That the following parts of acts regulating sale of the Akron, Ohio, old post-office building and site are hereby repealed:

(a) The proviso limiting the last sentence of section 13 of the act entitled "An act to increase the limit of cost of certain public buildings \* \* \*" approved March 4, 1913 (Public, No. 432, 62d Cong.; 37 Stat. 882), reading as follows: "Provided, That said building and site shall not be sold for any sum less than \$100,000";

(b) The last clause of the act entitled "An act to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio," approved May 13, 1930 (Public, No. 206, 71st Cong.; 46 Stat. 274), reading as follows: "and to sell the remainder of the site upon the terms and conditions provided in the act of Congress approved March 4, 1913, authorizing the sale of the above old post-office property in Akron, 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.

NATURALIZATION PRIVILEGES TO ALIEN VETERANS OF THE WORLD WAR

The Clerk called the next bill, H. R. 5402, to admit to the United States, and to extend naturalization privileges to, alien veterans of the World War.

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

Mr. LEWIS of Colorado. Mr. Speaker, reserving the right to object—

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I would like to ask what this bill does. Does it give the same privilege to alien veterans or does it restrict it to any certain groups?

Mr. SPARKMAN. It is veterans who fought in the American Army. It simply extends the old law that was on the statute books.

Mr. JENKINS of Ohio. Some of those veterans have not yet qualified?

Mr. SPARKMAN. That is correct.

Mr. JENKINS of Ohio. And this is simply to keep the door open?

Mr. SPARKMAN. That is correct.

Mr. JENKINS of Ohio. I am very much in favor of it.

Mr. SPARKMAN. I thank the gentleman.

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, the major veterans' organizations supported this measure in '26 and support the amendment now.

Mr. SPARKMAN. Yes. It is in keeping with the mandate of the various veterans' conventions.

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

There being no objection, the Clerk read as follows:

*Be it enacted, etc.,* That (a) as used in this act, the term "alien veterans" means an individual, a member of the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918, who is now an alien not ineligible to citizenship but does not include (1) any individual at any time during such period or thereafter separated from such forces under other than honorable conditions, (2) any conscientious objector who performed no military duty whatever or refused to wear the uniform, or (3) any alien at any time during such period or thereafter discharged from the military or naval forces on account of his alienage.

(b) Terms defined in the Immigration Act of 1924 shall, when used in this act, have the meaning assigned to such terms in that act.

Sec. 2. An alien veteran shall for the purposes of the Immigration Act of 1924 be considered as a nonquota immigrant, but shall be subject to all the other provisions of that act and of the immigration laws, except that—

(a) He shall not be subject to the head tax imposed by section 2 of the Immigration Act of 1917;

(b) He shall not be required to pay any fee under section 2 or section 7 of the Immigration Act of 1924;

(c) If otherwise admissible, he shall not be excluded under section 3 of the Immigration Act of 1917 unless excluded under the provisions of that section relating to—

(1) Persons afflicted with a loathsome or dangerous contagious disease, except tuberculosis in any form;

(2) Polygamy;

(3) Prostitutes, procurers, or other like immoral persons;

(4) Contract laborers;

(5) Persons previously deported; and

(6) Persons convicted of crime.

Sec. 3. The unmarried child under 21 years of age, the wife, or the husband, of an alien veteran shall, for the purposes of the Immigration Act of 1924, be considered as a nonquota immigrant when accompanying or following within 6 months to join him, but shall be subject to all the other provisions of that act and of the immigration laws.

Sec. 4. The foregoing provisions of this act shall not apply to any alien unless the immigration visa is issued to him before the expiration of 2 years after the enactment of this act.

Sec. 5. An alien veteran admitted to the United States under this act shall not be subject to deportation on the ground that he has become a public charge.

Sec. 6. Nothing in the immigration laws shall be construed as subjecting any person to a fine for bringing to a port of the United States an alien veteran who is admissible under the terms of this act, even though such alien would be subject to exclusion if this act had not been 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.

AMENDING ACT OF MARCH 2, 1929

The Clerk called the next bill, H. R. 3215, to amend the act of March 2, 1929 (45 Stat. 536).

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

*Be it enacted, etc.,* That section 1 (a) (1) of the act of March 2, 1929, entitled "An act to supplement the naturalization laws, and for other purposes" (45 Stat., ch. 536, p. 1512), which now reads "(1) Entered the United States prior to June 3, 1921", is hereby amended, effective as of the date this act is enacted, so as to read as follows: "(1) Entered the United States prior to July 1, 1924."

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.

## 1939 REUNION OF CONFEDERATE VETERANS AT TRINIDAD, COLO.

The Clerk called the next bill, H. R. 3945, to authorize the use of War Department equipment for the Confederate Veterans' 1939 Reunion at Trinidad, Colo., August 22, 23, 24, and 25, 1939.

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 lend, at his discretion, to the reunion committee of the United Confederate Veterans, for use at the National Confederate Veterans' Reunion, to be held at Trinidad, Colo., August 22, 23, 24, and 25, 1939, 2 hospital ward tents, with all pegs, poles, and equipment necessary for their erection; 1 storage tent complete with all equipment; 1 large wall tent complete with all equipment; 6 small wall tents complete with all equipment; 10 pyramidal tents complete with all equipment; 50 fourteen-quart G. I. buckets; 2,000 blankets, olive drab, wool; 1,000 cots, iron; 1,000 comforters; 1,000 cotton-felted pillows complete with cotton pillowcases; 2,000 cotton bedsheets: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property; the same to be delivered from the nearest quartermaster depot at such time prior to the holding of said reunion as may be agreed upon by the Secretary of War and the Confederate Reunion Committee: *Provided further*, That the Secretary of War, before delivery of such property, shall take from said reunion committee of the United Confederate Veterans a good and sufficient bond for the safe return of said 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 was laid on the table.

## CONVEYANCE OF CERTAIN PROPERTY TO CITY OF EL CAMPO, TEX.

The Clerk called the next bill, H. R. 5037, to convey certain property to the city of El Campo, Tex.

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

There was no objection.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent that a Senate bill (S. 1982) may be substituted for the House bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to convey to the city of El Campo, Tex., all the right, title, and interest of the United States in a strip of land on the west side of the present post-office site 50 feet wide and 200 feet long between Railroad Avenue and First Street. Such conveyance shall be subject to the express condition that the land be used for street purposes.

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

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 1, line 9, after the word "purposes", change the period to a colon and insert "*Provided*, That in the event the land in question ceases to be used for street purposes all the right, title, and interest hereby authorized to be conveyed to the city of El Campo shall revert to the United States: *Provided further*, That any changes in the post-office site required to be made in connection with the use of the land for street purposes shall be made to the satisfaction of the Secretary of the Treasury and without expense to the United States."

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

Mr. Speaker, this is a recommendation which was made by the Department in its report to the committee upon this bill to the effect that a revocable license should be granted for street purposes rather than a conveyance. The committee considered this matter very carefully. All of the land involved in the entire site was donated by the city of El Campo to the Government without any compensation whatever.

The Post Office Department reported that the paving of this street and granting land for that purpose would in no way interfere with the postal service but would make for greater accessibility to the post office in providing for a paved street on each side. The provision is contained in the bill that such conveyance shall be subject to the express condition that the land be used for street purposes, which, in

essence, is equivalent to the amendment offered by the gentleman from California.

The land, I repeat, was conveyed without cost to the Government, and this is simply a reconveyance of a small part of it in order that all of the streets around the post office may be paved. The bill contains the limitation that the conveyance shall prescribe that it must be used for street purposes. In my opinion, after a full hearing before the committee, the amendment should not be adopted. It is rather quibbling about something of no consequence.

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

Mr. LANHAM. Mr. Speaker, I yield to my colleague from Texas in whose district the city of El Campo is located.

Mr. MANSFIELD. Mr. Speaker, the property, as stated by the gentleman from Texas [Mr. LANHAM], was given to the Federal Government by the city of El Campo—given by deed of gift to the Post Office Department. It was a lot 200 feet square. This is more land than the Department needs. By cutting 50 feet off of the back side and making a street of it will provide concrete streets entirely around the post-office building whereas now there is a street on only three sides of the building. It will be to the benefit of the Post Office Department more than it will to the city of El Campo or anyone else.

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

Mr. LANHAM. I yield.

Mr. COSTELLO. The adoption of this amendment would not seriously affect the bill in any way. As I understand it, the only effect of the amendment would be that in the event the city should not desire to use this land in the future for street purposes then it would definitely revert to the Federal Government for what use they might want to put it to; in other words, should they want to change the location of the street there, which is unlikely, or should they want to redesign the post office, to enlarge it and close the street, the title would automatically revert to the Federal Government.

Mr. LANHAM. I understand that this is a new post-office building and that the other side of the proposed street is occupied by a park.

Further, with reference to use for street purposes, it seems to me protection of the Federal Government is adequately provided in the last sentence of the bill, which states:

Such conveyance shall be subject to the express condition that the land be used for street purposes.

The conveyance can be worded in such way that the purpose of the gentleman's amendment will be carried out without adding the amendment to the bill.

Mr. COSTELLO. That may be true. My amendment simply makes it possible that if this area is not used for street purposes it shall revert to the Federal Government.

[Here the gavel fell.]

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

The amendment was rejected.

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. 5037) was laid on the table.

## SISSETON INDIAN RESERVATION, N. AND S. DAK.

The Clerk called the next bill, H. R. 5451, to authorize the consolidation of the lands on the Sisseton Indian Reservation, N. Dak. and S. Dak., and for other purposes.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized in his discretion to acquire, by gift, purchase, or exchange, any interest in Indian or non-Indian lands, water rights or surface rights to lands, together with improvements thereon, within the boundary of the Sisseton Indian Reservation, North and South Dakota. Title to any land so acquired shall be taken in the name of the United States of America in trust for the Sisseton and Wahpeton Bands of Sioux Indians. For the purpose of making the purchases herein authorized, the Secretary of the Interior is hereby authorized to use any available funds heretofore or hereafter appropriated pursuant to the authority contained in section 5 of the act of June 18, 1934 (48 Stat. L. 984).

Sec. 2. That the lands acquired under authority contained in section 1 of this act shall not be allotted in severalty but shall be

available for assignment to Indians of the Sisseton Reservation for their use and occupancy: *Provided*, That an Indian owning trust or restricted lands or interests in lands lying within the boundary of the Sisseton Indian Reservation shall not be eligible to receive an assignment within the consolidated area unless he or she relinquishes by sale or otherwise to the United States of America in trust for the Sisseton and Wahpeton Bands of Sioux Indians all his or her trust or restricted lands or interests in such lands. Any Indian who relinquishes such lands or interests in lands without compensation shall be entitled to an assignment within the consolidated area of lands or grazing privileges of approximately the same value as the lands or interests in lands relinquished.

Sec. 3. That with the consent of the Sisseton and Wahpeton Tribe, the Secretary of the Interior is hereby authorized to sell any lands on the Sisseton Reservation outside of areas purchased and otherwise consolidated for Indian use, now owned by the tribe, or hereafter acquired under authority contained in section 2 of this act, not needed for Indian or administrative use, and to use the funds received from such sale or sales in acquiring additional lands as authorized by section 1 hereof.

Sec. 4. That the Secretary of the Interior is hereby authorized to prescribe all rules and regulations necessary to carry out the purposes of this act.

With the following committee amendments:

On page 2, line 24, after the word "any", insert the word "tribal."

On page 3, line 5, at the end of section 3, add a new section, as follows:

"Sec. 4. At any time within 5 years after an assignment is made to an Indian, as provided in section 2 herein, the said Indian may demand and receive from the Secretary of the Interior a purchase contract for said land, or any portion thereof, of not less than 40 acres. The price specified in said purchase contract shall be the value of the said land, as arrived at for the purpose of carrying out the provisions of sections 1 and 2 herein, and the said Indian shall be credited on his purchase contract for the value of any land or improvements relinquished or conveyed by him, in order to carry out section 1, and the balance of the purchase contract shall be paid in annual installments over a period of not to exceed 40 years, without interest: *Provided, however*, That the said Indian may pay the balance of his purchase price contract in a lesser period of time, if he so desires: *Provided, however*, That no mortgage, pledge, deed of trust, or other evidences of indebtedness shall be valid against a purchase contract issued pursuant hereto, and no sale or conveyances of the said purchase contract or any right thereunder made to a non-Indian shall be valid. Upon full payment of the purchase price provided in any contract for purchase, the Secretary of the Interior shall, and is hereby authorized to, execute and deliver to the owner of said contract, an absolute fee title to said land: *Provided, however*, That if any holder of a purchase contract shall default in his annual installments for a period of 3 years, the Secretary of the Interior may at his election and upon the giving of a 6 months' notice to the owner of said contract, in the manner provided for the service of process in a United States district court, declare the said purchase contract forfeited and all right, title, and interest to said purchase contract, the land or improvements thereon, shall revert the same as if no purchase contract had been issued: *Provided, however*, That no otherwise qualified Indian shall be denied the right to become an assignee under section 2 hereof by having defaulted on a purchase contract. If the owner of a purchase contract shall die, the said contract and all rights thereunder shall descend to his heirs-at-law or may be devised by will: *Provided, however*, That no devise, or conveyance by will to a non-Indian shall be valid."

On page 4, line 21, strike out "Sec. 4" and insert in lieu thereof "Sec. 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.

#### AMENDMENT TO CANAL ZONE RETIREMENT LAW

The Clerk called the next bill, H. R. 1819, to amend section 92, title 2, of the Canal Zone Code and for other purposes.

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

Mr. RAMSPECK. Mr. Speaker, reserving the right to object, I would like to call the attention of the Members of the House to the fact that this bill proposes to renew a policy of extension in regard to retirement that the Congress decided was unwise in 1933. In addition to that it proposes to permit retirement for the first time at the very low age of 58, which would entail considerable additional cost to the Treasury of the United States, notwithstanding the conclusion reached in the majority report to the effect this law would not cost anything. Further, it puts the Government in the business of selling annuities in competition with life insurance companies to persons not in the Government service.

Mr. Speaker, for the above reasons, I object to the consideration of the bill at this time.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD immediately following the remarks just made by the gentleman from Georgia [Mr. RAMSPECK].

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

There was no objection.

Mr. BLAND. Mr. Speaker, pursuant to leave given me to extend my remarks on the bill, H. R. 1819, to which objection has just been made, and referring to the statement contained in the minority report of Representative RAMSPECK to the effect that employees within the United States receive only \$30 for each year of service while the Canal employees receive \$37.50, it should be said that while this statement is true yet Canal employees have a 5-percent deduction from their pay while employees within the United States have only 3½ percent deducted.

For purposes of comparing Canal Zone retirement with that in the United States, let us take the cases of machinists on the Canal Zone and in a navy yard in the United States since the same proportion will hold true in all employments.

Zone machinists' deduction 5 percent. They pay \$141.54 annually and receive \$1,500 retirement annually.

United States navy yard machinists' deduction 3½ percent. They pay \$76.88 annually and receive \$1,200 retirement annually.

Therefore, if retirement payments were made in proportion to amounts paid into the retirement fund, the Canal Zone man would receive \$2,209.30 annually and the navy-yard man \$1,200.

Canal Zone employees are making no complaint, however, regarding the above comparison but do feel that they should be permitted to retire at an age earlier than employees in continental United States after long service in the Tropics, away from home, relatives, and friends, under onerous, enervating, monotonous conditions all of which take their toll.

An additional and very pertinent fact is that employees from the Canal Zone have lived, on an average, but 2 years and 8 months after retirement which is far short of life expectancy of similar employees in the United States.

That provision in the bill which permits a surviving beneficiary of an employee to pay up to \$10,000 into the Canal Zone retirement fund to purchase additional annuity is approved by the Canal and Panama Railroad officials and the Secretary of War.

The Secretary states such payments would tend to "encourage thrift and would entail no additional expense on the Government."

In this connection it is pointed out that the bill provides, in case such a sum is paid into the retirement fund, that in case of the death of the annuitant no part of the fund shall be returned which is valid proof that there is no intent to saddle the Government with large sums upon which it would be obliged to pay interest.

It is further pointed out that if such an amount may be deposited, it will probably protect a surviving beneficiary from the wiles of vendors of worthless lands or worthless stocks.

Government officials, including the Secretary of War, state this bill will not entail additional cost to the Government except for administration and in this connection it is a known fact that the administration referred to will be absorbed by the present force so that additional employees will not be necessary.

The bill should pass as reported by the committee without amendments.

#### ADDITION OF TRACT OF LAND TO THE SHENANDOAH NATIONAL PARK, VA.

The Clerk called the next bill, S. 509, to add certain lands of the Front Royal Quartermaster Depot Military Reservation, Va., to the Shenandoah National Park, and for other purposes.

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

*Be it enacted, etc.*, That the following-described lands of the Front Royal Quartermaster Depot Military Reservation, Va., are

hereby made a part of the Shenandoah National Park, subject to all laws and regulations applicable thereto: Beginning at concrete monument numbered 10 in the boundary line of the Front Royal Remount Depot, and running thence along said boundary line, north 70 degrees 00 minutes west 3,465.0 feet to monument numbered 11, thence north 40 degrees 30 minutes west 1,881.0 feet to monument numbered 12, thence north 2 degrees 00 minutes west 792.0 feet to monument numbered 13, thence north 78 degrees 00 minutes west 693.0 feet to monument numbered 14, thence south 1 degree 30 minutes west 379.5 feet to monument numbered 15, thence south 61 degrees 15 minutes west 2,244.0 feet to monument numbered 16, thence south 16 degrees 00 minutes east 2,640.0 feet to monument numbered 17, thence south 61 degrees 15 minutes west 3,333.0 feet to monument numbered 18, thence south 15 degrees 00 minutes east 646.8 feet to monument numbered 19, thence south 63 degrees 00 minutes west 627.0 feet to monument numbered 20, thence south 15 degrees 00 minutes west 1,254.0 feet to monument numbered 21, thence south 48 degrees 00 minutes east 3,267.0 feet to monument numbered 22, thence north 34 degrees 00 minutes east 297.0 feet to monument numbered 23, thence north 25 degrees 00 minutes west 1,551.0 feet to monument numbered 24, thence north 67 degrees 00 minutes east 1,716.0 feet to monument numbered 25, thence north 58 degrees 00 minutes east 2,862.75 feet to monument numbered 26, thence north 79 degrees 00 minutes east 2,377.15 feet to monument numbered 27, thence south 28 degrees 30 minutes west 338.25 feet to monument numbered 28 (offset 4 feet west), thence south 30 degrees 00 minutes west 462.0 feet to monument numbered 29 (offset 14 feet east), thence south 40 degrees 00 minutes west 396.0 feet to monument numbered 30 (offset 9.0 feet east), thence south 54 degrees 00 minutes west 132.0 feet to monument numbered 31 (offset 10.0 feet east), thence south 75 degrees 00 minutes west 429.0 feet to monument numbered 32, thence south 62 degrees 00 minutes west 297.0 feet to monument numbered 33 (offset 3.0 feet southeast), thence south 41 degrees 00 minutes west 462.0 feet to monument numbered 34 (offset 5.0 feet south), thence south 53 degrees 00 minutes west 264.0 feet to monument numbered 35 (offset 4 feet south), thence south 80 degrees 00 minutes west 165.0 feet to monument numbered 36 (offset 8.0 feet south), thence north 85 degrees 00 minutes west 396.0 feet to monument numbered 37 (offset 9.0 feet north), south 40 degrees 00 minutes west 354.75 feet to monument numbered 38, thence south 27 degrees 00 minutes east 1,023.0 feet to monument numbered 39, thence north 73 degrees 30 minutes east, 1,518.0 feet to monument numbered 40, thence north 52 degrees 00 minutes east 330.0 feet to monument numbered 41, thence along a proposed boundary line north 19 degrees 51 minutes east 1,684.5 feet to point A.1, thence north 52 degrees 20 minutes east 1,107.0 feet to point A.2, thence north 39 degrees 26 minutes east 717.5 feet to point A.3, thence north 26 degrees 11 minutes east 1,978.0 feet to concrete monument numbered 10, the point of beginning, it being the intent of this act to add to the Shenandoah National Park all that portion of the Front Royal Quartermaster Depot Military Reservation lying west of a line between monuments numbered 41 and 10, as described by the last four courses of the above description. The tract as described contains an area 977½ acres, more or less.

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

#### AUTHORIZING SECRETARY OF THE INTERIOR TO DISPOSE OF RECREATIONAL DEMONSTRATION PROJECTS

The Clerk called the next bill, H. R. 3959, to authorize the Secretary of the Interior to dispose of recreational demonstration projects, and for other purposes.

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

*Be it enacted, etc.,* That the Secretary of the Interior (hereinafter referred to as the Secretary), is authorized to convey or lease to the States or to the political subdivisions thereof, without consideration, any or all of the recreational demonstration projects transferred to him from the Resettlement Administration under the provisions of Executive Order No. 7496, dated November 14, 1936, or any parts of such projects, when in his judgment such grantees or lessees are adequately prepared to administer, operate, and maintain such project areas for public park, recreational, and conservation purposes: *Provided,* That the lands comprised within any such project which is contiguous to an area administered by the National Park Service may, upon the recommendation of the Secretary, be added to and made a part of such area by the President of the United States by Executive proclamation, and thereafter such added lands shall be subject to all laws, rules, and regulations applicable to such areas.

Sec. 2. The Secretary is authorized to execute on behalf of the United States all necessary deeds and leases to effect the purposes of this act. Every such deed or lease shall contain the express condition that the grantee or lessee shall use the property exclusively for public park, recreational, and conservation purposes, and may contain such other conditions not inconsistent therewith as may be agreed upon by the Secretary and the grantee or lessee: *Provided,* That the title and right to possession of any lands so conveyed or leased, together with the improvements thereon, shall revert to the United States upon a finding by the Secretary that the grantee or lessee has not complied with such conditions during a period of more than 3 years, which finding shall be final and conclusive.

With the following committee amendments:

Page 1, line 7, after the word "projects", insert "and lands and improvements comprised within such projects."

Page 2, line 6, strike out the word "administered" and insert "administered."

Page 2, line 25, after the word "conclusive", insert "and such lands and improvements thereon, upon such reversion to the United States, shall be considered as surplus real property and shall be disposed of in accordance with the act of August 27, 1935 (49 Stat. 885.)"

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.

#### ESTABLISHMENT OF CHALMETTE HISTORICAL PARK, LA.

The Clerk called the next bill, H. R. 4742, to provide for the establishment of the Chalmette National Historical Park in the State of Louisiana, and for other purposes.

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

*Be it enacted, etc.,* That the lands in Federal ownership located in Chalmette, La., in sections 10 and 21, township 13 south, range 12 east, St. Helena meridian, on which there has been erected a monument pursuant to the provisions of the act of Congress approved March 4, 1907 (34 Stat. 1411), as amended by the act of June 2, 1930 (46 Stat. 489), to the memory of the soldiers who fell in the Battle of New Orleans in the War of 1812, including the national cemetery at Chalmette, La., are hereby designated as the Chalmette National Historical Park.

Sec. 2. That upon the vesting of title in the United States to such additional lands as may be designated by the Secretary of the Interior as necessary and desirable for the purposes of the Chalmette National Historical Park, such lands shall become a part of the said park and shall be subject to all laws, rules, and regulations applicable thereto: *Provided, however,* That the total area included within the said park and any enlargement thereof shall not exceed 1,000 acres.

Sec. 3. That the Secretary of the Interior is authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable, or by condemnation in accordance with the act of August 1, 1888 (25 Stat. 357), lands, buildings, structures, and other property, or interests therein, located within the boundaries of the Chalmette National Park as fixed and determined hereunder, the title to such property and interests to be satisfactory to the Secretary of the Interior, and to accept donations of funds for the acquisition and maintenance thereof: *Provided,* That payment for such property or interests shall be made solely from donated funds.

Sec. 4. The administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes."

Sec. 5. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

With the following committee amendment:

Page 2, line 11, after the word "exceed", strike out "one thousand" and insert "five hundred."

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.

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point the statement I made before the committee in reference to this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. FERNANDEZ]?

There was no objection.

The statement referred to follows:

Mr. Chairman and gentlemen of the committee, this bill would designate certain lands located in Chalmette, La., as the Chalmette National Historical Park. This area includes the land on which the Chalmette National Monument is located and which was erected by congressional authorization 1907 to the memory of the soldiers who fell during the Battle of New Orleans in the War of 1812. This area also includes the national cemetery at Chalmette, La., which is now under jurisdiction of the War Department.

As pointed out by the Secretary of the Interior in his letter to your committee April 6, 1939, the administrative jurisdiction and control of the land whereon the monument was erected were transferred from War Department to the Interior Department by Executive orders of June 10 and July 28, 1933.

The Legislature of Louisiana during the session of 1938 enacted a law (act 163) to authorize and direct the State Parks Commission of Louisiana—

(a) To purchase lands forming part of the battlefield site of the Battle of New Orleans and on which line of defenses of Gen. Andrew

Jackson on St. Bernard Parish were located for the defense of New Orleans in January 1815, and such adjacent area as may be needed for the purpose of establishing a national military park to commemorate the victory of the Battle of New Orleans.

(b) To meet the requirements of the National Park Service of the United States Department of the Interior; and

(c) To transfer such lands to said National Park Service to make an appropriation to carry out the purposes of this act and to repeal all laws or parts of law in conflict herewith.

The legislature appropriated \$300,000 to the State Parks Commission of Louisiana for the purpose of carrying out provisions of the act and authorized the State auditor to issue warrant therefor, and authorized the auditor to honor said warrants so issued for the purchase price of lands.

The act also provided that for the purpose of arriving at a fair price for the land to be purchased an appraisal committee was created comprising the Governor, Lieutenant Governor, and Speaker of the House of Representatives, and the Members of the State Parks Commission, and a greater price shall not be paid than the findings and appraisals of a majority of the said members of the appraisal committee.

I might say, Mr. Chairman, that this legislation was designed to meet the views expressed by President Roosevelt when he vetoed my bill 2 years ago, and I am happy to note that Mr. Secretary Ickes heartily approves this bill. This is gratifying to the indomitable and persistent advocates of a national memorial on the plains of Chalmette.

I wish to call the attention of the committee to the second last paragraph of the letter of the Secretary of the Interior, whereby he recommends amendment that the park be limited to 500 acres instead of 1,000 acres.

**AUTHORIZING SECRETARY OF THE INTERIOR TO CONVEY CERTAIN PROPERTY TO WASHINGTON COUNTY, UTAH**

The Clerk called the next bill, H. R. 2184, to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes.

Mr. MURDOCK of Utah. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah [Mr. MURDOCK]?

There was no objection.

**TRANSFER OF UNITED STATES EMPLOYMENT SERVICE RECORDS, FILES, AND PROPERTY**

The Clerk called the next bill, H. R. 4108, to provide for the transfer of United States Employment Service records, files, and property in local offices to the States.

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

*Be it enacted, etc.,* That for the purpose of assisting the State employment services established and maintained in accordance with the terms of the act of June 6, 1933, entitled "An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes," as amended (48 Stat. 113; 49 Stat. 216), the Secretary of Labor is hereby authorized without payment of compensation to transfer and assign to the States in which it is located all property, including records, files, and office equipment, used by the United States Employment Service in its administrative and local employment offices in the respective States, except the records, files, and property used in the Veterans' Service and in the Farm Placement Service maintained under the said act, as soon as such States establish and maintain systems of public employment offices, in accordance with the terms of sections 4, 5, and 8 of the said act and the regulations promulgated thereunder.

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.

**RECOGNITION OF SERVICES RENDERED BY CIVILIAN OFFICERS AND EMPLOYEES IN CONSTRUCTION OF PANAMA CANAL**

The Clerk called the next bill, S. 50, to provide for recognizing the services rendered by civilian officers and employees in the construction and establishment of the Panama Canal and the Canal Zone.

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

*Be it enacted, etc.,* That, in recognition of their distinguished service in the construction, maintenance, operation, sanitation, and government of the Panama Canal and the Canal Zone, the thanks of Congress are hereby extended to the civil, electrical, designing, mechanical, and municipal engineers, administrators, medical and surgical officers, scientists, lawyers, marine, dredging, operating, fiscal, and construction experts, and other persons, who rendered such service, but were not included in the recognition and benefits extended by the act of Congress approved March 4, 1915 (38 Stat. 1190).

Sec. 2. In further recognition of the exceptional character and conditions of such service, article 2 of chapter 6 of title 2 of the Canal Zone Code, as amended, is amended by adding at the end of such article the following:

"108. Minimum annuity for employees serving in connection with the construction of the Panama Canal: Any officer or employee of the Panama Canal or the Panama Railroad Co. who served 3 or more years on the Isthmus of Panama in connection with the construction of the Panama Canal during the period from May 4, 1904, to March 31, 1914, both dates inclusive, and who has been, prior to the date of enactment of this section, or may be, on or after such date, retired from active duty under the provisions of this article, shall be paid an annuity in an amount not less than 2 percent of the average annual basic salary, pay, or compensation received by such officer or employee during any 5 consecutive years of allowable foreign tropical service rendered on the Isthmus of Panama, multiplied by the total number of years of such service not exceeding 30. This section shall not operate to reduce the annuity allowable to any such officer or employee, or otherwise deprive him of any benefits allowable, under this article or any other retirement act under which he has been or may be retired. Annuity allowable under this section to any officer or employee shall not become effective until such officer or employee reaches the compulsory retirement age prescribed in section 92 of this article, or is retired on account of disability under section 94 of this article, or is retired under section 93 after 30 years' service on the Isthmus. In the cases of officers and employees who, prior to the date of enactment of this section, have been retired and have attained the compulsory retirement age, or have been retired on account of disability under section 94 of this article, or have been retired under section 93 after 30 years' service on the Isthmus, the increased annuities allowable under this section shall commence on the first day of the calendar month next following the month during which this section is enacted."

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.

**PEMAQUID POINT LIGHTHOUSE RESERVATION**

The Clerk called the next bill, H. R. 4184, to authorize the conveyance by the United States to the town of Bristol, Maine, of a portion of the Pemaquid Point Lighthouse Reservation, and for other purposes.

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

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill S. 1409 be substituted for the House bill.

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

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, does the Senate bill include the amendments recommended by the House committee?

The SPEAKER pro tempore. The Chair understands it does.

Mr. WOLCOTT. The Senate bill does contain the amendments which the House committee recommended?

Mr. COSTELLO. The Senate bill is identical with the House bill with the proposed amendments, with the exception of one or two changes in the citation of certain statutes.

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

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

*Be it enacted, etc.,* That, subject to the conditions hereinafter specified, the Secretary of the Treasury is authorized to convey at any time within 3 years of the effective date of this act to the town of Bristol, Maine, for public-park purposes all the right, title, and interest of the United States in and to that portion of the Pemaquid Point Lighthouse Reservation, Lincoln County, Maine, which is not required to be retained for lighthouse purposes subject to the payment of a purchase price to be determined by the Treasury Department: *Provided,* That the total purchase price shall not be less than 50 percent of the appraised value of the land and buildings thereon, except the light tower, and the Secretary of the Treasury may enter into a long-term contract for the payment of the purchase price in such installments as he deems fair and reasonable and may furthermore waive any requirement for interest charges on deferred payments: *Provided further,* That the proceeds of the sale shall be deposited in the Treasury as miscellaneous receipts. The Secretary of the Treasury shall describe by metes and bounds in the deed of conveyance the exact portion of such reservation transferred.

Sec. 2. Such conveyance shall contain the express condition that if the town of Bristol shall at any time cease to use the property as a park for public recreation, or shall alienate or attempt to alienate such property, or shall fail to perform any contract entered into with the United States for the purchase of the property, title thereto shall revert to the United States for the use of the Lighthouse Service, Commerce Department, or other agencies of the United States, or for disposal under the act of August 27, 1935 (49 Stat. 885; U. S. C., title 40, sec. 304a), or under the act of August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345).

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. 4184) was laid on the table.

#### AMENDMENT OF BANKRUPTCY ACT

The Clerk called the next bill, H. R. 6505, to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

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

*Be it enacted, etc.*, That section 83a of chapter IX an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, be, and it is hereby, amended by inserting immediately after the first paragraph of said section 83a the following: "Wherever the petition seeks to effect a plan for the composition of obligations represented by securities, or evidences in any form of rights to payment, issued by the petitioner to defray the cost of local improvements and payable out of the proceeds of special assessments or special taxes levied by the petitioner, it shall be sufficient if the petitioner aver that the property liable for the payment of such securities, principal, and interest, is not of sufficient value to pay same, and that the accrued interest on such securities is past due and in default; and the list of creditors to be filed with such petition need contain only the known claimants of rights based on those securities evidencing the obligations sought to be composed under this chapter, and such list shall include separately the names and addresses of those creditors who have accepted the plan of composition. A list of the record owners or holders of title, legal or equitable, to any real estate involved in the proceeding, shall also be filed with the petition, and such record owners or holders of title shall be notified in the manner provided in this section for creditors and be entitled to hearing by the court upon reasonable application therefor."

SEC. 2. The provisions of this act shall be deemed to be additional and cumulative and not in diminution of any of the powers conferred by the act hereby amended.

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.

#### NAVAL COMMISSARY PRIVILEGES

The Clerk called the next bill, S. 499, to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1910, and for other purposes," approved March 3, 1909, as amended, so as to extend commissary privileges to civilian officers and employees of the United States at naval stations beyond the continental limits of the United States or in Alaska.

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

*Be it enacted, etc.*, That such part of the act of March 3, 1909 (ch. 255, 35 Stat. 768; U. S. C., title 34, sec. 533), as amended by the act of April 14, 1937 (50 Stat. 63), which provides—

"That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps, and Coast Guard; to the widows of such officers and enlisted men; to civilian employees of the Navy Department and to officers of the Foreign Service of the United States as naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe."

is further amended to read as follows:

"That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps, and Coast Guard; to the widows of such officers and enlisted men; and to civilian officers and employees of the United States at naval stations and post exchanges beyond the continental limits of the United States or in Alaska, under such regulations as the Secretary of the Navy may prescribe."

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.

#### UNITED STATES NAVAL ACADEMY

The Clerk called the next bill, S. 588, to provide for an additional midshipman at the United States Naval Academy, and for other purposes.

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

*Be it enacted, etc.*, That there shall be at the United States Naval Academy one midshipman to be selected from among the sons of civilians residing in the Canal Zone and the sons of civilian employees of the United States Government and the Panama Railroad Co. residing in the Republic of Panama, whose appointment shall be made by the Secretary of the Navy on the recommendation of the Governor of the Panama Canal.

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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.

#### NAVAL COMMISSARY PRIVILEGES

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry. The SPEAKER pro tempore. The gentleman will state it.

Mr. WOLCOTT. Mr. Speaker, with respect to Calendar No. 211, the bill S. 499, which the House has just passed by unanimous consent, I have noticed that the title of the bill has reference only to the civilian officers and employees of the United States at naval stations whereas the body of the bill includes officers of the Foreign Service of the United States. In the opinion of the Chair, is it necessary to amend the title to include officers of the Foreign Service?

The SPEAKER pro tempore. The Chair may state to the gentleman that is not within the discretion of the Chair.

Mr. VINSON of Georgia. May I say to the gentleman that, of course, there is no objection to doing so, but it is not necessary that the title be changed because the title is broad enough to include what the body of the bill authorizes.

Mr. WOLCOTT. There may be some question about it in the mind of the Comptroller General or some other officer having to do with the operation of this bill.

Mr. VINSON of Georgia. I do not believe there will be any question in the mind of the Comptroller General about it because this bill was prepared by the office of the Judge Advocate General and, of course, they prepared it in a form they considered technically and legally correct. I am perfectly satisfied with it, I may say to the gentleman.

Mr. WOLCOTT. If the gentleman is satisfied with it, it is satisfactory to me.

#### UNITED STATES NAVAL ACADEMY LAUNDRY

The Clerk called the next bill, H. R. 6320, to establish the status of funds and employees of the United States Naval Academy laundry.

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

*Be it enacted, etc.*, That all funds collected from the operation of the laundry at the United States Naval Academy for the benefit of Naval Academy activities and personnel, including midshipmen, are appropriated for the operation of the laundry and shall hereafter be accounted for as public moneys.

SEC. 2. All employees of such laundry, whether heretofore paid from appropriated moneys or from receipts of the laundry, shall hereafter be deemed to be Government employees entitled to all benefits and subject to all restrictions arising under the laws of the United States applicable to employees of their grade and class.

With the following committee amendment:

Page 1, line 6, strike out "operation of the laundry" and insert "purpose of providing and maintaining the necessary laundry service."

The committee amendment was agreed to.

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

#### COAST GUARD STATION AT MONTEREY, CALIF.

The Clerk called the next bill, H. R. 4674, to provide for the establishment of a Coast Guard station at or near the city of Monterey, 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 the city of Monterey, Calif., in such locality as the Commandant of the Coast Guard may recommend.

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

#### COLLECTIONS FOR OVERTIME IMMIGRATION SERVICES

The Clerk called the next bill, H. R. 5403, to provide for the deposit of certain collections for overtime immigration services to the credit of the appropriation chargeable with the payment for such services, and for other purposes.

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

Mr. JENKINS of Ohio. Reserving the right to object, Mr. Speaker, I see that this bill has been reported out by the

distinguished member of the committee, Mr. MASON. No doubt he has a reason for the faith that is within him and can explain the bill.

Mr. MASON. Mr. Speaker, I may say in explanation of the bill that it has been approved by the Director of the Budget, Mr. Bell, and was recommended by the Secretary of Labor, and seeks to make the handling of funds collected for overtime employment in the Immigration Service uniform with the handling of similar funds in the Bureau of Customs. This is simply a means of conveying the funds into the Treasury and earmarking them for the particular purpose for which they were collected.

Mr. JENKINS of Ohio. My principal interest in the matter is that I am the author of the bill that established the financial set-up for the Immigration Service, and I was wondering whether the bill had anything to do with changing the time of the stay of any immigrants?

Mr. MASON. No; this has nothing to do with anything but the deposit of certain collections for overtime immigration services, for which the commander of the vessel must pay, in the Treasury and earmarking them, as has been done when similar collections were made for the Bureau of Customs.

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 hereafter moneys collected as extra compensation for overtime service of inspectors and employees of the Immigration Service pursuant to the act of March 2, 1931 (46 Stat. 1467), shall be deposited in the Treasury of the United States to the credit of the appropriation for the payment of salaries, field personnel of the Immigration and Naturalization Service, and the appropriation so credited shall be available for the payment of such compensation.

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.

#### PORTRAIT OF GEN. WINFIELD SCOTT

The Clerk called the joint resolution (H. J. Res. 286) to provide for the lending to the Virginia Military Institute of the equestrian portrait of Gen. Winfield Scott now stored in the Capitol.

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

*Resolved, etc.*, That the Architect of the Capitol is authorized and directed to permit the Virginia Military Institute to remove from the Capitol the equestrian portrait of Gen. Winfield Scott, to transport such portrait to Lexington, Va., and to have custody of such portrait until such time as the Architect of the Capitol shall request its return to the Capitol. The United States shall be subject to no expense by reason of the enactment of this joint resolution.

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.

#### PINK BOLLWORM

The Clerk called the next bill, H. R. 4638, authorizing the Secretary of Agriculture to prepare plans for the eradication and control of the pink bollworm, and for other purposes.

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

*Be it enacted, etc.*, That the Secretary of Agriculture, with such assistance of the Secretary of State as may be mutually agreed upon by and between the Secretaries of Agriculture and State, is authorized and directed to carry on discussions with the heads of responsible agencies and responsible officials of the Government of Mexico and with such various States of the United States as he may deem necessary for the purpose of preparing plans looking toward the eradication and control of the pink bollworm affecting cotton within the United States and Mexico.

Sec. 2. That plans developed pursuant to these discussions shall be submitted to the President of the Senate and the Speaker of the House of Representatives by the Secretary of Agriculture on or before January 10, 1940, together with a statement of the procedures that would be required to put the proposed plans into effect, and with such recommendations as in his judgment would be to the best interest of the agriculture of the United States and the continued production of cotton therein and in Mexico.

Sec. 3. That expenses incurred by agents of the United States in carrying out the discussions herein authorized shall be paid from

regular appropriations made to the department of the Government of the United States by which the agent incurring them is employed.

With the following committee amendment:

Page 2, beginning in line 3, strike out all of section 2 and insert in lieu thereof the following:

"Sec. 2. That plans developed pursuant to these discussions shall be submitted by the Secretary of Agriculture, on or before January 10, 1940, to the President of the United States, who shall transmit to the Congress such recommendations with respect thereto as he may deem advisable."

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.

#### MARKING OF PACKAGES CONTAINING WILD ANIMALS AND BIRDS AND PARTS THEREOF

The Clerk called the next bill, H. R. 4637, to amend section 243 of the Penal Code of the United States, as amended by the act of June 15, 1935 (49 Stat. 378), relating to the marking of packages containing wild animals and birds and parts thereof.

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

*Be it enacted, etc.*, That section 243 of the act of March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States," as amended by section 201 of the act of June 15, 1935 (49 Stat. 378), is hereby amended so as to read as follows:

"Sec. 243. All packages or containers in which wild animals or birds, or the dead bodies or parts thereof (except furs, hides, or skins of such animals, for which provision is hereinafter made), or the eggs of such birds are shipped, transported, carried, brought, or conveyed by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof with the names and addresses of the shipper and consignee and with an accurate statement showing by number and kind the contents thereof: *Provided*, That packages or containers in which migratory birds included in any convention to which the United States is a party, or the dead bodies or parts thereof or eggs of such birds, are shipped, transported, carried, brought, or conveyed, as aforesaid, shall be marked, labeled, or tagged as prescribed in any such convention or law or regulation thereunder.

"All packages or containers in which the furs, hides, or skins of wild animals are shipped, transported, carried, brought, or conveyed, by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof with the names and addresses of the shipper and consignee."

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.

#### REGISTRATION OF AGENTS OF FOREIGN PRINCIPALS

The Clerk called the next bill, H. R. 5988, to amend an act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938 (Public Law No. 583, 75th Cong., 3d sess.).

Mr. LEWIS of Colorado. 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 Colorado?

There was no objection.

#### UNITED STATES COURTS IN OKLAHOMA

The Clerk called the next bill, H. R. 6135, to regulate the times and places of holding court in Oklahoma.

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

*Be it enacted, etc.*, That section 101 of the Judicial Code, as amended (U. S. C., title 28, sec. 182; U. S. C., Supp. IV, title 28, sec. 182; and 46 U. S. Stat. 829, ch. 714) be, and it is hereby, amended to read as follows:

"Sec. 101. The State of Oklahoma is divided into three judicial districts, to be known as the northern, the eastern, and the western districts of Oklahoma. The territory embraced on January 1, 1925, in the counties of Craig, Creek, Delaware, Mayes, Nowata, Osage, Ottawa, Pawnee, Rogers, Tulsa, and Washington, as they existed on said date, shall constitute the northern district of Oklahoma. Terms of the United States District Court for the Northern District of Oklahoma shall be held at Tulsa on the first Monday in January, at Vinita on the first Monday in March, at Pawhuska on the first Monday in May, at Miami on the first Monday in November, and at Bartlesville on the first Monday in June in each year: *Provided*, That a district judge of said district or, in absence of such district judge, a circuit judge assigned to hold

court in said district may postpone or adjourn to a day certain or subject to call any of said terms by order made in chambers at any other place designated as aforesaid for holding court in said district.

"The eastern district of Oklahoma shall include the territory embraced on the 1st day of January 1925, in the counties of Adair, Atoka, Bryan, Cherokee, Choctaw, Coal, Carter, Garvin, Grady, Haskell, Hughes, Johnston, Jefferson, Latimer, Le Flore, Love, McClain, Muskogee, McIntosh, McCurtain, Murray, Marshall, Okfuskee, Okmulgee, Pittsburg, Pushmataha, Pontotoc, Seminole, Stephens, Sequoyah, and Wagoner. Terms of the district court of the eastern district shall be held at Muskogee on the first Monday in January, at Ada on the first Monday in March, at Okmulgee on the third Monday in April, at Hugo on the third Monday in May, at McAlester on the third Monday in March, at Ardmore on the first Monday in October, at Chickasha on the first Monday in November, at Poteau on the second Monday in December, at Pauls Valley on the third Monday in November, and at Durant on the second Monday in June: *Provided*, That a district judge of said district or, in absence of such district judge, a circuit judge assigned to hold court in said district may postpone or adjourn to a day certain or subject to call any of said terms by order made in chambers at any other place designated as aforesaid for holding court in said district.

"The western district of Oklahoma shall include the territory embraced on the 1st day of January 1925, in the counties of Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, Major, Noble, Oklahoma, Payne, Pottawatomie, Roger Mills, Texas, Tillman, Washita, Woods, and Woodward. The terms of the district court for the western district shall be held at Oklahoma City on the first Monday in January, at Enid on the first Monday in March, at Guthrie on the first Monday in May, at Mangum on the first Monday in September, at Lawton on the first Monday in October, at Woodward on the first Monday in November, at Ponca City on the first Monday in December or at such time as a district judge of such district may deem advisable, and at Shawnee on the first Monday in October: *Provided*, That a district judge of said district or, in absence of such district judge, a circuit judge assigned to hold court in said district may postpone or adjourn to a day certain or subject to call any of said terms by order made in chambers at any other place designated as aforesaid for holding court in said district: *And provided further*, That suitable rooms and accommodations for holding court at Pawhuska, in the northern district; and at Durant, Hugo, Poteau, and Pauls Valley in the eastern district, are furnished without expense to the United States: *And provided further*, That suitable rooms and accommodations for holding court at Shawnee in the western district are furnished without expense to the United States until, subject to the recommendation of the Attorney General of the United States with reference to providing such rooms and accommodations for holding court at Shawnee, a public building shall have been erected or other Federal space provided for court purposes in said city.

"The clerk of the district court for the northern district shall keep his office at Tulsa; the clerk of the district court for the eastern district shall keep his office at Muskogee and shall maintain an office in charge of a deputy at Ardmore; the clerk for the western district shall keep his office at Oklahoma City and shall maintain an office in charge of a deputy at Guthrie."

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.

#### OZARK AND OUACHITA NATIONAL FORESTS IN ARKANSAS

The Clerk called the next bill, H. R. 112, to facilitate control of soil erosion and flood damage on lands within the Ozark and Ouachita National Forests in Arkansas.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission, established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands, within the boundaries of the Ozark and Ouachita National Forests, in the State of Arkansas, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands, from the receipts from the sale of natural resources or occupancy of public land within said forest, not to exceed one-half of which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired.

With the following committee amendments:

Page 1, line 6, after the word "lands", insert a comma and the words "or interests therein."

Page 2, line 1, after the word "lands", insert a comma and the words "or interests therein."

Page 2, line 2, after the word "resources", add the following: "other than mineral."

Page 2, line 2, strike out the words "said forests" and insert in lieu thereof the following language: "the Ozark National Forest and that part of the Ouachita National Forest situated in the State of Arkansas."

Page 2, line 5, change the period to a semicolon and add the following language: "*Provided*, That any appropriated amounts which are unexpended and unobligated at the close of the fiscal year for which appropriated shall be transferred to the national-forest receipts of that fiscal year and amounts so transferred and such parts of the entire receipts of any fiscal year as are not appropriated shall be disposed of in like manner as other national-forest receipts."

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.

#### AMENDMENT OF ACT ESTABLISHING BUREAU OF IMMIGRATION AND NATURALIZATION

Mr. DELANEY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 92, the bill (H. R. 5030) to amend section 4 of the act of June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States."

Mr. JENKINS of Ohio. Mr. Speaker, earlier in the day I was constrained to object to the consideration of this bill, but the gentleman from New York and I have agreed on an amendment, and if that agreement still holds, I am willing to withdraw my reservation of objection.

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

*Be it enacted, etc.*, That section 4 of the act of June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States," is hereby amended by adding thereto a subdivision to read as follows:

"Fifteenth subdivision. Any person over 21 years of age with respect to whose United States citizenship doubt may exist may petition in writing any United States district court of the district within which he resides to determine his citizenship. Upon satisfactory proof to such court that such person is a citizen of the United States, the court may render an order to that effect, and such person shall be granted a special certificate of citizenship, specifying that the determination of the status of the person named therein was made for the purpose of quieting doubts as to the status of such person as a citizen of the United States. The judicial determination of such person's citizenship hereunder shall not be deemed to be an admission that the person to whom it was granted was not previously a citizen of the United States. Such applicant shall pay to the clerk of court the fee specified by section 13 of this act for making, filing, and docketing such petition and for the issuance of the special certificate of citizenship if granted. Such proceeding shall be subject to all of the procedural provisions of this act, including those of the fourteenth subdivision of this section and of sections 9 and 11 of this act."

Mr. JENKINS of Ohio. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENKINS of Ohio: On page 1, line 10, after the word "may", insert "after due notice in writing to the Secretary of Labor"; and on page 2, in line 2, after the word "proof", add the following: "Produced in open court", and strike out the words "to such" in line 2, page 2, and the word "court" in line 3, on page 2.

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.

#### CALL OF THE HOUSE

Mr. WARREN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and sixty-three Members present, not a quorum.

Mr. COSTELLO. Mr. Speaker, I move a call of the House. The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 87]

Bell	Brown, Ohio	Curley	Douglas
Bender	Buckley, N. Y.	DeRouen	Durham
Boland	Case, S. Dak.	Dies	Elston
Boykin	Ciuett	Ditter	Faddis

Fay	Jenks, N. H.	Martin, Mass.	Schiffler
Fitzpatrick	Kelly	Mitchell	Schwert
Flaherty	Kleberg	Murdock, Ariz.	Seger
Folger	Knutson	Myers	Shafer, Mich.
Gavagan	McArdle	Nelson	Sullivan
Gifford	McLean	Osmer	Summers, Tex.
Gross	McMillan, Thos. S.	Pierce, N. Y.	Wood
Hennings	McReynolds	Reece, Tenn.	
Hope	Maclejewski	Romjue	
Jeffries	Marshall	Sabath	

The SPEAKER. On this roll call 376 Members have answered to their names, a quorum.

Mrs. NORTON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

#### AMENDMENT TO WAGE-HOUR ACT

Mr. RAYBURN. Mr. Speaker, I intend to prefer a unanimous-consent request, and I want everyone to understand it. I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent to proceed for 2 minutes. Is there objection?

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I reserve the right to object, to ask unanimous consent to address the House for 2 minutes after the gentleman from Texas has concluded.

The SPEAKER. The Chair can put only one request at a time.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I withdraw my request.

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

Mr. COX. Mr. Speaker, I reserve the right to object, and wish to make a reservation claiming the right to make one observation about the statement the gentleman from Texas expects to make.

Mr. RAYBURN. I shall yield to the gentleman from Georgia.

Mr. COX. Now?

Mr. RAYBURN. I should like, first, to proceed and let the gentleman know what my request is to be.

The SPEAKER. Is there objection to the request of the gentleman from Texas that he proceed for 2 minutes?

There was no objection.

Mr. RAYBURN. Mr. Speaker, in a few minutes the chairman of the Committee on Labor will move to suspend the rules and pass a bill amending the Fair Labor Standards Act, with an amendment, and I think it only fair to the House, inasmuch as that amendment was agreed on only this morning, that the House, before it is voted on as to whether or not we shall proceed with the bill, should know what the amendment is. The criticism was made in the newspapers this morning that this bill in its present form takes away some of the exemptions that so-called farm people enjoy under the act. The amendment that will be proposed has been carefully drawn and states specifically that any and all exemptions now in the act are preserved, notwithstanding the passage of the bill that will be proposed.

I yield to the gentleman from Georgia.

Mr. COX. Mr. Speaker, I have examined the amendment that will be offered. It is purely negative in form and amounts to nothing. It is a decoy purely and ought to fool no Member of this House.

Mr. RAYBURN. Mr. Speaker, of course, I do not agree that the Committee on Labor would put this out as a decoy only.

Mr. COX. That is what it is, Mr. Speaker.

Mr. RAYBURN. This amendment is offered to meet an objection that was made to this bill by the so-called farm leaders.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I have examined the proposed amendment and I find that it does contain some of the provisions to which the gentleman has referred with reference to exemptions but it binds all of agriculture

to the rules and regulations now already laid down by the Administrator, which they are trying to get rid of in the area-of-production provisions of the bill.

Mr. RAYBURN. I have asked for this time, Mr. Speaker, so that I might make a statement in order that people would understand what is coming up. If this bill is debated, if consideration of it is not voted down, then these matters can be gone into.

Mr. AUGUST H. ANDRESEN. We have no opportunity to amend the bill on the floor, and that is what we object to.

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

The SPEAKER. The time of the gentleman from Texas has expired.

Mrs. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 5435, as amended, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That section 5 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(e) No industry committee appointed under subsection (a) of this section shall have any power to recommend the minimum rate or rates of wages to be paid under section 6 to any employees in Puerto Rico or in the Virgin Islands. Notwithstanding any other provision of this act, the Administrator may appoint a special industry committee to recommend the minimum rate or rates of wages to be paid under section 6 to all employees in Puerto Rico or the Virgin Islands, or in Puerto Rico and the Virgin Islands, engaged in commerce or in the production of goods for commerce, or the Administrator may appoint separate industry committees to recommend the minimum rate or rates of wages to be paid under section 6 to employees therein engaged in commerce or in the production of goods for commerce in particular industries. An industry committee appointed under this subsection shall be composed of residents of such island or islands where the employees with respect to whom such committee was appointed are employed and residents of the United States outside of Puerto Rico and the Virgin Islands. In determining the minimum rate or rates of wages to be paid, and in determining classifications, such industry committees and the Administrator shall be subject to the provisions of section 8 and no such committee shall recommend, nor shall the Administrator approve, a minimum wage rate which will give any industry in Puerto Rico or in the Virgin Islands a competitive advantage over any industry in the United States outside of Puerto Rico and the Virgin Islands."

(b) No wage orders issued by the Administrator prior to the enactment of this act pursuant to section 8 of the Fair Labor Standards Act of 1938 shall after such enactment be applicable with respect to any employees engaged in commerce or in the production of goods for commerce in Puerto Rico or the Virgin Islands.

Sec. 2. Section 6 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(c) The provisions of paragraphs (1), (2), and (3) of subsection (a) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands engaged in commerce or in the production of goods for commerce only for so long as and insofar as such employee is covered by a wage order issued by the Administrator pursuant to the recommendations of a special industry committee appointed pursuant to section 5 (e)."

Sec. 3. Section 7 (c) of the Fair Labor Standards Act of 1938 is amended to read as follows:

"(c) No employer shall be deemed to have violated subsection (a) by employing any employee for a workweek in excess of that specified in such subsection without paying the compensation for overtime employment prescribed therein if such employee is so employed in connection with the—

"(1) making of dairy products (except ice-cream mix, ice cream, malted milk, and process cheese), including, among other things, the cooling, pasteurizing, printing, or packing thereof;

"(2) compressing or storing of cotton;

"(3) processing of sugar beets, sugar-beet molasses, sugarcane, or maple sap into sugar, molasses, or sirup, but not the refining of sugar;

"(4) extracting (but not fermenting or refining) oils, juices, or sirups from domestic fruits, vegetables, nuts, or seeds;

"(5) preparing, cleaning, grading, packing, drying, refrigerating, freezing, preserving, peeling, shelling, storing, or canning fresh or dried fruits and vegetables;

"(6) preparing, cleaning, grading, packing, roasting, crushing, shelling, or storing nuts, shelled or unshelled;

"(7) preparing, curing, grading, or bagging raw grease wool, mohair, or rabbit fur;

"(8) handling, grading, loading, slaughtering, or dressing livestock;

"(9) handling, storing, grading, slaughtering, refrigerating, picking, dressing, or packing poultry;

"(10) handling, storing, grading, candling, freezing, drying, or packing of eggs;

"(11) hatching, handling, or boxing chicks, poults, ducklings, goslings, or wild fowl;

"(12) handling, grading, cleaning, polishing, hand-picking, hulling, delinting, fumigating, drying, packing, or storing of whole seeds, beans, peas, or grains;

"(13) handling, drying, grading, baling, grinding, decorticating, or packing hops, fiber crops, or forage crops;

"(14) preparing honey;

"(15) handling, grading, or packing nursery or horticultural stock; or

"(16) the felling of trees, logging, or operations incidental to the felling of trees or logging performed prior to, and including, delivery of the logs to a mill for sawing, making pulp, or other processing;

and if such employee receives compensation for employment in excess of 60 hours in any workweek at a rate not less than one and one-half times the regular rate at which he is employed. In the case of an employer engaged in any of the operations specified in paragraphs (1) to (16), inclusive, of this subsection, the provisions of subsection (a), during a period or periods of not more than 14 workweeks in the aggregate in any calendar year, shall not apply to his employees in any place of employment where he is so engaged."

Sec. 4. (a) The heading of section 11 of the Fair Labor Standards Act of 1938 is amended by inserting at the end thereof the following: "Rules and regulations."

(b) Section 11 of such act is amended by adding at the end thereof the following:

"(d) The Administrator shall have power to make, issue, amend, and rescind such regulations and orders as are necessary or appropriate to carry out any of the provisions of this act. Without limiting the generality of the foregoing, such regulations and orders may define terms used in this act, make special provision with respect to, including the restriction of, home work subject to this act to the extent necessary to safeguard the minimum standards provided in this act or in any regulation or order issued pursuant thereto, and make special provision for voluntary constant wage plans consistent with the purposes of section 7. The regulations and orders of the Administrator shall be published in the Federal Register and shall be effective upon publication or at such later date as the Administrator shall direct.

"(e) No provision of this act imposing any liability or disability shall apply to any act done or omitted in good faith in conformity with any regulation or order of the Administrator, notwithstanding that such regulation or order may, after such act or omission, be amended or rescinded or be determined by judicial authority to be invalid for any reason."

Sec. 5. (a) Section 13 (a) of the Fair Labor Standards Act of 1938 is amended by striking out all of clause (1) and inserting in lieu thereof the following: "(1) any employee employed in a bona fide executive, administrative, professional, or local retailing capacity, or in the capacity of outside salesman, or any employee employed at a guaranteed monthly salary of \$200 or more; or."

(b) Section 13 (a) of such act is further amended by striking out clause (10) and inserting in lieu thereof the following: "(10) any employee employed in the ginning of cotton; or (11) any switchboard operator, during any calendar year, employed in a public telephone exchange which at all times during the preceding calendar year had less than 500 stations; or (12) any employee employed in the cleaning, packing, grading, or preparing (but not canning or processing) fresh fruits and vegetables in their raw or natural state when such operations are performed within the general recognized production section or area where such commodities are produced and are normally or usually prepared for market: *Provided, however,* That this exemption shall not apply in consumer markets to which such fresh fruits and vegetables have been sent for distribution or consumption; or (13) any employee employed in handling, tying, drying, stripping, grading, redrying, fermenting, stemming, or packing, when those operations are performed prior to storage, and storing leaf tobacco."

Sec. 6. Section 13 (b) of the Fair Labor Standards Act of 1938 is amended by inserting before the period at the end thereof the following: "or (3) any employee of an employer subject to the provisions of part I of the Railway Labor Act; or (4) during the harvesting period for any fresh fruit or fresh vegetable, any employee of an employer who is engaged in canning such fresh fruit or fresh vegetable, and who is not engaged during such period in canning any agricultural commodity except fresh fruits or fresh vegetables or in recanning any agricultural commodity or product thereof, or during any other period in canning any agricultural commodity or recanning any agricultural commodity or product thereof."

Sec. 7. (a) The heading of section 14 of the Fair Labor Standards Act of 1938 is amended by inserting at the end thereof the following: "home work in rural areas."

(b) Section 14 of such act is amended (1) by inserting "(a)" after "Sec. 14"; (2) by striking out "learners, of apprentices, and of messengers employed exclusively in delivering letters and messages", and inserting in lieu thereof "learners and of apprentices"; and (3) by adding at the end thereof a new sentence as follows: "The Administrator may by regulation or order provide for the employment of telegraph messengers engaged primarily in the delivery of letters and messages at such wages (but not less than 25 cents per hour) lower than the minimum wage applicable under section 6 as will prevent curtailment of opportunities for such employment with a public telegraph carrier."

(c) Section 14 of such act is further amended by adding at the end thereof the following:

"(b) The Administrator shall promulgate regulations permitting the employment in rural areas of employees in the home at such wages lower than the minimum wage applicable under section 6 as will prevent curtailment of opportunities for employment. No such regulation shall be promulgated with respect to any employees (1) if, in the opinion of the Administrator, the application of section 6 to such employees does not have the effect of curtailing the opportunities of such employees for employment; (2) if the promulgation of such regulation would, in the opinion of the Administrator, have the effect of curtailing employment in the factories or industrial establishments, if any, in which similar work is performed; or (3) if the promulgation of such regulation would, in the opinion of the Administrator, give the employer or employers of such employees a substantial competitive advantage."

Sec. 8. Section 15 (a) (1) of the Fair Labor Standards Act of 1938 is amended by striking out the first semicolon therein and inserting in lieu thereof a comma and the following: "or issued to carry out any provision of section 6 or section 7, except that no provision of this act shall impose any liability upon any person for violating any of the provisions of this section if such person, in a proceeding brought to impose such liability, establishes by a preponderance of the evidence that at the time he acquired a property interest in the goods transported, offered for transportation, shipped, delivered, or sold, or sold with knowledge that shipment or delivery or sale thereof in commerce was intended, he had no knowledge or reason to believe that such goods were produced in violation of any of the provisions of section 6 or section 7, or in violation of any regulation or order of the Administrator issued under section 14, or issued to carry out any provision of section 6 or section 7; and".

Sec. 9. Section 15 (a) (2) of the Fair Labor Standards Act of 1938 is hereby amended to read as follows:

"(2) to violate any of the provisions of section 6 or section 7, or any of the provisions of any regulation or order of the Administrator issued under section 14, or any of the provisions contained, pursuant to section 8 (f), in any order of the Administrator issued under section 8, or any of the provisions of any regulation or order of the Administrator issued to carry out any provision of section 6 or section 7;"

Sec. 10. The first sentence of section 16 (b) of the Fair Labor Standards Act of 1938 is amended to read as follows: "Any employer who violates any provision of section 6 or section 7, or any provision prescribing minimum wages contained in any regulation or order of the administrator issued under section 14, shall be liable to the employee or employees affected in the amount of their unpaid minimum compensation, or their unpaid minimum overtime compensation, as the case may be, and in an additional equal amount as liquidated damages."

Sec. 11. Section 17 (including the heading thereof) of the Fair Labor Standards Act of 1938 is hereby amended to read as follows:

#### "INJUNCTION PROCEEDINGS

"Sec. 17. The district courts of the United States, including the District Court of the United States for the District of Columbia, and the United States courts of the Territories and possessions, shall have jurisdiction, for cause shown, and subject to the provisions of section 17 (relating to notice to opposite party) of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U. S. C., 1934 ed., title 28, sec. 381), to restrain violations of section 15. Any such action may be brought in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found. No costs shall be assessed against the administrator in any proceeding under this act."

Sec. 12. The Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

#### "PROHIBITION AGAINST INTERSTATE TRANSPORTATION OF CONVICT-MADE GOODS

"Sec. 20. In order to protect the minimum wage and maximum hours standards prescribed in sections 6 and 7, it shall be unlawful for any person knowingly to transport or cause to be transported, in any manner or by any means whatsoever, or aid or assist in obtaining transportation for or in transporting any goods, wares, and merchandise manufactured, produced, or mined wholly or in part by convicts or prisoners (except convicts or prisoners on parole or probation), or in any penal or reformatory institution, from one State, Territory, Puerto Rico, Virgin Islands, or District of the United States, or place noncontiguous but subject to the jurisdiction thereof, or from any foreign country, into any State, Territory, Puerto Rico, Virgin Islands, or District of the United States, or place noncontiguous but subject to the jurisdiction thereof. Nothing herein shall apply to commodities manufactured in Federal penal and correctional institutions for use by the Federal Government. Any person who violates the provisions of this section shall be subject to the penalties provided by section 16 (a). The provisions of this section shall not be deemed to repeal or supersede any other act relating to the transportation or sale of goods made by convicts or prisoners."

Sec. 13. Any exemption in effect on June 15, 1939, under section 7 (c) or 13 (a) (10) of the Fair Labor Standards Act of 1938, or under any regulation issued thereunder, shall, notwithstanding the amendments made by this act continue in effect to the same extent as if this act had not been enacted.

The SPEAKER. Is a second demanded?

Mr. WELCH. Mr. Speaker, I demand a second.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

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

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I object.

The SPEAKER. The Chair appoints as tellers the gentlewoman from New Jersey, Mrs. NORTON, and the gentleman from California, Mr. WELCH.

The House divided; and the tellers reported there were—  
ayes, 110, noes 167.

So the House refused to order a second.

#### FRANKLIN D. ROOSEVELT LIBRARY

Mr. KELLER. Mr. Speaker, I move to suspend the rules and pass the resolution (S. J. Res. 118) to provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes.

The Clerk read the Senate joint resolution, as follows:

*Resolved, etc.,*

#### TITLE I—DEFINITIONS

SECTION 1. As used in this joint resolution—

(a) The term "donor" means Franklin D. Roosevelt.

(b) The term "historical material" includes books, correspondence, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, and other similar material.

(c) The term "Board" means the Trustees of the Franklin D. Roosevelt Library.

#### TITLE II—FRANKLIN D. ROOSEVELT LIBRARY

SEC. 201. The Archivist of the United States is authorized to accept for and in the name of the United States from the donor, or from such person or persons as shall be empowered to act for the donor, title to a tract of land consisting of an area of 12 acres, more or less, of the Hyde Park estate of the donor and his family, located on the New York-Albany Post Road, in the town of Hyde Park, Dutchess County, State of New York; such area to be selected and carved out of the said estate by the donor and to be utilized as a site for the Franklin D. Roosevelt Library provided for in this title.

SEC. 202. The Archivist is authorized to permit the Franklin D. Roosevelt Library, Inc., a New York corporation organized for that purpose, to construct on the area referred to in section 201 of this title a building, or buildings, to be designated as the Franklin D. Roosevelt Library, and to landscape the grounds within the said area. Such project shall be carried out in accordance with plans and specifications approved by the Archivist. The Secretary of the Treasury is authorized to permit the facilities and personnel of the Procurement Division of the Treasury Department to be utilized in the preparation of plans for and in the construction and equipping of the project: *Provided*, That the Franklin D. Roosevelt Library, Inc., shall enter into an arrangement satisfactory to the Secretary of the Treasury to reimburse the said Procurement Division for the costs and expenses incurred for such purposes, as determined by the Secretary of the Treasury.

SEC. 203. Upon the completion of the project authorized in section 202 of this title, the Archivist shall accept for the Franklin D. Roosevelt Library, as a gift from the donor, such collection of historical material as shall be donated by the donor. The Archivist may also acquire for the said Library from other sources, by gift, purchase, or loan, historical books related to and other historical material contemporary with and related to the historical material acquired from the donor. The historical material acquired under this section shall be permanently housed in the Franklin D. Roosevelt Library: *Provided*, That the Archivist may temporarily remove any of such material from the said library when he deems it to be necessary: *And provided further*, That the Archivist may dispose of any duplicate printed material in the said library by sale or exchange, and, with the approval of the National Archives Council, may dispose of by sale, exchange, or otherwise any material in the said library which appears to have no permanent value or historical interest. The proceeds of any sale made under this section shall be paid into the special account provided for in subsection (d) of section 205 of this title, to be held, administered, and expended in accordance with the provisions of that subsection.

SEC. 204. The faith of the United States is pledged that, upon the construction of the Franklin D. Roosevelt Library and the acquisition from the donor of the collection of historical material in accordance with the terms of this title, the United States will provide such funds as may be necessary for the upkeep of the said library and the administrative expenses and costs of operation thereof, including the preservation and care of historical material acquired under this title, so that the said library shall be at all times properly maintained.

SEC. 205. (a) A Board to be known as the Trustees of the Franklin D. Roosevelt Library is hereby established. The Archivist and the Secretary of the Treasury shall be ex officio members, and the Archivist shall be chairman of the Board. There shall also be five members of the Board appointed by the President for life, but the President may remove any such member for cause. Vacancies on

the Board shall be filled by the President. Membership on the Board shall not be deemed to be an office within the meaning of the Constitution and statutes of the United States.

(b) No compensation shall be paid to the members of the Board for their services as such members, but they shall be allowed their necessary expenses incurred in the discharge of their duties under this title. The certificate of the chairman of the Board shall be sufficient evidence that the expenses are properly allowable.

(c) The Board is hereby authorized to accept and receive gifts and bequests of personal property and to hold and administer the same as trust funds for the benefit of the Franklin D. Roosevelt Library. The moneys or securities composing trust funds given or bequeathed to the Board shall be received for by the Secretary of the Treasury, who shall invest, reinvest, and retain investments as the Board may from time to time determine: *Provided, however*, That the Board is not authorized to engage in any business nor to exercise any voting privilege which may be incidental to securities in such trust funds, nor shall the Secretary of the Treasury make any investments for the account of the Board which could not lawfully be made by a trust company in the District of Columbia, except that he may make any investment directly authorized by the instrument of gift under which the funds to be invested are derived, and may retain any investments accepted by the Board.

(d) The income from any trust funds held by the Board, as and when collected, shall be deposited with the Treasurer of the United States who shall enter it in a special account to the credit of the Franklin D. Roosevelt Library and subject to disbursement by the Archivist, except where otherwise restricted by the instrument of gift, in the purchase of equipment for the Franklin D. Roosevelt Library; in the preparation and publication of guides, inventories, calendars, and textual reproduction of material in the said Library; and in the purchase, under section 203 of this title, of historical material for the said Library. The Treasurer of the United States is hereby authorized to honor the requisitions of the Archivist made in such manner and in accordance with such regulations as the Treasurer may from time to time prescribe. The Archivist may make sales of any publications authorized by this section at a price which will cover their cost and 10 percent added, and all moneys received from such sales shall be paid into, administered, and expended as a part of the special account herein provided for.

(e) Unless otherwise restricted by the instrument of gift, the Board, by resolution duly adopted, may authorize the Archivist to use the principal of any gift or bequest made to it for any of the purposes mentioned in subsection (d) hereof.

(f) The Board shall have all the usual powers of a trustee in respect to all funds administered by it, but the members of the Board shall not be personally liable, except for misfeasance. In the administration of such trust funds the actions of the Board, including any payments made or authorized to be made by it from such funds, shall not be subject to review or attack except in an action brought in the United States District Court for the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provision of any trust accepted by the Board.

SEC. 206. The Director of the National Park Service shall be responsible for the care, maintenance, and protection of the buildings and grounds of the Franklin D. Roosevelt Library in the same manner and to the same extent as he is responsible for The National Archives Building in the District of Columbia. Except as provided in the preceding sentence, the immediate custody and control of the Franklin D. Roosevelt Library, and such other buildings, grounds, and equipment as may from time to time become a part thereof, and their contents shall be vested in the Archivist of the United States, and he is authorized to appoint and prescribe the duties of such officers and employees, including clerical assistance for the Board, as may be necessary for the execution of the functions vested in him by this title.

SEC. 207. The Archivist shall prescribe regulations governing the arrangement, custody, protection, and use of the historical material acquired under this title; and, subject to such regulations, such material shall be available to the public free of charge: *Provided*, That the Archivist is authorized to charge and collect, under regulations prescribed by him, a fee not in excess of 25 cents per person for the privilege of visiting and viewing the exhibit rooms or museum portion of the said Library; and any funds so derived shall be paid by the Archivist into the special account provided for in subsection (d) of section 205 of this title, to be held, administered, and expended under the provisions of that subsection.

SEC. 208. The Archivist shall make to the Congress, at the beginning of each regular session, a report for the preceding fiscal year as to the Franklin D. Roosevelt Library. Such report shall include a detailed statement of all accessions, all dispositions of historical material, and all receipts and expenditures on account of the said Library.

SEC. 209. The costs incurred by the Archivist in carrying out the duties placed upon him by this title, including the expenses of the members of the Board and the costs of the Board's necessary clerical assistance, shall be paid out of the appropriations for The National Archives Establishment as other costs and expenses of The National Archives Establishment are paid; and such sums as may be necessary for such purposes are hereby authorized to be appropriated.

#### TITLE III—FRANKLIN D. ROOSEVELT RESIDENCE

SEC. 301. The head of any executive department, pursuant to agreement between him and the donor, may accept for and in the name of the United States from the donor, or from such person or persons as shall be empowered to act for the donor, title to any part

or parts of the said Hyde Park estate of the donor and his family which shall be donated to the United States for use in connection with any designated function of the Government administered in such department. The title to any such property may be accepted under this section notwithstanding that it may be subject to the life estate of the donor or of any other person or persons now living: *Provided*, That during the continuance of any life estate reserved therein no expense to the United States in connection with the ordinary maintenance of the property so acquired shall be incurred: *Provided further*, That the acceptance hereunder by the United States of the title to property in which any life estate is reserved shall not during the existence of such life estate exempt the property, except to the extent provided in section 304 of this title, from taxation by the town of Hyde Park, Dutchess County, or the State of New York as other real property in the said town, county, or State is taxed under the applicable laws relating to taxation of real property.

Sec. 302. Upon the expiration of all life estates reserved in any property acquired under this title for use in connection with a designated function of the Government, or, if no life estate is reserved, immediately upon the acceptance of title thereto, the head of the department administering the said function shall assume jurisdiction and control over the property so acquired and administer it for the purpose designated, subject to the applicable provisions of law.

Sec. 303. Notwithstanding any other provisions of law, the head of any department exercising jurisdiction and control over any property acquired under this title shall be authorized to charge and collect, under regulations prescribed by him, a fee not in excess of 25 cents per person for the privilege of visiting and viewing the said property, and any funds thus derived shall be deposited in the Treasury of the United States to the credit of a special fund, and shall be available, when appropriated by the Congress, for expenditure in the upkeep, maintenance, protection, and preservation of any property acquired under this title.

Sec. 304. The right is reserved in the Congress to take such action and to make such changes, modifications, alterations, and improvements in connection with and upon any property acquired under this title, during or after the expiration of any life estate reserved therein, as the Congress shall deem proper and necessary to protect and preserve the same; but neither the improvements so made nor any increase in the value of the property by reason thereof shall be subject to taxation during the existence of any life estate reserved in the property.

The SPEAKER. Is a second demanded?

Mr. TREADWAY. Mr. Speaker, I demand a second.

Mr. KELLER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

Mr. BOLLES. Mr. Speaker, I object.

The SPEAKER. The Chair appoints as tellers the gentleman from Massachusetts, Mr. TREADWAY, and the gentleman from Illinois, Mr. KELLER, to act as tellers.

The House divided; and the tellers reported there were—ayes 133 and noes 114.

So a second was ordered.

The SPEAKER. The gentleman from Illinois [Mr. KELLER] is recognized for 20 minutes, and the gentleman from Massachusetts [Mr. TREADWAY] is recognized for 20 minutes.

Mr. KELLER. Mr. Speaker, it is difficult to understand the vote that has just been taken and it would still be more difficult if I believed everyone here had understood what they were voting on.

This is a bill that permits the President of the United States to give 12 acres of ground, more or less, from his estate at Hyde Park, N. Y., which when surveyed shows about 19 acres instead of 12; the donation of a building, to be built by subscription, without expense to the Government; the donation by the President of all of his private papers, gifts of one kind or another, as stipulated in the resolution, without any expense to this country at all.

The maintenance of the library is to be carried on by a very small admission fee. It will not be any expense to the country except for one thing, and I want to make this clear to you. There is one thing that we will have to bear the expense of, and that is the cataloging of between seven and eight million papers and documents. In other words, when we originally formed a plan for and built our Archives, there should have been some provision made at that time to take over the papers of the Presidents of the United States. If that had been done we would have had a better understanding of the size of the building to be built. If that had been done from the beginning of our Government we would not be buying back some of the papers that have become historically exceedingly valuable during the years.

This offer of President Roosevelt to give the people all his official documents, maps, letters, both public and private, is the first instance in which all of the papers of a President of the United States, during his entire incumbency in office, have been offered to the Government as a gift. It ought always to have been so, because if it had been recognized as the duty of the President of the United States to turn over his papers as public property, which they really are, we would have been afforded an invaluable record, one which would have made a complete and entire record of our governmental action from the beginning to the present time. To secure and keep inviolate all documents is the entire idea of having archives at all.

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

Mr. KELLER. Yes; I yield.

Mr. MAPES. The gentleman expressed some surprise at the vote and said he thought it was based upon lack of information in regard to the legislation. Let me ask the gentleman whether the Committee on the Library held any hearings on this bill so that Members could obtain any information in regard to it.

Mr. KELLER. Oh, yes, we did; and we printed a report, No. 612.

Mr. MAPES. Were the hearings printed?

Mr. KELLER. Not the hearings, but a report was printed. The hearings are available. We have not deemed it necessary to print the hearings, for the report gives the whole thing and the report is done intelligently and done well.

Mr. MAPES. My understanding was that there were no hearings before the Committee on the Library on this bill.

Mr. KELLER. Yes; hearings were held.

Mr. MAPES. But not printed.

Mr. KELLER. The hearings were not printed.

To continue, let me point out that this land is given as a gift, with a right-of-way down to the railroad and down to the river and is under a management that will never bother the United States at all. This library will be a great source for research, covering a tremendously important historic period, and is a gift that we would be foolish not to accept. If we fail to accept this gift, we shall find ourselves in the hereafter paying large prices for some of these records. Had Mr. Hoover and Mr. Coolidge and Mr. Harding given their papers this way, it would have made an invaluable record for historical research in the hereafter. It is a matter of hope that, following Mr. Roosevelt's lead, in the hereafter all Presidents will see the necessity and duty of following this course of action and contribute their papers to the people of this country.

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

Mr. KELLER. I yield.

Mr. SIROVICH. Is it not a matter of historical fact that the widows of some of our Presidents in the past, finding themselves impoverished, have sold the Presidential papers to the Government through Congress for thousands of dollars? The President has offered everything at his disposal to the people of the United States.

Mr. KELLER. That is quite true. I may add in this connection that many of the papers of Abraham Lincoln were destroyed outright by men who did not know anything about what they were doing. Their existence today would be invaluable in helping us to understand the problems of his administration.

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

Mr. KELLER. I will yield for a question.

Mr. SCHAFFER of Wisconsin. The gentleman made the statement that it was in the interest of the Nation to have the papers of all the Presidents in The Archives.

Mr. KELLER. Yes.

Mr. SCHAFFER of Wisconsin. Then, only the economic royalists would be able to take advantage of those papers, because there would be archives scattered all over the country, some in New York, some in Texas, some in Ohio, some in California. Why not provide for their keeping in The Archives Building in the Nation's Capital? Why not keep them all here?

Mr. KELLER. All right; that is a fair question. One reason they are not placed in The Archives here is because this building was built so small that it is not in a position to take these papers.

We are planning at the present time, as you know, or as many of you know at least, a very greatly extended building just for the storage of papers which the present Archives Building is not sufficient to accommodate.

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

Mr. KELLER. I yield for a question.

Mr. MOTT. If I understood the gentleman correctly, he stated a moment ago that if this bill were passed it would not cost the Government any money?

Mr. KELLER. That is right, outside of the cataloging of the papers.

Mr. MOTT. I call the gentleman's attention to section 204, on page 4, of the bill and ask him if the provisions of that section bear out his statement.

Mr. KELLER. I am talking by the book. I know what I am saying. To what page did the gentleman refer?

Mr. MOTT. Page 4, section 204. I will read it to the gentleman:

SEC. 204. The faith of the United States is pledged that, upon the construction of the Franklin D. Roosevelt Library and the acquisition from the donor of the collection of historical material in accordance with the terms of this title, the United States will provide such funds as may be necessary for the upkeep of the said library and the administrative expenses and costs of operation thereof, including the preservation and care of historical material acquired under this title, so that the said library shall be at all times properly maintained.

Mr. KELLER. When that question came up, my office called the President's office. The President authorized me to say that a careful estimate had been made of the necessary cost for that and that it would be provided for, as I said before, by a small admission fee at the library itself. Therefore there will be no costs, administrative, operative, or otherwise. There is, however, always the necessity of guarding against unforeseeable contingencies.

Mr. ANDERSON of Missouri. Will the gentleman yield? Who is the father of this bill?

Mr. KELLER. I am, and proud of it.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I hesitate to speak on this measure. I realize I will be accused of being partisan and ungracious toward what might be regarded as a worth-while donation from the President of the United States. However, as a member of the Library Committee, I feel compelled to take the floor just briefly.

On April 20 the Senate passed Joint Resolution 118 by unanimous consent, page 4543 of the CONGRESSIONAL RECORD. No report of the Library Committee was ever made to the Senate. Not a word was spoken on the floor of the Senate about the bill.

The first I knew about it was 2 or 3 weeks ago, when, in a committee meeting, the chairman showed the late Representative Lord and myself some papers and stated it was a report from the Senate on this bill. He asked for its confirmation. We both told him we were opposed to it. He said the committee had already accepted it. My memory may not be long, but it is long enough to remember that there never was any meeting, so far as I know, of the Library Committee to take up this question.

We told him further we were opposed to the measure, and the next thing I knew it was here on the floor last week, having appeared at that time on the Consent Calendar. Those are the circumstances in connection with the reporting of this bill. If it is such a meritorious measure why has it been sealed up in the Library Committee?

Mr. Speaker, may I add one word further? The gentleman stated there was a hearing on the bill and that the hearing file is available. I have asked for it and I have never been able to obtain it, nor have I ever seen it. It is not in print. There is no evidence whatever that the terms of the bill will be carried out. For instance, the gentleman

from Illinois was asked a moment ago, in reference to the upkeep of the building. He says we could get all the information in the report. Let me call attention to section 4 of the report, page 2, whereby the United States agrees to pay in the future such funds as may be necessary for the upkeep of said library. Yet he says there will be no expense because there will be an admission charge to go into a building 5 miles up the Hudson River from Poughkeepsie. This is certainly not a proper or suitable place to establish a branch Archives Building.

We have an Archives Building in this city that cost the Government \$12,000,000. If the President of the United States or any other noted citizen wants to make a contribution to the archives, why should not those documents be put either in the Congressional Library or in the United States Archives Building which was built for that purpose? [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I yield myself 1 additional minute.

Mr. SHORT. Will the gentleman yield for two brief questions?

Mr. TREADWAY. Very briefly.

Mr. SHORT. On page 2, section 202, the Archivist is authorized to construct a building or buildings. The number of buildings to be constructed is not stated to the Members of the House, nor is there any estimate given as to what the total cost will be.

Mr. TREADWAY. There is not only no estimate of the total cost, there is no recognition of where we are going to get the money. There is no recognition of what it is going to cost to keep up the building when it is completed and built on an isolated road that very shortly will be almost abandoned. The Albany Post Road will be out of the picture shortly except for trucks and local traffic.

Mr. SHORT. That alone is sufficient reason for defeating this measure. I want also to call the attention of the membership of the House to section 304, on page 10, at the conclusion of the bill, where it is stated:

The right is reserved in the Congress to take such action and to make such changes, modifications, alterations, and improvements in connection with and upon any property acquired under this title, during or after the expiration of any life estate reserved therein, as the Congress shall deem proper and necessary to protect and preserve the same; but neither the improvements so made nor any increase in the value of the property by reason thereof shall be subject to taxation during the existence of any life estate reserved in the property.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I yield myself 1 additional minute, but I would like to use part of it.

Mr. SHORT. Briefly stated, section 304 provides that the donor shall give this library or part of the estate to the United States Government, providing the United States Government gives back to the donor a life estate in it, and he is not to be taxed upon any improvements that are made. In other words, the United States Government will have to pay the taxes and pay for the upkeep of this library as long as there is any estate left.

Mr. TREADWAY. Mr. Speaker, this whole proposition is contrary to the established policy of this country relating to Federal monuments to living men. I hope that precedent will be continued.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

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

Mr. SCHAFER of Wisconsin. Will not the Roosevelt national debt be a perpetual and everlasting monument to our New Deal President?

Mr. TREADWAY. That monument will certainly be a sufficient burden to unborn generations.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I am inclined to the belief that my constituents would be in favor of this proposed Franklin D. Roosevelt Library in my congressional district to be donated

by private subscriptions and maintained by the Government. I want to go on record, however, as opposed to the proposition, not on partisan grounds but because I believe it would be a very serious matter for the Congress of the United States to place its stamp of approval upon this legislation and set up a precedent under which in the future all the papers of the various Presidents would be scattered around the country. It is almost the unwritten law, it has become the tradition of our country, that the public documents, the letters and private and public papers of the Chief Executives of the Nation, whether the Presidents be Republicans or Democrats, shall be housed in the Congressional Library. Practically all these papers from the very beginning of our country, from Washington's administration down, are now housed in the Congressional Library, with very few exceptions, including the two Adamses and Hayes. In no case has the Congress of the United States by its consent or its approval offered any encouragement or certified that these papers which historically belong to the people and ought to be in the Congressional Library should be scattered around the country, whether it be in my congressional district, where I would like to see a public building as a gift, or in someone else's congressional district.

The students and the historians who go to the source material have a right to be able to reach this source material as they have in the past in the Library of Congress in order to write American history, and not be forced to wander around through the different congressional districts of the United States.

I say to you this is not a partisan matter; it is an American issue. It is a question of principle and upholding and maintaining the traditions of our country. If we by this bill encourage any change in this tradition, we are rendering a disservice to our country and to the future historians of our Nation.

Mr. THOMAS F. FORD. Mr. Speaker, will the gentleman yield?

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

Mr. THOMAS F. FORD. Does the gentleman know that the Huntington Library in Los Angeles is visited by scholars from all over the world, and that this proposed library would probably also be a Mecca for scholars?

Mr. FISH. The Huntington Library, which I have visited, is a very large and fine library, but there are no Presidential papers there of consequence. I have just stated to the House, and I state again, that this is not a partisan matter, because I believe you Democrats are just as good Americans as the Republicans. [Applause.] This is an American issue. If you are going to vote on partisanship alone and say you do not care, that you are Democrats and that is all there is to it, and that Franklin Roosevelt is a Democratic President, then you are helping to create an unfortunate precedent by approving this exception to the practice of virtually every American President down to this day.

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

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

Mr. SIROVICH. Does the gentleman consider it a partisan act on the part of the Democratic side of the House when we voted to accept the Mellon Art Gallery and gave our consent unanimously?

Mr. FISH. I am glad the gentleman asked that question. Mr. Mellon put up all the money. Those objects of art and paintings do not belong and never did belong to the Government. They have nothing to do with the Government, and came as a gift from Mr. Mellon, a patron and benefactor of art, to the American people and were accepted by Congress.

Mr. SIROVICH. Who maintains them?

Mr. FISH. We were very glad to get them, but they have nothing to do with the executive branch of the Government.

Mr. SIROVICH. Who maintains them?

Mr. FISH. We were very glad to have them right here in Washington, and I assume the Congress will appropriate sufficient funds to maintain them.

Mr. SIROVICH. Who owns the land?

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

Mr. FISH. I yield to the gentleman from Missouri.

Mr. SHORT. Furthermore, the National Gallery of Art does not bear Mr. Mellon's name nor is it located upon his own estate that shall not be subject to taxation as long as any of his kith or kin maintain a life interest in it.

Mr. SIROVICH. But the Government of the United States gave the land and maintains the gallery, spending \$100,000 every year to maintain it.

Mr. FISH. The gift of famous paintings by Mr. Mellon was purely a personal matter. The papers of President Roosevelt rightly belong in the Congressional Library with the papers of other Presidents and open to the public free of charge. I hope this will not be a partisan issue. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. BOLLES].

Mr. BOLLES. Mr. Speaker, I am not in favor of erecting an apotheosis to a living man, whether it be on the Hudson River or on the Potomac. We built here in the city of Washington a great hall of archives. Over the long years since I came to Washington as a newspaperman we have been discussing from time to time the preservation of these archives, these things that came down to us and became a part of the patriotic history of the United States. If there is any location in the world where these papers ought to be collected, not in museums nor in private institutions erected to the memory of a living President or anyone else, it is here in this Capital of the United States, to which from time to time all the people of this country come. [Applause.] This is the center and the attraction.

I said long years ago when I was a member of the McKinley National Memorial Association that the erection of a great monument to McKinley in the city of Canton, Ohio, was an error; that it should be erected in the Capital of the United States, where he served, and from which he went forth to die by the hand of an assassin. I say to you that a monument here would have been better. There is no place for these archives, no place for these great papers, however great they may be—I do not discuss that—except in the city of Washington, D. C., where they can be preserved forever. All our famous documents—the Declaration of Independence, the Constitution of the United States, all those things we hold most dear—are over here in the Congressional Library, and they should remain here. [Applause.]

We have an old tradition in these United States that memorials and shrines erected as pilgrimage places shall not come until the historical character has passed from the living scene. While this hall of archives or historical place on the bank of the Hudson may be indicated as a place for the preservation of the documents of the executive department and personally by the President over the period of the term of his service, it in reality will be taken by the public as a monument to him during his life. I object to that, Mr. Speaker, not because the President is who he is, but because of this tradition. We do not even engrave the faces of living people on postage stamps. We have here in Washington a place for these documents and all of the great documents of the Presidents of the United States with the exception of a very few—the Adamses and President Hayes. They are preserved here among us. The papers of President Hayes were given to a small library and museum erected by himself, in his hometown, at his own expense and provided by the expense of his family for preservation, and he did not call upon nor have his heirs ask the Congress of the United States to make any appropriation, no matter how small, for its preservation.

I am impressed with the desire of the President that these documents of his, which in many ways are his personal property, may be kept intact, and it also can be done. If he so desires to do this, let him as a memorial both to himself and for the information of posterity erect this building, fit it out and present it to the United States.

Even then, Mr. Speaker, I believe the proper place for such documents over so peculiarly interesting a period of our history, should be kept in the Congressional Library or the Hall of Archives. I am willing to vote for that amount of an appropriation which would preserve these documents here

in Washington but not to give them sepulture on the banks of the Hudson.

Mr. TREADWAY. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. WOLCOTT.]

Mr. WOLCOTT. Mr. Speaker, this bill was on the Consent Calendar, and we made its consideration, under suspension of the rules, possible because we are seriously opposed to the bill. I am seriously opposed to the bill for several reasons, and I hope no one will charge me with opposing it on partisanship grounds.

I think, undoubtedly, there are in Mr. Roosevelt's files a great many very important state papers which might be valuable to posterity. I think those papers should be put with the other great state papers of all the other Presidents of the United States here in the Library of Congress and in The Archives Building.

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

Mr. WOLCOTT. If the gentleman will pardon me, I would like to follow through with this statement, and then, if I have time, I will be pleased to yield.

There is no estimate of the cost of maintenance. The Archivist is authorized to appoint clerks, officers, and employees. Surely, the place must be policed and there must be janitors and there will be other expense.

Perhaps the question which transcends all others in this bill is that there are certain provisions which are objectionable because they are unconstitutional. Payments will be made by the Treasury out of a fund created by the charging of admissions. Under this bill the same unconstitutional provision is found as was called to the attention of the House within the last week in connection with another most important bill in which a special fund was created and by which we sought to authorize the Treasury of the United States to make payments without specific appropriations by Congress. The Constitution specifically provides that no money shall be drawn from the Treasury except as a consequence of appropriations made by law, and the provision in this bill which would seek to establish a separate fund where these collections should be placed and authorize the Secretary of the Treasury to recognize requisitions by the Archivist or whatever authority is set up here to administer this, is clearly not within the Constitution.

This is supposed to be, or the inference is held out that this is, a branch of The Archives here in Washington. Let me call attention to the fact that no admission is charged to The Archives Building; nothing is charged for admission to the Congressional Library, where, surely, state papers of equal importance are housed; no fee is paid to see the great papers that have been called to your attention here, such as the Constitution of the United States and the Declaration of Independence. One of the most interesting exhibits in the Congressional Library is the genesis of the Declaration of Independence itself in the handwriting of Thomas Jefferson. We do not have to pay anything to go over to the Library or down to The Archives and see those great documents in the handwriting of those great men. Now, why should we have to charge 25 cents, after paying transportation to Hyde Park, to see the papers which have come into existence during the last few years.

This is not in keeping with our policy, and it is not constitutional. It is establishing a precedent which is going to harass us very much in the future. [Applause.]

[Here the gavel fell.]

Mr. KELLER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Speaker, I am sure I would be the last person in the House to object to opposition on the part of the people on the other side of the aisle to a measure that had substance to it with which they did not agree; but it seems to me that opposition to this measure is carrying the matter of opposing the President of the United States to a rather ridiculous extreme.

Here is a case where it is proposed that his privately collected papers, collected at great personal expense over a long period of time, shall be made available to the people of the United States. Here is a proposition where there is to be

created a place where these papers can all be available for all time to come, and I find it very difficult to understand why partisan politics should be carried to such an extreme as to oppose this. It seems to me, on the contrary, that there are times when such partisan matters should be overlooked and when the House, in the consideration of a generous gesture, ought itself to act generously in connection with it.

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

Mr. VOORHIS of California. I yield.

Mr. MOTT. Does the gentleman see anything partisan in the contention that great state papers of this kind ought to be housed in the Congressional Library or in The Archives Building, instead of on the Hyde Park estate? What does the gentleman see partisan about that?

Mr. VOORHIS of California. It seems to me the proposition that is before us is a very good proposition, that these papers are of a sort that go together very well, that they are along certain particular lines, and that one has to rather look for a chance to be against it. That is all I mean.

Mr. MOTT. Why not move the Jefferson Library now housed in the Congressional Library down to Monticello?

Mr. VOORHIS of California. I do not know that I would object to that; that may be a good idea. All I am saying is, it appears to me that this is a generous act on the part of the President of the United States and it seems to me it should be received in like fashion by the House.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for just one question?

Mr. VOORHIS of California. All right.

Mr. HOFFMAN. We are all aware of the fact that there will be hundreds of thousands of school children that will never get to Hyde Park or any other outlying place, and does not the gentleman think that it would be better to have these papers down here for those children to see?

Mr. VOORHIS of California. No; I am not at all sure it would be better. In any case when a man is making an outright gift I believe he should have something to say about where it is to be placed. [Applause.]

[Here the gavel fell.]

Mr. KELLER. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Speaker, as a student of history, I have observed that certain keymen in the several critical periods of our history have exerted a great influence, which influence has not been discovered for 50 or 100 years afterward. George Washington was such a man, Abraham Lincoln was such a man, and Franklin D. Roosevelt is such a man. I am convinced that many years from now the students of American history will turn back to see what influences were at work. I wish to accept the President's offer of his estate and his private papers for the Nation during these years. I propose now by my vote to lay all cards on the table so that we may be able to see what forces were at work in this very critical period of the Nation's history.

Students of history have often remarked on the difficulty of assessing properly the part played by a great man in the history of his country and of the world while he yet lives. Historians cannot write adequately of their own times. Thucydides is perhaps the only famous historian who could write without bias and with proper appreciation of the momentous period through which he lived. The reason that no person can analyze and understand his own times is because of his lack of perspective. To attempt to do so is like trying to read a huge billboard by walking close to it and under it. For that reason no man's niche in history can be properly marked until years after his death.

Although we must wait, it seems, until after a man has been dead 50 or a hundred years to assess him properly and his influence upon the development of his country, the work of the historian is usually difficult at so late a date because of lack of material, personal facts, and documentary evidence which meanwhile have become scattered and much of it lost. How difficult it has been for a loving country to round up the precious belongings of George Washington

after his estate and personal belongings had passed to other hands. How very valuable the personal papers of James Madison, properly known as the Father of the Constitution, became to his countrymen after his death, and how very fortunate it was that it was possible to acquire from his widow the notes on the great convention of 1787. These were of incalculable value and, if scattered or destroyed, could never have been duplicated. The world would have been the loser.

I was told a story recently by a descendant of a friend of Abraham Lincoln that a small boy, with an admirable motive to help his mother in straightened circumstances, clipped the name of Abraham Lincoln from 13 of Lincoln's original letters and sold the signatures for 10 cents each, thus providing his mother, as he supposed, a vitally needed sum of \$1.30. Of course, the child did not know what he was really doing. Therefore, I favor this bill, not mildly, but with intense enthusiasm, that we may accept as a gift for the Nation important papers and materials of Franklin D. Roosevelt which later historians will undoubtedly find of inestimable value.

Why do I think this is likely to be the case? It is because I believe that today is one of the critical periods of American history. This truly is one of those "times that try men's souls." America has had numerous such critical times. The brief period that marked the birth of American independence was such a time. The half dozen years during which the Constitution was in the making was such a critical period. Those years of which Harriet Beecher Stowe sang in *The Battle Hymn of the Republic* was such a time. Likewise the period beginning on March 4, 1933, is such a time.

The doctrines of American liberty and equality have been of slow growth. Thomas Jefferson drew the blue prints for them in the Declaration of Independence. Washington, Madison, and Hamilton helped to materialize them in the Constitution of the United States. Jefferson, later as President, helped to bring about political democracy, based on liberty and equality, with the turn of the century 14 decades ago. Andrew Jackson elevated the common man and contributed his part toward social democracy about a century ago; Abraham Lincoln wrested power from a landed aristocracy and brought freedom to the enslaved in the name of a broader liberty and equality. Unless I am greatly mistaken, Franklin D. Roosevelt will, in the proper lapse of time, take his place along with these immortals as a great exponent of industrial democracy looking toward a new phase of liberty and equality.

No wonder Franklin D. Roosevelt fondly harks back to Andrew Jackson. The battle which these two men have fought is the same, differing only slightly in phases. Andrew Jackson was the champion of the common man, and Franklin D. Roosevelt is today the champion of the common man. Just as Andrew Jackson sought to bring about political and social equality, so does this Roosevelt, pushing beyond the other Roosevelt, seek now to bring about social and political equality, adding to it industrial, economic equality. We are too close to this beginning trend to understand it fully.

The present occupant of the White House is as great a humanitarian as was Lincoln, with this difference: That Roosevelt's sympathies extend to all the underprivileged or the oppressed and are not centered or emphasized by race or color. On the whole, America had a glorious half century of history prior to March 1933, characterized by an era of business. There is much in that half century of which we may justly be proud. However, many of the rights of man were lightly held and scarcely considered by the economic overlords who controlled our Government, dictated our laws, and operated our economic system. With the beginning of the New Deal, a new era was struggling to be born. No one can yet see what is being born, but of this we may be sure: America will never be the same again as before 1929.

Whatever the future holds for our country, Franklin D. Roosevelt will loom larger and larger with every passing year as a shaper of that destiny which is to be ours. Surely we will want to know everything that man thought and wrote and said, and for that reason we must preserve every bit of

his history-making life. This is my reason for casting a vote for this bill.

The SPEAKER. The time of the gentleman from Arizona has expired.

Mr. TREADWAY. Mr. Speaker, I yield the remainder of my time to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Speaker, for 16 years I had the honor of being a member of the Committee on the Library. In all that time I do not recall a partisan question being raised. Surely the gentleman from California [Mr. VOORHIS] cannot point his finger to me as taking the floor in this matter by reason of any partisan influence or for any partisan purpose. In the course of time that I was chairman of the Committee on the Library, I was saved from what threatened to be a most embarrassing situation, brought about by the proposal to erect a memorial to Theodore Roosevelt at the south end of the axis of which the White House is at the north, near the site now to be occupied by the Jefferson Memorial. Mrs. Theodore Roosevelt, Theodore Roosevelt at that time being dead, disapproved the proposal upon the ground that not enough time had elapsed since the death of her husband for a proper estimate to be made of the place he was to occupy in history. Mark you, I was a Republican, confronted by the proposal to honor a man who in his day was as equally beloved and equally disliked as the present President of the United States. Had I been compelled to face that situation, if I kept up with the tradition of the committee, it would have been necessary for me to vote against that proposal, as it seems to me that Democrats today, regardless of the fact that they are Democrats, might well vote against this proposal. There is no partisanship in the idea that the papers of Presidents of the Nation should be kept in their proper surroundings, that they should be housed in the Library of Congress, the great building to which we have recently added one still more spacious, with room enough for the books and papers, with opportunity for their proper handling and exhibition. Mind you, that Library began because Thomas Jefferson gave his library to the Nation. He might well have had in mind the fact that these documents are chiefly of interest and importance to students of history. They should be made readily accessible to students of history.

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

Mr. LUCE. I have only a few minutes. I regret I cannot yield. To place them in a remote spot, difficult of access, not frequently visited by the public, would prove a great inconvenience for students and an injury to the value of the collection itself. It would be in every way a bad precedent to establish while the man in whose honor it is created is living, and it would be unfortunate to establish it where it cannot be of use to students and where it would in the course of the years be almost forgotten. [Applause.]

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

Mr. KELLER. Mr. Speaker, I yield the remainder of my time to the gentleman from Texas [Mr. RAYBURN]. [Applause.]

Mr. RAYBURN. Mr. Speaker, after that generous reception from those on my left, I regret very much to be compelled to say some things that I feel ought to be said. I must refer particularly to my good friend from Massachusetts [Mr. LUCE] and my very good friend from Massachusetts [Mr. TREADWAY], longer in friendship than Mr. LUCE, because we came into the House together. I am sorry they said there is no partisanship in this. One gentleman on the Republican side said something about selling memoirs. I was a Member of the House when Mr. Coolidge sold his writings at a dollar a word and I was powerful glad he could. I read them with a great deal of interest. I was a Member of Congress during the Harding administration when charges and countercharges were flying all around the Capitol and throughout the Nation, but during none of that time did I ever utter a word that would reflect upon the personal character of the President of the United States or upon the personal character of a man who had been President of the United States. The gentleman from Massachusetts [Mr. LUCE] endeavored to compare this proposal with

the proposal to which he referred in connection with Theodore Roosevelt. That was to build a memorial in the city of Washington to Theodore Roosevelt. This is to accept a donation of land at Hyde Park and the whole estate, as I understand it, is to pass to this foundation and all of the buildings erected there will be erected not by Federal funds but by contributions of the people who like Mr. Roosevelt.

These are not public papers. They are the private property of Franklin D. Roosevelt, as papers of this sort have been the private property of every President of the United States. He could sell them, of course, for a fancy sum. They would be scattered to the four winds and no student who visited any one part of the United States would ever have an opportunity to see them.

The gentleman from Massachusetts [Mr. TREADWAY] said the Senate unanimously passed this bill. Nobody expected, when this proposal was made, that it would not pass the House of Representatives unanimously either. [Applause.]

I am sorry. I like you gentlemen. Many of you are friends of a quarter of a century. I really think, my friend from Massachusetts [Mr. TREADWAY], that this is a sorry spectacle; that is, in my opinion. If this offer had been made by Mr. Harding, Mr. Coolidge, or Mr. Hoover, no one would have heard my voice raised. I would have accepted it. They are being offered by a man generous enough to place them at the disposal of the American people, when he could have sold them for thousands upon thousands of dollars, let me repeat. Just because he happens to be Franklin D. Roosevelt that some of you do not like, especially his own Congressman from his own district, I do not believe if I were you gentlemen I would follow them off. I would act, as a Republican, like I would have acted had this been presented during a Republican administration. I would accept this generous offer. I would not let my partisanship go so far in a matter like this.

Franklin D. Roosevelt will be perpetuated in name whether these buildings are erected or not. It matters not whether you love his policies or hate them; it matters not whether you love Mr. Roosevelt or hate him; I dislike very much to hear this roll call and see you gentlemen on that side of the aisle do the thing that I fear you are going to do. It just does not come up quite to what I felt I could expect of you. I hope you do not do it. There is time enough left when the roll is called or when it is not, for you to do what I believe and what I especially hope you will do on this occasion. [Applause and laughter.]

[Here the gavel fell.]

The SPEAKER. The question is, Shall the rules be suspended and the resolution passed.

The question was taken; and on a division there were yeas 161 and noes 131.

Mr. KELLER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 229, nays 139, not voting 62, as follows:

[Roll No. 88]

YEAS—229

Allen, La.	Byrns, Tenn.	Crosser	Fries
Allen, Pa.	Byron	Crowe	Fulmer
Anderson, Mo.	Caldwell	Cullen	Garrett
Arnold	Cannon, Fla.	D'Alesandro	Gathings
Ashbrook	Cannon, Mo.	Delaney	Gehrmann
Barden	Cartwright	Dempsey	Gibbs
Barnes	Casey, Mass.	DeRouen	Gore
Bates, Ky.	Celler	Dickstein	Gossett
Beam	Chandler	Dingell	Grant, Ala.
Beckworth	Chapman	Disney	Green
Bell	Clark	Doughton	Gregory
Bland	Claypool	Doxey	Griffith
Bloom	Cochran	Drewry	Hall
Boehne	Coffee, Nebr.	Duncan	Hare
Boykin	Coffee, Wash.	Dunn	Harrington
Bradley, Pa.	Cole, Md.	Eberharter	Hart
Brooks	Collins	Edmiston	Harter, Ohio
Brown, Ga.	Colmer	Elliott	Havener
Bryson	Connery	Ellis	Healey
Buck	Cooley	Ferguson	Hendricks
Buckler, Minn.	Cooper	Fernandez	Hill
Bulwinkle	Costello	Flannagan	Hobbs
Burdick	Courtney	Flannery	Hook
Burgin	Cox	Ford, Miss.	Houston
Byrne, N. Y.	Creal	Ford, Thomas F.	Hull

Hunter	McGranery	Pearson	Somers, N. Y.
Izac	McKeough	Peterson, Fla.	South
Jacobsen	McLaughlin	Peterson, Ga.	Sparkman
Jarman	McMillan, John L.	Pfeifer	Spence
Johnson, Luther A.	Magnuson	Pierce, Oreg.	Starnes, Ala.
Johnson, Lyndon	Mahon	Poage	Steagall
Johnson, Okla.	Maloney	Polk	Sutphin
Johnson, W. Va.	Marcantonio	Ramspeck	Sweeney
Jones, Tex.	Martin, Colo.	Randolph	Tarver
Kee	Martin, Ill.	Rankin	Tenerowicz
Keller	Massingale	Rayburn	Terry
Kennedy, Martin	May	Richards	Thomas, Tex.
Kennedy, Md.	Merritt	Robertson	Thomason
Kennedy, Michael	Miller	Robinson, Utah	Tolan
Keogh	Mills, Ark.	Rogers, Mass.	Vincent, Ky.
Kerr	Mills, La.	Rogers, Okla.	Vinson, Ga.
Kilday	Monroney	Ryan	Voorhis, Calif.
Kirwan	Moser	Sacks	Wallgren
Kitchens	Mouton	Sasser	Walter
Kocialkowski	Murdock, Ariz.	Satterfield	Warren
Kramer	Murdock, Utah	Schaefer, Ill.	Weaver
Kunkel	Nichols	Schultz	Welch
Lanham	Norrell	Schulte	West
Larrabee	Norton	Scrugham	Whelchel
Lea	O'Connor	Secret	White, Idaho
Leavy	O'Day	Shanley	Whittington
Lemke	O'Leary	Shannon	Williams, Mo.
Lesinski	O'Neal	Sheppard	Wolverton, N. J.
Lewis, Colo.	Owen	Sirovich	Woodrum, Va.
Ludlow	Pace	Smith, Conn.	Zimmerman
McAndrews	Parsons	Smith, Va.	
McCormack	Patrick	Smith, W. Va.	
McGehee	Patton	Snyder	

NAYS—139

Alexander	Eaton, N. J.	Johnson, Ind.	Sandager
Allen, Ill.	Elston	Jones, Ohio	Schafer, Wis.
Andersen, H. Carl	Engel	Kean	Schiffler
Anderson, Calif.	Englebright	Keefe	Seacombe
Andersen, A. H.	Fenton	Kinzer	Schafer, Mich.
Andrews	Fish	Lambertson	Short
Angell	Ford, Leland M.	Landis	Simpson
Arends	Gamble	LeCompte	Smith, Maine
Austin	Gartner	Lewis, Ohio	Smith, Ohio
Ball	Gerlach	Luce	Springer
Bates, Mass.	Gilchrist	McDowell	Stefan
Bender	Gillie	McLeod	Sumner, Ill.
Blackney	Graham	Maas	Taber
Bolles	Grant, Ind.	Mapes	Talle
Bradley, Mich.	Griswold	Martin, Iowa	Taylor, Tenn.
Brewster	Gross	Mason	Thill
Carlson	Guyer, Kans.	Michener	Thomas, N. J.
Carter	Gwynne	Monkiewicz	Thorkelson
Chipherfield	Halleck	Mott	Tibbott
Church	Hancock	Mundt	Tinkham
Clason	Harness	Murray	Treadway
Clevenger	Harter, N. Y.	O'Brien	Van Zandt
Cluett	Hawks	Oliver	Vorys, Ohio
Cole, N. Y.	Heinke	Pittenger	Vreeland
Corbett	Hess	Plumley	Wadsworth
Crawford	Hinshaw	Powers	Wheat
Crowther	Hoffman	Reed, Ill.	White, Ohio
Culkin	Holmes	Reed, N. Y.	Wigglesworth
Curtis	Hope	Rees, Kans.	Williams, Del.
Darrow	Horton	Risk	Winter
Dirksen	Jarrett	Robson, Ky.	Wolcott
Dondero	Jenkins, Ohio	Rockefeller	Wolfenden, Pa.
Dowell	Jensen	Rodgers, Pa.	Woodruff, Mich.
Dworshak	Johns	Routzohn	Youngdahl
Eaton, Calif.	Johnson, Ill.	Rutherford	

NOT VOTING—62

Barry	Evans	Knutson	Rabaut
Barton	Faddis	McArdle	Reece, Tenn.
Boland	Fay	McLean	Rich
Bolton	Fitzpatrick	McMillan, Thos. S.	Romjue
Boren	Flaherty	McReynolds	Sabath
Brown, Ohio	Folger	Maclejewski	Schwert
Buckley, N. Y.	Gavagan	Mansfield	Seger
Burch	Gearhart	Marshall	Smith, Ill.
Case, S. Dak.	Geyer, Calif.	Martin, Mass.	Smith, Wash.
Cummings	Gifford	Mitchell	Stearns, N. H.
Curley	Hartley	Myers	Sullivan
Darden	Hennings	Nelson	Summers, Tex.
Dies	Jeffries	Osmers	Taylor, Colo.
Ditter	Jenks, N. H.	O'Toole	Wood
Douglas	Kelly	Patman	
Durham	Kleberg	Pierce, N. Y.	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. Darden and Mr. Sullivan (for) with Mr. Ditter (against).  
Mr. Nelson and Mr. Romjue (for) with Mr. Knutson (against).  
Mr. Gavagan and Mr. Boland (for) with Mr. Marshall (against).  
Mr. Sabath and Mr. Barry (for) with Mr. Gifford (against).

Until further notice:

Mr. Thomas S. McMillan with Mr. Martin of Massachusetts.  
Mr. Kleberg with Mr. Douglas.  
Mr. Rabaut with Mr. Bolton.  
Mr. Burch with Mr. Seger.

Mr. Mansfield with Mr. Reece of Tennessee.  
 Mr. Hennings with Mr. McLean.  
 Mr. Cummings with Mr. Case of South Dakota.  
 Mr. Smith of Illinois with Mr. Osmer.  
 Mr. Geyer of California with Mr. Jenks of New Hampshire.  
 Mr. Fitzpatrick with Mr. Pierce of New York.  
 Mr. Summers of Texas with Mr. Brown of Ohio.  
 Mr. Boren with Mr. Jeffries.  
 Mr. Evans with Mr. Barton.  
 Mr. Kelly with Mr. Gearhart.  
 Mr. Schwert with Mr. Hartley.  
 Mr. McArdle with Mr. Stearns of New Hampshire.  
 Mr. Patman with Mr. Rich.  
 Mr. McReynolds with Mr. Faddis.  
 Mr. Buckley of New York with Mr. Mitchell.  
 Mr. Myers with Mr. Fay.  
 Mr. Maciejewski with Mr. Folger.  
 Mr. Wood with Mr. Durham.  
 Mr. Flaherty with Mr. Taylor of Colorado.

#### TENNESSEE ELECTRIC POWER CO.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 5748, with Senate amendments, and agree to the Senate amendments.

Mr. EDMISTON. Reserving the right to object, Mr. Speaker, is this the T. V. A. bill?

Mr. DOUGHTON. Yes.

Mr. EDMISTON. Mr. Speaker, I object.

#### EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two different subjects and to include in one extension two letters regarding the work of the National Youth Administration, and in the other a very brief editorial from a California newspaper about the work of the W. P. A.

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

There was no objection.

#### AMENDMENT OF SOCIAL SECURITY ACT

Mr. CLARK, from the Committee on Rules, submitted the following resolution (Rept. No. 747), which was referred to the House Calendar and ordered printed.

#### House Resolution 214

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 6635, a bill to amend the Social Security Act, and for other purposes, and all points of order against said bill are hereby waived. That after general debate which shall be confined to the bill and continue not to exceed 8 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend, with or without instructions.

#### AMENDMENT OF RAILROAD UNEMPLOYMENT INSURANCE ACT

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5474) to amend the Railroad Unemployment Insurance Act, approved June 25, 1938, with committee amendments.

Mr. MAY. Mr. Speaker, will the gentleman yield to permit me to submit a unanimous-consent request?

The SPEAKER. The Chair is advised that this bill will not be contested.

Mr. MAPES. Mr. Speaker, so far as I know there is no objection on the part of the minority members of the Committee on Interstate and Foreign Commerce to this bill and I think it could be brought up by unanimous consent.

The SPEAKER. The Chair thinks that would be a more expeditious way to dispose of the bill.

Mr. SCHAFER of Wisconsin. Let us find out what the bill is before we decide which way to handle it.

The SPEAKER. The gentleman from Wisconsin will have ample opportunity to find out the nature of the bill.

The Clerk will read the bill as amended.

The Clerk read as follows:

*Be it enacted, etc.*, That the second paragraph of subsection (d) of section 1 of the Railroad Unemployment Insurance Act, approved June 25, 1938 (52 Stat. 1094), is hereby amended by inserting "(e)" at the beginning thereof, and by changing the period at the end thereof to a colon and adding the following: "Provided further, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof."

Sec. 2. Subsection (e) of section 1 of said act is hereby amended by striking out "(e)" at the beginning thereof and substituting "(f)" therefor.

Sec. 3. Subsection (f) of section 1 of said act is hereby stricken out.

Sec. 4. Subsection (h) of section 1 of said act is hereby amended to read as follows:

"(h) The term 'half-month' means such period of any 15 consecutive days as the Board may by regulation prescribe."

Sec. 5. Subsection (i) of section 1 of said act is hereby amended by striking out the comma following the word "money."

Sec. 6. Subsection (k) of section 1 of said act is hereby amended to read as follows:

"(k) Subject to the provisions of section 4 of this act, a day of unemployment, with respect to any employee, means a calendar day on which he is able to work and is available for work and with respect to which (i) no remuneration is payable to him, and (ii) he has, in accordance with such regulations as the Board may prescribe, registered at an employment office: *Provided, however*, That, with respect to any employee whose normal work shift includes a part of each of two consecutive calendar days, the term 'calendar day,' as heretofore used in this subsection, shall mean such equivalent period of 24 hours as the Board may by regulation prescribe."

Sec. 7. The first paragraph of subsection (a) of section 2 of said act is hereby amended to read as follows:

"Sec. 2. (a) A qualified employee shall be paid benefits for each day of unemployment in excess of 7 during any half-month which begins after June 30, 1939."

Sec. 8. Subsection (d) of section 2 of said act is hereby stricken out.

Sec. 9. Subsections (e), (f), and (g) of section 2 of said act are hereby amended by striking out the designations "(e)," "(f)," and "(g)" and substituting therefor "(d)," "(e)," and "(f)," respectively; and said subsection (g) is further amended by striking out from the last sentence thereof the words "subsections (a) and", and substituting therefor the word "subsection."

Sec. 10. Subsection (b) of section 3 of said act is hereby amended by striking out the words "15 consecutive days of unemployment, or 2 half-months", by inserting in place thereof the words "one half-month", and by striking out the words "each of."

Sec. 11. Section 4 of said act is hereby amended to read as follows:

"Sec. 4. (a) There shall not be considered as a day of unemployment, with respect to any employee—

"(i) any of the 30 days beginning with the day with respect to which the Board finds that he left work voluntarily without good cause;

"(ii) any of the 30 days beginning with the day with respect to which the Board finds that he failed, without good cause, to accept suitable work available on such day and offered to him;

"(iii) subject to the provisions of subsection (b) of this section, any day with respect to which the Board finds that his unemployment was due to a stoppage of work because of a strike in the establishment, premises, or enterprise at which he was last employed, and the Board finds that such strike was commenced in violation of the provisions of the Railway Labor Act or in violation of the established rules and practices of a bona fide labor organization of which he was a member;

"(iv) any of the 75 days beginning with the first day of any half-month with respect to which the Board finds that he knowingly made or aided in making or caused to be made any false or fraudulent statement or claim for the purpose of causing benefits to be paid;

"(v) any day in any period with respect to which the Board finds that he is receiving, has received, or has a right to receive compensation or other wages in lieu of notice, annuity payments or pensions under the Railroad Retirement Act of 1935 or the Railroad Retirement Act of 1937, or old-age benefits under title II of the Social Security Act, or payments for similar purposes under any other act of Congress; or he is receiving or has received unemployment benefits under an unemployment-compensation law of any State or of the United States other than this act;

"(vi) any day in any half-month with respect to which the Board finds that, pursuant to a contract of employment providing for the determination of his compensation, wholly or partially, on a mileage basis, he earned at least the equivalent of eight times the schedule daily rate of compensation for the service in which he was last employed during that half-month.

"(b) The disqualification provided in section 4 (a) (iii) of this act shall not apply if the Board finds that—

"(i) the employee is not participating in or financing or directly interested in the strike which causes the stoppage of work: *Provided*, That payment of regular union dues shall not be construed

to constitute financing a strike or direct interest in a strike within the meaning of this and the following paragraphs; and

"(ii) he does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed in the establishment, premises, or enterprise at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute: *Provided*, That if separate types of work are commonly conducted in separate departments of a single enterprise, each such department shall, for the purposes of this subsection, be deemed to be a separate establishment, enterprise, or other premises.

"(c) No work shall be deemed suitable for the purposes of section 4 (a) (ii) of this act, and benefits shall not be denied under this act to any otherwise qualified employee for refusing to accept work if—

"(i) the position offered is vacant due directly to a strike, lock-out, or other labor dispute;

"(ii) the remuneration, hours, or other conditions of work offered are substantially less favorable to the employee than those prevailing for similar work in the locality, or the rate of remuneration is less than the union wage rate, if any, for similar work in the locality;

"(iii) as a condition of being employed he would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;

"(iv) acceptance of the work would require him to engage in activities in violation of law or which, by reason of their being in violation of reasonable requirements of the constitution, bylaws, or similar regulations of a bona fide labor organization of which he is a member, would subject him to expulsion from such labor organization; or

"(v) acceptance of the work would subject him to loss of substantial seniority rights under any collective bargaining agreement between a railway labor organization, organized in accordance with the provisions of the Railway Labor Act, and any other employer.

"(d) In determining, within the limitations of section 4 (c) of this act, whether or not any work is suitable for an employee for the purposes of section 4 (a) (ii) of this act, the Board shall consider, in addition to such other factors as it deems relevant, (i) the current practices recognized by management and labor with respect to such work; (ii) the degree of risk involved to such employee's health, safety, and morals; (iii) his physical fitness and prior training; (iv) his experience and prior earnings; (v) his length of unemployment and prospects for securing work in his customary occupation; and (vi) the distance of the available work from his residence and from his most recent work.

"(e) For the purposes of section 4 (a) (i) of this act, no voluntary leaving of work shall be deemed to have been without good cause if the Board finds that such work would not have been suitable for the purposes of section 4 (a) (ii) of this act."

Sec. 12. Section 6 of said act is hereby amended to read as follows:

"Sec. 6. Employers shall file with the Board, in such manner and at such times as the Board by regulations may prescribe, returns under oath of monthly compensation of employees, and, if the Board shall so require, shall distribute to employees annual statements of compensation prepared by the Board: *Provided*, That no returns shall be required of employers which would duplicate information contained in similar returns required under any other act of Congress administered by the Board. Any such return shall be conclusive as to the amount of compensation earned by an employee during the period covered by the return, and the fact that no return was made of the compensation claimed to be earned by an employee during a particular period shall be taken as conclusive that no compensation was earned by such employee during that period, unless the error in the amount of compensation returned in the one case, or failure to make return of the compensation in the other case, is called to the attention of the Board within 18 months after the date on which the last return covering any portion of the calendar year which includes such period is required to have been made."

Sec. 13. Subsection (a) of section 10 of said act is hereby amended by striking out "2 (g)" and substituting "2 (f)" therefor.

Sec. 14. The second paragraph of subsection (b) of section 11 of said act is hereby amended by striking out the comma after the words "of administering this act" and by striking out the words "including personal services in the District of" and substituting therefor a period and the words "Such advance shall be repaid from the fund at."

Sec. 15. Subsection (c) of section 11 of said act is hereby amended by striking out the period after the words "administering this act" and by striking out the words "Such advance shall be repaid from the fund at" and substituting therefor a comma and the words "including personal services in the District of."

Sec. 16. Subsection (g) of section 12 of said act is hereby amended by inserting after the word "eligible" a comma and the words "with respect to unemployment after June 30, 1939," and by striking out the words "after June 30, 1939."

Sec. 17. Subsection (d) of section 13 of said act is hereby amended by striking out the word "unemployment-compensation" before the word "account" in the first paragraph of said section, and substituting therefor the words "unemployment insurance," and by striking out the word "compensation" before the word "account" in the second paragraph of said section and substituting therefor the word "insurance."

Sec. 18. Subsection (c) of section 303 of the Social Security Act as added by subsection (g) of section 13 of said Railroad Unem-

ployment Insurance Act is hereby amended by striking out the word "employment" and substituting therefor the word "unemployment."

Sec. 19. Section 15 of said act is hereby amended to read as follows:

"Sec. 15. The restrictions in the second sentence of section 3 (b) and in section 4 (a) (v) of this act, insofar as they involve the receipt of unemployment benefits under an unemployment compensation law of any State, shall not be applicable to any day of unemployment which occurs after June 15, 1939, but before July 1, 1939."

Sec. 20. Subsection (n) of section 1 of said act is hereby amended to read as follows:

"(n) The term 'benefit year,' with respect to any employee, means the 12-month period which begins with the first day of the first half-month containing days of unemployment for which benefits are payable to him, and thereafter the 12-month period which begins with the first day of the first half-month, after the termination of his last preceding benefit year, containing days of unemployment for which benefits are payable to him."

Sec. 21. Section 2 of said act is hereby further amended by adding thereto the following subsections:

"(g) Benefits accrued to an individual but not yet paid at death shall, upon certification by the Board, be paid, without necessity of filing further claims therefor, to the same individual or individuals to whom any death benefit that may be payable under the provisions of section 5 of the Railroad Retirement Act of 1937 or any accrued annuities under section 3 (f) of the Railroad Retirement Act of 1937 are paid; and in the event that no death benefit or accrued annuity is so paid, such benefits accrued under this act shall be paid as though this subsection had not been enacted."

Sec. 22. The provisions of the Railroad Unemployment Insurance Act, as herein amended, shall be in full force and effect notwithstanding the enactment of the Internal Revenue Code.

The SPEAKER. Is a second demanded?

Mr. MAPES. Mr. Speaker, I demand a second.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

The SPEAKER. The gentleman from Ohio [Mr. CROSSER] is recognized for 20 minutes.

Mr. CROSSER. Mr. Speaker, the bill, H. R. 5475, which was introduced by me and is now before the House for consideration, proposes a number of amendments to the railroad unemployment insurance law passed in 1938. The amendments were suggested by the Railroad Retirement Board, which is the agency required by law to administer the railroad unemployment insurance law. Practically all of the proposed amendments are for the purpose of making formal corrections in the text of the unemployment insurance law. Those which are not, strictly speaking, corrections in form are proposed amendments looking to a more efficient administration of the act.

The chairman of the Railroad Retirement Board, Mr. Lattimer, appeared before the Interstate Commerce Committee of the House and explained in detail all of the proposed amendments. The bill was approved by the committee without a dissenting vote, and there was practically no objection to any of the proposed amendments, except the one which proposed to remove the Territories of Hawaii and Alaska from the provisions of the railroad unemployment insurance law. The committee struck out that provision of the bill, so that Hawaii and Alaska continue exactly as was provided under the terms of the railroad unemployment insurance law passed in 1938.

I wish to say to the Members of the House that, in my opinion, all of the amendments proposed are highly desirable and will make for a more satisfactory administration of the law. I trust that the bill now before the House, H. R. 5475, may be passed by the unanimous vote of the House.

I now ask for a vote on the bill.

The SPEAKER. Does the gentleman from Michigan desire any time?

Mr. MAPES. Mr. Speaker, all I desire to say is that this bill comes from the Committee on Interstate and Foreign Commerce with unanimous report. The amendments have been recommended by the Railroad Employment Board. The gentleman from Ohio has explained them. As far as I know, there are no requests for time on this side.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

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

Mr. SCHAFFER of Wisconsin. Have the legislative representatives of the recognized railroad labor organizations indicated their approval of this bill before your committee?

Mr. MAPES. My understanding is they have, although I have no recollection of their appearance before the committee. My recollection is, however, that the chairman of the board said that they approved these amendments. I ask the gentleman from Ohio, Am I correct in that statement?

Mr. CROSSER. That is right.

Mr. FISH. Will the gentleman yield?

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

Mr. FISH. I would like to find out definitely what the Big Four Brotherhoods have recommended.

Mr. CROSSER. They are for this bill.

Mr. FISH. Did they appear before the committee?

Mr. CROSSER. No. Mr. Latimer said he had talked with them, and they were all satisfied.

Mr. FISH. I think they are one of the most conservative, intelligent, loyal, and dependable labor groups in America.

Mr. CROSSER. The fact of the matter is they approved it—the short-line railroads and the others all approved it.

Mr. FISH. The gentleman knows of no opposition from the Big Four Brotherhoods and the other railroad employee organizations?

Mr. CROSSER. I do not know of any opposition from anywhere to this bill.

Mr. FISH. I think it should be unanimously passed, then, as it has the approval of the railroad employees, who deserve and are entitled to these benefits, and of the railroad companies.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. MAPES. I will yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Did any opposition to this bill come from any source?

Mr. MAPES. I can only repeat the answer of the gentleman from Ohio. I know of no opposition from any source whatever.

Mr. ROBSION of Kentucky. Either railroad brotherhoods or from the railroads themselves?

Mr. MAPES. That is right. These amendments, as I understand it, have been approved by both parties.

Mr. ROBSION of Kentucky. It simply helps to effectuate the purposes of Congress in reference to this matter?

Mr. MAPES. Yes.

The SPEAKER. The question is on suspending the rules and passing the bill.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

#### EXTENSION OF REMARKS

Mr. KELLER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on Senate Joint Resolution 118.

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

There was no objection.

#### COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs may be permitted to sit during the session of the House tomorrow.

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

There was no objection.

#### AMENDMENT TO UNITED STATES MINING LAWS

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5132) to amend the United States mining laws applicable to the area known as the watershed of the headwaters of the Bonita River in the Lincoln National Forest within the State of New Mexico.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico [Mr. DEMPSEY]?

Mr. SCHAFFER of Wisconsin. Mr. Speaker, reserving the right to object, so that we may get a little information about this bill.

Mr. DEMPSEY. Mr. Speaker, this is a small area in Lincoln County, N. Mex., where they have a large reservoir which supplies water to seven towns. This provides that if you take out a mining permit you must do mining and not raise goats or sheep, which would pollute the waters that come into these towns. That is all this is.

Mr. SCHAFFER of Wisconsin. This bill carries a unanimous report from the committee?

Mr. DEMPSEY. Yes.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico [Mr. DEMPSEY]?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That hereafter mining locations made under the United States mining laws upon lands within the watershed of the headwaters of the Bonito River in the Lincoln National Forest within the State of New Mexico, specifically described as those certain pieces or parcels of land situate, lying, and being in the county of Lincoln, State of New Mexico, described as follows:

The east half east half section 12, east half east half section 13, and east half northeast quarter of section 24, township 10 south, range 10 east, New Mexico principal meridian; southeast quarter section 25, southwest quarter section 26, south half section 27, southeast quarter and the south half southwest quarter section 28, southeast quarter section 31, and all of sections 32, 33, 34, 35, and 36, township 9 south, range 11 east, New Mexico principal meridian; all of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 27, 28, and 29; north half section 19, north half and the southwest quarter section 24, northwest quarter section 26, north half northeast quarter section 32, north half north half section 33, township 10 south, range 11 east, New Mexico principal meridian; southwest quarter section 25, south half of fractional section 26, all of fractional section 35, and all of section 36, township 9 south, range 12 east, New Mexico principal meridian; all of section 1, all of fractional section 2, all of fractional section 11, all of section 12, all of section 13, all of fractional section 14, north half of fractional section 23, and the north half section 24, township 10 south, range 12 east, New Mexico principal meridian; having an area of approximately 39,376 square miles, shall confer on the locator the right to occupy and use only so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however*, That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

Sec. 2. That hereafter all patents issued under the United States mining laws affecting lands within the watershed of headwaters of the Bonito River in the Lincoln National Forest in the State of New Mexico shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in extracting and removing the mineral deposits, if the timber is cut under sound principles of forest management as defined by the national-forest rules and regulations, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Department of Agriculture.

Sec. 3. That valid mining claims within the watershed of the headwaters of the Bonito River in the Lincoln National Forest, within the State of New Mexico, as above described, existing on the date of the enactment of this act, and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of New Mexico, may be perfected under this act, or under the laws under which they were initiated, as the claimant may desire.

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. DEMPSEY. Mr. Speaker, I ask unanimous consent that the proceedings whereby the bill H. R. 5132 was passed be vacated, and that the bill S. 1879 be substituted for the House bill.

The SPEAKER. Without objection, the proceedings whereby the House bill was passed will be vacated.

There was no objection.

The SPEAKER. The Clerk will report the title of the Senate bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico [Mr. DEMPSEY] for consideration of the Senate bill?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That hereafter mining locations made under the United States mining laws upon lands within the watershed of the headwaters of the Bonito River in the Lincoln National Forest within the State of New Mexico, specifically described as those certain pieces or parcels of land situate, lying, and being in the county of Lincoln, State of New Mexico, described as follows:

The east half east half section 12, east half east half section 13, east half northeast quarter section 24, township 10 south, range 10 east, New Mexico principal meridian; southeast quarter section 25, southwest quarter section 26, south half section 27, southeast quarter and south half southwest quarter section 28, southeast quarter section 31, and all of sections 32, 33, 34, 35, and 36, township 9 south, range 11 east, New Mexico principal meridian; all of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 27, 28, and 29, north half section 19, north half and southwest quarter section 24, northwest quarter section 26, north half northeast quarter section 32, and north half north half section 33, township 10 south, range 11 east, New Mexico principal meridian; southwest quarter section 25, south half of fractional section 26, all of fractional section 35, and all of section 36, township 9 south, range 12 east, New Mexico principal meridian; all of section 1, all of fractional section 2, all of fractional section 11, all of section 12, all of section 13, all of fractional section 14, north half of fractional section 23, and north half section 24, township 10 south, range 12 east, New Mexico principal meridian; having an area of approximately thirty-nine and three hundred and seventy-six one-thousandths square miles, shall confer on the locator the right to occupy and use only so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however,* That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

Sec. 2. That hereafter all patents issued under the United States mining laws affecting lands within the watershed of headwaters of the Bonito River in the Lincoln Forest, in the State of New Mexico, shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in extracting and removing the mineral deposits, if the timber is removed in accordance with the rules for timber cutting on adjoining national-forest land, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Department of Agriculture.

Sec. 3. That valid mining claims within the watershed of the headwaters of the Bonito River in the Lincoln National Forest, within the State of New Mexico, as above described, existing on the date of the enactment of this act and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of New Mexico, may be perfected under this act or under the laws under which they were initiated, as the claimant may desire.

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.

#### EXTENSION OF REMARKS

Mr. DARDEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by my colleague from Virginia [Mr. ROBERTSON].

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

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to

include therein certain quotations from the Rules of the House and a couple of resolutions. I also ask that I may be permitted to place this extension in the RECORD immediately after the remarks of the gentleman from Indiana [Mr. LUDLOW].

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

There was no objection.

#### SOCIAL SECURITY ACT AMENDMENTS OF 1939

Mr. JARMAN. Mr. Speaker, from the Committee on Printing I report an original privileged resolution (H. Rept. No. 748) and ask for its immediate consideration.

The Clerk read the resolution as follows:

#### House Resolution 213

*Resolved,* That 5,000 additional copies of House Report No. 728, current session, entitled "Social Security Act Amendments of 1939" be printed for the use of the House document room.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### THE TOWNSEND BILL

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

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

There was no objection.

Mr. HARRINGTON. Mr. Speaker, last week when the so-called Townsend bill was brought up for a vote in the House I was unavoidably detained on a trip to Iowa on official business. In fairness to the people of my district I think that my position on this controversial question should be made known.

Let me say that although I was opposed by the Townsend national organization in the last election, I have sponsored and supported old-age pension legislation ever since I first became a member of the Iowa State Senate. It follows, therefore, that my sympathies have always been with the old people enlisted in the Townsend movement. Accordingly, I have consistently favored giving this plan a fair hearing and have several times signed petitions and written letters to get the bill out of committee and onto the floor of the House for discussion and debate so that its merits or demerits could be properly assayed and ascertained.

As originally conceived and commonly accepted, up until a few days ago, the Townsend plan was essentially a transactions-tax idea, the success of which depended upon the accelerated velocity of money. At the last minute, however, drastic changes were made by the author and sponsor, so that the bill that came before the House was not the original Townsend bill but an entirely different bill, which, apparently, shifted the burden of financing the plan to the shoulders of the poor people of the country. As I see it, the final version of the bill was a "share the wealth" plan, with most of the sharing to be done by the folks who had little or nothing to share.

Careful analysis shows that the new Townsend bill, in addition to a confusing supersales tax, called for a gross-income tax to be imposed upon every person in the United States receiving more than \$50 in any one month. The rate is the same on the income of the W. P. A. worker as on the income of the millionaire—2 percent. I do not believe that the poor people of the Ninth District of Iowa could afford to pay such a tax.

I find, too, that the revised Townsend plan would be extremely burdensome to agriculture. In the case of corn, a tax would be levied on the total wages of farm hands employed in producing the corn; the farmer would pay a tax on the total sales value of the corn or hogs sold to the commission firm; the middleman would pay a tax on the total sales value of the hogs when sold to the packing house; the packing house, in turn, would pay a tax on the total sales value of the processed product, and likewise the wholesaler, then the local jobber, and then the retailer. Each time the product passed through a merchandising or distribution process, another tax

would be compounded, until by the time the product reached the consumer the tax would probably exceed the original price received by the farmer. All these cumulative taxes eventually would have to be passed on to the consumer or back to the farmer in lower prices for the corn he produced.

It appears, too, that under this bill great monopolies would be encouraged and built up and that the "little-business man" would be driven out of business because he is not efficient enough and financially able to compete with the trusts. The little-business men of my State are already on the verge of bankruptcy and ruin as a result of the unfair competition of the Wall Street chains and monopolies.

I could go on and enumerate various other classes of citizens that would be penalized or put out of business by this plan, such as real-estate men, State bankers, and stock brokers, but the bill as finally drawn is so full of loopholes and such a monstrosity that time does not permit, nor do I think such a detailed explanation is necessary to the thinking people of my district.

As I see it, purchasing power is not increased by the new bill; it is merely passed around. The W. P. A. worker, the laborer, and the farmer is required to divide up his meager earnings so that everyone over 60 may retire and live in luxury, regardless of the need of that person over 60.

Figures on the cost of operating this plan, as presented at the Ways and Means Committee hearing, show that the cost to the people of Iowa would have been between four hundred and five hundred million dollars a year. Where is this money coming from? As the citizens of Iowa already have great difficulty in meeting the Federal Government's annual assessment of \$25,000,000 a year, it is quite evident that the half billion dollar a year burden would have been unbearable.

As my friend, the gentleman from Texas [Mr. PATMAN] has stated, this is not a tax to be paid by the rich or by those who have a net income over and above their expenses. It is to be paid by the poorest people on the barest necessities of life, as well as by the rich on the luxuries and at the same rate, the same tax on bread as on diamonds. In short, this plan means that every man, woman, and child in the United States would have to pay annually an average of a \$200 tax on his food, clothing, and other necessities and comforts of life in order to support the program.

Mr. Speaker, these are some of the reasons why I could not and would not have voted for this latest version of the Townsend bill had I been present for the roll call on last Thursday.

#### EXTENSION OF REMARKS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by W. C. McClure, of Arkansas, before the Senate Interstate Commerce Committee.

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

There was no objection.

#### FAIR LABOR STANDARDS ACT

Mr. DARROW. Mr. Speaker, I ask unanimous consent to extend at this point in the RECORD the remarks I intended to make this afternoon if the bill H. R. 5435 had been brought up under suspension.

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

There was no objection.

Mr. DARROW. Mr. Speaker, I regret that it has been seen fit by administration forces in Congress to bring the Norton bill to amend the Fair Labor Standards Act before the House for consideration and action under suspension of the rules, and thereby denying to us the privilege of offering amendments to the bill which are vital and necessary and which, I am convinced, are so meritorious that the relief desired would readily be approved.

On May 11, last, I submitted to the House arguments as to the necessity of according relief to wholesaling and distributing establishments, so that they might be permitted to operate under the 44-hour workweek instead of being compelled to reduce their hours to 42 for the coming year and to

40 hours thereafter. For this purpose I introduced the bill H. R. 4631 on March 1, 1939, the text of which is as follows:

*Be it enacted, etc.,* That section 7 of the Fair Labor Standards Act of 1938 is amended by inserting at the end thereof the following new subsection:

"(e) No employer shall be deemed to have violated subsection (a) by employing any employee for a workweek in excess of that specified in such subsection without paying the compensation for overtime employment prescribed therein if such employee is so employed in an establishment the principal portion of the business of which is wholesaling or distributing, and if such employee receives compensation for employment in excess of 44 hours in any workweek at a rate not less than one and one-half times the regular rate at which he is employed."

Prior to my service in Congress I was for many years engaged in business as a wholesaler and retailer, and believe I have an intimate knowledge of the service which is expected to be rendered by the wholesaling and distributing establishments. In recent years the demands for "service" have steadily increased, due to the economic condition of the retailer and the natural competition for trade.

Since I first brought this matter to the attention of Congress I have been hearing from every section of the country—North, South, East, and West, expressing approval of these efforts for relief, and urging favorable action if such businesses were to be permitted to survive, and render service which cannot be avoided. While every wholesaler and retailer is vitally affected, some of the most appealing representations have been made to me by small wholesalers, many of whom have been in operation for many years, during which period they have consistently taken care of their organization, and today find themselves confronted with a situation they do not know how to handle. Their expenses of business are continually increasing, and their limited profits are fast disappearing.

The main purpose of the Fair Labor Standards Act is to insure greater opportunities for employment, and to raise the standard of employment conditions. So far as the wholesaling and distributing businesses are concerned employment opportunities cannot be increased. To handle such business it is necessary to have a force of trained men—employees who know this business, who are familiar with the requirements of their customers, and the facilities of the concern by whom they are employed. In many such establishments employees are actually engaged in work for a limited number of hours for which they are paid, but must be held available in order to meet a service which is to be expected.

Working conditions among this class of employees have always been good. Generally these employees all receive above the minimum wage, and are paid for sick leave and vacation. One of my correspondents cites the facts they give their employees 2 weeks vacation with pay; seven holidays a year with pay, and one week sick leave with pay, which totals 4 weeks in a year with pay. I find such a condition exists in the entire industry, and that the employees are fully satisfied and pleased with these conditions.

After such liberal consideration has been accorded the employee, what may be expected to happen when workweek hours are reduced to 42 or 40? Surely, it is not to be expected that with the increased cost of doing business that the number of employees will be increased, but it is likely that the concessions to employees in the way of vacations and sick leave will either be eliminated or at least reduced.

In my former presentation of this matter in the House on May 11 I covered the requirements of the wholesaler and distributor more fully. At this time, therefore, I shall only summarize some points which, in my opinion, should be decisive.

First. Wholesalers and distributors are distinctly service institutions.

Second. They must always be ready to meet the requirements of the retailer, which in many cases are for emergencies—particularly in food and drugs.

Third. Their employees should not be subject to the same restrictions as those engaged in manufacturing, and so forth, due to the different character of such business.

Fourth. Practically all retailers (on whom they depend for business) are not subject to the provisions of this act, as they are engaged in intrastate business, and most of them remain open over 50 hours a week.

Fifth. Saturday cannot be eliminated as a workday.

Sixth. Thousands of items carried requires employees with thorough knowledge of use, location, and so forth, of merchandise. Part-time employees impracticable.

Seventh. Overtime payments would make profitable operation a real problem, if not an impossibility.

Eighth. Their labor conditions are on a high plane. Scale of pay has been high. Their employees are satisfied.

Ninth. There has been little fluctuation of employment. Practically all positions are permanent.

Tenth. No labor-saving machinery is involved.

With the conditions under which this bill is being considered here today, it is impossible to offer the provisions of my bill, H. R. 4631, as an amendment. However, before this Norton bill can be finally enacted it must be acted upon by the Senate, and I hope that that body may be convinced with the urgency and need of this relief, and incorporate such a provision in the bill.

#### EXTENSION OF REMARKS

Mr. MAPES. Mr. Speaker, I ask unanimous consent to revise the remarks I made in reply particularly to the question asked by the gentleman from Kentucky relative to the railroad unemployment-insurance bill which has just been passed. The railroad retirement legislation was based on an agreement between the railroad executives and the brotherhoods, and not the insurance legislation. However, the fact that both organizations agree to the bill just passed is correct.

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

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter addressed to me by Mr. Fahey, of the Home Owners' Loan Corporation.

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

There was no objection.

#### EMBARGO ON SALE OF MUNITIONS AND MATERIALS OF WAR TO JAPAN

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include therein brief excerpts from letters received from citizens.

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

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, there is tremendous sentiment in this country in behalf of the imposition of an embargo upon the sale of munitions and materials of war to Japan. To that end I introduced a bill in this Congress, H. R. 5432, designed to accomplish the objectives sought by so many citizens of America. The favorable response to this bill has been widespread and most encouraging. Some 200,000 citizens of the Pacific coast alone have signed petitions urging the enactment of such legislation. Whatever justification may be offered in extenuation or defense of aggression by dictator powers in Europe because of the Treaty of Versailles and geographical readjustments, certainly no logical argument can be advanced as a support for the activity of Nippon in subjugating China. The history of the island empire since the Sino-Japanese war of 1894-95 has been one of continuous and wanton aggression. I appreciate that the Japanese people are crowded in congested areas; that only about one-fortieth of the land is tillable; that increases in population are rapid, but no conditions at home can persuade the occidental mind to endorse the bombing of defenseless cities, the assault and rapine, the brutality and excruciating cruelty which have characterized the most recent Japanese aggressions in China. The fall of Nanking filled the world with horror, but the cold-blooded and ruthless war of invasion whereby noble people have had their lands

invaded by force has shocked the world. Let us not be a party to this aggression. Let us refuse longer to participate in it. Let us deny to the Japanese arms, equipment, and financial help and thus discourage her aggressions. Without our high-grade oil, automobile equipment, and scrap metal, alone, Japan would be unable to pursue her war beyond a couple of months.

Because I believe that expressions from citizens of all walks of life would be of great interest to the American people, I am including select excerpts from thousands of letters received by me from men and women of all political viewpoints and of every walk of life in the CONGRESSIONAL RECORD. I append hereto a few examples of such quotations:

CHARLOTTESVILLE, VA.  
It is with great pleasure that I note your resolution for an embargo on war supplies from the United States to Japan.

That, it seems to me, strikes right at the root of the evil. If we can cut out the war profit, many who now are desirous of war would at once lose their interest; and keeping the United States out of war would be an easier proposition.

Mrs. C. A. GRAVES,  
Office of the Librarian.

St. PETERSBURG, FLA.  
After being in Washington and attending the Senate Foreign Relations Committee hearings I am convinced that we, as a Nation, are committing a legal and moral wrong in supplying war materials for use in the destruction of China.

I therefore urge that Congress devise, at the earliest possible moment, means to extricate our country from this moral default in which we now stand.

B. LOUISE WOODFORD,  
State Director, Florida Chain of Missionary Assemblies.

LANGLEY FIELD, VA.  
I wish to express my strong approval of the objective of your resolution for an embargo on war supplies from the United States to Japan. Our stocks of some of these supplies are low and are needed for our future interest and protection.

Mrs. C. W. CARLMARK.

CONYERS, GA.  
I speak not only for myself but for an interested group in this city. They commend you for your resolution relating to an embargo on war supplies from us to Japan. May it be passed is our desire, for we feel that only with definite action along this line can a peace be brought about.

SALLY T. GLEATON.

OMAHA, NEBR.  
We appreciate your resolution re embargo on war supplies from the United States to Japan, and write to give you every encouragement in this regard.

CHAS. A. MUSSELMAN,  
State Secretary, Young Men's Christian Association.

MONTROSE, COLO.  
The writer has this day written to Hon. SOL BLOOM, acting chairman of the Foreign Affairs Committee of the House, strongly supporting the objectives of your resolution whereby an end will be put to the shipment of munitions, raw materials, and other supplies and credits from the United States to Japan.

The writer feels that great injustice and inhumanity are being forced on the great nation of China, and that the United States should not be a party to such acts.

R. P. ROBERTS,  
President, the Western Furniture Co.

DURHAM, N. C.  
May I assure you of the interest and support which your resolution has here, and may I urge you to do everything in your power to make it become a law.

HENRY I. KOHN.

DURHAM, N. C.  
I am impressed by the humanitarian principles underlying the resolution proposed by you for an embargo on war supplies from the United States to Japan and by the far-reaching effects implicit in a resolution of this sort.

It is therefore my wish to declare myself as heartily in favor of your efforts in this direction and to urge your continued support of these objectives.

J. B. RHINE.

MINNEAPOLIS, MINN.  
We should like to assure you of our veary hearty support of your resolution for an embargo on war materials to Japan. This, it seems to us, is the only way to show that we refuse to continue to play an indispensable part in the destruction of friendly China.

Mr. and Mrs. F. G. WALLACE.

I am heartily in accord with your resolution to place an embargo on all war supplies shipped from the United States to Japan.

I sincerely hope you will continue fighting until this resolution is adopted.

D. W. BROWN.

CHICAGO, ILL.

I wish to express my strong support of the proposed resolution for an embargo on war supplies from the United States to Japan.

M. J. REGIER.

SAN DIEGO, CALIF.

Am strongly in favor of an embargo on all war supplies from United States to Japan.

J. F. CULBERTSON.

ST. PETERSBURG, FLA.

We heartily approve of the objectives of the proposed resolution for an embargo on war supplies from the United States to Japan and wish to thank you for your help in bringing about a sounder foreign policy.

RUTH E. LAUFFER.

SAN FRANCISCO.

I trust that Congress will take all reasonable measures to prevent this country from rendering any help to Japan and that encouragement will be given the Chinese people in their struggle for their existence.

ROY H. PARKINSON, M. D.

LOS ANGELES, CALIF.

Many of the students who were in my classes a few years ago are among the leaders of China today. They looked then and still look to this country for friendship. If we were acting the part of a real friend and not permitting the sale of war material to Japan, I think we could look, before long, to a rehabilitated China ready to stand with America for all that is best in culture and progress.

On the other hand, to aid Japan, as we have been doing, means tragedy for us all. Surely we do not want to have any part in the wanton murder of defenseless people.

MISS MYRTH BARTELL.

CHICAGO, ILL.

I am heartily in favor of this measure, and I want to assure you that it would have the support of the vast majority of the citizens of the Middle West. May I urge you to throw your whole weight into the effort to get action in this direction now. I am convinced that it is not only the decent thing to do for the sake of China, but that it is a true peace measure.

HOWARD SCHOMER.

CINCINNATI, OHIO.

I am deeply interested in the resolution proposed by you for an embargo on war supplies from the United States to Japan.

We should, long ago, have ceased supplying an aggressor nation with the means of carrying on an unjust and cruel war.

We should at once cease the shipment of any and all war supplies to Japan.

MARIE GRENTZENBERY.

BURWOOD, LONG ISLAND.

Your splendid resolution for an embargo on war supplies to Japan seems to me most constructive, and I endorse it.

MRS. WALTER JENNING.

PEORIA, ILL.

All those who love humanity will sincerely hope that you will not cease in your efforts until you have carried through this project to a successful conclusion.

HARRY B. PASTOR.

CAMBRIDGE, MASS.

The resolution you have proposed for an embargo on shipment of materials useful in war to Japan receives my wholehearted support.

No one, not even the most convinced isolationist, can believe that the sweep of Fascist methods across the world does not gravely endanger the liberty and institutions we of America hold most dear.

MRS. MARION EXTER.

BROOKLYN, N. Y.

It is disgraceful to think that we have been sending to Japan most of the supplies their murderous army has been using. You cannot go too far. These aggressive nations are not as tough as they would like the rest of us to believe they are. They assault and murder only defenseless nations and defenseless people. When some power possessing strength calls upon them to account they always lie down and quit like the yellow dogs they are. It will not be necessary for us to fight. Neither will Japan attempt to fight us—not as long as we are prepared.

BENJAMIN T. HOCK,  
Attorney at Law.

This letter is to request support for the resolution proposed by Congressman COFFEE for an embargo on war supplies from the United States to Japan.

E. HOWARD PORTER,  
Iowa State College of Agriculture and Mechanic Arts.

SAN PEDRO, CALIF.

I wish to express my wholehearted approval of your present resolution to stop the flow of war supplies to Japan and my urgent request that the Committee on Foreign Affairs give this resolution their hearty and favorable support.

We do have a very great responsibility in this Japanese war on helpless China. We have furnished them with more than half of their supplies and continue to buy Japan's goods that she might purchase our bombing planes, gasoline, oil, etc., without which she could not have carried on this cruel and senseless war, which is ruining both nations.

LENA CATHERINE SHEPARD,  
An Educator.

NEW YORK, N. Y.

I hope that you and those associated with you in your committee will report favorably on this Coffee resolution and facilitate action upon it.

WARD G. FOSTER,  
President, The Foster & Reynolds Co.

JAMESTOWN, N. Y.

Earnestly urge your support of your legislation which will stop shipment of war materials from United States to Japan. Am convinced that present unholy partnership with ruthless aggressor should be ended immediately.

E. S. HALL.

CAMBRIDGE, MASS.

May I offer my strong support of the resolution proposed by you for an embargo on war supplies from the United States to Japan?

I have yet to meet a single citizen who is not heartily in favor of such a policy.

C. FAYETTE TAYLOR,  
Massachusetts Institute of Technology.

NEW HAVEN, CONN.

I am heartily in accord with your resolution for an embargo on war supplies from the United States to Japan, and I trust that it will have the approval of Congress.

We surely ought to stop supplying Japan with the means of wholesale murder in China and we ought to withhold anything which will build up Japan's war power, making it necessary for us to expend more on defense preparations.

FREDERICK C. WILLIAMS.

CHICAGO, ILL.

Your proposed resolution for an embargo on war supplies from this country to Japan seems to me to be in the best tradition of the American people.

More power to you!

LOUISE STRONG HAMMOND.

EAST PEORIA, ILL.

We strongly support the aims of your resolution and urge the committee to act favorably on it.

It has been a source of sorrow and chagrin to us to know that instead of being neutral in this undeclared war of the aggressor nation, Japan, on China, the United States has been actually making possible that war by our shipments of supplies to Japan.

How much longer will we stand by and see aggressor nations, strengthened by our resources, ravish victim nations with whom our public opinion sympathizes? It is in our power to curb aggressors and save ultimately ourselves from chaos and ruin, if we wake up and act as the democracy we profess to be.

Mr. and Mrs. JOSEF KONECNY.

ROSEVILLE, ILL.

I heartily approve of the resolution proposed for an embargo on war supplies from the United States to Japan.

LORA S. BUGBEY.

COLUMBUS, OHIO.

Furthermore, by helping Japan in this fashion, we gave her the strength to do the things against which we protested and concerning which the administration wrote letters. That, I think, makes us ludicrous.

Still more, by helping Japan we have played into the hands of Hitler and Mussolini and actually helped to foster the war which the administration claims it wants to prevent.

REV. FENTON O. FISH.

DURHAM, N. C.

I wish to register herewith my approval of the objectives of your resolution for an embargo on war supplies from the United States to Japan.

It is my sincere conviction that to permit greedy individuals to continue the shipment of such supplies is to aid and abet Japan's acts of lawless aggression in China.

J. WESLEY INGE.

URBANA, ILL.  
 May I thus add my voice to the chorus of approval and encouragement that must be greeting your efforts to get an embargo imposed on war supplies from the United States to Japan?

We cannot, of course, nor should we wish to, set ourselves up as moral guardians of the rest of the world. But surely it is our duty to our own moral ideals to keep ourselves clear of participating in aggression and the world by supplying the aggressors with war materials, goods, or credits.

CLARISSA RINAHER.

NEW YORK, N. Y.  
 May I congratulate you on your resolution for an embargo on war supplies to Japan? I have been talking with all sorts and conditions of men in this neighborhood and in New York City, and I have not found out one who is not heartily in favor of this step. Believe me, the American people are tired of being Japan's silent partner, and are determined to put a stop to it.

M. T. THINCHESTER.

VINELAND, N. J.  
 I think that your resolution regarding the embargo on war supplies to Japan is a very good move. It will surely curtail the Japanese aggression in China, and remove a source of trouble. I wish to say that I want to support the idea in every way I can.

GWENDOLYN B. WINSER.

PHILADELPHIA, PA.  
 I am strongly in favor of your resolution for an embargo on war supplies from the United States to Japan. Such legislation is long overdue. We are guilty in aiding Japan in her attempt to dominate the Pacific Ocean and the Far East. We must act on the President's peace policy, of quarantining the aggressor nations, and your resolution will be an important step in the direction. I hope your resolution will be enacted.

WALTER LOWENFELS.

MILWAUKEE, WIS.  
 I am in hearty accord with your resolution proposing an embargo on war supplies from our country to Japan and trust that you will be most vigorous in promoting it. The utter senselessness of our procedure thus far is all but exasperating to the citizen who has any regard for the rights of other democratic peoples and who is at all concerned about the future international and trade relations of our own country. If exterminating the Chinese would do us any good, I could see some little excuse for it, though even under such circumstances I could not approve; but the fact is that such extermination is detrimental to us ourselves. Surely we should not be aiding our own enemies, as so far we have been doing.

ELLA M. HANAWALT.

BYRN MAWR, PA.  
 I strongly support the aims of the resolution proposed by you for an embargo on war supplies from the United States to Japan.

MARIN PARK, *President's Office*.

IOWA CITY, IOWA.  
 It is with pleasure that I learn of your resolution which proposes to force our merchants to limit their provisions for Japanese needs in their conquest of China. Having spent much time in both China and Japan, I realize the motive actuating the Japanese, and I see what will be the probable effect of our embargo on the Japanese. They will go through a period of bluffing and threatening, but later quiet down and respect us for our good sense.

ANDREW H. WOODS, M. D.,  
*Director, the Psychopathic Hospital.*

WINTER PARK, FLA.  
 I heartily support you in your proposed resolution for an embargo on war supplies from the United States to Japan.

MARGARET S. ROGERS.

DENVER.  
 Your resolution, having to do with an embargo on war supplies to Japan, now being considered by the Foreign Affairs Committee of the House, is, in my opinion, most valuable, and everything should be done to expedite its enactment into law. It strikes me as rather ridiculous to quibble about the passage of a neutrality act when we are already acting as an active ally of Japan through supplying war material.

FREDERIC A. ADAMS.

CINCINNATI, OHIO.  
 I most strongly urge you to use your influence in support of the Coffee resolution for embargo on war supplies to Japan.

M. S. TINNE.

LEWISBURG, W. VA.  
 I am one of the many who hope your resolution to embargo war supplies to Japan will be passed by Congress. We need the friendship of those awakened 400,000,000 Chinese and they need ours. Japan's shipping is her bloodstream. That is at our mercy in all the Atlantic and our side of the Pacific. Why should we act as if we were afraid of Japan?

H. B. GRAYBILL.

LONG BRANCH, N. J.  
 I strongly support the objectives of your resolution for an embargo on war supplies from the United States to Japan. As sponsor of an international-relations club in a New Jersey college and leader of a community discussion of university women, I find a large number of people desirous of legislation such as proposed in your resolution.

ELIZABETH NORRIS.

FLUSHING, LONG ISLAND.  
 Your resolution to put an embargo on war supplies to Japan by our country meets with my family's wholehearted approval. The objectives your resolution attempts to reach will do much to bring about an early conclusion to the war in the East—a conclusion which can be of remarkable significance to the victim, China.

J. A. GREULICH.

MARNE, MICH.  
 I want to tell you how greatly I appreciate your proposed resolution for an embargo on war supplies to Japan. That is one of the things nearest to the hearts of most of us with a particle of human sympathy and a sense of justice. Your name will always stand out in my mind whenever I hear it as the kind of a Congressman who really stands for something worth while.

MABEL HACKETT.

TENAFLY, N. J.  
 I am writing you to say that I strongly support the objectives of the resolution proposed by you for an embargo on war supplies from the United States to Japan. I speak with personal knowledge of China and the events that have taken place there in the last few months.

MIRIAM PARLIN.

OKLAHOMA CITY, OKLA.  
 I hear that you have framed a resolution which is now being considered by the Foreign Affairs Committee of the House which would have the effect of establishing an embargo on war supplies which go from the United States to Japan.

It seems to me that such an act is long overdue. Majority sentiment in our country is with China, chiefly because Japan is obviously the aggressor in this undeclared war. Why should we continue to sell supplies to Japan, thus heaping injustice upon injustice to China?

WILLIAM WARD DAVIS,  
*Associate Minister, First Presbyterian Church.*

CINCINNATI, OHIO.  
 Our family earnestly hope for the passage of your resolution for an embargo on war supplies from the United States to Japan. We long to have this disgrace removed.

SARAH BUTLER.

CLEVELAND, OHIO.  
 This is to signify my protest to shipping war materials to Japan. As Christians it is our duty to save humanity at any cost, not to make money at human cost.

MRS. BERT TOTH.

WHEATON, ILL.  
 The voters of our house urge you to strongly support the objectives of the resolution which you have proposed for an embargo on war supplies from the United States to Japan.

GERTRUDE KELLOGG.

ROCHESTER, WIS.  
 I urge speedy action on resolution proposed by Congressman COFFEE for embargo on war supplies to Japan.

W. W. WILLARD.

MINNEAPOLIS, MINN.  
 I have just learned that you have introduced a resolution for the cutting off of war supplies, munitions, and raw materials for same to Japan for use in China. Congratulations! I am one of the large number of citizens who for many months have been drumming at the doors of Congress for the passage of such a measure. I trust it will be recommended out of committee at once and passed by both Houses.

PAUL G. HAYES.

JEFFERSON, TEX.  
 We wish to express our hearty approval of the objectives of your resolution for an embargo on war supplies from the United States to Japan.

MRS. L. A. HAYWOOD.

BIRMINGHAM, ALA.  
 I read with gratification regarding the resolution you have presented in behalf of an embargo on war supplies to Japan. I trust this resolution will pass. Hundreds of Americans will rejoice to be through with supplying these materials by which Japan kills innocent people in China. In the cause of right and justice I hope you will be successful in getting this bill passed.

JULITTE MATHE.

PHILADELPHIA, PA.

I am writing to express the hope that favorable consideration will be given to the resolution proposed by you asking for embargo on war supplies from this country to Japan.

M. P. MCCOUCH.

ST. PAUL, MINN.

The resolution proposed by you for an embargo on war supplies from United States to Japan would, I am sure, do much to stop the cruel and unwarranted aggression of Japan on China.

ELIZABETH G. WRIGHT.

NEW YORK, N. Y.

Do not relax your commendable efforts to put through a resolution to place an embargo on war supplies from the United States to Japan. I am glad to see that there are one or two Representatives left who make some pretense of representing the people and dare to buck the lobbies that are so interested in the continued sale of armaments to the aggressor nations. We should blush every time we send bandages to China to cover wounds made by American shrapnel. Please do not be discouraged if your bill is defeated this time, for if you publicize it sufficiently popular sentiment—see Gallup poll—will certainly rally and cause its eventual passage.

N. S. SALEE.

CAMBRIDGE, MASS.

I am strongly in favor of your resolution for an embargo on war supplies to Japan. It is time that our influence in the world should count for something positive.

M. E. HOCKING.

CLEVELAND HEIGHTS, OHIO.

This letter is written with the purpose of urging you to act in the proposed legislation that would prohibit the sale of munitions and war supplies to Japan and other aggressor nations. Surely war is bad enough, but to have American youth slaughtered by arms and guns of American manufacture would be just too much.

CAROL McLANE BURNHAM.

OBERLIN, OHIO.

Having heard of your resolution for an embargo on war supplies from the United States to Japan, I wish to express my warm appreciation of the efforts which you are making. A long-time friendship with both Japanese and Chinese and considerable time spent in both countries leads me to believe that we are showing ourselves direct friends of Japan as well as of China in every step that we can take to bring to an end the present aggressive policies of Japan.

FLORENCE M. FITCH,  
*Professor of Biblical Literature.*

BROOKLYN, N. Y.

As a minister who is vitally concerned with the issues of international justice and world peace, I want to record my approval of the resolution which you have introduced into the House and which is now before the Foreign Affairs Committee. I heartily endorse the objectives which your resolution embodies and trust that it will meet with the approval not only of the committee but also of the House of Representatives.

ARTHUR M. CRAWFORD,  
*Assistant Minister, Plymouth Church of the Pilgrims.*

MINNEAPOLIS, MINN.

I wish to express to you my own appreciation, as well as that of a large group here with whom I am associated, for your efforts to curb United States war trade with Japan. Success and the best of good luck to you.

O. I. HERTSGAARD.

AUBURNDALE, MASS.

As a voter in the State of Massachusetts, I desire to urge you to press for the passage of your resolution for an embargo on war supplies from the United States of America to Japan. Why should our Government permit its citizens to share in Japanese aggression in China for the sake of monetary returns?

FRANK J. WOODWARD.

NEW CANAAN, CONN.

May I take this opportunity to let you know that I strongly support the objectives of the resolution proposed by you for an embargo on war supplies from the United States to Japan. As a former resident of Shanghai, I feel very strongly that this is a move in the right direction, and I very much hope that it will receive in Congress the support it deserves.

HENRY H. WELLES.

PHILADELPHIA, PA.

We heartily support the objectives contained in the resolution proposed by you for an embargo on war supplies from the United States to Japan.

J. M. SHEEN,  
W. H. PROUD,  
F. C. GRIGGS,  
J. S. STUBB.

FREEHOLD, N. J.

Congratulations on introducing the resolution to stop shipping all war materials to Japan. Will you keep at it until it is passed by the House?

WILLIAM LOUIS SAHLER,  
*Pastor, the Reformed Church in America.*

## EXTENSION OF REMARKS

Mr. THORKELOSON. Mr. Speaker, I renew a request I made this afternoon to extend my remarks at that point in the RECORD and to include therein a rough draft of a bill drafted by a gentleman by the name of Mr. Altman, also a draft of the bill H. R. 4931, and remarks from the Commonwealth Congress in New York City.

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, and I shall object, I believe it would be very unfortunate if we began printing bills in the RECORD. The gentleman can extend his remarks and make any kind of an explanation of a bill he may desire, but printing bills in the RECORD is a practice I have never heard of.

Mr. THORKELOSON. The reason I wish to put this in the RECORD is that it contains information I think the House ought to know.

Mr. RAYBURN. The gentleman can introduce the bill and make whatever explanations he wishes. I may say to the gentleman it has never been the custom to have bills printed in the RECORD in this manner.

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

Mr. RAYBURN. I object to that part of the request, Mr. Speaker.

The SPEAKER. Objection is heard.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD as of this date.

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

There was no objection.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—  
EXPORTATION OF TOBACCO SEED AND PLANTS

The SPEAKER laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I return herewith without my approval H. R. 2378, entitled "An act to prohibit the exportation of tobacco seed and plants, except for experimental purposes."

This bill declares it to be unlawful to export any tobacco seed and/or live tobacco plants from the United States or any territory subject to the jurisdiction thereof unless such exportation is in pursuance of a written permit granted by the Secretary of Agriculture after proof satisfactory to him that such seeds or plants are to be used for experimental purposes only.

I understand that this measure was adopted without hearings, without debate, and without record vote in either the House of Representatives or in the Senate. There may not, therefore, have come to the attention of the Members of the Congress various considerations which raise doubt as to the practicability of the bill and the wisdom of the policy embodied therein. Some of these considerations are presented below. I believe that they should be carefully weighed by the Congress before a final decision is reached on this bill.

1. In view of the nature of the crop, it would appear to be virtually impossible to effect sufficient control over the production and handling of tobacco seed to assure against the export of the small quantities of seed required. The imposition of a ban on export would be likely to stimulate the creation of an unwelcome bootleg activity.

In this connection it may be pointed out that the physical volume of tobacco seed sufficient to plant a large area is small; for example, it is estimated that 1,000,000 tobacco seeds weigh only 3 ounces.

Furthermore, the bill as drafted itself would make it possible for the seeds to be produced elsewhere. Small quantities of seeds exported for bona fide experimental purposes, as contemplated by H. R. 2378, could produce in a very few years

enough seed to sustain a large commercial production of tobacco.

2. Although considerable quantities of American tobacco seed may be used for the commercial production of tobacco in foreign countries, such production is not necessarily dependent upon the continuation of this source of seed. In view of conclusively established principles of genetics, it appears that the periodic importation of American seed has been continued only as a matter of convenience, and that by adopting adequate safeguards to prevent cross fertilization, the seed could be produced in foreign countries. For this reason it is not believed that a prohibition of the exportation of seed, as contemplated in H. R. 2378, could have any material effect upon the production of American types of tobacco in foreign countries and, consequently, on the competition encountered by American tobacco from foreign tobacco of similar types in world markets.

3. The bill would constitute an undesirable precedent. American agriculture has benefited materially through the introduction of seeds and plants from foreign countries, to a large extent through the facilities of the Department of Agriculture. This particular legislation, while perhaps not of great importance in itself, might serve as a precedent for later, more comprehensive legislation restricting exports of seeds and plant materials from the United States which, in the long run, might lead to retaliatory action on the part of foreign countries, restricting the possibility of securing new seeds and plant materials from abroad.

FRANKLIN D. ROOSEVELT.

JUNE 5, 1939.

The SPEAKER. The objections of the President will be spread at large upon the Journal of the House.

Mr. JONES of Texas. Mr. Speaker, I move that the message, with the accompanying bill, be referred to the Committee on Agriculture and ordered printed.

The motion was agreed to.

THE JUVENILE COURT OF THE DISTRICT OF COLUMBIA

The SPEAKER laid before the House the following further message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on the District of Columbia, and ordered to be printed:

*To the Congress of the United States:*

I transmit herewith for the information of the Congress a communication from the judge of the juvenile court of the District of Columbia, together with a report covering the work of the juvenile court during the fiscal years July 1, 1931, to June 30, 1938.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 5, 1939.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—COMMISSIONER OF CLAIMS OF AMERICAN NATIONALS AGAINST THE UNION OF SOVIET SOCIALIST REPUBLICS

The SPEAKER laid before the House the following additional message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted to authorize appropriations to provide for the adjudication by a commissioner of claims of American nationals against the Union of Soviet Socialist Republics.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 5, 1939.

The SPEAKER. Under special order of the House heretofore made, the gentleman from South Carolina [Mr. HARE] is recognized for 30 minutes.

THE HIGH-PROTECTIVE TARIFF POLICY AND THE RECIPROCAL-TRADE POLICY IN THEIR RELATION TO AGRICULTURE AND OUR FOREIGN PROGRAM

Mr. HARE. Mr. Speaker—

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

Mr. HARE. I yield to the gentleman.

Mr. THORKEKELSON. Mr. Speaker, I would like to ask unanimous consent to extend my own remarks in the RECORD that have already been delivered and leave the rest of the matter out.

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, will those remarks appear in the Appendix or on the front page at the opening of the session of the House? There has been a sort of procedure here by which extensions of remarks appear on the front page.

The SPEAKER. The request of the gentleman is to extend his own remarks in the RECORD, and under the rules they will go in the Appendix of the RECORD.

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

There was no objection.

Mr. HARE. Mr. Speaker, it is an easy matter to criticize another's conduct. Anybody can do it. It does not require a great amount of ability. The same is true of groups as well as individuals. A person who criticizes or finds fault with your conduct, plans, policies, or programs, and offers no constructive suggestions by which such conduct, plans, or programs may be improved can hardly be classed among those who are sympathetic.

When the recent agricultural appropriation bill was up for consideration some very caustic and drastic criticisms were made of our reciprocal-trade policy and its relationship to agriculture and our farm program, but I did not hear any of the critics offer a definite or concrete plan that might operate as an improvement upon either, unless it was the suggestion that we return to the high protective tariff plan of 1930.

I have listened with some interest as well as amusement to a number of speeches by Members of the House recently who have been very pronounced in their criticism of our reciprocal-trade policy and its effect on agriculture. Their remarks indicate they would have the country believe that the reduction of high tariffs following our trade agreements resulted in a loss of markets and pronounced reduction in our foreign trade, suggesting that the reciprocal-trade policy should be discontinued and we should return to the high-tariff policy of 1930. The most pronounced criticism is that the trade agreements have resulted in a decrease of exports and furnished increased markets in our country for imports, saying that foreign producers are now flooding our markets in competition with the products of our farms, emphasizing the idea that a high protective tariff policy is of greater value to the average farmer than the operations of our reciprocal-trade agreements.

This is not an elementary problem, nor is it a new one. And I shall not attempt to analyze the two theories in any great detail, but will try to show the practical effects of the operation of the two policies in order that the farmer may be able to decide for himself which contributes most to his injury, or his benefit.

To see whether there is any real justification for these criticisms, it may be well to note some of the basic facts relative to the decline in our foreign trade in recent years and decide whether the reduction can be attributed to our reciprocal-trade policy or to the high protective tariff policy which preceded it. And to make the matter clear, it may be advisable first to review some of our political history for the past decade. We all remember in the election of 1928 the Republican Party carried a number of States where the people had never subscribed to the theory that high protective tariffs were of any material value to agriculture. However, it appears the President of the United States at

that time felt by the people's action they were endorsing such a theory, and in the early spring of 1929 called a special session of Congress, as he stated, primarily for the purpose of enacting legislation for the benefit of agriculture. The party leaders proceeded at once to draft a law providing for a substantial increase in tariff rates not only on farm crops but manufactured products as well. The new law was approved and went into effect June 14, 1930, and naturally we would want to know what effect, if any, it had on our foreign trade. According to figures issued by the Department of Agriculture in 1938, the value of our agricultural exports, from 1929 to 1932, inclusive, the last 4 years of Republican rule, were as follows:

1929	\$1,495,823,000
1930	1,038,018,000
1931	752,182,000
1932	589,650,000

The value of agricultural imports for these years were:

1929	\$1,899,521,000
1930	1,161,592,000
1931	833,890,000
1932	613,737,000

In 1932 a Democratic President, Franklin D. Roosevelt, was elected and the Democratic Party displaced the Republican Party, our new President being inaugurated March 4, 1933. It is only fair, therefore, that we submit data showing our foreign trade the 4 years following in order that the figures may be comparable to the 4 preceding years.

The same report from the Department of Agriculture shows the value of our agricultural exports from 1933 to 1936 were as follows:

1933	\$787,343,000
1934	668,713,000
1935	677,303,000
1936 (preliminary)	732,826,000

The value of agricultural imports were:

1933	\$833,952,000
1934	933,774,000
1935	1,141,191,000
1936	1,538,327,000

It will be observed that the value of exports declined precipitately from 1929 to 1932, particularly the 3 years, 1930, 1931, and 1932, following the passage of what is known as the Smoot-Hawley Tariff Act. Imports decreased very much in proportion. Foreign countries say this decline in trade was due to the high tariff act, because it made it impossible for them to sell in the United States and, consequently, they were not able to buy—hence, a reduction in both exports and imports. It will be observed further, when the Democratic Party came into power, foreign trade began to increase both in exports and imports, the increase in both the first 2 years being very much in proportion. During the next 2 years imports increased more in proportion than exports. However, I have a feeling that some of the critics will not be able to obtain very much comfort from these figures in case they subscribe to the philosophy of the gentleman from Massachusetts [Mr. TREADWAY], in his critical speech of March 23 when referring to agricultural imports said: "This shows without a doubt that our imports are based upon our prosperity at home." He is quite correct, and instead of the slight increase in imports being an argument against our trade-agreement policy such increase is an index of improved conditions in our own country as a result of such a policy. That is, the slight increase in the value of imports during these 2 years over the value of exports indicate that we had greater increased prosperity at home than people abroad.

However, it should be observed that the value of exports or imports is not always a true index of the foreign-trade situation, for the quantity or volume of both may remain the same and the value show a decrease or an increase, or there may be a decrease in volume with a decided increase in value, and vice versa. It would be interesting, therefore, if we had the time to analyze and interpret the relationship between the

value of our agricultural exports and imports and their volume or quantity. I will not be able to do this at any great detail but will submit figures showing the average annual production of cotton in the United States for 5-year periods from 1910 to 1936, together with the average annual exports, the percent of exports compared with production, and the average price during the various 5-year periods:

Average annual production of cotton in United States for 5-year period, 1910 to 1914, inclusive	bales	14,254,000
Average annual exports for same period	do	9,319,000
Bales left for domestic consumption	do	4,935,000
Average annual percent of exports compared with production		65
Average price per pound received by producers	cents	10.76
Average annual production for 5-year period 1915 to 1919, inclusive	bales	11,466,000
Average annual exports for same period	do	5,704,000
Bales left for domestic consumption	do	5,762,000
Average annual percent of exports compared with production	percent	50
Average price received by producers, per pound	cents	24.76
Average annual production for 5-year period 1921 to 1925, inclusive	bales	11,515,000
Average annual exports for same period	do	6,755,000
Bales left for domestic consumption	do	7,760,000
Average annual percent of exports compared with production	percent	58
Average price per pound received by producers	cents	23.36
Average annual production for 5-year period 1926 to 1930, inclusive	bales	14,834,000
Average annual exports for same period	do	8,348,000
Bales left for domestic consumption	do	6,486,000
Average annual percent of exports compared with production	percent	57
Average price received by producers	cents	14.88
Average annual production for 5-year period 1932 to 1936, inclusive	bales	11,746,000
Average annual exports for same period	do	6,770,000
Bales left for domestic consumption	do	4,976,000
Average annual percent of exports compared with production	percent	58
Average price received per pound by producers	cents	10.50

It will be observed from the above figures that while the average annual exports of cotton decreased nearly 40 percent in volume from the 5-year period 1910-14 to the 5-year period 1915-19, the average annual value increased approximately 40 percent, and it will be observed further that while the average annual volume of exports for the 5-year period, 1921-25, was practically the same as that compared with the 5-year period 1932-36, the average annual value thereof decreased approximately 60 percent. That is, where the average annual exports for the period 1932-36 decreased only about 15,000 bales as compared with the 5-year period 1921-25, the average annual value decreased from approximately \$877,000,000 to about \$355,000,000. We see, therefore, that the value of business may not be an index as to the volume of business done. However, the value may be a fair index as to the financial or economic status of the people in the importing country. In other words, two countries may continue to exchange their products in approximately the same volume but this would not be an index as to the financial condition of either, although the exchange value of the commodities may reflect in a large measure the purchasing power in either or both, but the purchasing power may not be entirely due to the volume of business done by either or both. On the contrary, the purchasing power may, in a measure, be determined by other matters. Nevertheless, the purchasing power of the people of any country will in a measure be determined by the price as well as volume of things they have to sell. Instead of the price being determined by the volume or quantity of things sold it is generally determined by the purchasing power of the people to whom they sell, and the two 5-year periods, 1921-25, and 1932-36 well illustrate these statements, particularly with the cotton farmer, for it will be observed in the first 5-year period noted the annual average production was 11,515,000 bales and the average price to the producer 23.36 cents per pound, whereas the average annual production for the latter 5-year period, 1932-36, we had 11,746,000 bales, a difference of only about 230,000

bales, the average price per pound received by producers was only 10½ cents and, as we have already stated, the average annual exports of cotton for the two 5-year periods was practically the same. Therefore, it cannot be said that the 60-percent reduction in the purchasing power of the cotton farmer during the last 5-year period can be attributed to a lack of export markets, and we must look for other reasons for this enormous decrease in purchasing power.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield at this point?

Mr. HARE. I yield.

Mr. H. CARL ANDERSEN. Just why did the gentleman leave out the year 1920 and the year 1931 in preparing his chart? Was there any specific reason for doing that? The gentleman will notice that the year 1920 is not included and neither is the year 1931.

Mr. HARE. There was no particular reason for that. Apparently it was to get 5-year periods to run out with 1936, the last year for which we had figures available. The report I referred to at the outset was issued by the Department of Agriculture for 1938 and gave figures only as late as 1936; that is, I do not have the figures for 1937 and 1938.

Mr. SCHAFFER of Wisconsin. What years were those for?

Mr. HARE. 1921 and 1925.

Mr. SCHAFFER of Wisconsin. How does that average price compare with the average price for the last 5 years?

Mr. HARE. The average price for the last 5 years was 10½ cents per pound.

Mr. SCHAFFER of Wisconsin. And for the other years it was how much?

Mr. HARE. Twenty-three and thirty-six hundredths cents per pound for 1921 to 1925, inclusive.

Mr. SCHAFFER of Wisconsin. So, under a Republican administration you had an average price of 23 cents per pound, while during the first 5 years of the New Deal we had less than half of that.

Mr. HARE. Price per pound?

Mr. SCHAFFER of Wisconsin. Yes.

Mr. HARE. That is correct.

Mr. SCHAFFER of Wisconsin. So that the Republican administration takes care of our cotton agriculture producing group better than the New Deal has taken care of them.

Mr. HARE. If the gentleman will follow me a little further I think I will be able to disabuse his mind of that idea. I was referring to the 5-year period 1921-25, and that was before the passage of the last tariff act, and the farmers had not yet begun to pay the excessive prices for the things they were called upon to buy, and consequently had not had their purchasing power taken away from them until the 1931-36 period, when they had no money with which to buy cotton or other goods. That is, for lack of purchasing power, there was little demand for cotton goods, and prices consequently dropped or decreased.

Mr. SCHAFFER of Wisconsin. The gentleman is talking about the tariff and putting the blame on the Republican Party, but would it not have been fair to make amendments to that tariff in 1931 and 1932? The Democrats then had control of the House and the Speaker, the gentleman from Texas, and a working majority in the Senate, and for several years your party never introduced a bill or passed a line or syllable of a bill to reduce one tariff rate, not even one-half of 1 percent on aluminum pants buttons, although we had a whole lot of talk about Andy Mellon and the aluminum monopoly receiving tariff benefits.

Mr. HARE. If the gentleman is trying to set up an alibi for the 1930 act, let me say that two wrongs do not make a right. There may be some reason for failing to act in 1933, and I shall refer to that later and show that instead of passing a tariff law in 1933 a reciprocal-trade law was enacted in 1934, so that revenue tariffs may be made on a fair and scientific basis.

Mr. SCHAFFER of Wisconsin. I mean in 1931 you had both Houses. You also had the Speaker, and under the Constitution tariff legislation must originate in the House.

Mr. HARE. No; we did not have the Senate in 1931, nor did we have the President of the United States.

Mr. SCHAFFER of Wisconsin. You did not need to.

Mr. HARE. The gentleman knows better than that. He knows a good deal about the tariff. He was here when the law was enacted. He well remembers when President Hoover called the Congress into extra session to enact a tariff law for agriculture, and he knows now what effect that law had upon agriculture, industry, and labor in this country.

Mr. SCHAFFER of Wisconsin. If the gentleman will look at the hearings he will find that nearly every Democratic leader in the House and Senate talked for a high protective tariff on the products of their States. In the Senate Senator HARRISON wanted a tariff on cotton, Walsh on copper, and BARKLEY for coal, and all along the line the southern fellows from Florida were for a high tariff to protect their vegetable market from foreign competition.

Mr. HARE. I did not yield to the gentleman for a speech, but I know and the gentleman from Wisconsin knows the Democrats did not pass the last tariff act.

Mr. SCHAFFER of Wisconsin. The gentleman comes from a cotton State. He is a gentleman who is a very diligent, able, and efficient legislator. The country is indeed fortunate that he is back in the House again. He is a real Jeffersonian Democrat.

Mr. HARE. I appreciate the gentleman's complimentary references and I am willing to admit the accuracy of the last sentence.

Mr. SCHAFFER of Wisconsin. Will the gentleman put into the RECORD the amount of the export market for the past 10 or 12 years to show how the cotton export market has decreased while the South American export cotton market has increased?

Mr. HARE. I will show that the export of cotton for the last 5-year period ending in 1936 was practically the same as the two previous 5-year periods in proportion to production, and I will show that all of this cry and hullabaloo about the reciprocal-trade policy reducing the market for raw cotton is all bosh. Certainly there has been a reduction in cotton exports but the reduction cannot be charged to reciprocal-trade agreements.

Mr. SCHAFFER of Wisconsin. Will the gentleman advocate a tariff on cotton to keep the cheaply produced Brazilian cotton from coming into this country? The gentleman from South Carolina [Mr. FULMER] indicated the time is not far distant when the cotton producers of the South will need tariff protection.

Mr. HARE. Well, "Sufficient unto the day is the evil thereof." If that condition is reached, I shall be glad to talk with the gentleman further about it, but I do not think we have reached that point yet. It is not the Brazilian raw cotton entering this country that hurts. It is the purchase of Brazilian raw cotton by foreign manufacturers in preference to American cotton with the idea of boycotting American products as a protest against our excessively high tariff rates, and it is in this way the American cotton farmer is getting it in the neck.

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

Mr. HARE. Yes.

Mr. MURRAY. I represent the dirt farmer. They always think that everybody is doing them dirt, and that is the reason they call themselves dirt farmers. I do not agree with the gentleman on this basis, that he is trying to make believe that one party does better for the farmers than the other. My contention is that neither party does what is right by the farmer.

Mr. HARE. I am trying to present the facts in such a way the farmer himself will be able to decide which party contributes most to his benefit.

Mr. Speaker, going back to where I left off:

If a thorough investigation were made the difference between the farmers' net income for the latter 5-year period compared with the former 5-year period can be attributed to the increased cost of those things purchased and used in connection with his farming operations. If this is found to

be true, it may be that the cotton farmers' income can be increased easier by decreasing his costs of production.

This seems to be the theory on which Congress acted in making provision for reciprocal-trade agreements and the theory on which our able and most efficient Secretary of State acted in formulating these agreements with foreign countries. He is trying to maintain a fair price for the things we have to sell and reduce the price of those we have to buy.

But let us examine the figures a little further and see whether we have lost the foreign market as much as some would have us believe. In the 5-year period 1921 to 1925 we observe that the average annual exports was 58 percent of the average annual production. During the next 5-year period 1926 to 1930 the average annual exports was 57 percent, and in the 5-year period 1932 to 1936 the average annual exports was 58 percent of the average annual production. In other words, the average annual exports of cotton for the three 5-year periods named as compared with production has remained practically the same. That is, our exports have not decreased any faster than our production, and the demand in foreign markets has not decreased any faster than the demand in our domestic markets.

Some will say that this will not hold true for the past 2 years. That may be true, but neither will it hold true for any other 2 years. The efficiency or failure of a theory or policy cannot be judged by comparing one year with some other one year. To get the trend you must take into consideration a period of years. As "one swallow does not make a summer," so one observation does not prove or disprove a policy or theory. At any rate, the volume of our cotton exports have remained proportionately the same for the past three 5-year periods, even though there is a marked reduction in value during the latter. But, as we have intimated, the decrease in value may be due to the decrease in purchasing power and the decrease in purchasing power may be due to increased cost because of the excessively high tariffs; that is, the cost of things farmers and others have had to buy have been out of proportion to the price of things they have had to sell, whether it be labor, products of their brain, or their crops. It is proper, therefore, to study or make some observations of the provisions and operations of the last tariff law, particularly as they refer or apply to agriculture.

The first thing to attract attention is that while there was about 4 percent increase in the tariff rate on farm crops in the 1930 act as compared with the preceding act of 1922, there was an increase of a little more than 5 percent in the rates on manufactured products; that is, the tariff on manufactured products was 25 percent more than on farm crops, the effect of which was that every time a farmer received \$1 more for what he sold by reason of the tariff he is charged \$1.25 more for what he buys. The farmer was, therefore, the loser of 25 cents on every such transaction.

A hasty review of some of the provisions of this act may assist in reaching a proper conclusion as to what effect the operation of the law may have had in the decrease of purchasing power of the farmer and other consumers, which, in turn, decreased the price of things they had to sell because of the decreased demand for farm crops and the products of labor.

We cannot undertake to call attention to the thousands of items provided for in the 434 pages of that law, but will undertake to refer to only a few of them, giving especial attention to those in which the farmer may be interested. This law provides a tariff or duty of 60 cents on every dollar's worth of cups, saucers, plates, and so forth; 65 cents on every dollar's worth of fruit jars, tumblers, lamp chimneys, and so forth; 40 to 70 cents on every dollar's worth of paint; 35 cents on every dollar's worth of castor oil; 75 cents on every dollar's worth of cologne; \$1 on a \$5 crosscut saw; \$3.50 on a \$10 pair of wagon harness; 70 cents on a \$2 safety razor; \$6.70 on a \$6 shotgun; \$14 on a \$40 saddle; \$11.25 on a \$20 suit of clothes; \$9.50 on a \$10 clock; and \$6 on a \$20 bicycle. Let a farmer boy buy a \$4 coat with a rabbitskin collar attached, and if he is picking cotton to pay for it it will take him 3 days

to earn enough to pay the \$2.50 tariff duty, making the coat cost \$6.50. If he wants to buy a bicycle it will take him an entire week earning \$1 a day clear money to get enough to pay the duty on it. If he desires to buy a single-barrel breech-loading shotgun it will take him 2½ weeks to earn the \$15.50 to pay the tariff on it; that is, it will take 4 weeks, or one-twelfth of a year, for this boy to earn money enough to pay the tariff duty on these three articles—coat, bicycle, shotgun.

To be a little more specific, I have listed a number of articles the average farmer is likely to purchase in the run of a year and have computed or estimated the tariff or duty provided for on each article. It will furnish some idea as to about how much he is paying annually for himself and family in the way of tariff duties.

	Tariff
2 bottles ink.....	\$0.04
Paint, valued at \$5.....	3.50
5,000 bricks.....	6.25
2 boxes shoeblacking, valued at 15 cents each.....	.10
Cups, saucers, etc., valued at \$3.....	1.80
Plows (points) valued at \$20.....	4.00
Flavoring extracts, value 40 cents.....	.10
\$3 worth of varnish.....	1.50
Fruit jars, tumblers, lamp chimneys, etc., valued at \$6.....	3.90
1 12-inch square looking glass, value \$2.....	1.00
Nails to the amount of \$10.....	3.50
Aluminum pans, boilers, plates, etc., valued at \$8.....	4.80
1 \$5 crosscut saw.....	1.00
2 pair wagon harness, valued at \$10 each.....	7.00
2 horse collars at \$5 each.....	3.50
3 hoes valued at \$1 each.....	.90
1 shovel, 1 pitchfork, 1 garden rake, value \$1 each.....	.90
2 pairs shoes for each member of family of 5, value \$5 per pair.....	10.00
2 dolls, value \$1 each.....	1.80
2 hats (for wife or daughter), \$4 each.....	2.00
2 wool shirts, valued not more than \$2 each.....	2.00
1 suit clothes weighing 2½ pounds, value \$20.....	11.25
2 blankets containing any wool, weighing 3 pounds, value \$3.75 each.....	4.80
1 bicycle, value \$20.....	6.00
1 saddle, value \$20.....	7.00
1 shotgun, valued at \$30.....	23.30
1 safety razor, valued at \$2.....	.70
1 pocket knife, valued at \$1.....	.50
1 30-cent tube of tooth paste.....	.22
1 50-cent bottle of cologne.....	.37
1 bedspread, value \$3.....	1.35
5 bed sheets, value 50 cents each.....	1.12
1 \$20 winter coat for wife or daughter.....	10.00
Hats, caps, or hoods for children carry a tariff duty ranging from 23 cents to \$2.30 each (estimated tariff for year).....	2.00
\$1 worth of lace or trimming.....	.90
5 pairs hose, valued at 50 cents per pair.....	2.25
10 pairs socks, value 25 cents per pair.....	2.25
5 window curtains, value \$1 per pair.....	4.50
1 dozen handkerchiefs, valued at 70 cents.....	.64
2 corsets, valued at \$2 each.....	1.50
2 pairs men's gloves.....	1.00
1 phonograph or graphophone.....	3.00
1 fountain pen, value \$3.....	1.26
A 1-gallon jug or thermos bottle.....	.60
2 pounds of starch.....	.05
10 pounds of horseshoes.....	.10
A \$1 umbrella.....	.60
1 50-cent air rifle.....	.25
1 \$2 photograph, autograph, or post-card album.....	.60
\$2 worth of fishing tackle.....	1.10
1 \$2 cotton blanket.....	.70
1 rattan or reed rocking chair, valued at \$4.....	2.40
Wooden or straw window blinds, value \$5.....	2.50
1,000 pounds of fence wire.....	5.00
Total.....	\$150.40

Of course, this may not represent exactly what the average farmer will pay in the way of tariff duties each year, but it will give him a good idea as to what goes with his income and why his purchasing power is no more than it is. On the contrary, this may represent only a small percent of the things the farmer buys annually. I know many things are not included in this list, and I think it is safe to say that the average tariff duty paid by the general run of farmers will range from \$100 to \$1,000 per annum, depending on the amount of his purchases. The same will apply to the laborer or anyone else.

The speeches made by high protectionists during the last few weeks in an effort to make the farmer believe that his

success, prosperity, and happiness depend upon a high protective tariff is not a new thing; it has been going on for years.

Mr. MURRAY. Will the gentleman yield right there?

Mr. HARE. I yield.

Mr. MURRAY. As long as 25 percent of our exports are agricultural products, and as long as 50 percent of our imports are agricultural products, does not the gentleman feel that agriculture is getting the short end of the deal?

Mr. HARE. I am trying to show that agriculture has had the short end of the deal for 20 years, and if the gentleman will give me time I will prove it.

Mr. Speaker, again going back to where I left off, let me say that if this were the first time such representations were made, it would be logical and proper to give them the reasonable and natural weight they would ordinarily be entitled to, but they have been made so often and refuted by subsequent experiences they have lost some of their force. We go back to the passage of the 1922 tariff law and find Mr. Fordney, one of the authors of the bill, saying:

My friends, as far as rates are concerned, this is purely an agricultural bill.

This was a very emphatic statement showing that the tariff bill under consideration at that time was for the benefit of agriculture, but in less than 2 years following we find Representatives coming from the same section of the country declaring that the tariff was of little value and that it was not effective, saying that the condition of agriculture was going from bad to worse all the time, and these same men were demanding the passage of a bill that would "make the tariff effective."

In the light of such evidence we are forced to conclude that the framers of the 1922 Tariff Act were mistaken in their contentions in that it would operate in the interest of agriculture. It did not, for a few years later that friend of the farmer, the lamented gentleman from Iowa, Mr. Haugen, in discussing a bill he proposed at that time for farm relief, pointed out that about the time the law was passed corn was selling for 50 cents per bushel and a wagon could be bought for \$50 and a binder for \$110, saying that "generally 100 bushels of corn would buy a wagon and 200 bushels buy a binder."

The SPEAKER pro tempore. The time of the gentleman from South Carolina [Mr. HARE] has expired.

Mr. MURRAY. Mr. Speaker, I ask that the gentleman be allowed to proceed for 5 additional minutes. We have consumed a great deal of his time by interruptions.

The SPEAKER pro tempore (Mr. SPARKMAN). Is that agreeable to the gentleman from Michigan [Mr. ENGEL]?

Mr. ENGEL. It is, Mr. Speaker.

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

Mr. HARE. I appreciate this courtesy very much.

Mr. Speaker, resuming at the point where I was interrupted, he pointed out further that at that time corn was still selling for 50 cents per bushel, but wagons were selling around \$135 and binders around \$235, saying, "It now requires around 200 bushels of corn to pay for a wagon and from 400 to 500 bushels to pay for a binder. The same is true in purchasing other implements and clothing and most of the things the farmer has to buy." The point he was making was to the effect that the high protective tariff had increased the price of wagons, binders, and other things the farmer had to buy, but had had no effect whatever on the price of corn, although there was at the time a tariff of 15 cents per bushel on corn.

It will be recalled further when the 1930 tariff bill was up for consideration its author in the House, Mr. Hawley, spoke at length, outlining in considerable detail the benefits to be derived from the operation of the proposed law for agriculture. We note specifically where he illustrated his argument by referring to what he described as a 230-acre typical southern Ohio farm, saying that under the act such a farmer would receive on an average of \$1,206 per annum, and that this

would represent the benefits he would receive from the operation of the law. He proceeded further to show that the expenditures he would have to make in the way of tariff duties would amount to approximately \$182 per annum, claiming that this average farm would obtain an average annual net benefit of a little more than \$1,000. He gave another illustration of a general farm in Iowa where he made calculations, and showed that such a farm would get a benefit of \$1,669 annually and pay duties on articles purchased for the use of farm and household the sum of \$171, making a net benefit to such a farm of a little more than \$1,500 per annum. I refer to these simply to illustrate how positive and pronounced the proponents of a high protective tariff were during the discussion of the Tariff Act of 1930 so that the people might be able to properly evaluate the arguments they are now making against the reciprocal-trade policy and in favor of a return to the high tariff rates of former days.

If the Ohio and Iowa farmers referred to by the author of the bill should today read the glowing arguments made in support of the highest tariff bill of record and then take stock of the results that followed, they would find little consolation in the arguments now being made against our reciprocal-trade agreements and in favor of higher tariffs. On the other hand, if they would take time to read the prophetic speech made about the same time by the Honorable JOHN N. GARNER, then a Member of the House and now Vice President of the United States, they would recognize him as a man of political wisdom and prophecy and would have every reason to become his political disciples and join hands with those who believe that if he were promoted and given an opportunity he would aid agriculture, labor, and industry by giving them a sane interpretation and a safe solution of their existing problems.

We will not attempt to quote at length from Mr. GARNER, but immediately following the passage of the conference report he said in part as follows:

Mr. Speaker, the Hawley-Smoot tariff bill, carrying the highest rates ever written into an American tariff law, has become a law despite the protests of virtually all farm organizations and warnings of many large manufacturers who predict that the new rates will practically destroy foreign markets for many American products.

To my mind—

He said—

this tariff bill violates every precept of common sense, justice, and sound economics. Under the guise of protecting the products of agriculture, the Republican majority in both Houses has inflicted upon the country industrial rates that are indefensible; rates that can only serve to add to the burden the farmers and consumers have carried for years; rates that will tend to reduce and in fact eliminate, the foreign markets for many of our products, both industrial and agricultural.

The speaker could not have pictured or described the results to follow the passage of that act more accurately than if he had waited 5 years following its passage and then observed in every detail the effects upon agriculture and industry. But we call attention to another prophetic statement of the now Vice President, when he said:

The administration leaders have proceeded upon the assumption that there has been no change; and that the old panacea can still be applied; that foreign consumers must come to America for their raw materials and raw merchandise. In my opinion, their blindness in this respect can have only one effect—reduction of our exports, which have provided employment for millions of American workers; reduction of the trade balance, which is responsible in no small degree for the great national prosperity following the World War; and place American agriculture and industry upon a basis whereby expansion and employment will be limited to the demands of the domestic markets.

No prophecy of any man of any time in history has been fulfilled with greater accuracy than those predicted in 1930 by the now Vice President of the United States, for certainly there has been a reduction of exports and the unemployment of millions of people have followed; certainly there has been a reduction of the trade balance which has interfered seriously with our former great national prosperity; and cer-

tainly both agriculture and industry are now looking to our domestic markets for the consumption of our raw materials as well as our finished products. All the speaker said at that time would follow the passage of the high protective tariff act has come to pass. But the tragedy of the situation is that some of the men who took part in the passage of the law which paralyzed practically every economic activity of this country now have the audacity to come before Congress, after a new and scientific trade policy has been established, and attempt to convince the American people that the reopening of the channels of trade for agriculture and industry with foreign markets is to go back to the tariff policy of 1930, 1931, and 1932.

But let us analyze some of the recent criticisms of our reciprocal-trade policy and see if there is any virtue in them. In the address of the gentleman from Massachusetts [Mr. TREADWAY] on March 23 he undertook to show the injurious effects of the reciprocal-trade agreements on agriculture as contrasted with what he referred to as benefits derived from the high protective tariff. He spoke at length in an effort to show that the reciprocal-trade agreements had had two effects on agriculture. One was they had destroyed our foreign markets and the other that we had lost our home markets, saying rather emphatically:

The American farmer has seen his foreign market disappear and his home market drastically surrendered to the foreign producer.

It would have been very interesting if the critic had submitted figures at this point in his speech showing to what extent our exports and imports increased following the inauguration of our reciprocal-trade policy as compared with the decrease immediately following the passage of the last tariff act.

In his effort to justify the passage of that act he stated:

Another proof that the Tariff Act of 1930 had nothing to do with the 1929 depression is that our imports of items on the free list fell off in exactly the same percentage as our imports of items on which the tariff was collected. This shows without a doubt that our imports are based upon our prosperity at home.

This is a confession you would hardly expect from a high tariff advocate, for he says that following this tariff act, "Our imports of items on the free list fell off in exactly the same percentage as our imports of items on which the tariff was collected," thereby admitting that the high tariff failed to do what they said it would do, because he states emphatically, "Items on the free list fell off in exactly the same percentage as items on which the tariff was collected," showing conclusively that the tariff had been of no benefit whatever to agriculture.

To verify this conclusion, he proceeds in the next sentence and virtually admits that the tariff law referred to had not been of any benefit to agriculture when he said, "This shows without a doubt that our imports are based upon our prosperity at home," not as a consequence of "high tariffs," but on account of "prosperity at home." This is exactly in harmony with the theory on which the reciprocal agreements are based. They are designed primarily for the purpose of increasing prosperity at home. Again we quote from the very able gentleman from Massachusetts [Mr. TREADWAY]. He says:

If the act of 1930 is blamed for our decline in foreign trade from 1929 to 1932, then to be fair, trade-treaty proponents must also give it credit for the rising in our foreign trade from 1932 until the time the trade-treaty program came into effect.

In other words, he admits in one sentence that the high Tariff Act of 1930 was responsible for the decline, and then insists that by the same operation the same tariff act should be credited for the increase in exports during 1933-34. His logic reminds me of the poet who said:

He wiggled in and he wobbled out,  
And left the people still in doubt  
Whether the snake that made the track  
Was crossing the road or coming back.

He loses sight of the fact that following the enormous decline in foreign trade in 1930, 1931, and 1932 there was an election in this country, where the people repudiated the high protective tariff policy, elected a new President, and put a new political party in power, and every reasonably well-advised person will say that the increase in foreign trade that followed in 1933 and 1934 was inspired by the confidence the people of this country and of the world placed in the actions taken by the new President and the new Democratic Congress. It is absurd on its face to admit that the Tariff Act of 1930 was responsible for the decline in foreign trade for 3 years and then say its operation should be credited with the increased foreign trade that followed for the next 2 years.

The speaker then undertakes to give the Tariff Act of 1930 credit for all of the revival in foreign trade following the defeat of the Republican Party in 1932 when he declared:

Also, it must be given credit for the increase in trade from 1932 to date with countries with which we do not have trade treaties. As a matter of fact, there is every reason to believe that our trade with treaty countries would have increased to a large extent even without the treaties, as was the case before the treaties were entered into.

The principle upon which this statement is based cannot stand, because if the Tariff Act of 1930 is admitted to be responsible for the loss of our foreign trade for the 3 years following, we cannot imagine how it is possible for the same forces or influences to react and then become responsible for the increased foreign trade immediately following the elections of 1932 and the establishment of our reciprocal-trade policy. As a matter of fact, our exports to countries with which we do not have trade treaties have not increased in proportion as exports to those with which we have such agreements. In support of this statement I quote from an address of Edgar W. Smith, vice president, General Motors Overseas Corporation, in New York, March 10, 1939, when he says:

Since 1934 our exports to countries with which we have trade agreements have increased year by year more rapidly than our exports to countries with which we do not have agreements.

In 1937 exports of American agricultural products to countries with which we had trade agreements were 42 percent greater than they were in 1935, when only one trade agreement was in effect, while exports of farm products to non-trade-agreement countries were 4 percent less than in 1935. In the 12 months ended June 20, 1938, our exports of farm products to trade-agreement countries increased in value \$81,000,000, or more than 39 percent, over the value for the preceding 12 months, while exports of these products to non-trade-agreement countries in the same period increased only a little more than 14 percent.

It is practically impossible to secure exact data for each and every item of export and import, but the monthly index figures for exports and imports as indicated by the 1938 Supplement of the Department of Commerce on Current Business show the total value of exports decreased 58 percent comparing 1930 with 1933, with a 20 percent increase comparing 1936 with 1933, whereas the figures for imports show a 57 percent decrease in the first comparison and 17 percent increase in the second.

However, in the quantity or volume of exports the index figures show a decrease of 37 percent, comparing 1930 with 1933, and a decrease of 30 percent in imports, whereas the volume of exports following the establishment of our reciprocal-trade policy increased 22 percent, comparing the year 1936 with 1938, although the volume of imports, with a corresponding comparison, show a decrease of 20 percent. In other words, there was a decided decrease in our business with foreign nations for the 3 years following the passage of the 1930 Tariff Act, whereas there has been an appreciable increase in business with foreign nations during the 3 years following the establishment of our reciprocal-trade policy in 1935.

There is no doubt but what the 1930 act was the straw that broke the camel's back of our economic structure, although we had been riding for a fall since the passage of the Fordney-McCumber Act in 1922, when industry and party leaders insisted that by the enactment of that law industry would be

able to aid agriculture by paying higher prices for raw materials; labor would receive higher wages, which, in turn, would pay the farmer better prices for his farm crops and food products. The program sounded reasonable and both agriculture and labor relied upon the promises. But the usual thing happened. Instead of passing some of the profits resulting from high prices on to agriculture and labor, new and highly improved machinery and equipment were installed, old machinery speeded up, and the stretch-out system inaugurated. Increasing unemployment with decreasing purchasing power followed until 1930, when the Republican Party announced by its action there would be another decided increase over the then existing tariff rates. Foreign governments immediately retaliated by increasing their rates accordingly, with the result that channels of trade were closed and business generally collapsed.

The hum of machinery was no longer heard, labor was unemployed, and agriculture paralyzed. Everything was at a standstill, and to prevent continued stagnation in business it was necessary to remove the cause in an orderly and scientific manner so that the channels of business may be reopened, and agriculture and labor given another opportunity for life. Congress, therefore, provided for the inauguration of our reciprocal-trade program, the wisdom of which is being justified and approved as the program is enlarged from time to time. It is true, some of us thought our party made a mistake and was subject to criticism in 1933 when it failed to proceed at once to repeal or reduce the excessive tariff rates then prevailing, but we are now convinced that Congress pursued the better course and acted more wisely by providing for reciprocal-trade agreements which will effect the same results in a more scientific manner and obviate retaliations and boycotting by other nations.

If any of the critics have shown where the reciprocal-trade policy and the trade agreements have operated to the injury of the farmer as much as the high protective tariffs I have not seen or heard it. Or if they can show definitely and conclusively where the average farmer has lost more by the operation of the reciprocal-trade agreements than he has by the operation of the high protective tariff I, for one, will be willing to change my mind and vote to abandon the policy. Otherwise, I think it is high time for the high protectionists to quit trying to fool the farmer. [Applause.]

#### GOVERNMENT EXPENDITURES

The SPEAKER pro tempore. Under special order heretofore made, the gentleman from Michigan [Mr. ENGEL] is recognized for 30 minutes.

Mr. ENGEL. Mr. Speaker, the President of the United States in his speeches and messages has tried to convince himself and the Nation that we have nothing to fear from a large public debt. In his message of January 4, in expressing this idea to the Nation at large, he used the following language:

Many people—

He said—

have the idea that as a nation we are overburdened with debt and are spending more than we can afford. That is not so. Despite our Federal Government expenditures, the entire debt of our national economic system, public and private together, is no larger today than it was in 1929, and the interest is far less than it was in 1929.

Mr. Speaker, with this statement in mind, I want to examine the debt structure as it is today and as it was in 1929. Let us see whether or not the statement of the President that the National, State, and private indebtedness is no larger today than it was in 1929 gives a true picture of conditions as they exist today. Let us eliminate the camouflage and look at the financial structure as it stands today and as it stood then.

I ask unanimous consent to place into the RECORD table I, compiled by myself from the figures taken from the Department of Commerce.

TABLE I.—Long-term private indebtedness<sup>1</sup>  
[In billions of dollars]

	1912	1922	1929 <sup>2</sup>	1930	1934	1935	1936	1937
Total.....	31.3	51.2	85.0	84.5	74.3	72.5	71.5	70.3
Railway.....	10.7	11.9	-----	13.4	13.4	13.2	13.3	13.1
Public utility.....	5.3	8.4	-----	14.0	13.6	13.8	13.8	13.9
Industrial.....	4.5	6.8	-----	10.8	8.8	8.4	8.0	7.8
Farm mortgage.....	3.8	8.9	-----	9.1	7.8	7.5	7.3	7.1
Nonfarm mortgage, 1- to 4-family homes.....	-----	-----	-----	22.3	18.1	17.6	17.4	17.3
Other urban <sup>3</sup> real-estate debt.....	-----	-----	-----	14.9	12.7	12.8	11.7	11.2
Total urban.....	7.0	15.2	-----	37.2	30.8	29.6	29.1	28.5
Public debt:	-----	-----	-----	-----	-----	-----	-----	-----
United States debt.....	-----	-----	16.0	16.6	27.9	29.6	33.7	36.7
State and local.....	-----	-----	15.6	15.8	18.8	19.0	19.2	19.2
Total public debt.....	-----	-----	31.6	32.4	46.7	48.6	52.9	55.9
Total long-term private and public debt.....	-----	-----	116.6	116.9	121.0	121.4	124.4	126.2

<sup>1</sup> Excludes financial and Government corporations largely duplicated.

<sup>2</sup> Estimated unofficially by Department of Commerce. No official Department of Commerce estimates available.

<sup>3</sup> Includes apartment homes larger than 4-family, hotels, office buildings

Taken from table 339, Domestic Commerce Series No. 96.

This table covers the long-term private indebtedness and the public indebtedness.

These Department of Commerce figures give the long-term private, national, State, and local public indebtedness for 1930 and 1937, as follows:

	1930	1937
Long-term private indebtedness.....	\$84,500,000,000	\$70,300,000,000
National debt.....	16,600,000,000	36,700,000,000
State and local public debt.....	15,800,000,000	19,200,000,000
Total.....	116,900,000,000	126,200,000,000

Thus we find that the long-term private debt plus the national, State, and local public debt was \$9,300,000,000 larger in 1937 than in 1930. The Department of Commerce has no official estimate of the short-term private debt nor of the long-term private debt of 1929. It estimates unofficially the long-term private debt for that year at \$85,000,000,000. However, the national debt of that year was \$16,000,000,000, and the State and local public debt was \$15,600,000,000. The public debt was \$800,000,000 smaller in 1929 than in 1930, while the private long-term debt was \$500,000,000 larger. So the 1930 figures would be approximately the same as the 1929 figures. This shows an increase of \$23,500,000,000 in 1937 over 1930 in our public indebtedness, and a decrease of \$14,200,000,000 in our long-term private indebtedness, or a net increase in the national, State, and local and in long-term private debt of \$9,300,000,000 in 1937 over 1930.

It is rather interesting to note that of the \$14,200,000,000 decrease in the long-term private indebtedness, the total industrial loans or debts were decreased \$3,000,000,000, farm mortgages were decreased \$2,000,000,000, nonfarm mortgages on one- to four-family homes \$5,000,000,000, and other urban real-estate mortgages on apartment houses, hotels, and so forth were decreased \$3,700,000,000.

These decreases were not brought about by payment. The vast majority of this debt reduction was brought about through foreclosures of real-estate mortgages on one- to four-family homes, large apartment houses on which bonds had been floated all over the country, and other real property.

I am inserting at this point in the RECORD a table compiled by myself, giving the total number of Federal land-bank loans foreclosed since the organization of the Federal land bank in 1917, and also giving the number of Federal land-bank loans and Commissioner's loans foreclosed from March 1, 1933, to March 31, 1939.

Federal land-bank mortgages and Land Bank Commissioner mortgages foreclosed on from 1917 to Mar. 31, 1939

	Number	Amount
Federal land bank mortgages foreclosed on from Mar. 1, 1933, to Mar. 31, 1939.....	44, 010	\$137, 839, 989
Land Bank Commissioner loans foreclosed on from Mar. 1, 1933, to Mar. 31, 1939.....	12, 543	24, 585, 520
Total foreclosed on from Mar. 1, 1933, to Mar. 31, 1939.....	56, 553	162, 425, 518
Federal land bank foreclosures pending on Mar. 31, 1939.....	5, 210	19, 878, 884
Land Bank Commissioner foreclosures pending on Mar. 31, 1939.....	4, 040	9, 351, 309
Total foreclosures pending on Mar. 31, 1939.....	9, 250	29, 230, 193
Total Federal farm loans foreclosed and pending from Mar. 1, 1933, to Mar. 31, 1939.....	65, 803	191, 656, 711
Total Federal land bank loans foreclosed from 1917 to Mar. 1, 1933.....	38, 951	142, 135, 459

It will be seen from this table that we foreclosed or started foreclosure proceedings on 65,803 loans, amounting to \$191,656,711 from March 1, 1933, to March 31, 1939, as against 38,951 loans foreclosed on, amounting to \$142,135,459 from the organization of the Federal land bank in 1917 to March 1, 1933. In other words, the number of loans upon which we foreclosed or started foreclosure from March 1, 1933, to March 13, 1939—a period of 6 years—is almost double the number of loans we foreclosed on from the organization of the Federal land bank in 1917 to March 1, 1933. The amount foreclosed on in the last 6 years is approximately \$50,000,000 higher than the total amount foreclosed on from 1917 to March 1, 1933. The fact that I wanted to point out is that when the 9,250 pending cases are completed, there will have been wiped out by foreclosure since March 1, 1933, nearly \$200,000,000 of debt is this one item alone.

I have before me figures as of November 30, 1938, on the Home Owners' Loan Corporation. The Home Owners' Loan Corporation up to November 30, 1938, has foreclosed or had in the process of foreclosing 165,139 homes, of which 15,850 were withdrawn, leaving a net number of homes which they expect to acquire at 149,289. They are now managing 87,421 homes, representing an original loan of \$478,350,000, or an average of \$5,600 per loan. If we apply this average amount for loans foreclosed to the total amount which they expect to acquire, we find that they will have foreclosed on these 149,289 homes upon which a total loan was made of nearly \$836,000,000.

It is interesting further to note that the total number of loans made were 1,018,000 and the total amount of the loans was \$3,093,000,000. Fourteen and seven-tenths percent of the number of loans are foreclosed or in the process of foreclosure, representing 35 percent of the total sum loaned. Of the properties disposed of, the Home Owners' Loan Corporation took a loss on an average of \$657 per loan foreclosed on.

I have no desire to criticize the Federal land bank nor the Home Owners' Loan Corporation. It is only fair to say that these loans are the poorest loans they had. I believe it is safe to say that the \$10,700,000,000 farm and urban mortgage debt by which the private indebtedness was reduced was to a large extent wiped out by foreclosure as is illustrated by the Home Owners' Loan Corporation. So in summarizing, we find that the greater portion of the reduction in the long-term private indebtedness from 1930 to 1937 was not by payment, but by foreclosures, compromises with creditors, and methods other than payment. We find that when these foreclosures are completed over \$1,000,000,000 of private debt will have been wiped out since March 1933 on H. O. L. C. loans and Federal land-bank loans alone. This does not include, of course, the amount involved in foreclosures of mortgages on home and farms owned by individuals, banks, life-insurance companies, loan associations, and other corporations.

The President, however, in his figures includes the short-term private indebtedness. I ask unanimous consent to include in the RECORD table II, compiled by myself.

TABLE II.—Total public and private indebtedness of the United States during the years 1929 and 1937, including Federal, State, and local public indebtedness and long- and short-term private indebtedness

	1929	1937
Total.....	\$250, 000, 000, 000	\$250, 000, 000, 000
Tax-exempt securities representing debts of government bodies.....	32, 000, 000, 000	53, 000, 000, 000
Corporation bonded debt.....	47, 000, 000, 000	50, 000, 000, 000
Mortgage, farm and urban.....	40, 000, 000, 000	35, 000, 000, 000
Short-term debts receivable at banks and non-financial corporations.....	53, 000, 000, 000	30, 000, 000, 000
Commercial bank debts in the form of deposits including \$4,000,000,000 of interbank debts for 1929 and \$6,000,000,000 for 1937.....	47, 000, 000, 000	46, 000, 000, 000
Life-insurance companies owing policyholders.....	12, 000, 000, 000	20, 000, 000, 000
Mutual savings banks owing depositors.....	9, 000, 000, 000	10, 000, 000, 000
Building and loan associations owing shareholders.....	5, 000, 000, 000	4, 000, 000, 000
Miscellaneous.....	245, 000, 000, 000	245, 000, 000, 000
	5, 000, 000, 000	2, 000, 000, 000
Total.....	250, 000, 000, 000	250, 000, 000, 000

Taken from the book entitled "Debts and Recovery, 1929 to 1937. The Twentieth Century Fund," as determined by special committee of the Twentieth Century Fund on debt adjustment.

I am including table No. 2, which was compiled by me from the report of the committee on the twentieth century fund on debt adjustment published in 1933, and just a short time off the press. The twentieth-century fund gives the total Federal, State, and local public indebtedness, plus the long- and short-term private indebtedness for 1929 in excess of \$250,000,000,000—it does not say how much in excess, so we must accept the figures as given—and for 1937 at approximately \$250,000,000,000. I have been unable so far to find any 1938 figures. However, there is no doubt but what both the public and private indebtedness for 1938 will exceed that of 1937.

It is interesting to note in this table that tax-exempt securities, representing debts on Government bonds, increased \$21,000,000,000 during that period—representing a total of \$53,000,000,000 in 1937—corporation bonded indebtedness increased \$3,000,000,000, the amount owing policyholders on life-insurance policies increased \$8,000,000,000, and the amount mutual savings banks owe depositors \$1,000,000,000. During the same period mortgages—farm and urban—according to this table, were decreased \$5,000,000,000, short-term debts receivable at banks and nonfinancial corporations reduced \$23,000,000,000, and commercial bank debts in the form of deposits, including \$4,000,000,000 of interbank debts, were decreased \$1,000,000,000. According to the twentieth-century fund, Federal Reserve member banks' losses on loans and investments from 1929 to 1937 were \$4,406,000,000, chief life-insurance company losses were \$1,145,000,000, and mutual savings banks in New York were more than \$400,000,000, the three items representing a total loss from 1929 to 1937 of \$5,951,000,000.

Again, the farm and urban mortgage debt was reduced in the main by foreclosure. Short-term debts receivable at banks and nonfinancial corporations were reduced in large part by the failure of such banks to lend money and in the wiping out of loans made by the selling of collateral securities.

A study of the situation shows that much of the short-term indebtedness was wiped out in the depression through selling of collateral held by banks on stocks, re-loans, and through foreclosures in both real-estate mortgages and collateral security instead of payment.

It further shows the need for sound financing in order to bring back business. Whatever can be said, there certainly is nothing for the President to boast about a condition such as this.

Before I proceed further I want to point out that both the principal and interest of the 1929 public and private debt was paid out of an income produced of \$81,000,000,000. The principal and interest of the 1938 public and private debt was paid out of an income produced of less than \$62,000,000,000. The gross appropriations of Congress made in 1938 for the fiscal year 1939 were more than \$11,361,815,654, or nearly 20 percent of the national income produced for that year.

At the end of 1937 our national debt was \$36,700,000,000. The Treasury report of May 18, 1939, gives the same national debt as \$40,229,352,286, not including guaranteed loans made by Government corporations. Now the President tells us it will reach \$44,457,845,210 by June 30, 1940. We find that our National, State, local public, plus our private indebtedness was in 1937 in excess of \$250,000,000,000. When we add to this \$250,000,000,000 approximately an \$8,000,000,000 increase in our national debt, plus the increase in our State and local public debt, much of which was induced by Federal legislation, plus the increase in our private debt, we will find that our National, State, and local, plus our private debt will by June 30, 1940, amount to somewhere between two hundred and seventy-five and three hundred billion dollars. This means that our national debt will equal 34 percent, our National, State, and local public debt 48 percent, and our National, State, local, and private debt will exceed 200 percent of the assessed valuation of every piece of real and personal property placed on the assessment rolls by the local assessing officers in the 48 States. The assessed valuation of the 48 States in 1936 was approximately \$134,000,000,000. And in the face of these facts, the President and the Secretary of the Treasury tell us smilingly that we have nothing to fear; that we are not "overburdened with debt" and that we are not "spending more than we can afford."

I want to call attention to the item classified as "short-term debts receivable at banks and nonfinancial corporations." While the corporation's bonded debt usually represents buildings, permanent capital, and so forth, the short-term debts which business owes to banks, as represented by this item, represent loans made to business to supply its working capital, or short-term loans made with which to buy raw materials, which loans are usually paid back when the finished product is sold. For instance, a furniture factory may buy lumber and give its note for 60 or 90 days. The note is taken to the bank and discounted and it is then paid out of furniture sold. The manufacturer sells to the retailer on a short-term note. The retailer sells the furniture to the customer and with the money received from the customer, he pays his note. He may take the customer's note for the purchase price of the furniture, discount it at the bank, and pay the bank. The customer may pay his note out of his earnings. In other words, this short-term money may turn over four to six times a year. It is this class of capital which we have needed so badly to keep our factories and business places going.

I think the most interesting part of the chart is the following: The two items classified as tax-exempt securities representing debts of Government bodies and the short-term debt receivable at banks and nonfinancial institutions aggregated \$85,000,000,000 in 1929 and \$83,000,000,000 in 1937. The interesting fact, however, is that while in 1929, \$32,000,000,000 of this money was invested in tax-exempt securities and \$53,000,000,000 in short-term debts receivable at banks and nonfinancial institutions, in 1937, \$53,000,000,000 was invested in tax-exempt securities and only \$30,000,000,000 in short-term debts receivable at banks. In other words, \$23,000,000,000 of this capital which was used in 1929 to finance business undoubtedly went to tax-exempt securities. This is more forceful in view of the fact that other items remained the same or varied very little.

Capital and especially short-term capital is the blood stream of business and industry. This decrease of \$23,000,000,000 in short-term loans would have turned over from four to six times a year and would have furnished business and industry with from seventy-five to one hundred and twenty-five billions of dollars annually in short-term loans. The lack of this capital has been the cause of the pernicious financial anemia from which business and industry has been suffering. The restoration of this working capital is the only cure I know for the disease.

The President recognized the condition but offered no cure in his message of January 4 when he said, "We suffer from a great unemployment of capital." I am here trying to point out one of the reasons why we are suffering from an unemployment of capital.

Thus, the share of the burden of public debt that business bears does not lie only in its share of the interest and principal which it must pay through taxation, but the real damage is done by the flight of capital from business to tax-exempt securities as shown herein. A spending and borrowing program is not only a burden on industry and business in that industry and business must bear its share of the interest and principal payments of the debt, in addition to paying dividends or interest on its own working capital, but public debt diverts capital from the blood stream of industry and business into the Federal Treasury, and is the principal cause of this pernicious financial anemia from which we have been suffering. Only by stopping this spending and borrowing program can we force private capital back into the blood stream of industry and business and bring about a permanent recovery.

A discussion of the question of public and private debt would not be complete without discussing the question as to where the burden of that debt falls. I would divide debt—public and private—into two classes. Into the first class I would place bonds issued by the Government, whether national, State, or municipal, as direct obligations where the money borrowed is used in nonproductive enterprise, such as highways, streets, parks, buildings, and so forth. While money spent in this way provides temporary employment and may for a time speed up production, in the final analysis the interest, principal, and cost of maintenance will have to be raised by taxation, as the investment in itself is nonproductive. Money spent in nonproductive enterprise is a handicap eventually to recovery in times of depression and tends to bring about a depression in times of prosperity.

Into the second class I would place bonds issued, whether private or public, for the purpose of investing the money in what I call productive enterprise. In this class of bonds the interest and ultimately the principal is paid out of production or out of newly created wealth.

#### ILLUSTRATIONS

First. A public utility, whether owned privately or publicly, issues its bonds. The money is spent building a power dam. The dam produces electricity. The electricity is sold to the consumer. With the money realized from its sale, the company pays the interest and ultimately the principal of the bond issue.

Second. A farmer borrows money from the Federal land bank or from private sources with which to purchase a farm. He grows crops, thereby producing new wealth. He sells the crops and with the money realized from the production of this new wealth he pays the interest and ultimately the principal of the mortgage.

Third. A home owner borrows money from the Home Owners' Loan Corporation, Federal Housing Administration, or from private sources with which to build, buy, or finance a home. He works in a factory. His wages are paid out of the wealth he has produced. With those wages he pays the interest and ultimately the principal on the loan.

The above are a few illustrations of what I mean by productive enterprise. The interest and ultimately the principal of this class of investment are paid out of production and not by taxation. Instead of being a handicap to recovery in times of depression, they help to bring about recovery. Instead of retarding production or being a hindrance to business in times of prosperity, they accelerate permanent production and help maintain prosperity.

The National, State, and local public interest-bearing debt referred to herein is almost as a whole spent either for operating costs or if it has been granted to States in public buildings, lots, and so forth, represents nonproductive enterprise. The interest and ultimately the principal payment of this debt must be paid through taxation. The business of the Nation well knows that it must pay out of industrial production not only the interest and ultimately the principal of this huge private debt but it must also pay out of production and by taxation the interest and ultimately the principal of this tremendous National, State, and local debt.

Business knows that to exist it must pass this burden ultimately on to the consumer or take it out of profits which, at the present time, do not exist as a rule. It is this tremendous burden, together with the flight of capital to tax-exempt securities, which retards production and makes it so difficult to bring about recovery.

May I point out, in closing, just two other facts? First, that in 1938 the income produced was not quite \$62,000,000,000, while the total tax levied—National, State, and local—during the fiscal year ending June 30, 1938, was \$14,653,000,000, according to Bradstreet's Review. This is nearly \$2,000,000,000 more than all the income produced by all the factories in the United States and nearly three times the income produced by all the farms in the United States during 1938. It equals 23.6 percent of the income produced by the entire Nation. This tremendous tax was paid by a country that is financially sick, out of an income produced of less than \$62,000,000,000.

I do not have the total tax paid in 1929, the year to which the President refers. However, I do know that the Federal Government, not including State and local taxes, took out of a sick country and sick business in various taxes, fees, and so forth, classified as receipts during 1938, \$6,241,661,227, or an amount that equaled more than 10 percent of the income produced in the entire country, as against \$4,033,250,225 taken in during the fiscal year ending June 30, 1929, and taken out of an income produced of \$81,000,000,000 in 1929, the most prosperous year in the history of our Nation.

May I conclude with the following two quotations—one by Andrew Jackson, the patron saint of the Democratic Party, and so often quoted by President Roosevelt—which reads as follows:

I am one of those who do not believe that a national debt is a national blessing, but rather a curse to a republic. (Taken from *The Life of Andrew Jackson*, by J. S. Bassett, p. 346.)

The second quotation is a statement from a speech which was made by President Roosevelt in 1932, and reads as follows:

It is futile to expect any important economy from an administration which is committed to the idea that we ought to center control of everything in Washington as rapidly as possible. I am as certain as any mortal man can be of anything in the future that from the moment we set our hands openly and frankly and courageously to this problem, we shall have reached the end of our long, hard, downward road and shall have started on the upward trail. Join me and let's go.

[Applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks and include therein three tables compiled by myself.

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

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. LUDLOW] is recognized for 12 minutes.

#### CENTENARY OF THE PRESS GALLERY

Mr. LUDLOW. Mr. Speaker, the current year is the one hundredth anniversary of the establishment of the Press Gallery of Congress. This institution, famous in journalistic circles and known throughout the civilized world, dates back to January 1839, when the Senate Committee on the Contingent Fund brought in a report, which the Senate adopted, recommending that "the front seats in the eastern gallery be set aside for reporters."

From a mere handful of male correspondents in 1839, representing a few scattering newspapers on the eastern seaboard, the Press Gallery has grown until it now has a membership of 513, of whom 38 are women. The newspapers represented are located in over 300 cities of America and in quite a number of foreign countries. Representatives of journals in all of the leading capitals of the world are included in the membership of the Press Gallery. A casual observer, hearing the telegraph instruments click in the House and Senate press sections, would hardly imagine that on an average newsday between 50,000 and 60,000 words are telegraphed from the United States Capitol to publications all over the world, and that on extra special oc-

casions the telegraph file mounts to 150,000 or more words a day.

The centenary of the Press Gallery brings before the mind's eye in ghostly array the figures of many great men who in the far-away yesteryear not only recorded the doings of Congress with distinction and brilliancy but who, in many instances, served as the advisers and counsellors of statesmen, such journalists as Henry Watterson, Horace Greeley, Murat Halstead, and Whitelaw Reid. [Applause.] Two members of the Press Gallery, after an interim, came back to Washington as members of the United States Senate—Medill McCormick of Illinois and Arthur Capper of Kansas. It fell to my lot to be the only correspondent who went directly from the Press Gallery to a seat in Congress. [Applause.] Robert J. Wynne graduated from the gallery to the office of consul general at London and later was Postmaster General. Walter Eli Clark left the gallery to become Governor of Alaska. Many members of the gallery have gone into consular and diplomatic positions and have made their mark in the Foreign Service of our country. Some of the mightiest men in the world of journalism and politics have been identified with the Press Gallery, such men as Watterson and Greeley, for instance. To the best of my recollection Mark Twain was never a member of the Press Gallery, but he used to come down and hobnob with us frequently and, being a man of many idiosyncrasies, he always dazzled us by appearing in a suit of creamy white, even though it might be in the dead of winter with a blizzard raging outside.

About the turn of the century, when I joined the gallery, there were two occasions when the gentlemen of the press and the Members of Congress dressed up in their killing best, each vying with each other for dazzling sartorial effects. Those occasions were the opening and closing days of Congress. The most outstanding members of the Press Gallery, the tycoons of our profession, never thought of appearing on one of those extraordinary days without being arrayed in silk hat and Prince Albert. Some of us who belonged to the common and garden variety of correspondents could not sport such clothes, but we beheld with awe and admiration our leaders who were dressed in a manner so pleasing to the eye. In what is now a part of the House restaurant downstairs, there was a long bar with sawdust and brass rail where, on those stellar days, certain journalists and statesmen acquired the spirit and aplomb that facilitated their efforts to uphold the dignity of the American Nation. [Laughter.]

For well on to three-quarters of a century there were no women members of the Press Gallery, and the males of the species bitterly resented the oncoming drive of women to secure press-gallery privileges. This no doubt was due to a hunch that having women around would be a restraining influence on speech and conduct. Besides, there was a sort of feeling among the journalistic elders that woman's place is over a tub and not over a typewriter. Mrs. Isabel Worrall Ball, a very estimable lady with a strong mind, was the first woman to edge her way into the Press Gallery, and for a time she was greeted with about the same warm hospitality and cheeriness with which a victim of smallpox would be hailed. Gradually the prejudice against women wore off, however, and with their coming, cussing became more restrained and fewer hairy chests were exposed to view on hot days. [Laughter.]

For 28 years continuously, beginning in 1901, I was a member of the corps of Washington correspondents, and I shall always regard my service as president of the National Press Club as one of the greatest honors that ever came to me, or that could ever come to anyone, for that matter. The sweetest recollections of my life are centered in the Press Gallery upstairs, which was the scene of my daily labors. From that point of vantage and from the similar gallery in the Senate I watched the world go around, happier, I confess, as a moulder of public opinion and as a chronicler of history than I can ever hope to be again. I had many rich experiences as a member of the Press Gallery, and as long as life lasts I shall bear with me fond and endearing memories of many

noble characters among the correspondents with whom I had the privilege of being associated as a writer who have preceded me into the unknown land. [Applause.] On March 4, 1929, after spending 28 years in the Press Gallery, years of excitement and glamour, covering a momentous period in the history of America and of the world, I moved downstairs to a seat in the House, where I have been permitted to enjoy the fine friendships of my congressional colleagues during the last 10 years. While I appreciate the great honor of these splendid companionships and associations, nevertheless, having been raised in the arms of the press, to the press I expect to return, and a few more controversial votes such as we cast on June 1 probably will accelerate my return. [Applause and laughter.]

All of this is preliminary to saying that a very dear friend of mine and former colleague of the Press Gallery, Maj. Paul J. McGahan, Washington correspondent of the Philadelphia Inquirer, has written a brief history of the Press Gallery which is of absorbing interest. Major McGahan was a member of the standing committee, the committee that rules the Press Gallery, during the Seventy-fourth, Seventy-fifth, and Seventy-sixth Congresses, and was admirably qualified to accomplish the task to which he addressed himself. On behalf of the members of the Press Gallery, I ask unanimous consent to extend my remarks in the RECORD by including this document prepared by Major McGahan. [Applause.]

MEMORANDUM CONCERNING THE ESTABLISHMENT OF THE RULES GOVERNING THE PRESS GALLERIES OF THE CONGRESS AND SOME HISTORICAL DATA CONCERNING THE STANDING COMMITTEE OF CORRESPONDENTS, PREPARED FROM SOURCE RECORDS BY PAUL J. MCGAHAN, PHILADELPHIA INQUIRER, AND MEMBER OF THE STANDING COMMITTEE FOR THE SEVENTY-FOURTH, SEVENTY-FIFTH, AND SEVENTY-SIXTH CONGRESSES

In the early days of the Congress, newspaper coverage was relatively incomplete, but as far back as 100 years ago, in the Twenty-fifth Congress in 1838, the Senate adopted rules granting floor privileges to representatives of the local newspapers in Washington.

Late in 1838 six out-of-town scribes petitioned for like privileges and, in January 1839, the Senate Committee on the Contingent Fund submitted a report recommending that the "front seats in the eastern gallery be set aside for reporters."

James Gordon Bennett the elder, who had been a Washington correspondent for the New York Enquirer in 1827, as Bennett of the New York Herald, came to Washington in 1839 and remained until the termination of the Twenty-fifth Congress.

In 1841 Bennett engaged in a strenuous controversy with Senator Southard, the President pro tempore, who had denied Herald reporters the use of the Senate facilities. This controversy waged for several years, the so-called "letter writers," as correspondents were then known, being alternately aided and rebuffed.

In 1848 and in 1850 additional reporters and editors were granted floor privileges.

The records show that on March 24, 1856, in the first session of the Thirty-fourth Congress, Senator John P. Hale, of New Hampshire, offered a resolution, which was adopted, which directed the Sergeant at Arms "to exclude all persons, except reporters, from the seats appropriated in the Senate gallery for the use of the reporters."

On February 11, 1858 (35th Cong., 1st sess.), a move to take care of reporters other than for the Congressional Globe was started. Then came the move to the new Chamber of the Senate—the present quarters.

The Senate Journal shows that a report from Mr. Davis from the committee appointed on the 23d of December previous to make arrangements was adopted on motion of Mr. Crittenden on January 4, 1859. In part it provided that:

"The center portion of the north gallery, being that within the rails, is reserved for such reporters of the press as may be admitted thereto by authority of the Senate, except the front desk, which is set apart for the reporters of the Senate."

Meanwhile a Senate committee had been considering the Press Gallery situation since February 10, 1858. The resolution offered in the Senate on January 10, 1859, proposed keeping the front seats of the gallery for the reporters of the Globe. It was resolved, as adopted on January 11, 1859, "that the other seats in the reporters' gallery be numbered as directed by the Presiding Officer of the Senate, who, at the commencement of each Congress, may assign one seat to each newspaper in the city of Washington, and to such daily newspapers elsewhere as may apply therefor; but if any such newspapers have more than one reporter, they may alternate, occupying only the one seat assigned to such newspaper.

"Seats in the reporters' gallery, however, shall not be assigned to any person unless the Presiding Officer shall be satisfied that such person is a bona fide reporter of the particular paper, by whose editor or editors he shall be certified to be so employed.

"Resolved, That the Presiding Officer is authorized to make, from time to time, such further regulations in regard hereto as may be deemed proper by him."

In the course of the discussions on these various proposals looking to the establishment of a press gallery, particularly in the immediate preceding years to 1859, that perhaps a Senate committee should be placed in charge instead of leaving the burden to the Presiding Officer of the Senate.

It is also history that the Senate on several occasions proceeded to the consideration of resolutions seeking the denial of gallery privileges to certain newspaper correspondents. It was on one of these occasions that James Gordon Bennet waxed eloquent and vitriolic and enlisted the support of Henry Clay.

The records of the second session of the Thirty-ninth Congress for December 5 and 6, 1866, show that the Senate considered a proposal to afford accommodations to a press association representative on the floor of the Senate, but no action then resulted.

On March 12, 1873 (special session, 43d Cong.), Mr. Anthony offered the following resolution, which was agreed to:

"Resolved, That it shall be the duty of the Committee on Rules to make and enforce all rules and regulations respecting the reporters' gallery of the Senate and the occupation thereof, and such committee is directed to take such action from time to time as will confine the occupation of said gallery to bona fide reporters for daily newspapers, taking not to exceed one seat to each paper; and said committee shall have power to provide seat or seats on the floor for the Associated Press reporters and to regulate the occupation of the same."

Mr. Anthony the next day moved to seek to prevent the issuance of more tickets to the Press Gallery than there were seats. "The object of the resolution is to protect the reporters in their gallery," he said in offering the suggestion, which went to the Rules Committee.

The Press Gallery then accommodated between 30 and 40. The Washington Star of March 25, 1873, reported that 20 additional seats were to be added, "but the Committee on Rules, now having charge of the gallery, are determined that none but legitimate newspapermen employed by papers and having authority to represent them shall be admitted to the gallery."

By this time it had become a custom to list the names of accredited members of the Press Galleries in the Congressional Directory.

From the splendid records relating to the history of the press in the Congress, compiled by James D. Preston, long the superintendent of the Senate Press Gallery, it is learned that on November 5, 1877, the Washington correspondents selected a committee to confer with Speaker Randall relative to the assignment of seats in the House reporters' gallery.

The Washington Star of Friday, April 4, 1879, reports that the correspondents met at the New York Times office "to adopt rules which had been prepared by the executive committee regulating admission to the reporters' galleries of the House and the Senate. They were adopted, are very stringent, and will have a tendency of keeping the galleries for their legitimate uses instead of being overrun by dead beats and lobbyists. The old executive committee of last year was reelected, consisting of Mr. George W. Adams, Gen. H. V. Boynton, E. B. Wight, L. Q. Washington, and William C. McBride."

By 1884 it was noted in an article that the rules had been further strengthened by excluding from gallery membership those who were engaged in employment in the Government offices and Departments.

The first appearance of printed rules governing the Press Galleries came with the first session of the Fiftieth Congress in December 1887. It was this action, approved by the Senate Rules Committee, then headed by Senator N. W. Aldrich, of Rhode Island, and John G. Carlisle, then the Speaker of the House, that established the official status of the standing committee of correspondents. The then standing committee consisted of Gen. H. V. Boynton, William C. McBride, E. B. Wright, F. A. G. Handy, and John M. Carson. The rules read as follows:

"(1) Persons desiring admission to the Press Gallery shall make application for tickets to the Committee on Rules of the Senate, stating in writing for what paper or papers they are employed to report, and also stating that they are not engaged in the prosecution of claims pending before the Congress or the departments, and will not become so engaged while allowed admission to the gallery and that they are not in any sense the agents or representatives of persons or corporations having legislation before Congress, and will not become either while retaining their places in the gallery. Visiting journalists who may be allowed temporary admission to the gallery must conform to the restrictions of this rule.

"(2) The application required by rule 1 shall be authenticated in a manner that shall be satisfactory to the standing committee of correspondents who shall see that the occupation of the gallery is confined to bona fide correspondents of reputable standing in their business.

"(3) Clerks engaged in the executive departments of the Government, or persons engaged in other occupations whose chief support is not derived from newspaper correspondence, are not entitled to admission.

"(4) Members of the families of correspondents are not entitled to admission.

"(5) The gallery subject to the supervision and control of the Committee on Rules, shall be under the direction of the standing committee of correspondents."

The Congressional Directory for the second session of the Fifty-first Congress in 1891 showed a change to rule 36 in the House,

and the inclusion of this rule in the language of the original rules governing the Press Galleries.

This new promulgation was signed by Speaker Thomas B. Reed, and had the approval of the Senate Rules Committee, with Senator Aldrich as chairman.

In the current issue of the Congressional Directory the following rules governing the Press Galleries, which are the development and strengthening of these rules worked out more than a half a century ago, are the governing force over the Press Gallery membership:

"RULES GOVERNING PRESS GALLERIES

"1. Persons desiring admission to the Press Galleries of Congress shall make application to the Speaker, as required by rule XXXV of the House of Representatives, and to the Committee on Rules of the Senate, as required by rule IV for the regulation of the Senate Wing of the Capitol; and shall state in writing the names of all newspapers or publications or news associations by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not engaged in the prosecution of claims pending before Congress or the departments, and will not become so engaged while allowed admission to the galleries; that they are not employed in any legislative or executive department of the Government, or by any foreign government or any representative thereof; and that they are not employed, directly or indirectly, by any stock exchange, board of trade, or other organization, or member thereof, or brokerage house, or broker, engaged in the buying and selling of any security or commodity or by any person or corporation having legislation before Congress, and will not become so engaged while retaining membership in the galleries. Holders of visitor's cards who may be allowed temporary admission to the galleries must conform to the restrictions of this rule.

"2. The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of correspondents who shall see that the occupation of the galleries is confined to bona-fide correspondents of reputable standing in their business, who represent daily newspapers or newspaper associations requiring telegraphic service; and it shall be the duty of the standing committee at their discretion, to report violation of the privileges of the galleries to the Speaker, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended.

"3. Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to admission to the Press Galleries; and the press list in the Congressional Directory shall be a list only of persons whose chief attention is given to telegraphic correspondence for daily newspapers or newspaper associations requiring telegraphic service.

"4. Members of the families of correspondents are not entitled to the privileges of the galleries.

"5. The Press Galleries shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the House of Representatives and the Senate Committee on Rules.

"Approved.

"WILLIAM B. BANKHEAD,

"Speaker of the House of Representatives.

"Approved by the Committee on Rules of the Senate."

In order to obtain admission to the congressional Press Galleries it is necessary for each applicant to submit an application blank, together with his letter of credential from the responsible editor of his or her newspaper, in order that the standing committee may conduct the necessary inquiry.

This membership application form is as follows:

"CONGRESS OF THE UNITED STATES,  
"WASHINGTON, D. C., \_\_\_\_\_, 19\_\_\_\_,

"GENTLEMEN: I desire admission to the Press Galleries of the Congress as a daily telegraphic correspondent for the \_\_\_\_\_, a newspaper, printed \_\_\_\_\_ times a week at \_\_\_\_\_ in the State of \_\_\_\_\_, during the \_\_\_\_\_ Congress.

"I am not engaged in the prosecution of any claim pending before the Congress or any department; I am not employed in any legislative or executive department of the Government, or by any foreign government or any representative thereof; I am not employed, directly or indirectly, by any stock exchange, board of trade, or other organization or member thereof, or brokerage house, or broker engaged in the buying and selling of any security or commodity, or by any person or corporation having legislation before the Congress; and I will not become engaged in any of these capacities while retaining membership in the galleries.

"My chief attention is given to, and my principal earned income is obtained from, daily telegraphic correspondence for the daily newspaper or newspapers in whose behalf this application is made.

"Other occupation or employment, if any (including publicity work): \_\_\_\_\_

"Respectfully,

"\_\_\_\_\_

"To the Senate Committee on Rules, and the Speaker of the House of Representatives:

"\_\_\_\_\_, newspaper \_\_\_\_\_, Name \_\_\_\_\_,  
Married \_\_\_\_\_, Office \_\_\_\_\_, Office telephone \_\_\_\_\_, Residence \_\_\_\_\_."

"REGULATIONS GOVERNING THE PRESS GALLERIES

"1. Members of the Press Galleries of Congress who accept employment as publicity agents shall immediately notify the stand-

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ing committee of such employment and by whom employed; and both names shall be posted in the Press Galleries and forwarded in writing to the Speaker of the House and the Rules Committee of the Senate.

"2. The standing committee of correspondents may issue temporary visitors' cards of admission to the Press Galleries, which shall be limited to members of the editorial and reporting staffs of daily newspapers or newspaper associations, duly accredited, to owners and publishers directly connected with the editorial management of their newspapers, to cartoonists, and to magazine writers; but such cards shall not entitle to admission on 'special card days.'

"3. On 'special card days' in either House, the superintendent of the Press Gallery shall reserve the gallery seats and spaces for the exclusive use of persons holding regular gallery cards. On such days in the House the door leading to the gallery on the west side shall be closed.

"4. Application for admission to the Press Galleries shall be made upon blanks provided by the standing committee of correspondents.

"Per order:

"STANDING COMMITTEE OF CORRESPONDENTS."

In the intervening years down to 1939, there have been some modifications in the nature of strengthening clauses to these rules, and also changes due to the fact that the specific rules of both the House and Senate which control, had been given new numbers in the changes made in their rules by each of these bodies.

As was pointed out earlier in this memorandum, both branches of the Congress, the House and the Senate, have moved through the years to perfect arrangements whereby the daily press of the Nation should have facilities for reporting the proceedings. In the face of the inherent difficulties of a joint committee representing each body, the Standing Committee of Correspondents came into joint official recognition as the group to have the direction of the gallery and to sit in judgment on the qualification of applicants.

The House of Representatives handled the situation of providing facilities for the newspaper men, practically from the outset of the life of Congress. The records indicate that the newsmen were granted certain floor privileges at the discretion of the Speaker of the House. The Congressional Globe for February 17, 1846, reports that the reporters by a resolution were ordered to be furnished with one copy each of printed papers, documents, and bills, "as are laid on the desks of Members."

When the House of Representatives was preparing to move into the "new quarters" now occupied by that body, Mr. Warren, for a special committee in the first session of the Thirty-fifth Congress on December 14, 1857, moved the following report, which was adopted:

"For the Official Reporters of the House, a convenient desk immediately under the Clerk's desk, is provided; and for the accommodation of the reporters of the public press, there is ample room in the gallery immediately over the Speaker's chair, and east of the railing. The committee recommends that this part of the gallery, the room immediately behind it, in the third story be set apart for their use, and provided with desks and conveniences for taking and writing out their notes. The telegraphic wires should also be introduced into this room, so as to permit the transmission of intelligence direct from the reporters to the distant press. By this means the report of an hour's speech might be completely set up in New York within 15 minutes after delivery."

The Congressional Globe for December 16, 1857, reports a spirited debate over a resolution directing a study of the number of new employees needed in the enlarged congressional quarters, in which an amendment which was accepted directed the same committee to also report what facilities could be afforded "reporters not already provided for." It was explained that more than 50 news writers were seeking credentials to report congressional proceedings.

The Congressional Globe, reporting House proceedings for December 23, 1857, showed that the select committee headed by Mr. Faulkner submitted a four-point report and two rules, one of which, No. 17, dealt with those having floor privileges.

The report, which was adopted by the House, included the following:

"1. Resolved, That the Speaker assign portions of the galleries for the use of the press, for foreign ministers, and for a ladies' gallery.

"2. Resolved, That the south lobby and the east and west lobbies south of the principal staircases be reserved for the use of Members and persons admitted to the floor of the Hall.

"3. Resolved, That the superintendent cause the reporters' gallery to be properly fitted up with desks and seats and conveniences for writing and taking notes.

"4. Resolved, That the telegraph and reporters' room be reserved for the use of the telegraphic companies and reporters.

"Rule 18. Stenographers and reporters, other than the Official Reporters of the House, wishing to take down the debates may be admitted by the Speaker to the reporters' gallery over the Speaker's chair, but not on the floor of the House; but no person shall be allowed the privileges of said gallery under the character of stenographer or reporter without a written permission of the Speaker, specifying the part of the said gallery assigned to him; nor shall said stenographer or reporter be admitted to said gallery unless he shall state in writing for what paper or papers he is employed to report; nor shall he be admitted, or, if admitted, be suffered to retain his seat if he shall be, or become, an agent to prosecute any claim

pending before Congress, and the Speaker shall give his written permission with this condition."

The then Speaker of the House was the Honorable James L. Orr, of South Carolina.

In the second session of the Forty-sixth Congress, Mr. Blackburn, of Kentucky, from the Committee on Rules, reported the following revision of the rules, which was adopted:

"Rule 36, paragraph 2.

"Stenographers and reporters, other than the Official Reporters of the House wishing to take down debates and proceedings may be admitted by the Speaker to the reporters' gallery over the Speaker's chair under such regulations as he may from time to time prescribe; and he may assign two seats on the floor to Associated Press reporters and regulate the occupation of the same."

The Washington Star for Tuesday, March 9, 1880, contained the following item:

"The new House rules as interpreted by Doorkeeper Field greatly restricts the facilities hitherto extended to the press and limits the field of operations of the press to the corridors, which for the most part are occupied with telegraph instruments, peanut stands, tramps, pie women, and lobbyists."

During the tenure of Speaker of the House J. Warren Keifer, of Ohio, in the Forty-seventh Congress, there were numerous conflicts over the invasion of the Press Gallery by outsiders and persons to whom cards had been issued who were not newspapermen. It was during this period that the enlarging corps of Washington correspondents set up their own representative committee, which proposed even more stringent qualification rules. The application of these rules applied first to the Senate Press Gallery, and soon after John G. Carlisle became Speaker of the House were approved by him. Subsequently, as noted elsewhere in this memorandum, the "Rules governing the Press Gallery" received their initial joint endorsement at the hands of both branches of the Congress, and the standing committee of correspondents came officially into existence.

In the early days there were few correspondents. Down through the years the number of daily newspapers requiring correspondents in Washington has increased tremendously. The major portion of this increase began about 1912.

At the present time there are 513 accredited members of the congressional Press Galleries, almost 50 having been here approximately a quarter of a century. The number of newspapers represented now aggregates 315.

The Congress has always been alive to the necessity of providing facilities for this vast working force. But the actual "gallery" accommodations in both the Senate and the House have long since passed the point where the number of seats available is adequate. It has become necessary for the standing committee to restrict on important occasions, such as a Presidential appearance at a joint session, the number of persons actually admitted to the gallery space, allotting one seat to each newspaper, and two or three each to the press associations which serve many hundred newspapers.

In the matter of work space for each of the galleries, much has been done by both branches of the Congress. The inability, however, to obtain additional room space on the House side, has resulted in a compact jamming together of facilities there, which from the work-load point, make the situation a distressing one.

The Senate several years ago authorized and made extensive and substantial extensions to the outside Press Gallery facilities, which make working conditions there much more favorable than those existing on the House side. But here, too, there is no lost space, and no room can be spared for facilities, which numerous working correspondents have requested.

The record of the control by the Standing Committee of Correspondents over admissions to the Press Galleries, and the conduct of members is an enviable one. There is an appeal from a decision of the committee to the Speaker of the House and to the Rules Committee of the Senate. Such appeals have been taken, but there are few if any instances where the ruling of the standing committee has been overturned.

It is not without significance that the two major political parties, the Republican in 1904, and the Democratic in 1912 national organizations, have for many years now, turned over to the Standing Committee of Correspondents on the occasion of the great national conventions to pick President and Vice Presidential nominees, the complete control over the press stands, including the distribution of press credentials to the newspapers of the country, and the arrangements of press facilities at the convention halls.

As the activities of the Federal Government have enlarged the list of accredited members of the Press Galleries, as it appears in the Congressional Directory, has served the important purpose of making readily available to all officials a listing of accredited and responsible newspaper writers in Washington.

Here, too, the standing committee of correspondents, due to the status that it has attained through the years, performs an extremely useful service. There are many newspaper writers in Washington who are not members of the Press Galleries. There are many reasons for this. The standing committee has been prompt to move to expunge from its listings individuals who have broached the proprieties.

It is also a fact worthy of consideration that the five members of the standing committee, elected to serve in that capacity for the duration of a Congress of the United States, are chosen at large from the entire body of accredited members of the Press Galleries. The post is esteemed as one of journalistic honor and distinction,

and many noted Washington correspondents have served on the committee.

It might be pointed out that the present committee for the Seventy-sixth Congress was elected from a field of 10 candidates, and that more than 300 Washington correspondents cast their votes in the election.

The Press Galleries are distinctly a daily press institution. It has obviously been the congressional thought that they should be so continued and maintained. To inject any other element into the situation involving them would hamper and disturb what has become an efficient and sure-moving operation.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. LUDLOW. I yield.

Mr. JOHNSON of Oklahoma. May I state that the distinguished gentleman from Indiana is making a most interesting and informative address, as he always does. May I add that I am sure that it is a source of much satisfaction to the gentleman from Indiana that the House Press Gallery is crowded with the gentlemen of the press.

Mr. LUDLOW. I thank the gentleman. I am also very much gratified to observe that I have a very select audience facing me. [Applause.]

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

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

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I have asked the indulgence of the House at this late hour to join my colleague from Indiana in expressing my own very deep appreciation for the gentlemen of the press. It has been my good fortune to meet many of the fellows in the Press Gallery, and I have found them to be high-class, honorable gentlemen. It has been my experience that one can talk to the average reporter freely, frankly, and fully at all times "on" or "off" the record, and that they are honorable and dependable under any and all circumstances. [Applause.]

Now, just a word with reference to the gentleman from Indiana who has just addressed the House. I have served with the gentleman from Indiana for several years and have also visited his home city of Indianapolis on many occasions. I was delighted to learn that he is loved and really appreciated by his home folk, who know him best. May I add that until I had served with him on the Appropriations Committee, I did not fully appreciate his unusual ability and untiring and unselfish efforts to serve his people.

May I add that I am certain I express the sentiment of every Member of this House when I say that, irrespective of party affiliations, no man on either side of this aisle enjoys a greater respect of his colleagues than does the able gentleman from Indiana. [Applause.]

It is my sincere hope that he remains at his post of duty as chairman of a powerful and important subcommittee on appropriations for many years to come. America needs more men of the high caliber and sincerity of purpose of the gentleman from Indiana in public service. [Applause.]

Mr. LUDLOW. I want, from the fullness of my heart, to express my thanks to my friend from Oklahoma. [Applause.]

[Here the gavel fell.]

Mr. LEWIS of Colorado. Mr. Speaker, supplementing the interesting remarks by the gentleman from Indiana [Mr. Ludlow] concerning the evolution of the Press Galleries in the Congress for newspaper reporters and correspondents, it may be worth while to recall to the House the action recently recommended by your Committee on Rules and approved by the House, to provide facilities and accommodations for those other disseminators of prompt information to the public concerning the debates and proceedings of the House. I refer to the radio reporters who employ, not accounts printed in newspapers but oral news bulletins broadcast by wireless through the ether.

#### AGITATION FOR PROVISION OF FACILITIES FOR RADIO REPORTERS

With the invention and rapid development of radio, which was not even dreamed of until long after the time when the Press Galleries were fully established—and with the ever-

increasing dissemination of oral news bulletins through the ether, there has arisen a demand for the furnishing of facilities for the prompt gathering of news of the debates and other proceedings in the Congress by reporters who broadcast such news by wireless. Full hearings, earlier this present session, were had by the Committees on Rules of the House and of the Senate on the application by certain "radio reporters" to have extended to them facilities and accommodations similar to those long since provided for reporters and correspondents for daily newspapers.

Rule XXXV of the Rules of the House of Representatives, first adopted in 1857, had been amended from time to time as occasion demanded, including February 18, 1909; April 5, 1911; January 18, 1916; and December 13, 1916. Until its most recent amendment, it read, in full, as follows:

1. The appointment and removal, for cause, of the official reporters of the House, including stenographers of committees, and the manner of the execution of their duties shall be vested in the Speaker.

2. Such portion of the gallery over the Speaker's chair as may be necessary to accommodate representatives of the press wishing to report debates and proceedings shall be set aside for their use, and reputable reporters and correspondents shall be admitted thereto under such regulations as the Speaker may from time to time prescribe; and the supervision of such gallery, including the designation of its employees, shall be vested in the standing committee of correspondents, subject to the direction and control of the Speaker; and the Speaker may assign one seat on the floor to Associated Press reporters, one to the Sun Press Association, one to the United Press Association, one to the National News Association, one to the Central News Association of America, and one to the New York Herald Syndicate, and regulate the occupation of the same. And the Speaker may admit to the floor, under such regulations as he may prescribe, one additional representative of each press association.

Because of the present crowded condition of the Press Gallery in the House and certain other considerations, it was decided by the Committee on Rules of the House that it would not be practicable to provide accommodations for radio reporters in the present Press Gallery immediately over the Speaker's chair. Therefore it seemed necessary to provide space elsewhere in the galleries of the House for the accommodation of reporters for this new form of news dissemination. Furthermore, it seemed desirable to have radio reporters organize a self-governing committee, similar to the standing committee of correspondents for newspapers, who should be responsible for the control of admissions to this gallery for radio reporters and the conduct of persons admitted thereto, subject always to the direction and control of the Speaker. After investigation by the Rules Committee and consultation with the Speaker and the Architect of the Capitol, it was determined that a limited number of seats could be provided for radio reporters in the south gallery of the hall of the House, to the east of the press section; and other facilities in the adjacent east corridor on the gallery floor, between the two public elevators.

ACCOMMODATIONS IN HOUSE GALLERY FOR RADIO REPORTERS, AUTHORIZED BY HOUSE RESOLUTION 169, ADOPTED APRIL 20, 1939

Accordingly, House Resolution 169, introduced by Mr. DEMPSEY, of New Mexico, was reported by the Committee on Rules, and, on April 20, 1939, was adopted unanimously by the House. This resolution is as follows:

*Resolved*, That rule XXXV of the Rules of the House of Representatives is amended by the addition of the following, which shall become paragraph 3:

"3. Such portion of the gallery of the House of Representatives as may be necessary to accommodate reporters of news to be disseminated by radio, wireless, and similar means of transmission, wishing to report debates and proceedings, shall be set aside for their use, and reputable reporters thus engaged shall be admitted thereto under such regulations as the Speaker may from time to time prescribe; and the supervision of such gallery, including the designation of its employees, shall be vested in the standing committee of radio reporters, subject to the direction and control of the Speaker."

THE SENATE, BY SENATE RESOLUTION 117, ADOPTED APRIL 25, 1939, AUTHORIZED ITS COMMITTEE ON RULES TO MAKE REGULATIONS EXTENDING THE USE OF REPORTERS' GALLERIES OF THE SENATE TO RADIO REPORTERS

As appears from the CONGRESSIONAL RECORD, the Committee on Rules of the Senate also considered recently the applica-

tion of certain radio reporters to be admitted to the reporters' galleries of the Senate.

Paragraph 2 of rule XXXIV of the Standing Rules of the Senate, until its recent amendment, provided as follows:

2. It shall be the duty of the Committee on Rules to make all rules and regulations respecting such parts of the Capitol, its passages, and galleries, including the restaurant and Senate Office Building, as are or may be set apart for the use of the Senate and its officers, to be enforced under the direction of the Presiding Officer. They shall, at the opening of each session of Congress, make such regulations respecting the reporters' gallery of the Senate as will confine its occupation to bona fide reporters for daily newspapers, assigning not to exceed one seat to each paper.

Senator GILLETTE, of Iowa, on April 6, 1939, introduced Senate Resolution 117, which, after consideration by the Committee on Rules, was reported on behalf of that committee by Senator NEELY, of West Virginia, accompanied by Report No. 317. In this report was embodied an interesting memorandum by Mr. Paul J. McGahan, Washington correspondent for the Philadelphia Inquirer and a member of the standing committee of correspondents for the Seventy-fourth, Seventy-fifth, and Seventy-sixth Congresses. In this memorandum Mr. McGahan told the little-known story of the evolution of the press galleries, of the self-governing body of newspaper men known as the standing committee of correspondents and of the rigid rules formulated and enforced by that committee concerning admissions to the Press Galleries and the conduct of members thereof:

After debate, the Senate, on April 25, 1939, adopted Senate Resolution 117, which is as follows:

*Resolved*, That paragraph 2 of rule XXXIV of the Standing Rules of the Senate be amended by striking out the last sentence of said paragraph 2 and substituting in lieu thereof the following: "They shall make such regulations respecting the reporters' galleries of the Senate, together with the adjoining rooms and facilities, as will confine their occupancy and use to bona fide reporters for daily newspapers, to bona fide reporters of news or press associations requiring telegraph service to their membership, and to bona fide reporters for daily news dissemination through radio, wire, wireless, and similar media of transmission. These regulations shall so provide for the use of such space and facilities as fairly to distribute their use to all such media of news dissemination."

It thus appears that the Senate, as well as the House, has recently taken steps to provide for the accommodation of radio reporters' facilities similar to those long since provided for newspaper reporters and correspondents.

#### EXTENSION OF REMARKS

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a Memorial Day address by Senator TAFT.

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

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FAY (at the request of MICHAEL J. KENNEDY), indefinitely, on account of illness.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2314. An act to establish the position of Under Secretary in the Department of Commerce.

#### ADJOURNMENT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 42 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 6, 1939, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON FOREIGN AFFAIRS

There will be a meeting of the Committee on Foreign Affairs (executive session) in the committee rooms, Capitol, at 10 a. m. Tuesday, June 6, 1939, for the consideration of House Joint Resolution 306, Neutrality Act of 1939.

## COMMITTEE ON THE JUDICIARY

There will be a public hearing before Subcommittee No. 3 of the Committee on the Judiciary on Wednesday, June 7, 1939, at 10 a. m., on the bill (H. R. 2318) to divorce the business of production, refining, and transporting of petroleum products from that of marketing petroleum products. Room 346, House Office Building.

## COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of Subcommittee No. 2 of the Committee on the Post Office and Post Roads on Tuesday, June 6, 1939, at 10 a. m., to consider H. R. 4932, a bill to amend the act of March 3, 1879.

There will be an executive session of the Committee on the Post Office and Post Roads at 10 a. m., on Wednesday, June 7, 1939, for the consideration of H. R. 3835.

## COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, June 7, on H. R. 3029 (STARNES of Alabama).

## COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings in room 219, House Office Building, at 10 a. m., on the bills and dates listed below:

On Tuesday, June 6, 1939, on H. R. 6039, motorboat bill of 1939 (BLAND); and H. R. 6273, outboard racing motorboats (BOYKIN).

On Tuesday, June 13, 1939, on H. R. 1011, drydock facilities for San Francisco (WELCH); H. R. 2870, drydock facilities for Los Angeles (THOMAS F. FORD); H. R. 3040, drydock facilities for Los Angeles (GEYER of California); and H. R. 5787, drydock facilities for Seattle, Wash. (MAGNUSON).

The hearing originally scheduled by the Committee on Merchant Marine and Fisheries for Thursday, June 8, 1939, on H. R. 6042, requiring numbers on undocumented vessels (KRAMER), and H. R. 5837, alien owners and officers of vessels (KRAMER), has been postponed until Tuesday, June 13, and will come up on the same list as those bills named directly above.

On Thursday, June 15, 1939, on House Joint Resolution 194, investigate conditions pertaining to lascar seamen (SIROVICH).

On Friday, June 16, 1939, on H. R. 5611, district commanders' bill (U. S. Coast Guard).

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

818. A communication from the President of the United States, transmitting a supplemental estimate of appropriation in the amount of \$17,500 and a draft of a proposed provision to amend the existing appropriation for the Employees' Compensation Commission (H. Doc. No. 309); to the Committee on Appropriations and ordered to be printed.

819. A letter from the Attorney General of the United States, transmitting a recommendation for legislation to abolish the present fee system under which referees in bankruptcy are now compensated; to the Committee on the Judiciary.

820. A letter from the Secretary of Commerce, transmitting proposed legislation looking to the establishment of a circuit court of appeals for patents; to the Committee on the Judiciary.

821. A letter from the Secretary of the Interior, transmitting the draft of a proposed bill to authorize the leasing of the undeveloped segregated coal and asphalt deposits of the Choctaw and Chickasaw Indian Nations in Oklahoma; to the Committee on Indian Affairs.

822. A letter from the Chairman of the Federal Trade Commission, transmitting a report, including its conclusions, on an investigation made by the Commission pursuant to Public Resolution No. 87, Seventy-fifth Congress, approved July 13, 1938, on the motor-vehicle industry (H. Doc. No. 468); 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. MAY: Committee on Military Affairs. S. 840. An act to amend and clarify the provisions of the act of June 15, 1936 (49 Stat. 1507), and for other purposes; without amendment (Rept. No. 729). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 1181. An act to provide for the status of warrant officers and of enlisted men of the Regular Army who serve as commissioned officers; without amendment (Rept. No. 730). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 2163. An act to authorize an appropriation to meet such expenses as the President, in his discretion, may deem necessary to enable the United States to cooperate with the Republic of Panama in completing the construction of a national highway between Chorrera and Rio Hato, Republic of Panama, for defense purposes; without amendment (Rept. No. 731). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 2222. An act to provide for a Deputy Chief of Staff, and for other purposes; without amendment (Rept. No. 732). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEROUEN: Committee on the Public Lands. H. R. 3409. A bill to amend the act of June 15, 1936 (49 Stat. 1516), authorizing the extension of the boundaries of the Hot Springs National Park, in the State of Arkansas, and for other purposes; with amendment (Rept. No. 733). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 6037. A bill to amend section 194 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L. 1088); without amendment (Rept. No. 734). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. H. R. 6070. A bill to amend section 5 of the act of April 3, 1939 (Public, No. 18, 76th Cong.); without amendment (Rept. No. 735). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 6225. A bill to authorize appropriation for the construction of a medical school building at Carlisle Barracks, Pa.; without amendment (Rept. No. 736). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL: Committee on the Public Lands. H. R. 2752. A bill to include within the Kaniksu National Forest certain lands owned or in course of acquisition by the United States; with amendment (Rept. No. 737). Referred to the Committee of the Whole House on the state of the Union.

Mr. ALLEN of Pennsylvania: Committee on Foreign Affairs. H. J. Res. 294. Joint resolution providing for the presentation by the President of the United States of a certain monument to the people of Greece; with amendment (Rept. No. 738). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 2178. A bill to amend sections 6 and 7 of the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936; with amendment (Rept. No. 739). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 2642. A bill to amend the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936, and for other purposes; without amendment (Rept. No. 740). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 4190. A bill to permit classification of certain unclassified employees of the United States by noncompetitive examinations; without amendment (Rept. No. 741). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 5784. A bill to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes; with amendment (Rept. No. 742). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. S. 1582. An act to authorize the President to bestow a Meritorious Service Medal upon civil-service officers and employees of the United States, and for other purposes; without amendment (Rept. No. 743). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER. Committee on the Library. H. J. Res. 283. Joint resolution to establish the Major General William Jenkins Worth Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of Maj. Gen. William Jenkins Worth; without amendment (Rept. No. 744). Referred to the Committee of the Whole House on the state of the Union.

Mr. CARTWRIGHT: Committee on Roads. S. 1109. An act to amend the act entitled "An act to aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes," by providing that funds available under such act may be used to match regular and secondary Federal-aid road funds; with amendment (Rept. No. 745). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL: Committee on the Public Lands. H. R. 5747. A bill to authorize the addition of certain lands to the Wenatchee National Forest; without amendment (Rept. No. 746). Referred to the Committee of the Whole House on the state of the Union.

Mr. CLARK: Committee on Rules. H. Res. 214. A resolution providing for the consideration of H. R. 6635, a bill to amend the Social Security Act, and for other purposes; without amendment (Rept. No. 747). Referred to the House Calendar.

Mr. HILL: Committee on Indian Affairs. H. R. 2390. A bill conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render final judgment on any and all claims which the Yakima Indian Tribes may have against the United States, and for other purposes; with amendment (Rept. No. 749). Referred to the Committee of the Whole House on the state of the Union.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 6645) granting a pension to Girty A. Adamson, and the same was referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAY:

H. R. 6650. A bill to amend section 1223 of the Revised Statutes of the United States; to the Committee on Military Affairs.

By Mr. MURDOCK of Utah:

H. R. 6651 (by request). A bill providing retirement pay for the judges of the police court of the District of Columbia, the municipal court of the District of Columbia, and the juvenile court of the District of Columbia; to the Committee on the District of Columbia.

By Mr. BOREN:

H. R. 6652. A bill to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Georgia:

H. R. 6653. A bill to authorize a survey for a national parkway from the Augusta, Ga., terminus of the Oglethorpe National Trail and Parkway Survey to the Blue Ridge Parkway at Tennessee Bald, N. C., and for an extension of the Blue Ridge Parkway to the vicinity of Stone Mountain and Atlanta, Ga.; to the Committee on the Public Lands.

By Mr. DEROUEN:

H. R. 6654: A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of regulating interstate and foreign commerce in rice and providing for the orderly marketing of rice at fair prices in interstate and foreign commerce; to the Committee on Agriculture.

H. R. 6655 (by request). A bill to add certain lands to the Rocky Mountain National Park in the State of Colorado, and for other purposes; to the Committee on the Public Lands.

H. R. 6656 (by request). A bill to provide for the leasing, development, and production under the act of February 25, 1920 (41 Stat. 437), as amended, of deposits of coal, phosphate, sodium, potassium, oil, oil shale, or gas in lands owned by the United States which are under the jurisdiction of the War or Navy Departments, and for other purposes; to the Committee on the Public Lands.

H. R. 6657 (by request). A bill to amend the act of August 24, 1912 (37 Stat. 460), as amended, with regard to the limitation of cost upon the construction of buildings in national parks; to the Committee on the Public Lands.

H. R. 6658 (by request). A bill to authorize the lease or sale of certain public lands in Alaska, and for other purposes; to the Committee on the Public Lands.

H. R. 6659 (by request). A bill to authorize the creation of land regions and regional land offices, and for other purposes; to the Committee on the Public Lands.

By Mr. JOHNS:

H. R. 6660. A bill to amend the Internal Revenue Code with respect to the tax on employers of eight or more, and for other purposes; to the Committee on Ways and Means.

By Mr. KOCIALKOWSKI:

H. R. 6661. A bill to amend an act entitled "An act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes"; to the Committee on Insular Affairs.

By Mr. KUNKEL:

H. R. 6662. A bill granting the consent of Congress to the Dauphin County, Pa., Authority to construct, maintain, and operate a highway bridge across the Susquehanna River at or near the city of Harrisburg, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. MAAS:

H. R. 6663. A bill to increase the Federal contribution to States for old-age assistance by amending section 3 of the Social Security Act, approved August 14, 1935, and for other purposes; to the Committee on Ways and Means.

By Mr. MALONEY:

H. R. 6664. A bill to admit the American-owned barges *Prari* and *Palpa* to American registry and to permit their use in coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H. R. 6665. A bill to encourage agriculture, industry, and commerce by providing a better use of the banking facilities of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCRUGHAM:

H. R. 6666. A bill for the adjustment of rates and charges at Boulder Dam, for the disposition of revenues derived therefrom, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. WALTER:

H. R. 6667. A bill to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases; to the Committee on the Judiciary.

By Mr. WEAVER:

H. R. 6668. A bill to grant to the State of North Carolina a right-of-way for the Blue Ridge Parkway across the Cherokee Indian Reservation in North Carolina, to provide for the payment of just compensation for said right-of-way, and for other purposes; to the Committee on the Public Lands.

By Mr. VOORHIS of California:

H. R. 6669. A bill to provide for certain Presidential appointments to the United States Military Academy and the United States Naval Academy; to the Committee on Military Affairs.

By Mr. HARNES:

H. R. 6670. A bill to provide for a survey of certain portions of the Mississinewa River in the State of Indiana from Matters Park to Conners Mill in Grant County, with a view to developing proper flood controls; to the Committee on Flood Control.

By Mr. CARTWRIGHT:

H. R. 6671. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of regulating interstate and foreign commerce in cotton, providing for the orderly marketing of cotton at fair prices in interstate and foreign commerce, insuring to cotton producers a parity income from cotton based upon parity price or cost of production, whichever is higher, and for other purposes; to the Committee on Agriculture.

By Mr. MAHON:

H. R. 6672. A bill to amend the act entitled "An act to create a new division of the District Court of the United States for the Northern District of Texas," approved May 26, 1928 (45 Stat. 747); to the Committee on the Judiciary.

By Mr. HILL:

H. J. Res. 311. Joint resolution to designate the composition known as America as the national hymn of the United States of America; to the Committee on the Judiciary.

By Mr. ANGELL:

H. J. Res. 312. Joint resolution proposing an amendment to the Constitution of the United States, relating to the terms of office of the President and the Vice President; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. PIERCE of Oregon:

H. J. Res. 313. Joint resolution proposing an amendment to the Constitution of the United States relating to nominations of candidates for President and Vice President; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. VOORHIS of California:

H. Con. Res. 27 (by request). Concurrent resolution calling a world convention of the Nonmilitary Federation of Nations; to the Committee on Foreign Affairs.

#### 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 Florida, memorializing the President and the Congress of the United States to consider their House Memorial No. 11, with reference to the Works Progress Administration scale of wages paid; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States to consider their House Resolution No. 69, with reference to position as reading clerk in the National Congress; to the Committee on Accounts.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolution

No. 46, with reference to civil-liberties investigation; to the Committee on Appropriations.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H. R. 6673. A bill granting an increase of pension to Jennett Hutchinson; to the Committee on Invalid Pensions.

By Mr. BOYKIN:

H. R. 6674. A bill granting a pension to Helen Moore Bristol; to the Committee on Invalid Pensions.

By Mr. BREWSTER:

H. R. 6675. A bill granting a pension to James D. Shelters; to the Committee on Invalid Pensions.

By Mr. BROWN of Ohio:

H. R. 6676. A bill granting an increase of pension to Amanda Jane Worrell; to the Committee on Invalid Pensions.

H. R. 6677. A bill granting an increase of pension to Elizabeth Pidgeon; to the Committee on Invalid Pensions.

By Mr. CANNON of Missouri:

H. R. 6678. A bill to authorize Leonhard Stejneger, of the United States National Museum, to accept certain decoration from the Norwegian Government; to the Committee on Foreign Affairs.

By Mr. GOSSETT:

H. R. 6679. A bill granting a pension to Lawrence Farrell Harris; to the Committee on Invalid Pensions.

By Mr. LESINSKI:

H. R. 6680. A bill for the relief of Laszlo Kardos, Magdolna Kardos, and Gaby Kardos; to the Committee on Immigration and Naturalization.

By Mr. McGRANERY:

H. R. 6681. A bill granting a pension to Capt. Victor Gondos, Jr.; to the Committee on Invalid Pensions.

By Mr. SCHIFFLER:

H. R. 6682. A bill granting a pension to Charles Rufus Koon; to the Committee on Invalid Pensions.

H. R. 6683. A bill granting a pension to Hattie Jane Koon; to the Committee on Invalid Pensions.

By Mr. SCHUETZ:

H. R. 6684. A bill for the relief of Elizabeth Flaherty; to the Committee on World War Veterans' Legislation.

By Mr. TAYLOR of Tennessee:

H. R. 6685. A bill for the relief of John Oscar Brown; to the Committee on Military Affairs.

H. R. 6686. A bill for the relief of T. Jack Neal; 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:

3477. By Mr. ANGELL: Petition of the Senate and House of Representatives of the State of Oregon, memorializing Congress to enact legislation to solve the national railroad problem; to the Committee on Interstate and Foreign Commerce.

3478. By Mr. ASHBROOK: Petition of Sam White, of Newark, Ohio, and 237 others, endorsing the General Welfare Act (H. R. 5620); to the Committee on Ways and Means.

3479. By Mr. CARTER: Petition signed by Mrs. B. H. Horton, Nona M. Monsch, and 48 other residents, of Alameda County, Calif., urging the restriction of immigration from foreign countries for at least 5 years on account of having 12,000,000 to 14,000,000 unemployed in our country at this time; to the Committee on Immigration and Naturalization.

3480. By Mr. COFFEE of Washington: Resolution of the Methodist Federation for Social Service, at its national biennial conference at Kansas City, Mo., May 9-11, 1939, Harry F. Ward, secretary, requesting Congress to place an immediate embargo upon the shipment of war supplies and the granting of loans and credits to Japan; to the Committee on Foreign Affairs.

3481. Also, resolution of the United Hotel and Restaurant Workers, L. I. Union No. 432, of Chicago, Ill., Wayne Adamson, secretary, pointing out that there is widespread unemployment, that the American Federation of Labor, Congress of Industrial Organizations, and the railroad brotherhoods have petitioned Congress for the appropriation of adequate funds to provide relief for the needy, and therefore urging the passage of the Coffee bill (H. R. 266), providing for the emergency appropriation of an additional fund of \$50,000,000 to reemploy those discharged from the Works Progress Administration rolls; to the Committee on Appropriations.

3482. By Mr. CONNERY: Petition of sundry citizens of the Seventh Massachusetts District, urging that the Congress enact the General Welfare Act (H. R. 11); to the Committee on Ways and Means.

3483. Also, resolutions of the General Court of Massachusetts, memorializing Congress in favor of the passage of the antilynching bill; to the Committee on the Judiciary.

3484. Also, resolution of the General Court of Massachusetts, memorializing Congress in favor of the continuation of Works Progress Administration projects; to the Committee on Ways and Means.

3485. By Mr. CURLEY: Resolution of Local 43, United Federal Workers of America, Brooklyn Army Base, endorsing House bill 960 and urging its enactment at an early date; to the Committee on the Civil Service.

3486. Also, resolution of New York City Federation of Women's Clubs, Inc., endorsing the Schwartz-Martin bill, to require the accurate labeling of all wool products; to the Committee on Interstate and Foreign Commerce.

3487. By Mr. EATON of California: Petition signed by sundry voters in the Eighteenth Congressional District asking for the enactment of the General Welfare Act; to the Committee on Ways and Means.

3488. By Mr. FLAHERTY: Memorial of the General Court of Massachusetts, favoring the continuation of Works Progress Administration projects; to the Committee on Appropriations.

3489. Also, memorial of the General Court of Massachusetts, urging the passage of the antilynching bill; to the Committee on the Judiciary.

3490. By Mr. GIFFORD: Petition of Mary R. Budd, of New Bedford, Mass., and others, petitioning the enactment of the General Welfare Act; to the Committee on Ways and Means.

3491. Also, petition of Ella M. Gammons, of Middleboro, Mass., and others, petitioning the enactment of the General Welfare Act; to the Committee on Ways and Means.

3492. By Mr. KEOGH: Petition of the American Photo-Engravers Association, Chicago, Ill., concerning the Social Security Act; to the Committee on Ways and Means.

3493. Also, petition of the American Friends of the Chinese People, New York City, concerning the Neutrality Act; to the Committee on Foreign Affairs.

3494. Also, petition of the Brotherhood of Railroad Trainmen, Grand Lodge, Cleveland, Ohio, concerning Senate Resolution 126; to the Committee on Labor.

3495. Also, petition of the Chamber of Commerce of the State of New York, concerning the Federal debt; to the Committee on Appropriations.

3496. Also, memorial of the senate, Legislature of the State of New York, concerning insane aliens; to the Committee on Immigration and Naturalization.

3497. Also, petition of Whitman, Requardt & Smith, Albany, N. Y., favoring the Starnes bill (H. R. 4576); to the Committee on Appropriations.

3498. Also, petition of the Albany Electrical Contractors Association, Inc., favoring the Starnes bill (H. R. 4576); to the Committee on Appropriations.

3499. Also, petition of the New York City Federation of Women's Clubs, Inc., concerning the Martin wool-labeling bill (H. R. 944); to the Committee on Interstate and Foreign Commerce.

3500. Also, petition of the American Farm Bureau Federation, the National Grange, the National Cooperative Milk Producers' Federation, the National Cooperative Council,

the Agriculture Producers' Labor Committee, concerning the Norton bill (H. R. 5435); to the Committee on Labor.

3501. Also, petition of the Grand Lodge, Brotherhood of Railroad Trainmen, Cleveland, Ohio, concerning the Lea bill (H. R. 4862) and the Wheeler bill (S. 2009); to the Committee on Interstate and Foreign Commerce.

3502. By Mr. KINZER: Petition of sundry citizens of Lancaster County, Pa., favoring the passage of legislation which will stop the great advertising campaign for the sale of alcoholic beverages now going on by press and radio; to the Committee on the Judiciary.

3503. By Mr. PFEIFER: Petition of the American Photo-Engravers' Association, Chicago, Ill., favoring certain changes in the present Social Security Act; to the Committee on Ways and Means.

3504. Also, petition of the Senate of the State of New York, Albany, N. Y., concerning the hospitalization and deportation of certain aliens; to the Committee on Immigration and Naturalization.

3505. Also, petition of the New York City Federation of Women's Clubs, Inc., New York City, urging support of the Martin wool-labeling bill (H. R. 944); to the Committee on Interstate and Foreign Commerce.

3506. Also, petition of Whitman, Requardt & Smith, engineers, Albany, N. Y., favoring additional appropriation for the Works Progress Administration, House bill 4576; to the Committee on Ways and Means.

3507. Also, petition of the Grand Lodge, Brotherhood of Railroad Trainmen, Cleveland, Ohio, favoring the adoption of Senate bill 1970 and Senate Resolution 126; to the Committee on Labor.

3508. Also, petition of the Albany Electrical Contractors Association, Inc., Albany, N. Y., urging support of the Starnes bill (H. R. 4576); to the Committee on Appropriations.

3509. Also, petition of the Department of Agriculture and Markets, Albany, N. Y., Holton V. Noyes, commissioner, urging consideration of Senator Bailey's bill (S. 2212); to the Committee on Agriculture.

3510. By Mr. POAGE: Petition of Norman S. White and 150 other citizens of Riesel, Tex., expressing the wish that the United States should avoid all foreign entanglements; that legislation should be passed to take the profit out of war; to prohibit foreign loans, and that other steps be taken to save this Nation and its people from being drawn into any foreign war; to the Committee on Foreign Affairs.

3511. By Mr. SCHIFFLER: Petition of A. Prager, president, and Harry Tukesbrey, secretary, Workers' Alliance of America, Wheeling, W. Va., urging enactment of House bill 6470, cited as the Work and Recovery Act; to the Committee on Appropriations.

3512. By the SPEAKER: Petition of Local 79, United Federal Workers of America, Charleston, W. Va., urging consideration of their resolution with reference to an amendment to House bill 960 to include the Works Progress Administration; to the Committee on the Civil Service.

3513. Also, petition of Ethel Krug, San Francisco, Calif., urging consideration of her petition with reference to Works Progress Administration appropriation; to the Committee on Appropriations.

3514. Also, petition of the city of Columbus, Ohio, urging consideration of their resolution with reference to Works Progress Administration appropriation; to the Committee on Appropriations.

## SENATE

TUESDAY, JUNE 6, 1939

(Legislative day of Monday, June 5, 1939)

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

O Thou whose wondrous name is Love, subdue the sanctities of our worship with such reverence toward Thee that our voice of prayer and praise, yea, even the deeper silence out of which this voice is born, may thrill in us with ecstasy