

Island Free Press referring to that testimonial and paying what I believe to be a beautiful and much deserved tribute to this fighting liberal from New England, Senator GREEN. I ask unanimous consent that the editorial may be printed in the RECORD as a part of my remarks.

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

[From the Rhode Island Free Press of October 3, 1941]

SENATOR GREEN AT 74

The testimonial given Senator THEODORE FRANCIS GREEN on his seventy-fourth birthday being nonpartisan in character, was proof of the position in statesmanship he has attained in public affairs, first during his 4 years as Governor of Rhode Island and succeeding that period as a Member of the Congress.

A proper appraisal of the value of Senator GREEN's contributions cannot be limited to his service in these two positions, the highest within the gift of the voters of Rhode Island. For three generations he has stood as the symbol of a New England liberalism, which remained in the minority until he himself was elected to the governorship in 1932.

Persistence has been the principal strength of Senator GREEN in writing indelibly into the history of Rhode Island his own views on social justice. Equipped with a culture and tradition and a family background without a peer in Rhode Island, Senator GREEN by that persistence, has put into practice the views he expressed three generations ago—that capitalism, to survive under a democratic form of government, must bend to the will of the majority and be so tempered with social justice that it will be accepted in modified form by the masses.

Like President Roosevelt, Senator GREEN, because of his standing and wealth, long ago was looked upon as a traitor by that class of people who believe that property rights should supersede human rights. At the risk of ostracism, Senator GREEN led a bold and daring fight for the liberation of the masses from a peculiar type of un-American domination which had denied them until his ascendancy to the governorship a deserved measure in the fruits and blessings of democracy.

At 74 Senator GREEN remains young in vision and vitality, still persisting in behalf of the principles of government which cannot be preserved without a continuous fight in their defense. The Rhode Island Free Press joins in wishing him well as he enters his seventy-fifth year.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 1 o'clock and 41 minutes p. m.) the Senate adjourned until Thursday, October 9, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 6, 1941:

APPOINTMENTS AND PROMOTIONS IN THE NAVY MARINE CORPS

Brig. Gen. Holland M. Smith to be a major general in the Marine Corps from the 1st day of October 1941.

Col. Roy S. Geiger to be a brigadier general in the Marine Corps from the 1st day of October 1941.

Lt. Col. Louis E. Woods to be a colonel in the Marine Corps from the 1st day of October 1941.

Maj. Gordon Hall to be a lieutenant colonel in the Marine Corps from the 1st day of October 1941.

Capt. Roger T. Carleson to be a major in the Marine Corps from the 1st day of October 1941.

The following-named first lieutenants to be captains in the Marine Corps from the 8th day of July 1940:

Frederick P. Henderson

Gordon A. Bell

James M. Clark

Peter J. Speckman

Roy L. Kline

Louie C. Reinberg

John W. Easley

Robert D. Moser

Joseph N. Renner

William R. Collins

Norman Van Dam

John C. Miller, Jr.

Dwight M. Guilloette

Loren S. Fraser

Harry O. Smith, Jr.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of March 1941:

Wendell H. Duplantis

Joseph R. Little, Jr.

Paul R. Tyler

Jean W. Moreau

Andrew B. Galatian, Jr.

Richard W. Wallace

Wilfrid H. Stiles

William K. Davenport, Jr.

Donald C. Merker

Harrison Brent, Jr.

James W. Ferguson

William F. Kramer

Louis B. Robertshaw

Ralph Haas

Ben F. Prewitt

Maynard M. Nohrden

Richard Rothwell

DeWolf Schatzel

John H. Earle, Jr.

William T. Wingo, Jr.

Edwin L. Hamilton

Noah J. Rodeheffer

Robert O. McGlashan

Harold J. Mitchener

Joseph P. Sayers

Zane Thompson, Jr.

Daniel J. Hennessy

John L. Smith

James S. Blais

Henry H. Crockett

David W. Stonecliff

Gene S. Neely

Stuart M. Charlesworth

Robert F. Scott

Thomas C. Moore, Jr.

Paul J. Fontana

George S. Bowman, Jr.

James G. Bishop, Jr.

Thornton M. Hinkle

Ronald K. Miller

Edward W. Johnston

Louis A. Ennis

Charles L. Banks

James L. Neefus

First Lt. James C. Murray, Jr., to be a captain in the Marine Corps from the 1st day of May 1941.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of July 1941:

Wade H. Britt, Jr.

Tom C. Loomis

George F. Britt

Otis B. Brown

August F. Penzold, Jr.

Noah P. Wood, Jr.

Jean H. Buckner

Frederic H. Lemmer

George T. Skinner

First Lt. Oscar K. LaRoque, Jr., to be a captain in the Marine Corps from the 1st day of October 1941.

Andrew I. Lyman, a citizen of California, to be a second lieutenant in the Marine Corps from the 28th day of May 1941.

Arthur C. Lowell, a citizen of California, to be a second lieutenant in the Marine Corps from the 29th day of May 1941.

John D. Jones, a citizen of Oregon, to be a second lieutenant in the Marine Corps from the 1st day of September 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate, October 6, 1941:

POSTMASTERS

ILLINOIS

Henry J. Cheze, Schiller Park.

KENTUCKY

Simon B. Smith, Owensboro.

MONTANA

Amy P. Bartley, Fort Benton.

NEVADA

Mildred Robison, Overton.

NEW JERSEY

Harold B. Hofford, Hohokus.

PROMOTIONS IN THE NAVY

The nominations of John M. Creighton et al., which appear in the CONGRESSIONAL RECORD for September 15, 1941, under the caption "Nominations," beginning on page 7410; and

the nominations of William G. B. Hatch et al., which appear in the CONGRESSIONAL RECORD for October 2, 1941, under the caption "Nominations," beginning on page 7598.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 6, 1941

The House met at 12 o'clock noon.

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

O Thou who art all in all more than heart can dream or tongue can tell, consider and hear us. We would not pray for deliverance from toil nor for material gifts but for that unbroken fellowship with our Heavenly Father in which our Master lived. We beseech Thee that we may turn away from the easy paths of the lowlands and take the difficult and at times the forbidding way which leads to the heights above the storm clouds, nearer the stars of light and promise. There, blessed Lord, give us the vision of a life fraught with mighty meaning, caught from the mountain peaks of rapture and consecration, clothing us with the power of an all-conquering faith. May we be possessed and dominated by the spirit that seeks deliverance from terror to loveliness and from tragedy to peace. O God, as the world is bending with shame at night, grant that the voices of truth may be like the sounds of the seas with the ministering spirit of God. O Thou to whom ascends the feeblest prayer of dawning faith and the mighty appeal of the hero's heart, guide us through the hours of this day, and Thine shall be the praise forever. Through Christ, our Saviour. Amen.

The Journal of the proceedings of Thursday, October 2, 1941, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5682. An act to amend an act to provide for a Union Railroad Station in the District of Columbia, and for other purposes.

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

H. J. Res. 235. Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes.

THE LATE JUSTICE LOUIS D. BRANDEIS

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, the death of the late Justice Louis D. Brandeis is a great shock to his many admirers and a great loss to our country. I know I speak the sentiments of my colleagues of the House in expressing to the members of his family our deep sympathy in their bereavement.

During his entire life he devoted his great talents to the best interests of our country and in the cause of constructive progress and of liberalism, always fighting the battle of the weak and the suffering. A man of tolerance, a man of vision, he devoted his brilliant talents to the confirmation of our way of life and of life's human values. The New York Times well stated in its editorial of today:

He had faith in little men because he had seen little men grow, and in countless instances had helped them grow. Democracy as he saw it was not a sullen, leveled-down man; it was a multitude of separate persons working, hoping, striving, willingly cooperating.

The late Justice Louis D. Brandeis will occupy a place in our history as one of the greatest Americans of all time.

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, little can be added to what the gentleman from Massachusetts has just said concerning Justice Louis D. Brandeis. While Massachusetts undoubtedly claimed Justice Brandeis as its leading citizen, my city, St. Louis, was his home part of his lifetime. His passing brings to an end the career of a truly great man whose name will be inscribed at the top of the honor roll of the greatest of all tribunals along with Chief Justice Marshall and Justice Holmes.

The late Justice Brandeis was the most outstanding liberal who ever sat in the United States Supreme Court.

It so happens I was here when President Wilson nominated him to be a member of the United States Supreme Court. There immediately went up the cry from members of the bar and others, urging his rejection because they felt he did not possess the judicial temperament necessary for one to have in occupying such a high position. For 6 long months the Senate investigated and debated his fitness but on the final roll call, at which time 27 Senators were absent, his nomination was confirmed by a vote of 47 to 22.

We all know it was not the so-called judicial temperament that was responsible for the movement to defeat Justice Brandeis' nomination, but it was the fact that he was classified as the workingman's friend, and above all, those opposed felt he possessed views entirely too liberal for a Justice in the highest tribunal of our country. Time vindicated the wisdom of naming Mr. Brandeis to the Court and he lived to see the day that his views were not only approved by the great majority of the people of the country, but by the Congress of the United States enacting them into law for the benefit of mankind.

In St. Louis there is a plaque on the site where Louis D. Brandeis, as a young man, practiced law.

The country at large, or I might say the whole world, has suffered a great loss in the passing of Justice Brandeis but the

progressive ideas he has left us will live forever as a tribute to his wisdom and greatness.

THE LATE HONORABLE E. W. MARLAND

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, it is with sorrow that I rise to announce the passing of a former colleague, ex-Gov. E. W. Marland, of Oklahoma.

Governor Marland came to the new State of Oklahoma from Pennsylvania in 1912, with a dinner bucket in his hand and an ambition in his heart. He entered the oil business and gradually rose to prominence and leadership in that field. He controlled holdings in several nations valued at \$85,000,000. His personal fortune reached \$30,000,000.

He introduced geology to the oil industry as a regular method of determining the location of oil fields. He introduced core drilling and did many things to improve the business.

Many thousand employees bespeak their high esteem and personal regard for him, as evidenced by their activity when he later entered politics. He was always solicitous of the comforts and general welfare of his employees.

He established an estate of over \$5,000,000 on which he erected The Pioneer Woman, at a cost of \$100,000, which he dedicated to the pioneer mothers of America. This is a well-known statue and is often seen in pictures. The late Will Rogers delivered the dedication speech.

Later he lost his huge fortune and turned to politics. He was elected to Congress from the normally Republican Eighth District of Oklahoma. In Congress he took much interest in legislation regulating the oil industry. Then, running on a New Deal Democratic platform, he was elected Governor. When his term expired in 1938, he retired to private life at Ponca City, Okla. Here his colorful career was closed last Friday, October 3.

He leaves a widow to mourn, and our hearts go out in sympathy and sorrow to her. He was a lovable, kindly, delightful man.

May the breezes of summer blow softly where the remains of my friend lie buried; may the snows of winter be light on his grave; and over his last resting place may the birds sing their sweetest songs.

While his body is gone from us, yet he will remain—

A memory, a goal, a high example,
A thought of honor in some noble heart,
Part of his country's treasure and renown,
Of giving courage unto souls that strive.

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, on behalf of the Mississippi

delegation I want to join the distinguished gentleman from Oklahoma in mourning the passing of E. W. Marland. He at one time had considerable holdings in one of the counties I have the honor to represent. I served with him here back about the time this administration came into power. He joined those of us who were struggling for a readjustment of our monetary system, which, if it had been carried out, in my opinion, would have saved much of the troubles through which we have passed and would have avoided the piling up of the vast debt the American people now have to bear.

A more conscientious, a more worthy citizen, a more worthy representative, a man more sincerely devoted to the cause of his country never served in this House.

EXTENSION OF REMARKS

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record in two places and include in each one certain newspaper articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an address of Senator E. E. Patton, of Knoxville, Tenn., on the celebration of the one hundred and fiftieth anniversary of the founding of the city of Knoxville.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a quotation and also an editorial from the Saturday Evening Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a pamphlet published by the National Farm and Home Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an address on national defense delivered by Miss Stella Akin, assistant to the Attorney General of the United States.

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

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a resolution.

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

There was no objection.

THE LATE E. W. MARLAND

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

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

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I regret to announce the death of the Honorable E. W. Marland, who ably served the State of Oklahoma, both as a Congressman and as a Governor.

I extend my sympathy to his good widow and his friends.

Governor Marland had his ups and downs but he had the determination to come back. Sometimes he was down but never out.

The State of Oklahoma owes much of its wealth to E. W. Marland, who pioneered the oil industry, in fact much of the oil development in the United States has been done as a result of E. W. Marland's foresight.

Governor Marland was an honest man, a friend to the laborer, a pal to the ex-service men, a father to thousands of homeless and crippled children, as well as an adviser to the geologist.

The monument The Pioneer Woman was erected by Governor Marland near his estate at Ponca City, stands not only as a memorial to those who pioneered Oklahoma, but to the memory of E. W. Marland who developed Oklahoma.

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record by printing a short editorial from the Rome (Ga.) News Tribune relative to the discovery of the anesthetic power of sulfuric ether.

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

There was no objection.

Mr. JARRETT. Mr. Speaker, I ask unanimous consent to insert in the Record an editorial in the News-Herald of Franklin, Pa., on Let's Have Some Economy.

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

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an article on the Topeka State Capitol.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks.

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

There was no objection.

[Mr. JONKMAN addressed the House. His remarks appear in the Appendix of the Record.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an article from the Washington Post and

also to extend my remarks and to include some resolutions.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that after the business of today is concluded and following any special orders heretofore entered I may be permitted to address the House for 30 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an address on the subject How the Court Martial Works Today, delivered by Maj. Gen. Allen W. Gullion, Judge Advocate General and Provost Marshal General, United States Army, before the Junior Bar Conference of the American Bar Association on Sunday, September 28, 1941.

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

There was no objection.

THE ECONOMY OF AMERICA

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

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

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I am sure all of us join with the gentlemen who have spoken of the passing of two great Americans. So far as Justice Brandeis is concerned, in my judgment, he was a liberal in the best tradition of that word. He understood what it meant. He dedicated his life to combating concentration of power and to defense of the small individual and the small-business enterprise. We should honor his memory not only with words but by our deeds as well.

If we want to practically honor the memory of a man like this, we will, in my judgment, support today certain efforts being made, for example, in the antimonopoly work of the Antitrust Division of the Department of Justice and by the office of Mr. Floyd Odlum, in the Office of Production Management, which is called the Office of Contract Distribution, and whose job it is to see that small businesses receive their share of defense contracts. The work of agencies like this is all-important today if we are to prevent the defense program from producing a worse monopoly situation than we have ever seen before.

Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include an address by Thurman Arnold before the Southern Farm Bureau Training School, Hot Springs, Ark.

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

There was no objection.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a letter by Oswald Garrison Villard on the life, character, and career of the late Alanson B. Houghton.

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

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a letter I have received from the American Mothers' Organization, United States of America, with headquarters at Mount Pleasant, N. Y.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that after the regular business of the day has been disposed of and at the conclusion of any previous orders heretofore entered I may be allowed to proceed for 10 minutes.

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

There was no objection.

THE LATE E. W. MARLAND

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

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

There was no objection.

Mr. RIZLEY. Mr. Speaker, it is with profound sorrow and regret I announce to the House that on last Friday, October 3, the death angel knocked at the door of a former Member of this body and claimed Ernest Whitworth Marland, of Ponca City, Okla.

As a Member of the Seventy-third Congress, Governor Marland represented the Eighth Congressional District of Oklahoma, which I now have the honor to represent. Before the expiration of his term in Congress he became a candidate for Governor of the State of Oklahoma to which office he was elected in November 1934 for a term of 4 years. Retiring from the Governor's office in ill health he returned to his home in Ponca City where he was residing at the time of his passing.

Sensational oil explorations which belong to the romantic past of the oil industry in Oklahoma brought millions of dollars to Ernest Marland, although at his death his once vast fortune was gone. He established his oil enterprises in Ponca City, near the scene of his first great strikes, and during that decade and for a few years previous everything he touched seemed to produce wealth.

He was inordinately generous to his friends, likewise loyal to his adopted State of Oklahoma and to his home town of Ponca City.

Many of the principal churches in that city owe their present beautiful and adequate structures in some measure to his gifts. The \$250,000 Ponca City

Hospital was built on land he gave to the Sisters of St. Joseph in addition to his direct building-fund contribution.

In 1927 and 1928 he headed the State committee which raised funds and started the Oklahoma American Legion Home School, in which children of dependent veterans of the World War find a home and an education. He gave the land for this institution and built one of the first two billets with which the home was opened.

His outstanding gift to Oklahoma and one which will serve as his memorial as the years roll on is the now nationally famous statue of the Pioneer Woman. This effort alone brought him Nation-wide fame. Twelve of the country's leading sculptors were asked to submit models of their conceptions of the pioneer mothers who helped settle and build the West. These models, paid for by Marland, were taken on a Nation-wide tour of principal cities and by popular vote the Bryant Baker model was selected. It was cast in heroic bronze and was dedicated on April 22, 1930, with President Herbert Hoover, Secretary of War Pat Hurley, the late Will Rogers, and other nationally known figures either in attendance or reading radio messages on the dedication program.

Since that date hundreds of thousands of visitors have paid their tribute to the Pioneer Mother by visiting the statue.

Although previously a Republican, when he became a candidate for Congress in 1932 he switched to the Democratic Party and the New Deal campaign of Franklin D. Roosevelt.

In his congressional, gubernatorial, and two senatorial races he remained an ardent New Deal supporter. One of his principal campaign slogans in the Governor's race was "Bring the New Deal to Oklahoma."

During his last few years, however, in private conversation with his most intimate friends, he said the New Deal had found itself caught in a flood which swept it far past its original goals and that pressure groups had carried the doctrine of governmental relief to extremes and had penalized business by excessive taxation and had jeopardized the future of business enterprise.

This may have been his reason in 1940 in announcing his candidacy for Congress as a constitutional Democrat. Due to ill health and business affairs, he did not make a campaign and lost the nomination.

Oil executive, philanthropist, Congressman, and Governor in turn, his busy and useful life is now ended. But the Nation and more especially his adopted State of Oklahoma are the beneficiaries of a rich legacy, a lasting memorial to his generosity and service.

Mr. MONRONEY. 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 Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, it is with deepest regret that we of Oklahoma learned of the death Friday of Hon. Ernest W. Marland at his home in Ponca City, Okla.

Governor, Member of the House of Representatives, pioneer oilman, founder and builder of one of the great oil companies of the State, Governor Marland led a full and useful life. Known throughout the Southwest for his many great charities, his love for the underprivileged, the helping hand that he always held out to youth, Oklahoma and the Nation will miss this kindly American.

Coming to Oklahoma in the early days in search for a fortune in oil, he remained to succeed as the head of the gigantic \$100,000,000 Marland Oil Co., which he founded and managed to its growth. It was while president of this great company, whose distributing system and gathering lines extended over almost every State in the Union, that he earned the reputation as a liberal employer.

His labor policies were recognized as advanced; his benefits and systems of promotion were acclaimed as models of liberalism. He sought always to help educate and promote those who worked with him. Hundreds of young men owe their college education, their first training in the oil business, and even their later success, to Marland's interest in youth.

Unlike most men who sometimes are broken by financial reverses, Marland, when he lost his fortune and his company, did not go into seclusion and retirement. Realizing the necessity for reform, not only in labor but in breaking the powerful grip of Wall Street, Marland ran for Congress from the Eighth Congressional District in 1931. This traditionally Republican district never before had sent a Democrat to Congress. But due to faith and respect for Marland, they elected him. One term in the House found him progressive. He helped to write the famous Securities and Exchange Act. Through his monumental work he aided in correcting many of the abuses that he had experienced in his struggle and loss to Wall Street.

His service here was marked through its liberalism and progressive legislation.

Finishing his term in Congress, he ran for Governor of Oklahoma and was elected there. His term as Governor was marked by social legislation. He wrote and put through the old-age pension law, the unemployment-insurance law, and the wage-and-hour act for the State. Enabling legislation to permit Oklahoma to parallel the social gains that the present administration had brought about was passed at his insistence. He always considered that the advancement of social security were the highlights of his term as Governor.

Almost immediately after completing his term as Governor he became ill and for the past many months has been forced to forego his usual active career because of his health.

Oklahoma and the Nation have lost a great man, a real humanitarian, in the death of Governor Marland.

EXTENSION OF REMARKS

Mr. BARNES asked and was given permission to extend his remarks in the Record.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an address delivered by me over the radio, and I further ask unanimous consent to extend my own remarks in the Record and include therein a short letter.

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

There was no objection.

GRAND COULEE DAM

Mr. LEAVY. 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 Washington?

There was no objection.

Mr. LEAVY addressed the House. His remarks appear in the Appendix of the Record.]

DEMONSTRATION OF ARMY ACTIVITIES AT FORT BELVOIR

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, on last Thursday the Seventy-seventh Congressional Regiment made a frontal assault on Fort Belvoir. Immediately upon alighting from our fiery busses we were not only captured but completely captivated by the fine and intelligent plans which had been worked out by the War Department, in conjunction with the officers and men of Belvoir, and of other Army stations for our edification and enjoyment. The program of interesting and thrilling demonstrations of modern war equipment and matériel and of training schedules and combat problems was not allowed to lag for a single moment. Everything clicked beautifully. All of it gave us a new and vivid concept of the completeness and efficacy of the effort being made in our training camps to mold raw recruits into top-flight fighting men. If the work being done at Fort Belvoir is typical of the activities of our other training camps, it may be confidently asserted that it will not be many months before our new Army will be a real Army without peer.

I am sure, Mr. Speaker, that I bespeak the sentiments of every Member who made the trip to Belvoir when I say that the royal treatment accorded us is highly appreciated. Gen. Alexander D. Surles, of the Bureau of Public Relations of the War Department, Gen. Edwin M. Marks, in command at Fort Belvoir, and all of their fellow officers and the men in the

ranks are entitled to praise and commendation for the outstanding success of this undertaking, which I give them, without stint.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, along with the gentleman from New York [Mr. WILLIAM T. PHEIFFER] and many other Members of the Congress, it was my privilege last Thursday to attend the maneuvers at Fort Belvoir and see one of the most splendid exhibitions of military display it has ever been my privilege to witness.

My point in rising at this time, Mr. Speaker, is to emphasize my total admiration for the efforts which are being made by the United States Army in behalf of national defense and to state that if every other agency dedicated to a part in the production of weapons for the protection of this great land of ours is as faithful to its duty, then we may expect the greatest possible protection within the next few months.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record by including therein an article by Gen. Hugh S. Johnson.

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

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record on the Harry Bridges case.

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

There was no objection.

LINDSAY C. WARREN

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

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

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, we have heard eulogized this morning two men who have passed on. I should like to say a word of congratulation and commendation of a man who is still living, a former Member of this Congress, Lindsay C. Warren, our Comptroller General. I believe Lindsay Warren is a gentleman in all that the word could include in its wide ramifications. He is fearless and intelligent, and is doing a tremendously good job. I want the House to know and I want Mr. Warren to know that I believe the House is behind him and giving him our support in his effort to eliminate such items he finds in the N. Y. A. as need correction. He is a real American.

I believe that the N. Y. A. and some of the other organizations are used not for the benefit of the youth of the country

but to perpetuate certain individuals in power in the positions they occupy in order that they may draw their salaries.

Lindsay Warren, I commend you, and assure you that this House is behind you.

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an editorial from the Alma Record, of Alma, Mich.

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

There was no objection.

(Mr. PADDOCK asked and was given permission to extend his own remarks in the Record.)

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a quotation.

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

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a short editorial.

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

There was no objection.

CLEVELAND'S PRIMARY ELECTION

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. YOUNG. Mr. Speaker, last Tuesday in my home city, Cleveland, there was a primary election. The total of votes received by the Democratic candidates for mayor of Cleveland was 100,309 and the Republican mayor supported by the full strength of the Republican organization and the independent Republican candidate, former Supreme Court Judge Arthur H. Day, received a total of only 76,863. This primary result presages the certain election of a Democrat as mayor of Cleveland for the first time in 10 years and probable defeat of Governor Bricker for reelection next year. The gentleman from Ohio [Mr. BENDER], as chairman of the Republican Committee of Cuyahoga County, managed the campaign of the Republican mayor, Mr. Blythin. The gentleman's picture appeared in Wednesday morning's Cleveland Plain Dealer reading election returns to his candidate for mayor. There seemed to be no cheering. Cleveland elects its mayor for 2-year terms. Believing that the gentleman from Ohio [Mr. BENDER] might not enjoy mentioning the results of this balloting, it occurs to me to make this report. Only two Democrats have been elected mayor of Cleveland in 26 years—Newton D. Baker in 1915 and Ray T. Miller at a special election in 1932. Ray T. Miller was defeated for reelection and the Republican machine has held the city hall continuously from 1933 to the present time. Let me tell you of the primary vote last

Tuesday. There were four candidates at this run-off primary, two Republicans and two Democrats seeking to be nominated for mayor. The two low men are eliminated and the other two become the candidates at the election November 4. The candidates were Frank J. Lausche, Democrat, a former common pleas judge, supported by the Democratic organization. His vote was 68,013. He ran first. Mayor Edward Blythin, supported by the Republican organization of which the gentleman from Ohio [Mr. BENDER] is county chairman, received only 46,973. He ran second. Congressman MARTIN L. SWEENEY, Democrat, running independent of organization support ran only 14,700 votes behind the Republican organization mayor. He received 32,296 votes and Arthur H. Day, former judge of the Supreme Court of Ohio and a prominent Republican, ran last, receiving only 29,890 votes.

EXTENSION OF REMARKS

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include a statement recently issued by Thomas E. Lyons, Chief of the Division of Transportation in the Bureau of Foreign and Domestic Commerce.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an address made by myself.

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

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include a statement from World Affairs magazine.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and 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. VORYS of Ohio. Mr. Speaker, in the October 4 Collier's Weekly President Roosevelt said:

The refusal on the part of Congress to repeal the arms embargo was based in part upon the belief of practically all the Republican membership of Congress and about 25 percent of the Democratic membership that there would be no war in 1939.

Insofar as the House is concerned, this statement is untrue. I am putting in the Appendix remarks of our present Speaker, our beloved Speaker Bankhead, and various men on this floor, and excerpts from the headlines of that week which show that this House retained the arms embargo when the leaders on both sides of the debate felt that war was imminent. Whatever the Senate may have thought, the Members of this House knew

they were acting in the face of imminence of war when they retained the arms embargo and determined to keep out of the war that they knew was then brewing.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record in two instances and in one to include an editorial from the New York Herald and also to insert a speech on the late Justice Brandeis.

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

There was no objection.

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include in the Record letters refuting an unjust attack on a friend and constituent of mine.

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

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record at two points and in one to include a resolution passed by the Isaak Walton League of America and also to include an article from the current issue of Army Ordnance by Lt. Col. Thomas Phillips, of the United States General Staff answering the question, "Can the United States be invaded?"

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

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the Record a statement showing that defense, according to Harold D. Smith, will cost \$2,000,000,000 monthly beginning next year and that we are selling America short and the first thing we know we will be going into bankruptcy and the people of this country ought to know it.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to insert in the Record a letter I received from a young man who worked his way into the Navy. I think it is particularly exhilarating at this time to receive a letter of this type.

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

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week be dispensed with.

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

There was no objection.

CONSENT CALENDAR

The SPEAKER. This being consent day, the Clerk will call the first bill on the Consent Calendar.

PLUMAS NATIONAL FOREST, CALIF.

The Clerk called the bill (H. R. 1595) to authorize the addition of certain lands to the Plumas National Forest, Calif.

The SPEAKER. Is there objection?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

APPOINTMENT OF PRESIDENTIAL ELECTORS, ETC.

The Clerk called the bill (H. R. 145) to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

Mr. KEAN, Mr. TABER, and Mr. RICH objected.

BRIDGES ACROSS MISSISSIPPI RIVER, DUBUQUE, IOWA

The Clerk called the bill (H. R. 2811) to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

The SPEAKER. Is there objection?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

INTER-AMERICAN HIGHWAY

The Clerk called the bill (S. 1544) to provide for cooperation with Central American republics in the construction of the Inter-American Highway.

The SPEAKER. Is there objection?

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

The SPEAKER. Is there objection?

There was no objection.

RENTAL QUARTERS OF CERTAIN NAVAL OFFICERS, CANAL ZONE

The Clerk called the bill (S. 874) relating to the allowances for rental quarters of certain naval officers stationed in the Canal Zone.

The SPEAKER. Is there objection?

Mr. GORE. I object.

The SPEAKER. Three objections are required, and only one is heard. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That any amounts paid to the Panama Canal or lessees thereof by any officer of the Navy or Marine Corps incident to his occupancy of quarters under the jurisdiction of the Panama Canal during the fiscal years 1935 and 1936, which were in excess of the amounts paid such officer as rental allowance, shall to the extent of such excess be refunded to such persons upon presentation of a claim therefor to the Comptroller General.

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

ROADS ON INDIAN RESERVATIONS

The Clerk called the bill (H. R. 4937) to amend an act entitled "An act to au-

thorize an appropriation for roads on Indian reservations."

The SPEAKER. Is there objection?

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

The SPEAKER. Is there objection?

There was no objection.

TOLL BRIDGE ACROSS MISSOURI RIVER, OMAHA, NEBR.

The Clerk called the bill (H. R. 4642) authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

The SPEAKER. Is there objection?

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

The SPEAKER. Is there objection?

There was no objection.

INFORMATION FOR NATIONAL-DEFENSE PURPOSES

The Clerk called the next business, House Joint Resolution 213, authorizing the Director of the Census to furnish certain information for national-defense purposes.

The SPEAKER. Is there objection?

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

Mr. MOSER. Mr. Speaker, reserving the right to object, I wish to inquire if the gentleman from New Jersey cannot allow this simple resolution to go through.

Mr. KEAN. When this joint resolution came up before it provided for printing information which would be given to Members of Congress, information which I do not believe I would like to have or that I should have.

Mr. MOSER. I would like to state for the information of the House that matters before the Committee on the Census, in contravention of efforts on the part of the Bureau of the Census to withhold information sought by Members of Congress, and because of that we included it in this resolution.

If the House wishes to offer an amendment to take it out, it is all right. It is important that the Office of Production Management have certain releases that the Bureau of the Census is willing to give them. If the gentleman from New Jersey [Mr. KEAN] wishes to offer an amendment to take it out I am sure it would be carried. It is nothing more than that, and the committee included that at my instance, because our committee had discussed it frequently. The former Director of the Census, Dr. Austin, stated before the committee that this practice of withholding information to Members of Congress had crept in apparently without authorization of law. We get information from the Veterans' Administration of a confidential and privileged character frequently and we are advised of the provisions of law, but we keep it confidential. I do not have the slightest doubt as to the integrity of my colleagues in Congress. I am certain that confidential information that may be

made available to them by such a provision in this resolution would certainly be handled with the same degree of discretion that information of a confidential character and privileged nature which comes to us from the Veterans' Administration would be handled as carefully. I would like to see the resolution passed, because Mr. Stettinius has asked for it. It is information that is available to them, and apparently nothing more than regulatory restrictions is withholding it.

Mr. KEAN. I would have no objection to the bill if that clause is taken out.

Mr. MOSER. If the gentleman wishes to offer such an amendment I believe the House would act favorably on it. If the gentleman wishes to pass it over and take it up later I have no objection.

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

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

JURISDICTION OVER GREAT SMOKY MOUNTAINS NATIONAL PARK

The Clerk called the next bill, H. R. 2320, to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes.

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

Mr. JENNINGS. Mr. Speaker, reserving the right to object, we wish to offer an amendment to section 5 of the bill to strike out the words in lines 23 and 24 "that upon the recommendation and approval of the Secretary of the Interior of a qualified candidate." With that amendment adopted, the bill is acceptable.

The SPEAKER. Well, first, is there objection to the consideration of the bill?

Mr. RICH. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman to explain this bill and what this amendment to the bill means as a whole?

Mr. JENNINGS. Mr. Speaker, this bill simply confers jurisdiction on the Federal Government of offenses committed in the Great Smoky Mountains National Park. This particular provision or section of the bill provides that the two district judges who have jurisdiction over that park, the district judge for the eastern district of Tennessee and the district judge for the western district of North Carolina, name a commissioner to try offenses committed against the Federal law, applicable to the park, and rules and regulations promulgated by the Secretary of the Interior. Those words that will be stricken out simply compel the two judges to name a commissioner who has been suggested by the Secretary of the Interior. It is our feeling that those two district judges are competent to select a commissioner to act under their respective jurisdictions.

Mr. RICH. Let me ask the gentleman from Tennessee this question: In the national parks, as they are now constituted, is there not given to the Interior Department complete authority for police protection in the national parks?

Mr. JENNINGS. No. It must be conferred upon the United States first. That is what this bill does. It gives the Government the right to enforce the law in the park and sets up machinery for that purpose. Everyone concerned has agreed upon this amendment.

Mr. RICH. The point I want to make is this: In the national parks does not the Secretary of the Interior now have the power of police supervision over the national parks?

Mr. JENNINGS. Oh, no. This bill simply confers that authority upon the Federal Government.

Mr. RICH. That is not the question I am asking you. Is it not the customary procedure in national parks—

Mr. JENNINGS. No, I do not think so. There must be machinery for that purpose.

Mr. RICH. We have our national park police and they have supervision in our national parks. Is that not the fact?

Mr. ROBINSON of Utah. That is true, but in all of the parks before the Department can take jurisdiction it is necessary to pass a jurisdictional bill. In the Smoky Mountains National Park no jurisdictional bill has ever been passed. This is the regular jurisdictional bill that has been passed for all of the other parks.

Mr. RICH. Then the States in which the parks are located have police supervision of those parks?

Mr. ROBINSON of Utah. Until we pass this jurisdictional bill they do.

Mr. RICH. Well, this is going to give to the States of Tennessee and North Carolina the power of police supervision?

Mr. JENNINGS. Oh, no; it does not do that.

Mr. ROBINSON of Utah. No, no. It just gives police supervision to the Parks Service, the same as is done in all of the other national parks.

Mr. RICH. Then they have joint jurisdiction over the parks for police protection? Both the Federal Government and the State?

Mr. ROBINSON of Utah. To a certain extent that is true.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

Mr. BARDEN. Mr. Speaker, reserving the right to object, has the gentleman discussed this amendment with the gentleman who introduced this bill?

Mr. JENNINGS. Yes. I have discussed it with the gentleman from North Carolina [Mr. WEAVER], and he has agreed to the amendment.

Mr. WEAVER. That is correct.

Mr. JENNINGS. It is just to strike out the words in section 5, "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate." It simply leaves it to the United States district judges, one in the western district of North Carolina and the other in the eastern district of Tennessee, to name a man.

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

Mr. JENNINGS. I yield.

Mr. RICH. Does the Federal Government bear the cost? Is it going to be necessary for the Federal Government under this bill to go to the expense of

appointing employees to look after the police protection of this Smoky Mountain National Park?

Mr. JENNINGS. The Government already does that.

Mr. RICH. Does this bill add any additional employees to the service?

Mr. JENNINGS. Only insofar as it authorizes the appointment of this commissioner, without whose services no prosecution could be instituted for an offense committed in this park area.

Mr. RICH. What will the commission receive from the Federal Government in compensation?

Mr. JENNINGS. This is not a commission; it is one commissioner, and what his compensation will be will have to be determined hereafter. This just provides for the appointment of a commissioner before whom prosecutions are instituted when the law is violated within the park. Otherwise there would be no method of enforcing the law.

Mr. RICH. I would like to ask the chairman of the Public Lands Committee so far as this legislation is concerned whether similar legislation is applicable to all the national parks.

Mr. ROBINSON of Utah. Exactly the same to all the parks.

Mr. RICH. Do we have a commission, then, established for every national park? And do they have certain duties to perform for that particular national park?

Mr. ROBINSON of Utah. That is correct.

Mr. RICH. What is generally the cost of overseeing this commission and the duties they have to perform?

Mr. ROBINSON of Utah. The cost is nominal. In most of the parks the commissioner serves almost as a justice of the peace. Cases come before him for hearing and decision, and usually the fines he receives more than pay the cost.

Mr. RICH. He gets his compensation then out of the cases that are tried before him so that the cost to the Federal Government would be very little if anything.

Mr. ROBINSON of Utah. It works out approximately that way.

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

Mr. ROBINSON of Utah. I yield.

Mr. HAINES. Is it not true that this park would be in the National Park Service, Department of the Interior?

Mr. ROBINSON of Utah. That is correct.

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

Mr. JENNINGS. I object unless my amendment will be accepted.

The SPEAKER. We cannot get to the amending stage until it is agreed that the bill may be considered. The question now is: Is there objection to the present consideration of the bill?

Mr. JENNINGS. I object.

The SPEAKER. Objection is heard. The bill is stricken from the calendar.

THE HONOLULU PLANTATION CO.

The Clerk called the next bill, S. 1345, to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.

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

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to sell and convey to the Honolulu Plantation Co., a corporation organized and existing under the laws of the Territory of Hawaii, upon such terms and conditions as he deems advisable, but at not less than the appraised value, the remaining portion of the Makalapa Military Reservation, consisting of five lots, designated as lots "A," "B," "C," "D," and "E," having an aggregate area of seven and fifty-two one-hundredths acres, situated near the city of Honolulu, in Halawa, Ewa District, on the island of Oahu, T. H., the net proceeds of such sale to be deposited in the Treasury to the credit of miscellaneous receipts.

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

The Clerk read as follows:

Amendment offered by Mr. DIMOND: On page 1, line 6, after the word "the" on line 5, strike out "Territory of Hawaii" in line 6 and insert in lieu thereof the following: "State of California."

The amendment was agreed to.

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

BRIDGE ACROSS ST. CROIX RIVER AT HUDSON, WIS.

The Clerk called the next bill, H. R. 4314, authorizing the States of Minnesota and Wisconsin, jointly or separately, to acquire bridges now existing or to construct, maintain, and operate a free highway bridge across the St. Croix River, also known as Lake St. Croix, at or near Hudson, Wis.

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

Mr. YOUNGDAHL. Mr. Speaker, will not the gentleman withhold his objection for an inquiry and observation?

Mr. BARDEN. Mr. Speaker, I withhold my objection to permit the gentleman to make a statement.

Mr. YOUNGDAHL. Mr. Speaker, this same bill came up on August 1 when the Consent Calendar was called. At that time it was stated that a favorable report had been received from the Committee on Interstate and Foreign Commerce and that the committee had unanimously voted the bill out. At that time one of the Members objected to the passage of the bill, asking for more time to reconsider it. Two months have elapsed. I should like to ask the reason for the objection at this time.

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

Mr. YOUNGDAHL. I yield.

Mr. GORE. I would have submitted the same request had not my colleague from North Carolina done so. One of the objectors who asked that the bill go over without prejudice 2 months ago is away today attending the funeral of a relative. It may be that he has no objection, but he is not present to speak for himself. So far as I am concerned, I have no objection to the bill, but I feel that in fairness to the absent Member I

ask that the bill go over without prejudice.

Mr. YOUNGDAHL. I appreciate the gentleman's position. I merely wish to say, in conclusion, that I sincerely hope our colleague will have time to study the bill before the next call of the Consent Calendar and that the bill may be passed at that time.

Mr. GORE. In fairness to him, permit me to say that I understand he has studied it but that he is detained from the session today because of a funeral.

Mr. YOUNGDAHL. Will the gentleman take on himself the responsibility of calling it to our colleague's attention so he may understand the bill by the next call of the Consent Calendar?

Mr. GORE. I shall be very pleased to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina that the bill be passed over without prejudice?

There was no objection.

EXTENSION OF TIME FOR CONSTRUCTION OF BRIDGE NEAR CEDAR POINT, ALA.

The Clerk called the next bill, H. R. 5128, extending the dates for the beginning and completion of construction by Alabama Bridge Commission, an agency of the State of Alabama, of a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama.

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

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

There was no objection.

REIMBURSING THE CITY OF McMinnville, OREG.

The Clerk called the next bill, H. R. 4791, to reimburse the city of McMinnville, Oreg., for damages assessed to it by the United States for innocent trespass upon land belonging to the United States.

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

Mr. GORE. Mr. Speaker, I object.

AMENDMENT TO HAWAIIAN HOMES COMMISSION ACT OF 1920

The Clerk called the next bill, H. R. 4795, to amend the Hawaiian Homes Commission Act of 1920, as amended, by amending sections 203 (4), 208 (3), 209, 213, 215, 220, and 222 thereof and by adding thereto a new section to be numbered section 225, all relating to the powers, duties, and functions of the Hawaiian Homes Commission.

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

Be it enacted, etc., That section 203 (4) of the Hawaiian Homes Commission Act, 1920, is hereby amended so that the first course describing "(1) Portion of the government land at Auwalolimu Punchbowl Hill, Honolulu, Oahu," of the available lands on the Island of Oahu will read as follows:

"(1) One hundred and sixty-three degrees thirty-one minutes two hundred and thirty-eight and eight-tenths feet along the east side of Punchbowl-Makiki Road;"

SEC. 2. Section 208 (3) of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"(3) The lessee shall occupy and commence to use or cultivate the tract as his home or farm within 1 year after the lease is made. The lessee of a farm lot shall plant and maintain not less than 5, 10, 15, and 20 trees per acre of land leased, and the lessee of a pastoral lot shall plant and maintain not less than 2, 3, 4, and 5 trees per acre of land leased during the first, second, third, and fourth years, respectively, after the date of lease. Such trees shall be of types approved by the Commission and at locations specified by the Commission's agent. Such planting and maintenance shall be by or under the immediate control and direction of the lessee. Such trees shall be furnished by the Commission free of charge."

SEC. 3. Section 209 of the Hawaiian Homes Commission Act, 1920, is hereby amended as follows:

1. By amending paragraph (1) thereof to read as follows:

"(1) Upon the death of the lessee, his interest in the tract or tracts and the improvements thereon, including growing crops (either on the tract or in any collective contract or program to which the lessee is a party by virtue of his interest in the tract or tracts), shall vest in the relations of the decedent as provided in this paragraph. From the following relatives of the lessee: Husband and wife, children, widows or widowers of the children, grandchildren, brothers and sisters, widows or widowers of the brothers and sisters, or nieces and nephews, the lessee shall designate the person or persons to whom he directs his interest in the tract or tracts to vest upon his death. Such person or persons must be qualified to be a lessee of Hawaiian home lands: *Provided, however,* That Hawaiian blood requirements shall not apply to the descendants of those who are not native Hawaiians but who were entitled to the leased land under the provisions of section 3, Public Document Numbered 227 in the Seventy-third Congress, approved May 16, 1934: *Provided further,* That such person or persons need not be 21 years of age. Such designation must be in writing, filed with the Commission and approved by the Commission, in order to be effective to vest such interests in the successor or successors so named.

"In the absence of such a designation as approved by the Commission, the Commission shall select from the relatives of the lessee, as limited by the foregoing paragraph, one or more persons who are qualified to be lessees of Hawaiian home lands, except that such person or persons need not be 21 years of age, as the successor or successors of the lessee's interest in the tract or tracts, and upon the death of the lessee, his interest shall vest in the person or persons so selected. The Commission may select such a successor or successors after the death of the lessee, and the rights to the use and occupancy of the tract or tracts may be made effective as of the date of the death of such lessee.

"In the case of the death of a lessee leaving no such relative qualified to be a lessee of Hawaiian home lands, the land subject to the lease shall resume its status as unleased Hawaiian home lands and the Commission is authorized to lease such land to a native Hawaiian or Hawaiians as provided in this act.

"Upon the death of a lessee leaving no such relative qualified to be a lessee of Hawaiian home lands, or the cancellation of a lease by the Commission, or the surrender of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall appraise the value of all such improvements and growing crops and shall pay to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness to the Commission, or for taxes, or for any other indebtedness the payment

of which has been assured by the Commission, from the deceased lessee or the previous lessee. Such payment shall be made out of the loan fund and shall be considered an advance therefrom reimbursable out of payments made by the successor or successors to the trust involved.

"Such appraisal shall be made by three appraisers, one of which shall be named by the Commission, one by the previous lessee or the legal representative of his estate, and the third shall be selected by the two appraisers hereinbefore mentioned."

2. By deleting therefrom paragraph (3) thereof.

3. By substituting for the figure "(4)," of paragraph (4) thereof, the figure "(3)".

SEC. 4. Section 213 of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"SEC. 213. Hawaiian home-loan fund; Hawaiian home-development fund; Hawaiian home-administration account; how constituted: There is hereby established in the treasury of the Territory a revolving fund to be known as the Hawaiian home-loan fund and special funds to be known as the Hawaiian home-development fund and the Hawaiian home-administration account. Thirty percent of the Territorial receipts derived from the leasing of cultivated sugarcane lands under any other provisions of law, or from water licenses, shall be deposited into the Hawaiian home-loan fund until the aggregate amount of moneys deposited therein from such two sources, together with moneys received and deposited therein from any other sources, not including, however, installment payments upon loans made to lessees or payments by a successor or successors to the tract representing reimbursements on account of the advance made pursuant to section 209 (1), shall equal \$2,000,000. In addition to these moneys and the moneys covered into the loan fund as installments paid by lessees upon loans made to them as provided in paragraph 2 of section 215, there shall be deposited into said revolving fund all other moneys, except moneys received for the Hawaiian home-administration account, received by the Commission from any source whatsoever. The moneys in said fund shall be available only for loans to lessees as provided for in this act, for interest and sinking-fund charges upon bonds issued for Hawaiian homes purposes and for the payments provided for in section 209 (1), and shall not be expended for any other purpose whatsoever, except that 25 percent of the amount of moneys so covered into the said revolving fund annually shall be transferred into the Hawaiian home-development fund until the aggregate amount of such annual transfers shall equal \$400,000. The moneys in said development fund shall be available, with the prior written approval of the Governor, for the construction of necessary improvements for domestic use and consumption of water, including the construction of pipe lines and reservoirs, for the construction of sanitary sewerage facilities and for the construction of roads through and over Hawaiian home lands. The Commission is authorized and empowered to use moneys in said fund, with the prior written approval of the Governor, to match Federal, Territorial, or county funds available for the above purposes and to that end is authorized to enter into such undertaking, agree to such conditions, transfer funds herein available for such expenditure and do and perform such other acts and things, as may be necessary or required, as a condition to securing match funds for such projects or works.

"The entire receipts derived from any leasing of the 'available lands' defined in section 204 shall be deposited into the Hawaiian home-administration account. The moneys in said account shall be expended by the Commission for salaries and all other administration expenses of the Commission, not including structures and other permanent im-

provements, subject, however, to the following conditions and requirements:

"(1) The Commission shall, at such time as the Governor may prescribe, but not later than November 15 preceding each biennial session of the legislature, submit to the Territorial director of the bureau of the budget its budget estimates of expenditures for the next ensuing biennium in the manner and form and as required by Territorial law of Territorial departments and establishments.

"(2) The Commission's budget, if it meets with the approval of the Governor, shall be included in the Governor's budget report and shall be transmitted to the legislature for its approval. The total amount of the Commission's budget shall in no event exceed the amount of \$140,000 for the biennium.

"(3) Upon approval by the legislature of the Commission's budget estimate of expenditures for the ensuing biennium, the amount thereof shall be available to the Commission for said biennium and shall be expendable by the Commission for the expenses hereinabove provided; any amount of money in said account in excess of the amount approved by the legislature for the biennium shall be transferred to the general fund, such transfer to be made immediately after the amount of moneys deposited in said administration account shall equal the amount approved by the legislature.

"(4) The moneys in said administration account shall be expended by the Commission in accordance with Territorial laws, rules, and regulations and practices:

"Provided, however, That the receipts from the leasing of available lands as defined in section 204 shall not be covered into said account until July 1, 1943: *Provided further*, That for the biennium commencing July 1, 1941, and ending June 30, 1943, the amount of money appropriated by the Territorial legislature for the Commission, whether or not in excess of \$140,000, shall be deposited in said account and shall be expended as herein provided."

SEC. 5. Section 215 of the Hawaiian Homes Commission Act, 1920, is hereby amended as follows:

1. By amending paragraph (1) thereof to read as follows:

"(1) Each contract of loan with the lessee or any successor or successors to his interest in the tract shall be held subject to the following conditions, whether or not stipulated in the contract of loan: The amount of loans at any one time to any lessee, or successor or successors in interest, of a tract of agricultural or pastoral land shall not exceed \$3,000 and to any lessee, or successor or successors in interest, of a residence lot shall not exceed \$1,000: *Provided*, That where, upon the death of a lessee leaving no relative qualified to be a lessee of Hawaiian home lands, or the cancellation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall make the payment provided for by section 209 (1), the amount of any such payment made to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, shall be considered as part or all, as the case may be, of any such loan to the successor or successors, without limitation as to the above maximum amounts: *Provided further*, That where, in such cases of the death of a lessee leaving no qualified relatives, or cancellation of a lease by the Commission, or the surrender of a lease by the lessee, no payment is due or made the legal representative of the deceased lessee, the successor or successors to the tract shall assume any outstanding loan or loans thereon, if any, without limitation as to the above maximum amounts."

2. By amending the first sentence of paragraph (2) thereof to read as follows: "The loans shall be repaid upon an amortization plan by means of a fixed number of installments, such installments to be monthly, quarterly, semiannual, or annual as may be

determined by the Commission in each case, sufficient to cover (a) interest on the unpaid principal at the rate of 3 percent per annum, and (b) such amount of the principal as will extinguish the debt within an agreed period not exceeding 30 years."

3. By amending paragraph (3) thereof to read as follows:

"(3) In case of the borrower's death the Commission shall, in any case, permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. In case of the cancellation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission may, at its option, declare all annual installments upon the loan immediately due and payable, or permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. The Commission may, with the concurrence therein of at least three of the five members, in such cases where the successor or successors to the tract assume the contract of loan, waive the payment, wholly or in part, of interest already due and delinquent upon said loan, or postpone the payment of any installment thereon, wholly or in part, until such later date as it deems advisable. Such postponed payments shall, however, continue to bear interest at the rate of 3 percent on the unpaid principle and interest. Further, the Commission may, with the concurrence therein of at least three of the five members, if it deems it advisable and for the best interests of the lessees, write off and cancel, wholly or in part, the contract of loan of the deceased lessee, or previous lessee, as the case may be, where such loans are delinquent and deemed uncollectible. Such write-off and cancellation shall be made only after an appraisal of all improvements and growing crops on the tract involved, such appraisal to be made in the manner and as provided for by section 209 (1). In every such case the amount of such appraisal, or any part thereof, shall be considered as part or all, as the case may be, of any loan to such successor or successors, subject to the provisions of paragraph (1) of this section."

4. By adding a new paragraph thereto, to be designated and numbered (7) and to read as follows:

"(7) Whenever the Commission shall determine that a lessee is delinquent in the payment of his indebtedness to the Commission it may require such lessee to execute an assignment to it, not to exceed, however, the amount of the total indebtedness of such lessee, including the indebtedness to others the payment of which has been assured by the Commission, of all moneys due or to become due to such lessee by reason of any agreement or contract, collective or otherwise, to which the lessee is a party by virtue of his interest in the tract. Failure to execute such an assignment when requested by the Commission shall be sufficient ground for cancellation of the lessee's lease or interest therein."

SEC. 6. Section 220 of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"SEC. 220. Development projects; appropriations by territorial legislature; bonds issued by legislature: The Commission is authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands and to undertake other activities having to do with the economic and social welfare of the homesteaders: *Provided, however*, That roads through or over Hawaiian home lands, other than Federal-aid highways and roads, shall be maintained by the county or city and county in which said particular road or roads to be maintained are located. The legislature of the Territory is authorized to appropriate out of the treasury of the Territory such sums as it deems necessary to augment

the Hawaiian home-loan fund, the Hawaiian home-development fund, and the Hawaiian home-administration account, and to provide the Commission with funds sufficient to execute and carry on such projects and activities. The legislature is further authorized to issue bonds to the extent required to yield the amount of any sum so appropriated. The Commission shall pay from the Hawaiian home-loan fund into the treasury of the Territory—

"(1) upon the date when any interest payment becomes due upon any bond so issued, the amount of the interest then due; and

"(2) commencing with the first such date more than 1 year subsequent to the issuance of any bond and at each interest date thereafter, an amount such that the aggregate of all such amounts which become payable during the term of the bond, compounded annually at the rate of interest specified therein, shall equal the par value of the bond at the expiration of its term."

SEC. 7. Section 222 of the Hawaiian Homes Commission Act, 1920, is hereby amended by amending the second sentence thereof to read as follows: "All expenditures of the Commission, as herein provided out of the Hawaiian home-administration account, the Hawaiian home-development fund, and all moneys necessary for loans made by the Commission, in accordance with the provisions of this chapter, from the Hawaiian home-loan fund, shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the chairman of the Commission."

SEC. 8. The Hawaiian Homes Commission Act, 1920, is hereby amended by adding thereto a new section to be numbered section 225 and to read as follows:

"SEC. 225. Investment of loan funds; disposition: The Commission shall have the power and authority to invest and reinvest any of the moneys in the loan fund, not otherwise immediately needed for the purposes of the fund, in such bonds and securities as authorized by territorial law for the investment of territorial sinking fund moneys. Any interest or other earnings arising out of such investments shall be credited to and deposited in said fund and shall be included in and considered as a deposit from other sources, as provided for in section 213."

SEC. 9. This act shall take effect on and after the date of its approval.

With the following committee amendments:

On page 1, line 6, insert a comma after the word "Auwalolimu."

On page 2, line 8, delete the words "a farm lot" and insert in lieu thereof the words "agricultural lands."

On page 2, line 10, delete the words "a pastoral lot" and insert in lieu thereof the words "pastoral lands."

On page 2, line 25, delete the parenthesis before the word "either" and insert a comma after the word "crops."

On page 3, line 2, after the word "tracts", delete the parenthesis.

On page 3, line 23, insert before the comma the words "in the order named above."

On page 3, line 25, and page 4, line 1, delete the words "that such person or persons need not be 21 years of age", and insert in lieu thereof the words "as hereinabove provided."

On page 4, lines 16 and 17, delete the words "or the surrender of a lease by the Commission."

On page 5, line 2, delete the word "trust" and insert in lieu thereof the word "tract."

On page 5, line 6, delete the words "his estate", and insert in lieu thereof the words "the deceased lessee, as the case may be."

On page 8, line 9, insert before the comma the words "or if no action hereon is taken by the legislature prior to adjournment."

On page 8, line 14, insert before the comma the words "of the treasury of the Territory."

On page 9, line 25, and page 10, lines 1 through 4, delete the words "where, in such cases of the death of a lessee leaving no qualified relatives, or cancellation of a lease by the Commission, or the surrender of a lease by the lessee, no payment is due or made the legal representative of the deceased lessee, the successor or successors to the tract shall assume" and insert in lieu thereof the words "in case of the death of a lessee, or the cancellation of a lease by the Commission, or the surrender of a lease by the lessee, the successor or successors to the tract shall assume."

On page 10, line 6, insert before the period the words "but subject to the provisions of paragraph (3) of this section."

On page 10, line 15, insert new paragraph as follows: Amend last sentence of paragraph (2) by deleting the words "and interest."

On page 10, line 18, delete the word "borrower's" and insert after the word "death" the words "of a lessee."

On page 10, line 24, delete the word "annual."

On page 11, line 11, insert period after the word "principal" and delete the words "and interest."

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 SECTION 2 OF ACT TO PROVIDE METHOD OF SETTLEMENT OF CLAIMS ARISING AGAINST GOVERNMENT OF UNITED STATES IN SUMS NOT EXCEEDING \$1,000 IN ANY ONE CASE

The Clerk called the next bill, H. R. 5185, to amend section 2 of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case," approved December 28, 1922 (42 Stat. 1066).

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

Mr. GORE. Mr. Speaker, reserving the right to object, will the author of the bill give an explanation of it? I have no objection to the bill, but some Members have asked that it be explained.

Mr. McGEHEE. Mr. Speaker, this bill amends the Small Claims Act passed by the Congress in 1922 which gave the governmental departments authority to settle claims for property damages, hospital bills, and so forth, up to the sum of \$500. This amends that act and increases their authority to settle up to the sum of \$1,000. If you will analyze the numerous claims that have come before the Claims Committee that could be settled by the departments, between \$500 and \$1,000, you will see the necessity for the passage of this act increasing their authority for the settlement of these claims up to \$1,000 in place of \$500.

This is recommended by the Department of Agriculture and every other department of the Government. It is recommended that they be given this authority. It is a departmental bill which the Claims Committee approves unanimously and thinks should be passed.

Mr. TABER. Mr. Speaker, reserving the right to object, does not the gentleman think that this bill is of such importance that it should come up in the regular way rather than come up through the Consent Calendar method?

Mr. McGEHEE. I do not think so. As chairman of the Claims Committee and knowing the numerous claims that are being presented to the Congress on account of the increased governmental activities in the past few years, such as the W. P. A., Soil Conservation, C. C. C., and our preparedness program, wherein and by reason of the enormous number of governmental cars and trucks that are being operated on streets and highways, it follows that there is a great increase of claims against the Government for damage to property and individuals. The departments have the personnel to make investigations and make these settlements up to \$1,000, thereby saving the enormous cost to the Congress in considering those between \$500 and \$1,000. They have requested the passage of this bill for this reason.

The Claims Committee has considered it and believes that the present act should be so amended, and that they be given the authority to settle any claim up to \$1,000.

Mr. TABER. Will there not be a lot of settlements between \$500 and \$1,000 that are now settled for under \$500?

Mr. McGEHEE. I do not think so, and I base that statement on my experience of 6 or 7 years on the Claims Committee, watching the governmental reports that come before that committee. They settle them numerous times for less money than Congress would pass a bill for.

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

Mr. McGEHEE. Mr. Speaker, I hope the gentleman will not make that request because I think this is going to save Congress a lot of trouble. It will save the Committee on Claims a lot of trouble in handling these bills. When we do that, we are saving the taxpayers of the United States money, as I have stated, for the reason the departments have the personnel to do it and will not entail any extra expense on any department.

I base these statements on the experience I have had with the committee in the past 7 years that I have been a member of the committee. I am now chairman of that committee, and I know, as chairman of the committee, how very closely the departments investigate them. Congress passes many bills that the departments have turned down. I hope the gentleman will not ask that the bill be passed over.

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

There was no objection.

AUTHORIZING TREASURER OF THE UNITED STATES TO MAKE SETTLEMENT WITH PAYEES OF LOST OR STOLEN CHECKS

The Clerk called the next bill, H. R. 5079, to authorize the Treasurer of the United States to make settlement with payees of lost or stolen checks, which have been paid on forged endorsements, in advance of reclamation, and for other purposes.

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

Miss SUMNER of Illinois. Mr. Speaker, reserving the right to object, may I ask the author of the bill if this does not include checks that have already been endorsed by the person to whom the check is made? I mean to say that if a check were lost before it has been endorsed by the payee, the Treasurer can recover from the bank, but if it has been endorsed by the payee, then lost without his fault, there would be no recovery by the Treasurer in the case of such check. It seems to me that this bill is too broad on that account, unless it covers it in some way I have not noticed.

Mr. McGEHEE. I beg to differ with the gentleman. I believe the gentleman's premise is entirely wrong, if I understand her statement. The purpose of this bill is to create a revolving fund in the Treasury Department to pay checks that are made payable to the proper parties and are misdirected or not received by such parties, or are received by them and there is a forged endorsement. The party to whom the money is due cannot get his money until recovery is had from the forger or the endorser, if he is worth the money, and this action sometimes carries over a period of years. In such a case you have deprived a veteran or the widow of a veteran or someone else of moneys to which they are entitled. The bill further provides that when this money is recovered it shall be placed in the revolving fund. There are hundreds of these cases, and they are coming up every day.

Miss SUMNER of Illinois. It is apparent that the bill is so intended, but it seems to me it also includes a case where the payee has endorsed the check and then loses it or it is stolen, in which case the Treasury Department would have no recovery except from the person who is responsible.

Mr. McGEHEE. I believe you would have a right to recover.

Miss SUMNER of Illinois. How?

Mr. McGEHEE. From the forger or the endorser.

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

Mr. McGEHEE. I yield to the gentleman from Missouri.

Mr. COCHRAN. As I understand, this bill is simply to expedite the payment of money, and does not take away from the Government in any way its power to recover the money from the bank or anybody who is responsible for cashing a check that was not properly endorsed or was not cashed by the one entitled to the money.

Mr. McGEHEE. That is true.

Miss SUMNER of Illinois. It seems to me it is very apparent that this does not cover the case where it has passed into the hands of a b. f. p., therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. COCHRAN. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Mississippi one more question:

This bill has absolutely nothing whatever to do with the revolving fund which we created to take care of loss of valuable shipments?

Mr. McGEHEE. No.

Mr. COCHRAN. This bill will be helpful, too, but may I say to the gentleman that I introduced the other bill at the request of the Treasury Department. We were paying around \$1,000,000 a year in premiums to private corporations, and had been doing so for years, to insure our valuable shipments. My bill created a revolving fund. The result was that there is now in that revolving fund a sufficient amount of money so that we are not required to make any additional appropriation. In the last report I had I found that after that revolving fund had been in operation for a number of years only a few thousand dollars had been taken out of it. It seems to me that this bill, recommended by the same department as recommended the other bill, should be passed, and that it is sound legislation.

Mr. McGEHEE. This bill was drafted by the Treasury Department, and approved by the Budget, and they asked for its passage.

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

There was no objection.

AMENDMENT OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

The Clerk called the next bill, H. R. 5171, to amend section 392 of the Agricultural Adjustment Act of 1938, as amended, so as to provide for separate appropriation accounts for administrative expenses of the Agricultural Adjustment Administration, so as to modify the 1- and 2-percent limitations on administrative expenses and to provide overall limitations in lieu thereof, and for other purposes.

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

Mr. FULMER. Mr. Speaker, will the gentleman withhold his request in order that I may explain the bill?

Mr. KEAN. Yes; gladly.

Mr. FULMER. May I say to the gentleman that this bill proposed to amend the Agricultural Adjustment Act so as to bring about a better distribution of the funds allocated to the Department of Agriculture in administering the act. It does not increase the appropriation.

Under the present act they can use 2 percent of the amount allocated within the States and 1 percent in the District of Columbia. Now that the expenses of administering the act in the States have increased, largely because of the Civil Service Act, passed some time ago, which increased the salaries of the employees in the States, they want to use the same fund, but have the right to use the amount necessary to administer the act in the States, even if it is a little more than 2 percent, which would mean that there would be less than 1 percent used in the District of Columbia. It does not increase the appropriation but brings about a better administration of the act.

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

Mr. FULMER. I yield to the gentleman from Missouri.

Mr. COCHRAN. Will the gentleman advise the House why he has no letter

here from the department explaining its views on the bill? Can the gentleman also tell us if this bill originates with the department or with the author?

Mr. FULMER. I am glad to tell the gentleman that we had the department appear before us at the hearing before the committee, the matter was definitely explained, and the bill was reported unanimously, because it is a simple matter of proper distribution of the funds.

Mr. COCHRAN. There is nothing in the report to indicate to the Members of the House the viewpoint of the Department with reference to this proposed legislation. The fact the committee had the information is not sufficient. Some reference to the Department's views should be in the report.

Mr. FULMER. I am giving the gentleman now the viewpoint of the Department. No additional appropriation will be required. It is a matter of the proper distribution of the funds allocated so as to get results in the administration of the act. This is requested only because the expenses in the States have increased above those in the District of Columbia.

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

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

Mr. RICH. Did I correctly understand the gentleman to say that 2 percent of the amount appropriated for the A. A. A. is all the overhead you have in connection with the administration of that fund?

Mr. FULMER. In the States.

Mr. RICH. How much of it is used in the District of Columbia?

Mr. FULMER. 1 percent is used in the District of Columbia.

Mr. RICH. That makes a total of 3 percent?

Mr. FULMER. A total of 3 percent.

Mr. RICH. Then you want to take the 3 percent and make your distribution between the District of Columbia and the States as the Administration thinks advisable?

Mr. FULMER. That is right. This is brought about largely because of the increase in salaries under the Civil Service Act passed some time ago, which puts the salaries in the States at a higher level than they were prior to that time.

Mr. RICH. Does not the gentleman think that with the great number of people he has administering the A. A. A. we can now eliminate a lot of them both in the States and in the District of Columbia, and let the farmers get the benefit of the money that is appropriated for them without having a lot of political leeches here in the District and back in the States? I know that back in the districts they have more men hanging on to this A. A. A. pay roll than are necessary. They are only an added expense to the American taxpayers and they are only doing good for the political party in power and they ought to be eliminated. Does not the gentleman think that?

Mr. FULMER. May I state to the gentleman that I believe practically all of these departments are topheavy with employees, but this measure does not have a thing to do with that. We are not asking any increase of appropriations; we

are only asking the right to distribute the amount that is already appropriated in a manner that will give actual service to the State and to the Department here in Washington.

Mr. RICH. The gentleman says that all of these departments are topheavy with employees. If we are going to permit this expenditure of such funds for political leeches who are hanging on, when the farmers themselves should get the benefit of such appropriations, then something should be done to eliminate such people. If we are going to permit them to divide up the amount they get here in the District and the amount they get in the States and let the Department handle the entire matter, the gentleman knows that no bureaucrat or no department will ever cut down his expenses. I have never seen any department head come before the Appropriations Committee and say that they could cut out certain employees, or that they could cut down their expenditures. They are always increasing them, and if such increasing is to continue we will never do anything toward cutting down the expenditures of the departments. We will not have any economy in government. I think what you ought to do is to cut this amount down both in the District and in the States, and then we will get some action, and that is the only way you are ever going to get action.

Mr. FULMER. May I state to the gentleman that the Committee on Agriculture has not anything to do with appropriating money. I am not asking for any additional appropriation and neither can my committee cut the appropriation. I am simply asking for a proper distribution of the amount of appropriations given for this purpose rather than have it wasted in one place, when it could be used properly in another place. It is just as simple and fair as can be.

Mr. RICH. I may say that I am a member of the Committee on Appropriations, but I have had no success in that committee in keeping down expenditures. They will not do it. They like to spend too well. If the men in the Department of Agriculture are going to continue to ask for legislation to run all of these bureaus and then come in with a request that the Committee on Appropriations make the appropriations, you are just increasing and increasing all the time the cost of Government. I think something has got to be done by the Congress of the United States to cut down the appropriations for the regular functions of Government. If we do not do this we are lost. We are about on the road to bankruptcy now on account of this war and the increased costs incident thereto in running the Government under the New Deal. It has been stated they are going to be expending \$2,000,000,000 a month by the middle of next year, and where are you going to get the money? You know you cannot get it. You know there is a financial wreck ahead unless you cut down your spending.

Mr. FULMER. I have no quarrel with the gentleman, but this is entirely a different matter. I think the gentleman is taking time to express himself on a very important matter, but one that ought to

come before the Appropriations Committee of which he is a very valuable member, and not before the House at a time when we are trying to use properly that which your committee gave to the Department of Agriculture, and I hope the gentleman will not object.

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

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. KEAN] that the bill be passed over without prejudice?

There was no objection.

MAKING CERTAIN ALIENS ELIGIBLE FOR CITIZENSHIP

The Clerk called the next bill, H. R. 5428, making eligible for citizenship any alien not racially ineligible to naturalization heretofore admitted to the United States for permanent residence under special act of Congress.

Mr. GORE. Mr. Speaker, I do not see any objection to the bill unless there is some limitation which has been imposed upon these people which would make it improper to admit them to citizenship. I wonder if the gentleman from Michigan would explain the bill.

Mr. LESINSKI. Mr. Speaker, the Committee on Immigration and Naturalization has passed many private bills. There have been amendments attached to those bills to the effect that such aliens cannot become citizens of this country although legally admitted. The President of the United States has vetoed several bills with such amendments attached to them. The Department of Justice is asking that this bill be passed so that they can correct the situation and permit these aliens who are here legally to become American citizens, to which they are entitled.

Mr. GORE. If we made a mistake in letting them become permanent residents that is a mistake already made and personally I can see no objection to having them apply for citizenship unless there are limitations in these acts of special consideration which would make it improper to admit them to citizenship. Is there any uniformity or lack of uniformity in the acts?

Mr. MASON. Mr. Speaker, may I answer that question? The purpose of the bill is to correct the mistakes that the gentleman has already spoken of. That is all. It is to correct the mistakes that the Congress has made in giving certain aliens permanent residence, but in forbidding citizenship, which the President and the Department of Justice consider a mistake. This bill is to rectify those past mistakes, and no future mistakes will be made, because every bill that is passed with that limitation from now on under the present administration will be vetoed.

Mr. GORE. Mr. Speaker, I quite agree with the gentleman, whether we have been right or wrong in permitting them to become permanent residents, that now we should allow them to make application for citizenship, except that I thought there may be some special consideration in some of these cases which might forbid that. I withdraw my reservation of objection.

Mr. BROOKS. Mr. Speaker, I reserve the right to object in order to ask some questions. In these cases are there any persons who might be applicants, who have been admitted to the United States because of forged passports, which they forged themselves or which came in under those forged-passport cases, or are there any cases involving moral turpitude? Are those cases that will be admitted to citizenship?

Mr. LESINSKI. No; those are private bills passed by the committee and reported to the House and the House passed on those bills. They are all aliens, most of whom are here illegally.

Mr. BROOKS. Congress passed some special bills admitting to residence certain persons because of dependency and other conditions—hardship cases. Do they involve crimes?

Mr. LESINSKI. There will be no crime committed.

Mr. BROOKS. Would those cases be admitted to citizenship?

Mr. LESINSKI. Those have been passed on by the House and the Senate and signed by the President, and this only takes care of those cases.

Mr. BROOKS. Would those cases that come in under forged passports be admitted to citizenship?

Mr. LESINSKI. We have not considered any of them.

Mr. BROOKS. How would you keep them out?

Mr. LESINSKI. We would have to pass a special bill for each individual.

Mr. BROOKS. Would this bill cover that?

Mr. LESINSKI. No.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, if I may add this interpolation to what my colleague has said, these private bills are looked over very carefully before they are reported out, and I do not recall any instance in the committee where any of these bills have been reported out in the face of an adverse report from the Department of Justice. This is a remedial measure.

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

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

EMPOWERING LEGISLATURE OF HAWAII TO AUTHORIZE IMPROVEMENT BONDS

The Clerk called the bill (H. R. 5076) to empower the Legislature of the Territory of Hawaii to authorize the county of Kauai to issue improvement bonds.

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

Be it enacted, etc., That the Legislature of the Territory of Hawaii may authorize the county of Kauai to issue its general obligation bonds for the purpose of financing improvements in said county in a total amount not exceeding \$600,000, despite the existing limitations of indebtedness contained in section 55 of the act of Congress of April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii," as amended: *Provided, however,* That when said bonds have been issued as many of them as are outstanding shall be included in the outstanding indebtedness of said county in computing the amount of additional indebtedness, other than bonds issued pursuant to the authority contained

in Act 251 of the Session Laws of Hawaii of 1941, which may be incurred by said county.

Sec. 2. Said bonds may be issued under Act 251 of the Session Laws of Hawaii of 1941 and said act is hereby ratified and confirmed: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of said act by said Territory by the legislature thereof from time to time to provide for changes in the improvements authorized by said act or for the disposition of unexpended moneys appropriated by said act.

With the following committee amendment:

Page 1, line 7, insert after the word "existing", the words "5 percent and 1 percent."

The committee 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.

ELECTRIC CURRENT IN COUNTY OF HAWAII, ETC.

The Clerk called the bill (H. R. 5077) to approve Act No. 112 of the Session Laws of 1941 of the Territory of Hawaii, entitled "An act to amend Act 101 of the Session Laws of Hawaii, 1921, relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, so as to extend the franchise to the districts of Kau and South Kohala in said county, and extend the term thereof as to the town of Hilo."

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

Be it enacted, etc., That Act No. 112 of the Session Laws of 1941 of the Territory of Hawaii, entitled "An act to amend Act 101 of the Session Laws of Hawaii, 1921, relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, so as to extend the franchise to the districts of Kau and South Kohala in said county, and extend the term thereof as to the town of Hilo," passed by the Legislature of Hawaii and approved by the Governor of the Territory of Hawaii on April 26, 1941, be hereby approved.

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

DIFFERENTIAL IN PAY FOR CUSTODIAL SERVICE EMPLOYEES, POSTAL SERVICE

The Clerk called the bill (H. R. 2232) to provide a differential in pay for night work for custodial service employees in the Postal Service.

The SPEAKER pro tempore. Is there objection?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

Mr. RICH. Mr. Speaker, I reserve the right to object to call the attention of the House to the bill and the letter of the Postmaster General, in which we find the final language:

The cost of this legislation would be approximately \$1,100,000 per annum. It has been ascertained from the Bureau of the Budget that the enactment of this proposed legislation would not be in accord with the program of the President.

I cannot understand why the committee would permit legislation of this kind to be put on the calendar when it is against the ideas of the Postmaster General and the President does not want it. I do not understand why the members of the committee should come in here and think that we are going to let this go through by unanimous consent. Why do we do these foolish things?

Mr. MASON. Mr. Speaker, I reserve the right to object in order to answer the gentleman from Pennsylvania [Mr. RICH] and to say that the custodial employees of the Postal Department are the only group in the whole Postal Department who do not have a differential between night service and day service. The bill proposes to at least place them on the same basis as all other postal-employee groups.

The report from the Postmaster General saying it would cost a million or more is an incorrect report and has been properly checked. It will cost more, but it is necessary in order to at least do the fair thing by this one group, and the unanimous report of the Committee on the Post Office and Post Roads, under no consideration, should be called a foolish report.

Mr. RICH. Let me ask the gentleman this question: Whenever the Postmaster General, who is supposed to have charge of all post-office employees in the country, comes in with a report that is contrary to the report of the committee, is it not possible for the committee and the Postmaster General to get together so that we might try to do the business of the Government in a good, sensible, businesslike way? That is the way they do it in ordinary procedure back in the country.

Mr. MASON. In answer to the gentleman's statement, I might say that the same Postmaster General reports and advocates and urges upon Congress and upon our committee the passage of a bill which would subsidize book rates at the expense of \$7,000,000, and urged that, but every time there is a chance to do justice to certain groups of employees, then they report adversely. I want to ask the gentleman if he considers that consistent.

Mr. RICH. Then I come to the conclusion from the statement of the gentleman from Illinois that you have no confidence in the report of the Postmaster General and you cannot rely on that, because you have stated this is not a correct statement?

Mr. MASON. And I want to say that the gentleman's remarks would show that he has no confidence in the Committee on the Post Office and Post Roads in this House.

Mr. RICH. I think you should try to reconcile your differences.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I hope that the unanimous-consent request will not be pressed. This is a very meritorious bill. I think the gentleman from Pennsylvania [Mr. RICH] ought to compliment the committee for acting independently. Usually my friend from Pennsylvania claims that committees are rubber stamps. Here, according to his own admission, the committee does the very thing that he advocates in other direc-

tions. So personally I think my very good friend and warm-hearted colleague from Pennsylvania ought to congratulate the Committee on the Post Office and Post Roads for its independence.

Now, so far as the bill is concerned, this is a very meritorious bill. It certainly goes to the lowest-salaried employees of the Post Office Department. It only seeks to extend the minimum of practical justice, and I hope that the unanimous-consent request to pass the bill over without prejudice will be withdrawn.

Mr. RICH. Mr. Speaker, reserving the right to object, has the majority leader read the letter from the Postmaster General of February 19, 1941, to the gentleman from Missouri, Hon. MILTON A. ROMJUE, wherein he criticized the legislation and said that it was not in accordance with the wishes of the President, not in accordance with his own idea, nor the idea of the Budget? I would like to ask the gentleman, who is the majority leader, when you see we are going into the red over a billion dollars a month now, when you see that this Nation is on the verge of bankruptcy and you are going to come in here this week and ask the Government for \$6,000,000,000 more, which will make thirteen billion for the President to give away, do you not think it is about time to conserve the resources of America, to look after the American taxpayer as well, and try to keep this country from going into bankruptcy? You as majority leader are one of those who is responsible to guide the destinies of this administration. I think that somebody should take hold of things pretty soon.

Mr. McCORMACK. I do not agree with most of the facts stated by the gentleman. The gentleman from Pennsylvania asked a hypothetical question, and most of the premises of his question I am not in agreement with. Of course, everything the gentleman says about the country being in bankruptcy is agreed to by only a very few outside of my distinguished friend from Pennsylvania. But we were just discussing this bill. Just keep your mind focused on this bill. I know the gentleman from Pennsylvania is capable of doing it. This bill confines itself to a small group of deserving employees. Certainly the committee should be congratulated for weighing all the evidence, considering the report of the Post Office Department, and considering all other evidence involved, and then acting independently in reporting the bill out. In other words, as I said before, the committee should be congratulated by the gentleman from Pennsylvania for its independence instead of being criticized by him.

This is a worthy bill, and I hope it will be passed today.

Mr. RICH. It was stated that Mr. Walker was wrong in stating that it would cost \$1,100,000. A member of the committee stated that. Now, what is the actual cost?

Mr. BURCH. Will the gentleman yield?

Mr. RICH. I yield.

Mr. BURCH. I want to say to you that the first letter was evidently gotten up hurriedly. On August 25 the Committee on the Post Office and Post Roads received

a letter from Mr. Walker in which he said the cost would be \$447,186.44.

Mr. RICH. What date was that?

Mr. BURCH. August 25.

Mr. COCHRAN. Six months after the first report.

Mr. BURCH. All other employees in the Postal Department have this differential. It is only a 10-percent differential for night work. I think this is a meritorious bill. We have given it very careful consideration. It comes before the House with the unanimous report of the committee. We do not think we could ask less for these custodial employees than we are asking at this time.

Mr. COCHRAN. Will the gentleman yield?

Mr. BURCH. I yield.

Mr. COCHRAN. As a matter of fact, was not this bill reported favorably by the Department in the last Congress?

Mr. BURCH. I do not recall. They have not made any strenuous objection to it.

Mr. COCHRAN. The total cost of this legislation, to put every employee on the same basis, will be only \$447,000. It seems to me it is worthy legislation and will improve the morale of the employees who one might say are now being discriminated against. Further let it be remembered the employees affected are in the lowest brackets.

Mr. BURCH. Four hundred and forty-seven thousand dollars.

Mr. SHEPPARD. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is demanded. The regular order is: Is there objection to the request of the gentleman from New York?

Mr. RICH. Mr. Speaker, I would like to ask a question.

The SPEAKER pro tempore. The regular order has been demanded. The gentleman can only do one thing, that is object. Is there objection?

Mr. COLE of New York. Mr. Speaker, in view of the explanation given that the cost will not be over \$1,000,000 but under one-half million, which was the basis for making my request, I withdraw my request.

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

Mr. TABER. Mr. Speaker, I object.

APPOINTMENT OF ASSISTANT POSTMASTER AT ALL FIRST- AND SECOND-CLASS POST OFFICES

The Clerk called the next bill, H. R. 3192, to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices.

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

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

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

There was no objection.

AMENDMENT OF ACT REORGANIZING THE ADMINISTRATION OF FEDERAL PRISONS

The Clerk called the next bill, H. R. 5270, to amend the act reorganizing the administration of Federal prisons.

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

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that the bill (S. 1698) to amend the act reorganizing the administration of Federal prisons be substituted for the bill H. R. 5270.

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

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 7 of the act entitled "An act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisons; to establish Federal jails, and for other purposes," approved May 14, 1930 (46 Stat. 326, U. S. C., title 18, sec. 753f), be, and it hereby is, amended by adding thereto the following sentence: "The authority conferred upon the Attorney General by this section shall extend to persons committed to the National Training School for Boys, by the juvenile court of the District of Columbia, as well as to those committed by any court of the United States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider and a similar House bill (H. R. 5270) were laid on the table.

FIRES ON PUBLIC DOMAIN AND IN NATIONAL FORESTS

The Clerk called the next bill, S. 633, to amend the Criminal Code in respect to fires on the public domain or Indian lands or on certain lands owned by the United States.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, this bill proposes to make it a criminal offense for anyone to willfully set on fire or cause to be set on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States which are included in a park, forest, monument, historical park, military park, battlefield site, parkway, recreational area, seashore, lake shore, cemetery, recreational demonstration project, wildlife refuge, grazing district, or stock driveway, and certain other categories.

While I am opposed as much as anyone could be to the destruction of public property by fire, and want the fullest possible protection, yet the language of this bill it seems to me would make a criminal out of anyone who might build a campfire even within that portion of a park or tract set aside for public use. It would also make a criminal out of any employee of the Government who should set a fire or cause to be set afire in timber or underbrush although the brush might have been gathered or set aside for the purpose of clearing up after thinning operations. It might even make it illegal for an Indian to build a campfire on his own trust allotment. It seems to me consequently that the bill should be amended and clarified. Something should be worked out for the protection of the public and of the Government employees. I ask, therefore, that the bill go over without prejudice.

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

There was no objection.

AUTHORIZING TRANSFER OF ENLISTED MEN OF THE NAVAL AND MARINE CORPS RESERVE TO THE REGULAR NAVY AND MARINE CORPS

The Clerk called the next bill, H. R. 5464, to authorize the transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps.

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 in time of war or national emergency enlisted men of the Naval Reserve and the Marine Corps Reserve, may, upon their own application while on active duty, other than active training duty, under such regulations as the Secretary of the Navy may prescribe, be transferred to the Regular Navy or Regular Marine Corps, respectively, to serve the unexpired term of their enlistment, or period for which they have obligated themselves to serve in the Naval Reserve or Marine Corps Reserve, in such rating or rank as they may be found qualified: *Provided,* That such transfers may not be made in excess of the authorized enlisted strength of the Navy or Marine Corps: *Provided further,* That men so transferred shall, while in the Regular Navy or Regular Marine Corps and upon discharge therefrom, be entitled to and receive the same pay, allowances, and other benefits, including travel allowance on discharge, as though the enlistment in the Naval Reserve or Marine Corps Reserve had been an original enlistment in the Regular Navy or Regular Marine Corps, except that for the purpose of longevity credit no credit shall be allowed for any service performed as a member of the Naval Reserve or Marine Corps Reserve other than service on continuous active duty: *And provided further,* That the foregoing shall apply to men who have enlisted in the Regular Navy or Regular Marine Corps after discharge from a Reserve enlistment entered into since February 6, 1941.

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.

PROVIDING FOR THE SECURITY OF UNITED STATES NAVAL VESSELS

The Clerk called the next bill, H. R. 5463, providing for the security of United States naval vessels, and for other purposes.

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

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

Be it enacted, etc., That in addition to those duties now imposed by law on the Coast Guard by virtue of the acts of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471), June 15, 1917 (40 Stat. 220; 50 U. S. C. 191), and June 22, 1936 (49 Stat. 1820; U. S. C., Supp. V, title 14, sec. 45), it shall be the duty of the captain of the port, Coast Guard district commander, or other officer of the Coast Guard designated by the commandant thereof, or the Governor of the Panama Canal in the case of the territory and waters of the Canal Zone, to so control the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, as to insure the safety or security of such United States naval vessels as may be present in his jurisdiction: *Provided,* That in

territorial waters of the United States where immediate action is required, or where representatives of the Coast Guard are not present, or not present in sufficient force to exercise effective control of shipping as provided herein, the senior naval officer present in command of any naval force may control the anchorage or movement of any vessel, foreign or domestic, to the extent deemed necessary to insure the safety and security of his command.

Sec. 2. When the Coast Guard operates as a part of the Navy pursuant to section 1 of the act of January 28, 1915 (38 Stat. 800; U. S. C., title 14, sec. 1), the powers conferred on the Secretary of the Treasury by section 1, title II, of the act of June 15, 1917 (40 Stat. 220; U. S. C., title 50, sec. 191), shall vest in and be exercised by the Secretary of the Navy.

Sec. 3. Section 2, title II, act of June 15, 1917 (40 Stat. 220; U. S. C., title 50, sec. 191), is hereby amended by striking therefrom the words "by the Secretary of the Treasury or the Governor of the Panama Canal."

Sec. 4. Except as provided in section 2, nothing in this act shall be construed as affecting the authority conferred upon the Governor of the Panama Canal by the second paragraph of section 1, title II, act of June 15, 1917 (40 Stat. 220; U. S. C., title 50, sec. 191).

With the following committee amendments:

Page 2, line 16, before the words "the powers", delete the comma and insert the words "as amended."

Page 2, line 22, change the numerals "191" to "192."

The committee amendments were agreed to.

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

PREFERENTIAL POSTAL RATES FOR BRAILLE WRITERS AND CERTAIN SHORTHAND MACHINES

The Clerk called the next bill, S. 1570, to further amend the acts for promoting the circulation of reading matter among the blind.

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

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

Be it enacted, etc., That the act approved April 27, 1904 (33 Stat. 313), the supplemental provision in the act approved August 24, 1912 (37 Stat. 551), the joint resolution approved June 7, 1924 (43 Stat. 668), the act approved May 9, 1934 (48 Stat. 678), and the act amending these acts approved May 16, 1938 (52 Stat. 378) (39 U. S. C., 1934 edition, Supp. V, sec. 331), be, and the same are hereby, amended to read as follows:

Books, pamphlets, and other reading matter published either in raised characters, whether prepared by hand or printed or in the form of sound-reproduction records for the use of the blind, in packages not exceeding the weight prescribed by the Postmaster General, and containing no advertising or other matter whatever, unsealed, and when sent by public institutions for the blind, or by any public libraries, as a loan to blind readers, or when returned by the latter to such institutions or public libraries; magazines, periodicals, and other regularly issued publications in such raised characters, whether prepared by hand or printed, or on sound-reproduction records (for the use of the blind), which contain no advertise-

ments and for which no subscription fee is charged, shall be transmitted in the United States mails free of postage and under such regulations as the Postmaster General may prescribe.

Volumes of the Holy Scriptures, or any part thereof, published either in raised characters, whether prepared by hand or printed, or in the form of sound-reproduction records, for the use of the blind, which do not contain advertisements (a) when furnished by an organization, institution, or association not conducted for private profit, to a blind person without charge, shall be transmitted in the United States mails free of postage; (b) when furnished by an organization, institution, or association not conducted for private profit, to a blind person at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

Reproducers for sound-reproduction records for the blind or parts thereof which are the property of the United States Government, when shipped for repair purposes by an organization, institution, public library, or association for the blind not conducted for private profit, or by a blind person to an agency not conducted for private profit, or from such an agency to an organization, institution, public library, or association for the blind not conducted for private profit, or to a blind person, may be transmitted through the mails at the rate of 1 cent per pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

The Postmaster General may in his discretion extend this rate of 1 cent per pound or fraction thereof to reproducers for sound-reproduction records for the blind, or parts thereof, and, when mailed to be repaired or being returned after repair, to Braille writers and other appliances for the blind, or parts thereof, which are the property of State governments or subdivisions thereof, or of public libraries, or of private agencies for the blind not conducted for private profit, or of blind individuals, under such regulations as he may prescribe.

All letters written in point print or raised characters or on sound-reproduction records used by the blind, when unsealed, shall be transmitted through the mails as third-class matter.

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.

TO PERMIT THE MAILING OF SMALL FIREARMS TO OFFICERS AND EMPLOYEES OF ENFORCEMENT AGENCIES OF THE UNITED STATES

The Clerk called the next bill, H. R. 1793, to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States.

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 the act entitled "An act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty," approved February 8, 1927, 44 Stat. 1059 (U. S. C., title 18, sec. 361), as amended, is amended by inserting before the word "and" in the final clause of the first proviso the following: "to officers and employees of enforcement agencies of 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.

AUTHORIZING TRANSPORTATION OF EMPLOYEES OF ALASKA RAILROAD ON VESSELS OF ARMY TRANSPORT SERVICE

The Clerk called the next bill, H. R. 4904, to authorize transportation of employees of The Alaska Railroad on vessels of the Army Transport Service.

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

Be it enacted, etc., That when, in the opinion of the Secretary of War, accommodations are available, transportation on vessels of the Army Transport Service may be provided, without expense to the United States, to employees of The Alaska Railroad, residing in Alaska, who have been in such employment for a period of not less than 2 years, and to their families: *Provided*, That except in cases of dire emergency, such as sickness or death, the privilege herein granted shall be limited, as to each eligible individual, to one round trip between Alaska and the States during each 2-year period from and after the passage of this act.

With the following committee amendment:

Page 1, line 6, strike out the words "The Alaska Railroad" and insert "the United States."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to authorize transportation of employees of the United States on vessels of the Army Transport Service."

AMENDMENT TO THE ALIEN REGISTRATION ACT

The Clerk called the next bill, S. 1512, to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards.

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

Be it enacted, etc., That section 36 of the Alien Registration Act, 1940 (act of June 28, 1940, title III, sec. 36, 54 Stat. 675; U. S. C., title 8, sec. 457), be, and the same is hereby, amended by inserting at the end thereof a new subsection to be lettered (d), reading as follows:

"(d) Any person who with unlawful intent photographs, prints, or in any other manner makes, or executes, any engraving, photograph, print, or impression in the likeness of an alien registration receipt card or any colorable imitation thereof, except when and as authorized under such rules and regulations as may be prescribed by the Attorney General, shall, upon conviction, be fined not to exceed \$5,000 or be imprisoned not more than 5 years, or both."

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.

TIME CREDITS TO INJURED SUBSTITUTE POSTAL EMPLOYEES

The Clerk called the next bill, H. R. 3549, for the relief of postal employees.

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

Be it enacted, etc., That hereafter when a substitute in the Postal Service is injured while engaged in the performance of official duties, the number of work days he may be disabled from performing service as a result of such injury shall be regarded, in computing his time credit for promotion purposes, as having been employed in the performance of official duties: *Provided*, That in computing the work days of a substitute, he may be allowed credit for the average number of days' service performed by substitutes on the State or post-office substitute list: *Provided further*, That any substitute injured prior to the date of this act shall not lose any credit in seniority standing as a result of injuries sustained while on duty.

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.

CONFERRING TO CERTAIN PERSONS WHO SERVED IN A CIVILIAN CAPACITY UNDER JURISDICTION OF QUARTERMASTER GENERAL DURING THE WAR WITH SPAIN, ETC., BENEFITS OF HOSPITALIZATION AND PRIVILEGES OF THE SOLDIERS' HOMES

The Clerk called the next bill, H. R. 143, to confer to certain persons who served in a civilian capacity under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection, or the China Relief Expedition the benefits of hospitalization and the privileges of the soldiers' homes.

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

Be it enacted, etc., That all persons who served in a civilian capacity under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection, or the China Relief Expedition on vessels owned by the United States and engaged in the transportation of troops, supplies, ammunition, or materials of war, and who were discharged for disability incurred in such governmental service in line of duty, are hereby granted entitlement to medical and hospital treatment and domiciliary care in Veterans' Administration facilities in the same manner and to the same extent as now or hereafter provided for veterans of any war.

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.

PROVIDING THAT THE UNEXPLAINED ABSENCE OF ANY EX-SERVICE MAN FOR 7 YEARS SHALL BE DEEMED SUFFICIENT EVIDENCE OF DEATH

The Clerk called the next bill, H. R. 4787, to provide that the unexplained absence of any ex-service man for 7 years shall be deemed sufficient evidence of death for the purpose of laws administered by the Veterans' Administration.

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

Be it enacted, etc., That no State law providing for presumption of death shall be applicable to claims for benefits under laws administered by the Veterans' Administration. If evidence satisfactory to the Administrator of Veterans' Affairs is produced establishing the fact of the continued and unexplained absence of any individual from

his home and family for a period of 7 years, during which period no evidence of the absentee's existence has been received, the death of such absentee as of the date of the expiration of such period may be considered as sufficiently proved.

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 SECTION 4, PUBLIC LAW NO. 198, SEVENTY-SIXTH CONGRESS, JULY 19, 1939

The Clerk called the next bill, H. R. 4853, to amend section 4, Public Law No. 198, Seventy-sixth Congress, July 19, 1939, to authorize hospitalization of retired officers and enlisted men who are war veterans, in Veterans' Administration facilities under contract on parity with other war veterans.

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

Be it enacted, etc., That section 4 of Public Law No. 198, Seventy-sixth Congress, approved July 19, 1939, is hereby amended to read as follows:

"Sec. 4. In the administration of laws pertaining to veterans, retired officers, and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, who served honorably during a war period as recognized by the Veterans' Administration, shall be and are entitled to hospitalization and domiciliary care in the same manner and to the same extent as veterans of any war are now or may hereafter be furnished hospitalization or domiciliary care by the Veterans' Administration and subject to those provisions of paragraph VI (A) of Veterans Regulation No. 6 (c), which provide for reduction of monetary benefits to veterans having neither wife, child, nor dependent parent while being furnished hospital treatment, institutional, or domiciliary care."

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

The title was amended so as to read: "A bill to amend section 4, Public Law No. 198, Seventy-sixth Congress, July 19, 1939, to authorize hospitalization of retired officers and enlisted men who are war veterans on a parity with other war veterans."

FACILITATING STANDARDIZATION AND UNIFORMITY OF PROCEDURE RELATING TO DETERMINATION OF SERVICE CONNECTION OF INJURIES OR DISEASES

The Clerk called the next bill, H. R. 4905, to facilitate standardization and uniformity of procedure relating to determination of service connection of injuries or diseases alleged to have been incurred in or aggravated by active service in a war, campaign, or expedition.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby authorized and directed to include in the regulations pertaining to service connection of disabilities additional provisions in effect requiring that in each case where a veteran is seeking service connection for any disability due consideration shall be given to the places, types, and circumstances of his service as shown by his service record, the official history of each organization in which he served, his

medical records, and all pertinent medical and lay evidence.

In the case of any veteran who engaged in combat with the enemy in active service with a military or naval organization of the United States during some war, campaign, or expedition, the Administrator of Veterans' Affairs is authorized and directed to accept as sufficient proof of service connection of any disease or injury alleged to have been incurred in or aggravated by service in such war, campaign, or expedition, satisfactory lay or other evidence of service incurrence or aggravation of such injury or disease, if consistent with the circumstances, conditions, or hardships of such service, notwithstanding the fact that there is no official record of such incurrence or aggravation in such service, and, to that end, shall resolve every reasonable doubt in favor of such veteran: *Provided*, That service connection of such injury or disease may be rebutted by clear and convincing evidence to the contrary. The reasons for granting or denying service connection in each such case shall be recorded in full.

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.

AUTHORIZING ADMINISTRATOR OF VETERANS' AFFAIRS TO GRANT EASEMENTS IN CERTAIN LANDS TO BEDFORD, MASS.

The Clerk called the next bill, H. R. 5305, authorizing the Administrator of Veterans' Affairs to grant easements in certain lands to the town of Bedford, Mass., for road-widening purposes.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to grant easements, subject to any rights which the Boston and Maine Railroad Co. may have in and over tract No. 2, to the town of Bedford, Mass., for road-widening purposes, in two small strips of land of the Veterans' Administration facility in such town, described as follows:

TRACT NO. 1

Beginning at a point in the northeasterly line of Page or Pine Hill Road at the southerly corner of the property of the United States of America and known as Veterans' Administration Facility, Bedford, Mass., north twenty-six degrees twenty-six minutes and thirty seconds west one hundred and seventeen and ninety-six one-hundredths feet along the northeasterly line of said road to a point in the new northeasterly street line as laid out by the county commissioners of Middlesex County on December 20, 1940; thence south twenty-eight degrees ten minutes and five seconds east one hundred and sixteen and forty-four one-hundredths feet along the said new northeasterly street line to a point in the southeasterly property line of the United States of America; thence south thirty-nine degrees twenty-three minutes and forty seconds west three and eighty-five one-hundredths feet along the southeasterly property line of the United States of America to the point of beginning, containing five one-hundredths acre, more or less.

TRACT NO. 2

Beginning at a point in the northeasterly line of Page or Pine Hill Road at the southerly corner of the property of the United States of America and known as Veterans' Administration Facility, Bedford, Mass., north fifty degrees thirty-eight minutes and forty seconds east five and eighty-six one-hundredths feet along the westerly property line of the United States of America to a point in the new northeasterly street line as laid

out by the county commissioners of Middlesex County on December 20, 1940; thence south twenty-eight degrees ten minutes and five seconds east six hundred thirty-seven and thirty-eight one-hundredths feet along the said new northeasterly street line to a point in the northwesterly right-of-way line of the Boston and Maine Railroad Co.; thence south twenty-eight degrees ten minutes and five seconds east forty-seven and ninety-one one-hundredths feet across said railroad right-of-way; thence south twenty-eight degrees ten minutes and five seconds east one and fifteen one-hundredths feet to a point in the northeasterly line of Page or Pine Hill Road; thence north twenty-nine degrees five minutes and sixteen seconds west one and thirteen one-hundredths feet to a point in the northeasterly right-of-way line of the Boston and Maine Railroad Co.; thence north twenty-nine degrees five minutes and sixteen seconds west forty-seven and twelve one-hundredths feet across said railroad right-of-way; thence north thirty degrees nineteen minutes and twenty-five seconds west three hundred forty-two and six one-hundredths feet; thence north thirty-three degrees seven minutes and ten seconds west one hundred and fifty feet; thence north twenty-one degrees thirteen minutes and thirty seconds west ninety-two and fifty-four one-hundredths feet; thence north eighteen degrees one minute and fifteen seconds west fifty-four and seventy-nine one-hundredths feet to the point of beginning, containing eighteen one-hundredths acre, more or less.

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.

EXTENDING BENEFITS OF THE 8-IN-10-HOUR LAW TO EMPLOYEES OF CUSTODIAL SERVICE

The Clerk called the next bill, H. R. 1851, limiting working hours of custodial service employees to 8 in 10 hours a day.

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

Be it enacted, etc., That the fifth paragraph of section 116, title 39, United States Code, 1934 edition, supplement V, is amended to read as follows:

"Special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, employees of the pneumatic-tube system, and employees of the custodial service shall be required to work not more than 8 hours a day. The 8 hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duties of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, special clerks, clerks, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, employees of the pneumatic-tube system, and employees of the custodial service can be required to work in excess of 8 hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by 305, the number of working days in the year less all Sundays and legal holidays; the quotient thus obtained will be the daily compensation which divided by 8 will give the hourly compensation for such overtime service. When the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-driver in the motor-vehicle service, employees of the pneumatic-tube system, and employees of the custodial service, they shall

be allowed compensatory time on 1 day within 6 days next succeeding the Sunday, except the last 3 Sundays in the calendar year, and on 1 day within 30 days next succeeding the holiday and the last 3 Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays."

With the following committee amendment:

Page 1, line 3, strike out the word "fifth" and insert "sixth."

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.

EXTENDING RULE MAKING AUTHORITY OF SUPREME COURT TO CRIMINAL CONTEMPT OF COURT

The Clerk called the next bill, H. R. 5203, to extend the provisions of the act of February 24, 1933, and of the act of June 29, 1940, to proceedings to punish for criminal contempt of court.

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

Be it enacted, etc., That the provisions of the act entitled "An act to give the Supreme Court of the United States authority to prescribe rules of practice and procedure with respect to proceedings in criminal cases after verdict", approved February 24, 1933 (47 Stat. 904, U. S. C., title 18, sec. 688), as amended, and the provisions of the act entitled "An act to give the Supreme Court of the United States authority to prescribe rules of practice, pleading, and procedure with respect to proceedings in criminal cases prior to and including verdict, or finding or plea of guilty", approved June 29, 1940 (54 Stat. 688, U. S. C., title 18, sec. 687), are hereby extended to proceedings to punish for criminal contempt of court.

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.

SUBSISTENCE EXPENSES OF JUDGES OF THE COURT OF CLAIMS

The Clerk called the next bill, S. 1052, relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims.

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

Be it enacted, etc., That section 2 of the act of February 24, 1925, entitled "An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation" (43 Stat. 965), as amended (46 Stat. 799; U. S. C., title 28, secs. 270, 275a), is hereby reenacted and amended to read as follows:

"Sec. 2. Each of the said commissioners shall devote all of his time to the duties of his office and shall receive a salary of \$7,500 per annum, payable monthly out of the Treasury. The chief justice, or any judge of the Court of Claims, may sit at any place within the United States to take evidence in any case instituted in said court. The chief justice and any judge of the court, the commissioners, and stenographers authorized by the court shall also receive their necessary traveling expenses and their actual expenses incurred for subsistence while traveling on duty and away from Washington in an amount not to exceed

\$10 per day in the case of the chief justice or any judge of the court, \$7 per day in the case of commissioners, and \$5 per day in the case of stenographers. Retired judges recalled to active duty in Washington or elsewhere shall be entitled to receive the same travel and subsistence expenses as provided for other judges in this act while absent from their actual places of residence. The expenses of travel and subsistence herein authorized shall be paid upon order of the court."

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.

FEES AND COSTS OF WITNESSES AND JURORS

The Clerk called the next bill, S. 1051, relating to the payment of fees and costs of witnesses and jurors and the accounting therefor.

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

Be it enacted, etc., That section 846 of the Revised Statutes, as amended (U. S. C., title 28, sec. 577), is hereby amended to read as follows:

"Sec. 846. No accounts of fees or costs paid to any witness or juror, upon the order of any judge or commissioner, or to any witness upon the certificate of attendance of the United States attorney or assistant United States attorney, or to any juror upon the certificate of attendance of the clerk of the court, shall be so reexamined as to charge any marshal for an erroneous taxation of such fees or costs. Where the ministerial officers of the United States have incurred or shall incur extraordinary expense in executing the laws thereof, the payment of which is not specifically provided for, the President of the United States is authorized to allow the payment thereof under the special taxation of the district court of the district in which the said services have been or shall be rendered, to be paid from the appropriation for defraying the expenses of the judiciary."

Sec. 2. Section 855 of the Revised Statutes (U. S. C., title 28, sec. 608) is hereby amended to read as follows:

"Sec. 855. The marshal shall pay to the jurors all fees to which they appear to be entitled on the certificate of attendance of the clerk of the court, and, in cases where the United States is a party, the marshal shall pay to the witnesses all fees to which they appear to be entitled on the certificate of attendance of the United States attorney or assistant United States attorney, which sum shall be allowed the marshal in the General Accounting Office in his accounts."

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.

PROHIBITING THE TRANSPORTATION OF OBSCENE LITERATURE

The Clerk called the next bill, H. R. 2523, to amend section 245, Criminal Code, as amended.

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

Be it enacted, etc., That section 245 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended, is hereby amended to read as follows:

"Sec. 245. (a) Whoever shall bring or cause to be brought into the United States, or any place subject to the jurisdiction thereof, from any foreign country, or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier for carriage, or shall knowingly carry or trans-

port, from one State, Territory, or district of the United States or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or district of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States, through a foreign country, to any place in or subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any drug, medicine, article, or thing designed, adapted, or intended for preventing conception, or producing abortion, or for any indecent or immoral use, or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or by what means any of the hereinbefore mentioned articles, matters, or things may be obtained or made; or whoever shall knowingly take or cause to be taken from any such express company or other common carrier or shall knowingly receive any matter or thing the depositing of which for carriage or the carriage or transportation of which is herein made unlawful, shall be fined not more than \$5,000 or imprisoned not more than 5 years, or both.

"(b) Whoever shall bring or cause to be brought into the United States, or any place subject to the jurisdiction thereof, from any foreign country, or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier, for carriage from one State, Territory, or district of the United States or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or district of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States, through a foreign country, to any place in or subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any drug, medicine, article, or thing designed, adapted, or intended for preventing conception, or producing abortion, or for any indecent or immoral use, or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or by what means any of the hereinbefore mentioned articles or things may be obtained or made; or whoever shall knowingly take or cause to be taken from such express company or other common carrier any matter or thing the depositing of which for carriage is herein made unlawful shall be fined not more than \$5,000 or imprisoned not more than 5 years, or both."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That whoever shall knowingly bring or cause to be brought into the United States or any place subject to the jurisdiction thereof from any foreign country for the purpose of sale or distribution or shall knowingly carry for the purpose of sale or distribution from one State, Territory, or District of the United States or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or District of the United States, any obscene, lewd, or lascivious, or any filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print, or other matter of indecent character, shall be fined not more than \$5,000 or imprisoned not more than 5 years, or both. The carriage as aforesaid of two or more copies of any publication of the character described above shall be presumptive evidence that such publication is intended for sale or distribution, but such presumption shall be rebuttable.

"Sec. 2. Investigations of violations of the provisions of this act shall be conducted by

the Federal Bureau of Investigation of the Department of Justice."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to prohibit the transportation of obscene literature in interstate or foreign commerce."

THANKSGIVING DAY

The Clerk called the joint resolution (H. J. Res. 41) making the last Thursday in November a legal holiday.

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

Resolved, etc., That the last Thursday of November in each year be known as Thanksgiving Day, and is hereby made a legal public holiday to all intents and purposes and in the same manner as the 1st day of January, the 22d day of February, the 30th day of May, the 4th day of July, the first Monday of September, the 11th day of November, and Christmas Day are now made by law public holidays.

With the following committee amendment:

Page 1, line 3, after "year", insert "after the year 1941."

The committee amendment was agreed to.

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.

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

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

There was no objection.

Mr. MICHENER. Mr. Speaker, on November 28, 1940, in the Seventy-sixth Congress, I addressed the House concerning the confusion caused by the Presidential proclamation changing the date of our annual Thanksgiving Day. At that time I promised to introduce legislation fixing permanently the day for this celebration.

On January 3, 1941, in the Seventy-seventh Congress, I therefore introduced House Joint Resolution 41. Since that time I have received many commendatory messages urging the passage of the resolution.

Mr. Speaker, to celebrate Thanksgiving Day on the last Thursday in November has become a tradition in the country.

In recent years there has been agitation—generated largely by merchandising interests—to advance the annual Thanksgiving celebration to an earlier date. It was contended that the proximity of Thanksgiving to Christmas interfered with Christmas commercial sales. This agitation was especially pronounced in New York City.

In 1940 the President of the United States proclaimed the third Thursday in the month, or November 21, as the day for national thanksgiving. There is no law fixing the date other than the President's proclamation.

As a result of the Presidential proclamation, the Governors of 32 States issued like proclamations, while 16 States refused to accept the new order, and the Governors of those States proclaimed the customary last Thursday in November, or November 28, as the national day for thanksgiving. It will be observed, therefore, that 16 States recognized the last Thursday in November as a legal holiday while in 32 States the third Thursday in November was a legal holiday. This change only made for confusion.

The President of the United States has announced that the reasons for which the change was made do not justify a continued change in the date. Due to the fact that there is this confusion, the President has announced he will proclaim the third Thursday in November 1941 as the annual day for thanksgiving, but in 1942 he will return to the last Thursday in November as our national Thanksgiving Day. In short, the experiment has not justified the change, according to the President's statement.

This bill fixes Thanksgiving Day on a given date in each year in the same manner as New Year's Day, Washington's Birthday, National Memorial Day, July 4, Labor Day, Armistice Day, and Christmas Day are fixed by law. The effect will be to stabilize the date so that there can be no confusion at any time in the future without congressional action.

There appears to be no act of Congress that has ever designated a particular day as Thanksgiving Day. The first Thanksgiving Day designated by a President was Thursday, November 26, 1789 (see 47 Stat. 2540). Other days so designated were: February 19, 1795 (11 Stat. 754, No. 5); second Thursday in April 1815 (11 Stat. 764, No. 16); August 6, 1863 (13 Stat. 734, No. 6); first Thursday in December, 1865 (13 Stat. 773, No. 50). Beginning in 1866 (14 Stat. 817, No. 5), the last Thursday in November was regularly designated as Thanksgiving Day until 1939, except in 1869, when November 18 was designated (16 Stat. 1129). In 1939, November 23 was designated (Proclamation No. 2372, 4 Fed. Reg. Di. I, 4443).

In short, this bill will fix the last Thursday in November as the permanent day for our annual Thanksgiving, and the date can only be changed by the considered action of the Congress, not by the fancy or whim of any President.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

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

There was no objection.

Mr. O'HARA. Mr. Speaker, the House Joint Resolution 41 of the gentleman from Michigan [Mr. MICHENER] is a bill to make the last Thursday in November a legal holiday, and this bill has been considered by the Committee on the Judiciary and a favorable report thereon with amendment, and it is hoped that the resolution as amended will pass.

Thanksgiving Day as a matter of precedent and tradition has been celebrated on the last Thursday in November from the time of the Pilgrim Fathers up to

this last year. Prior to this last year there was some agitation of the merchandising interests to change the annual Thanksgiving Day to an earlier date on the argument that Thanksgiving and Christmas were two holidays too close together and that the celebration of Thanksgiving interfered with the Christmas commercial sales.

In 1940 the President proclaimed the third Thursday in November as the day for national thanksgiving.

As a result of the change in the traditional day for Thanksgiving there has been a great deal of confusion, for the Governors of some States issued similar proclamations while other States refused to accept the new order and proclaimed the last Thursday in November.

The rather universal sentiment seems to be that we should return to the old custom of the last Thursday in November as Thanksgiving Day, not only in honoring a custom as old as our national history but it will mean a restoring of order to what has been confusion to many who have to deal with this problem as a holiday season.

It is to be hoped that this resolution will become a law after 1941.

LEASE OF CERTAIN LANDS TO THE CITY OF LOS ANGELES, CALIF.

The Clerk called the next bill, H. R. 547, authorizing the Secretary of War to execute an easement deed to the city of Los Angeles, Calif., for the use and occupation of lands and water areas in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River.

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms, regulations, and conditions as are deemed advisable by him, to grant to the city of Los Angeles, Calif., for public recreational purposes, an easement for the use and occupation of such lands and water areas owned or controlled by the United States in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River, as he may designate: *Provided*, That said easement shall be subordinate to the use of said lands and water areas by the War Department as may be necessary in the operation and maintenance of said dam and reservoir projects.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

With the following committee amendments:

On page 1, line 7, strike out the word "an." On page 1, line 7, add the letter "s" to the word "easement."

On page 1, line 7, strike out the word "such" and insert, in lieu thereof, the words "the following described."

On page 2, line 3, after the word "as", strike out the words "he may designate" and insert "follows: The Sepulveda Recreational Area, more particularly described as that portion of those lands within the city of Los Angeles, county of Los Angeles, State of California, being acquired by the Federal Government for that certain flood-control project known as the Sepulveda Flood Control Basin, bounded approximately as follows: Beginning at the intersection of Victory Boulevard and Haskell Avenue; thence southerly along Haskell Avenue to Burbank Boulevard; thence westerly along Burbank Boulevard to the

proposed relocation of Woodley Avenue; thence southwesterly along the proposed relocation of Woodley Avenue to the upstream toe of the Sepulveda Dam; thence easterly, northeasterly, northerly, and northwesterly along the upstream toe of said Sepulveda Dam to the point of beginning; excepting therefrom all proposed streets, utility easements, Southern Pacific Railroad right-of-way, channels and structures appurtenant to said Sepulveda Dam; and the Hansen Recreational Area, more particularly described as that portion of those lands within the city of Los Angeles, county of Los Angeles, State of California, being acquired by the Federal Government for that certain flood-control project known as the Hansen Flood Control Basin, bounded approximately as follows: Beginning at the intersection of Borden Avenue and Osborne Street; thence northwesterly along Borden Avenue to the right-of-way line for said Hansen Flood Control Basin; thence northerly along said right-of-way line to Terra Bella Street; thence northeasterly along Terra Bella Street to Dronfield Street; thence southeasterly along Dronfield Street to Kagel Canyon Avenue; thence northeasterly along Kagel Canyon to Old Foothill Boulevard; thence southeasterly and northeasterly along Old Foothill Boulevard to Fenton Street; thence southeasterly along Fenton Street to Montague Avenue; thence northeasterly along Montague Avenue to the south line of the Southern California Edison Co., Ltd., right-of-way, 200 feet in width; thence easterly along the south line of the said Southern California Edison Co., Ltd., right-of-way to its intersection with the southerly extension of Clybourn Avenue; thence southeasterly along the southerly extension of Clybourn Avenue to the southerly line of tract No. 102; thence easterly along the said southerly line of tract No. 102, approximately 500 feet; thence southerly approximately 150 feet; thence easterly, parallel to said southerly line of tract No. 102, approximately 450 feet; thence southerly approximately 500 feet; thence south 35° west, approximately 1,800 feet; thence southerly approximately 1,150 feet to the upstream toe of the Hansen Dam; thence in a general westerly direction along the said upstream toe of the Hansen Dam, and its northeasterly prolongation to the point of beginning; excepting therefrom all proposed streets, channels, dam, and appurtenant structures."

On page 2, following line 7, insert a new section, as follows:

"SEC. 2. That in consideration for the granting of these easements the city of Los Angeles shall pay to the United States the sum of \$720 per annum for said easements in the Sepulveda Recreational Area and the sum of \$100 per annum for said easements in the Hansen Recreational Area."

On page 2, line 8, strike out the figure "2" and insert the figure "3."

The committee amendments were agreed to.

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

PROCUREMENT OF CERTAIN PRODUCTS MADE BY THE BLIND IN ALASKA, HAWAII, OR PUERTO RICO

The Clerk called the next bill, H. R. 594, to authorize procurement of certain products made by the blind in Alaska, Hawaii, or Puerto Rico.

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

Be it enacted, etc., That the act entitled "An act to create a Committee on Purchases of Blind-made Products, and for other purposes," approved June 25, 1938, is amended by adding at the end thereof the following new section:

"SEC. 4. As used in this act the term 'State' includes Alaska, Hawaii, and Puerto Rico. Notwithstanding the proviso in section 3, procurement of articles for use in Alaska, Hawaii, and Puerto Rico shall be subject to the provisions of this act."

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

AUTHORIZING GOVERNMENT EMPLOYEES TO TESTIFY FOR THE DISTRICT OF COLUMBIA WITHOUT LOSS OF SALARY OR ANNUAL LEAVE

The Clerk called the next bill, H. R. 5192, to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States without loss of salary or annual leave.

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

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1344, be considered in lieu of the House bill.

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

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

Be it enacted, etc., That from and after the passage of this act employees of the Government of the United States in active service who are called upon to serve as witnesses on behalf of the District of Columbia in any court proceeding in which the government of the District of Columbia may be a party and employees of the government of the District of Columbia who are called upon to serve as witnesses on behalf of the United States or the District of Columbia in any court proceeding in which the Government of the United States or the government of the District of Columbia may be a party, shall not be paid witness fees for such service, but the period of such service shall be without loss of salary or compensation and shall not be deducted from any leave of absence with pay authorized by law.

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. 5192) was laid on the table.

MAKING APPLICABLE STATE LAWS ON LANDS OR PREMISES SUBJECT TO JURISDICTION OF THE UNITED STATES FOR INJURY OR DEATH

The Clerk called the next, bill, H. R. 5235, making applicable to all lands or premises subject to the partial, concurrent, or exclusive jurisdiction of the United States the law of the State within the exterior boundaries of which such land or premises is situated, pertaining to the recovery of damages for injury or death by wrongful act or omission.

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

Be it enacted, etc., That in the case of injury or death of any person resulting from wrongful act or omission upon any lands or premises which are subject to the concurrent, partial, or exclusive jurisdiction of the United States, and which are situated within the exterior boundaries of any State, Territory, or dependency of the United States, such rights and liabilities shall exist as though the

place where the act or omission complained of occurred were at the time thereof under the exclusive jurisdiction of the State, Territory, or dependency within whose exterior boundaries such place may be. In any action to recover damages, or in any proceeding or suit under any workmen's compensation, or other statute, to recover compensation on account of such injury or death, the parties who may bring or maintain such action or proceedings, and the beneficiaries thereof, the parties against whom such action or proceeding may be brought or maintained, and the rights and liabilities of the parties and their privies, and of the beneficiaries thereof, shall be governed by the laws of such State, Territory, or dependency, insofar as they are not in conflict with the law of the United States.

SEC. 2. Nothing in this act shall be construed as creating any cause of action against the United States or constituting a consent of the United States to be sued otherwise than is now provided by law.

SEC. 3. Nothing herein contained shall be construed to deprive any person of any substantive right that would exist in the absence of this act.

SEC. 4. Nothing in this act shall be construed to apply to a wrongful act or omission committed by an Indian upon or within any lands or premises owned or held in trust by the United States for Indian use or any restricted lands or premises in Indian ownership, tribal or allotted.

SEC. 5. Nothing herein contained shall be construed to repeal Public Law No. 814 of the Seventy-fourth Congress, approved June 25, 1936 (49 Stat. 1938; 40 U. S. C. 290), relating to the applicability and enforcement of the workmen's compensation laws of the several States.

SEC. 6. The act of February 21, 1928 (45 Stat. 54, 16 U. S. C. 457), is hereby repealed, but such repeal shall not affect any rights or liabilities which have accrued or may hereafter accrue by reason of any occurrence prior to the effective date of this act.

With the following committee amendment:

Page 3, line 8, strike out "February 21" and insert "February 1."

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.

PERMITTING UNITED STATES TO BE MADE PARTY DEFENDANT IN CERTAIN CASES

The Clerk called the next bill, H. R. 5578, to permit the United States to be made a party defendant in certain cases.

The Clerk read the title of the bill.

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

Be it enacted, etc., That section 1 of the act entitled "An act to permit the United States to be made a party defendant in certain cases," approved March 4, 1931, as amended (46 Stat. 1528, U. S. C., title 28, sec. 901), be, and the same is hereby, amended to read as follows:

"SECTION 1. Upon the conditions herein prescribed for the protection of the United States, the consent of the United States is given to be named a party in any suit which is now pending or which may hereafter be brought in any United States district court, including those for the districts of Alaska, Hawaii, and Puerto Rico, and the District Court of the United States for the District of Columbia, and in any State court having jurisdiction of the subject matter, to quite title to or for the foreclosure of a mortgage or other lien upon real estate or personal

property, for the purpose of securing an adjudication touching any mortgage or other lien the United States may have or claim on the premises or personal property involved."

SEC. 2. Section 4 of the act entitled "An act to permit the United States to be made a party defendant in certain cases," approved March 4, 1931, as amended (46 Stat. 1529, U. S. C., title 28, sec. 904), is amended to read as follows:

"SEC. 4. Except as herein otherwise provided, a judicial sale made in pursuance of a judgment in such a suit shall have the same effect respecting the discharge of the property from liens and encumbrances held by the United States as may be provided with respect to such matters by the law of the State, Territory, or District in which the land or personal property is situated: *Provided*, That a sale to satisfy a lien inferior to one of the United States, shall be made subject to and without disturbing the lien of the United States, unless the United States, by its attorneys, consents that the property may be sold free of its mortgage or lien and the proceeds divided as the parties may be entitled: *And provided further*, That where a sale of real estate is made to satisfy a lien prior to that of the United States, the United States shall have 1 year from the date of sale within which to redeem. In any case where the debt owing the United States is due, the United States may ask, by way of affirmative relief, for the foreclosure of its own lien or mortgage and in any case where property is sold to satisfy a first mortgage or first lien held by the United States, the United States may bid at the sale such sum not exceeding the amount of its claim with expenses of sale, as may be directed by the chief of the department, bureau, or other agency of the Government which has charge of the administration of the laws in respect of which the claim of the United States arises."

SEC. 3. Section 2 of the act entitled "An act to permit the United States to be made a party defendant in certain cases," approved March 4, 1931, as amended (46 Stat. 1528, U. S. C., title 28, sec. 902), is hereby amended to read as follows:

"SEC. 2. Service upon the United States shall be made by serving the process of the court with a copy of the bill of complaint upon the United States attorney for the district or division in which the suit has been or may be brought, or upon an assistant United States attorney or a clerical employee designated by the United States attorney in writing filed with the clerk of the court in which suit is brought, and by sending copies of the process and bill, by registered mail, to the Attorney General of the United States at Washington, D. C. The complaint shall set forth with particularity the nature of the interest or lien of the United States on such property. The United States shall have 60 days after service as above provided, or such further time as the court may allow, within which to appear and answer, plead, or demur."

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.

REPEAL OF CERTAIN SECTIONS OF THE REVISED STATUTES

The Clerk called the next bill, S. 377, to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes.

The Clerk read the title of the bill.

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

Be it enacted, etc., That sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3, 4, 4a, 16, 17, 18, and 19) are hereby repealed.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That sections 512, 513, 514, 515, as amended, of the Revised Statutes; sections 1 and 3 of the act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3, 4, 4a, 16, 17, 18, and 19) are hereby repealed."

Amend the title.

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.

AMENDMENT OF NATIONALITY ACT OF 1940

The Clerk called the next bill, H. R. 5511, to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

The Clerk read the title of the bill.

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

Be it enacted, etc., That chapter IV of the Nationality Act of 1940, section 409, is amended to read as follows:

"SEC. 409. Nationality shall not be lost under the provisions of section 404 or 407 of this act until the expiration of 2 years, following the date of the approval of this act: *Provided, however*, That a naturalized person who shall have become subject to the presumption that he has ceased to be an American citizen as provided for in the second paragraph of section 2 of the act of March 2, 1907 (34 Stat. 1228), and who shall not have overcome it under the rules in effect immediately preceding the date of the approval of this act, shall continue to be subject to such presumption for the period of 2 years following the date of the approval of this act unless it is overcome during such period."

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.

CENTRAL HEATING PLANT AND THE PROPERTY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

The Clerk called the next bill, H. R. 5199, to authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution, and for other purposes.

The Clerk read the title of the bill.

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

Be it enacted, etc., That the Federal Works Administrator through the Public Buildings Administration be, and is hereby, authorized to furnish steam from the central heating plant for the use of the Daughters of the American Revolution on the property designated as square 173 in the District of Columbia: *Provided*, That the Daughters of the American Revolution agree to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Administrator of the Federal Works Agency: *Provided further*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and contract for the work necessary to connect with the Government mains and to receive payment from the Daughters of the American Revolution by the transfer of funds in advance to cover the cost of such work and services, including administrative expenses.

With the following committee amendment:

At the end of the bill insert "Provided further, That there shall be no liability on the part of the Government on account of any damages that may accrue hereunder."

The committee amendment was agreed to.

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

The SPEAKER. This is the last bill on the calendar eligible to be called today.

AUTHORIZING THE DIRECTOR OF THE CENSUS TO FURNISH CERTAIN INFORMATION FOR NATIONAL-DEFENSE PURPOSES

Mr. MOSER. Mr. Speaker, I ask unanimous consent to return to Calendar No. 226 the joint resolution (H. J. Res. 213), authorizing the Director of the Census to furnish certain information for national-defense purposes. The gentleman from New Jersey [Mr. KEAN] wishes to offer an amendment.

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

There was no objection.

The Clerk read the title of the joint resolution.

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

Resolved, etc., That the Director of the Census shall, subject to such rules and regulations as may be prescribed pursuant to section 2 of this act, furnish upon request (a) to the Director General of the Office of Production Management for use in connection with the national-defense program or (b) to any Member of Congress, any information or data contained in any census schedule or report filed with the Bureau of the Census.

Sec. 2. That the Director of the Census shall, when directed by the Secretary of Commerce, collect, compile, and publish current and periodic data supplemental to any census or other inquiry authorized by law, as limited by subparagraph (a) of section 1 of this joint resolution.

Sec. 3. The Secretary of Commerce shall, with the approval of the President, prescribe such regulations as may be necessary to carry out the provisions of section 1 of this act and to insure that any information or data furnished to the Director General of the Office of Production Management pursuant to section 1 shall not be used other than in connection with the national-defense program. Any person violating the provisions of any such regulation restricting the use to which any such information or data may be put shall, upon conviction thereof, be punished by a fine of not more than \$500 or imprisonment for not more than 6 months, or both such fine and imprisonment.

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

The Clerk read as follows:

Amendment offered by Mr. KEAN: Page 1, line 7, after the word "program", insert a period, and strike out the balance of the paragraph.

The amendment was agreed to.

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.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to return to Calendar No. 236, the bill (H. R. 2320) to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes.

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 provisions of the act of the Legislature of the State of North Carolina, approved March 18, 1929, and the act of the Legislature of the State of Tennessee, approved April 12, 1929, ceding to the United States exclusive jurisdiction over and within certain lands within said States as may be acquired for the Great Smoky Mountains National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of North Carolina and to the State of Tennessee, respectively, the right to serve civil or criminal process within the limits of the area ceded by such State in suits or prosecutions for or on account of any rights acquired, obligations incurred, or crimes committed in such State outside of said park; and saving further to each such State the right to tax persons and corporations, their franchises and property on the lands included in such ceded area; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county in which they reside; and saving further to each such State the right to tax sales in such ceded area of gasoline and other motor-vehicle fuels and oil for use in motor vehicles. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in either the State of North Carolina or Tennessee.

Sec. 2. That the portion of said park located in the State of North Carolina shall constitute a part of the United States judicial district for the western district of North Carolina and the portion of said park located in the State of Tennessee shall constitute a part of the United States judicial district for the eastern district of Tennessee, and the district court of the United States in and for each such district shall have jurisdiction over all offenses committed within the ceded area of the said park in such district.

Sec. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park, nor shall any fish be taken out of any of the waters of said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, national curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies

or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this act, or the rules and regulations, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guilddrop, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding 6 months, or both, and be adjudged to pay all the costs of the proceedings.

Sec. 4. That all guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court.

Sec. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of North Carolina and the United States District Court for the Eastern District of Tennessee shall jointly appoint a commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of North Carolina, or the United States District Court for the Eastern District of Tennessee, respectively,

depending upon the district in which the particular land in said park on which the offense shall have taken place is located; and the United States district courts in the aforementioned districts shall jointly prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district courts.

Sec. 6. That the park commissioner provided for in this act shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall commit such person for further appropriate action, and certify a transcript of the record of his proceedings, and the testimony in such case to the particular district court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner may grant bail in all cases according to the laws of the United States.

Sec. 7. That the park commissioner provided for in this act shall be paid an annual salary, as appropriated for by Congress.

Sec. 8. That all fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

Sec. 9. That all fees, fines, and costs and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the respective United States district courts for either the western district of North Carolina or the eastern district of Tennessee, depending upon the district in which the offense for which collection is made shall have taken place.

Sec. 10. That the Secretary of the Interior shall notify in writing the Governors of the States of North Carolina and Tennessee of the passage and approval of this act, and of the fact that the United States assumes police jurisdiction over said park as specified in said acts of the States of North Carolina and Tennessee.

With the following committee amendments:

Strike out the last sentence of section 1 and insert in lieu thereof the following: "Nothing in this section shall be construed as a consent by the United States to the taxation by the States of such sales for the exclusive use of the United States."

Add the following at the end of section 2: "All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in either the State of North Carolina or Tennessee."

Add the following at the end of section 10: "Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Great Smoky Mountains National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands."

The committee amendments were agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. JENNINGS: On page 5, in section 5, strike out the words "That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate."

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.

REIMBURSING CITY OF McMinnville, OREG.

Mr. GORE. Mr. Speaker, I ask unanimous consent to return to consideration of Calendar 261, H. R. 4791, to reimburse the city of McMinnville, Oreg., for damages assessed to it by the United States for innocent trespass upon land belonging to the United States.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill. 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 the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,395 to reimburse the city of McMinnville, Oreg., for damages paid to the United States by the city of McMinnville, Oreg., for innocent trespass upon land belonging to the United States.

With the following committee amendments:

Page 1, line 4, strike out "any money in the Treasury not otherwise appropriated" and insert "the Oregon and California land-grant fund."

At the end of the bill, strike out the period, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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.

SAFETY OF WAGE EARNERS IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5202) to create an industrial accident prevention board; to foster, promote and develop the safety of wage earners in the District of Columbia; to define its powers and duties; and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the title of the bill and the Senate amendment.

The Clerk reported the title of the bill.

The Clerk read as follows:

Senate amendment: Strike out all after the enacting clause and insert "That an act entitled 'An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes,' approved September 19, 1918, is hereby amended as follows:

"The name of the 'Minimum Wage Board' created by said act is hereby changed to 'Minimum Wage and Industrial Safety Board.'

"Sec. 2. Sections 1 to 23, inclusive, of said act are hereby designated 'Title I—Minimum wages.'

"Sec. 3. Immediately after section 23 of said act the following is added:

"TITLE II—INDUSTRIAL SAFETY

"Sec. 1. The purpose of this title is to foster, promote, and develop the safety of wage earners of the District of Columbia in relation to their working conditions.

"Sec. 2. When used in this title the following words shall have the following meanings, unless the context clearly requires otherwise:

"(a) 'Employer' includes every person, firm, corporation, partnership, stock association, agent, manager, representative, or foreman, or other persons having control or custody of any industrial employment, place of employment, or of any employee. It shall not include the District of Columbia or any instrumentality thereof, or the United States or any instrumentality thereof.

"(b) 'Board' means the Minimum Wage and Industrial Safety Board.

"(c) 'Safe' and 'safety' as applied to an employment, a device, or a place of employment, including facilities of sanitation and hygiene, mean such freedom from danger to life or health of employees as circumstances reasonably permit, and shall not be given restrictive interpretation so as to exclude any mitigation or prevention of a specific danger.

"(d) 'Place of employment' means any place where industrial employment is carried on: *Provided, however*, That such term shall not include the premises of any Federal or District of Columbia establishment, except to include any and all work of whatever nature being performed by an independent contractor for the United States Government or any instrumentality thereof or the District of Columbia or any instrumentality thereof.

"Sec. 3. The Board, in addition to its duties defined in title I shall administer the provisions of this title and shall have power to make such inspections and investigations as it may deem necessary; collect and compile statistical information; require employers to keep their places of employment reasonably safe; require employers to keep such records as it may deem advisable and to furnish the Board with complete, detailed reports relative to all accidents; determine and fix reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment; promulgate general rules and regulations based upon such standards and fix the minimum safety requirements which shall be complied with by employers within the purview of this title.

"Sec. 4. Before any rules or regulations of the Board shall become effective a public hearing shall be held by the Board for the purpose of investigating reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment, and any person interested in the matter being investigated may appear and testify. If, after investigation, the Board is of the opinion that minimum standards of safety requirements are necessary to protect or safeguard the lives or health of employees covered by this title, it may adopt and promulgate such rules and regulations as it may deem advisable, which shall become effective 30 days after they have been published at least once in two of the daily newspapers of general circulation in the District of Columbia.

"Sec. 5. Any member of the Board shall have power to administer oaths and the Board may require by subpoena the attendance and testimony of witnesses, the production of all books, registers, and other

evidence relative to any matters under investigation, at any public hearing, or at any session or any conference held by the Board. In case of disobedience to a subpoena, the Board may invoke the aid of the District Court of the United States for the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In the case of contumacy or refusal to obey a subpoena, the court may issue an order requiring appearance before the Board, the production of documentary evidence and the giving of evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"Sec. 6. The Board may, upon written application of any employer affected by such rule or regulation, permit variations from any provisions thereof if it shall find that the application of such provision would result in unnecessary hardship or practical difficulty: *Provided, however,* That the Board shall keep a properly indexed record of all variations permitted from any rule or regulation which shall be open to public inspection.

"Sec. 7. The Board is hereby authorized to employ a Director of Industrial Safety, who shall not be a member of the Board and whose compensation shall be fixed in accordance with the Classification Act of 1923, as amended. The Director shall perform such duties as may be prescribed by the Board in administering the provisions of this title.

"Sec. 8. (a) Every employer shall furnish a place of employment which shall be reasonably safe for employees, shall furnish and use safety devices and safeguards, and shall adopt and use practices, means, methods, operations, and processes which are reasonably safe and adequate to render such employment and place of employment reasonably safe.

"(b) Every employer shall furnish to the Board any information which the Board is authorized to require and shall make true and specific answers to all questions.

"(c) Every employer shall submit to the Board within 10 days from the date of any injury or death, or from the date that the employer has knowledge of any disease or infection resulting from any injury, a duplicate copy of the report provided for in section 30 of the act of March 4, 1927 (44 Stat. 1439; U. S. C., title 33, sec. 930), as made applicable to the District of Columbia by the act of May 17, 1928 (45 Stat. 600).

"(d) Every employer shall keep an accurate record of every person employed by him so as to be able in case of accident immediately to give an accurate record relative to same.

"Sec. 9. (a) The Board, or any officer or employee acting under its authority, shall have the authority, at any reasonable time, to enter any place where an employment covered by this title is being carried on, and to examine any structure, tool, appliance, machinery, or process used in or connected with such employment. No employer or other persons shall refuse to admit any member of the Board or its authorized representative to any such place or to permit any such examination.

"Sec. 10. The Commissioners of the District of Columbia shall furnish the Board with such office space, furniture and equipment, stationery, books, books of reference, and other supplies as are necessary for the discharge of its duties under this title.

"Sec. 11. The Board shall annually, on or before the 1st day of July, file with the Commissioners of the District of Columbia a report covering its activities under this title.

"Sec. 12. Whoever violates any of the provisions of this title, or any rules or regulations promulgated hereunder, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not more than \$300, or by imprisonment of not exceeding 90 days. Prosecutions for vio-

lations of this title shall be in the name of the District of Columbia on information filed in the Police Court of the District of Columbia by the corporation counsel or one of his assistants.

"Sec. 13. There is hereby authorized to be appropriated, out of the revenues for the District of Columbia, a sum not to exceed \$15,000 per annum, or so much thereof as may be necessary, for the proper administration of this title.

"Sec. 14. If any provision of this title, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this title, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

"Sec. 4. This act shall become effective upon its approval by the President.

"Amend the title so as to read: 'An act to amend an act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1928."

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

Mr. MICHENER. Mr. Speaker, I reserve the right to object. Will the gentleman explain what this is?

Mr. RANDOLPH. Mr. Speaker, in reply to the inquiry of the gentleman from Michigan and for the membership generally, on July 14 last the House District Committee brought before this body H. R. 5202, to take care of increasing industrial accidents that are occurring in the District of Columbia. That bill passed the House and went to the Senate, that body changing the jurisdiction of the accident-prevention work from a new board, as the House bill had provided, to the duties and responsibility being placed in the present Minimum Wage and Industrial Safety Board.

The District Committee has taken the matter under advisement, and we are ready to concur in the Senate amendment. We consider the legislation most necessary at this time. At a hearing before a subcommittee of the District Committee on a similar measure, statistics were presented which showed that industrial accidents in the District of Columbia have increased in appalling numbers. For the year 1939 there were 26,647 nonfatal accidents and 50 fatalities. For the year 1940 there were 31,265 nonfatal accidents and 76 fatalities. I might say at this point that the majority of fatal accidents happened in construction work. It is believed that most of these accidents are due to lack of proper supervision and control and that a great number could be avoided if proper safety measures were taken.

We feel that the passage of the measure is advisable and needed at this time. Protection of wage earners is a responsibility we should readily assume. I believe the Senate amendment is acceptable to all.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Without objection, the Senate amendment will be concurred in.

There was no objection.

FARM MARKETING QUOTA FOR WHEAT

Mr. FULMER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5726) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That, effective as of May 28, 1941, Public Law No. 74, Seventy-seventh Congress, is amended by adding at the end thereof the following new paragraph:

"(12) Notwithstanding any of the foregoing provisions, the farm-marketing excess for any crop of wheat for any farm shall not be larger than the amount by which the actual production of such crop of wheat on the farm exceeds the normal production of the farm wheat-acreage allotment, if the producer establishes such actual production to the satisfaction of the Secretary. Where a downward adjustment in the amount of the farm-marketing excess is made pursuant to the provisions of this paragraph, the difference between the amount of the penalty or storage as computed upon the farm-marketing excess before such adjustment and as computed upon the adjusted farm-marketing excess shall be returned to or allowed the producer."

The SPEAKER. Is a second demanded?

Mr. HOPE. Mr. Speaker, I demand a second.

Mr. FULMER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from South Carolina is entitled to 20 minutes and the gentleman from Kansas to 20 minutes.

Mr. FULMER. Mr. Speaker, this bill is identical with the bill we passed some time ago, H. R. 5300. You remember that H. R. 5300 was passed by the House and went to the Senate and several very controversial amendments were placed thereon. The bill came back to the House and those amendments were accepted by the House and the bill was vetoed by the President. The bill under consideration today takes care of a great many farmers who have failed to produce a normal crop. Under the present act noncompliers, although they fail to produce a normal crop, would have to pay a penalty of 49 cents per bushel. Under this bill, if the noncomplier produces only the quota or less than the quota allotted him, he does not have to pay the penalty. I believe that we will not have any trouble in passing this bill in the Senate and I am sure that it will be signed by the President. It is endorsed by the Department and will be helpful to a number of farmers who have failed to produce a normal crop.

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

Mr. FULMER. I yield.

Mr. O'CONNOR. As I understand, under the present law, regardless of how short the crop is, if you have planted acreage in excess of your quota you still would have to pay the penalty of 49 cents a bushel upon your wheat?

Mr. FULMER. On the excess wheat that is grown on the excess acreage, over and above what would have been

allotted to you had you been under the program.

Mr. O'CONNOR. Exactly. Now, if we pass this bill, as I understand, just as the gentleman has stated, the farmer instanced would not be required to pay the 49-cent penalty?

Mr. FULMER. The gentleman is correct.

Mr. O'CONNOR. And that is the purpose of this bill?

Mr. FULMER. That is right.

Mr. O'CONNOR. I think it is a very good bill.

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

Mr. FULMER. I yield.

Mr. MCGREGOR. This just takes care of one group of farmers?

Mr. FULMER. That is right.

Mr. MCGREGOR. Does the gentleman think it is fair to the areas where we are not troubled with floods or fire to take care of one group and not take care of ours? In other words, we have a bill before your committee which will allow the feeding of excess wheat, but that bill has not come out, and that is the reason we feel that bill should come out, because that takes care of all farmers.

Mr. FULMER. I will state to the gentleman that one of the amendments that was placed on the other bill was to permit farmers to feed their excess wheat, but it was vetoed by the President. I am trying to be helpful to a great many farmers who have produced a short crop, who under the present act would have to pay a penalty, regardless of the amount produced. This is a question that we hope to pass upon and relieve those people and then take up the other matters as they come before the Congress.

Mr. MCGREGOR. The gentleman would not accept an amendment to this particular bill, would he?

Mr. FULMER. No; because the President would veto the bill with such an amendment, and those farmers with short crops would still be on the outside looking in.

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

Mr. FULMER. I yield.

Mr. McLAUGHLIN. In certain wheat-raising areas there has been a distinct diminution of crop because of winter kill and unusual conditions. This would take care of those farmers who have suffered in that way?

Mr. FULMER. This would take care of that situation.

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

Mr. FULMER. I yield.

Mr. CURTIS. What will this bill do for the individual who has already paid his money in cash?

Mr. FULMER. He would be able to get his money back.

Mr. CURTIS. Does this bill prescribe a method for him to get that, or will he be paid back easily?

Mr. FULMER. Oh, I think that would be done rather easily. That would be up to the department, under the rules and regulations that they would write to take care of same.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Kansas [Mr. HOPE] is recognized.

Mr. HOPE. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, this measure ought to be adopted. It should have been passed a long time ago. There is no real common sense in trying to control the quantity of wheat or other grain on an acreage basis. It should be computed on the normal-yield basis. This legislation will do a lot of good. It will relieve the farmer who has a low yield or whose crops have been destroyed by floods or other elements. I am sure no one will object to this measure.

But, Mr. Speaker, I do object to the manner in which this legislation is brought to the floor of the House. It comes under a suspended rule that does not permit a Member of Congress to offer amendments of any kind. Such methods are undemocratic. Mr. Speaker, we ought to go further in the correction of the injustices that have come about under this program. I am not here to destroy the program at all, but, Mr. Speaker, it just is not right to penalize a farmer 49 cents a bushel on wheat that he feeds to his own livestock and poultry. The unfortunate thing about it is that we do not seem to be able to get the Department of Agriculture to go along with us on the question, and members of the Agricultural Committee tell us it will not do to recommend such a proposal because the Department does not favor it. Tell me, if you will, is the Department of Agriculture or Congress responsible for this legislation? I appreciate the advice we receive from the various departments and bureaus, but I do not want any department to get to the place where it shall appear to dominate a committee on questions of this kind. Why not submit the question to the Congress, and if Congress does not want to let the farmers feed their own wheat to their livestock and poultry without a penalty of 49 cents per bushel, well and good, but let us check it up to Congress and not to the Department.

Mr. Speaker, the whole situation is becoming more lopsided. On the one hand, the Secretary of Agriculture has told us we must produce more food for ourselves and for England and her allies, and that we must produce more chickens, more eggs, and more meat; but the same Department tells the farmer he cannot feed his excess wheat to his poultry or livestock in order to produce such food without paying the 49-cent penalty. The First Lady of the Land said the other day she wanted folks to have more gardens and raise more food to help out in the emergency. But not so in the case of excess wheat.

It appears now the new corn crop will be of sufficient yield to provide for a quota election. I am informed the Secretary of Agriculture has suggested that, although it may be 10 percent above that amount, in view of the emergency no election will be called. Why not have an "emergency" on wheat fed to a farmer's livestock and chickens?

Mr. Speaker, I do not think it quite fair to put a 49-cent-a-bushel penalty

on this year's excess wheat crop after it was planted and almost ready for harvest. If they want it for the next year, that is a different story. It is being told in some sources that if the 49-cent penalty clause is repealed we cannot have a loan of 98 cents per bushel. This is incorrect. Nobody wants to repeal the 98-cent loan, as far as I know.

Just a day or two ago I tried to find out how much money has been paid by the farmers of this country in penalties on excess wheat. The Department of Agriculture advised they could not tell me. They would not even estimate it. I am informed the amount collected in my own State alone is more than a million dollars. I am sure it must have run into several millions for the entire country by this time. They did offer one suggestion—that most of this money is in escrow. If such is the case, then why not let Congress decide if it still wants to charge these farmers a 49-cent penalty on this year's crop? If not, the money can be returned to them. If so, it can be paid into the Treasury; but I say, let Congress pass on it.

Mr. Speaker, the Secretary of the Treasury complicated the situation a few days ago by advising that we permit Canadian wheat to come into this country without quota. That being the case, we can import wheat with a tariff of only 42 cents per bushel but penalize our own farmers 49 cents per bushel.

Mr. Speaker sometime ago our attention was called to the huge amount of surplus butter and dairy products we had on hand, and yet only recently some officials in high places have advocated the repeal of the tax on oleomargarine and have recommended its use as food in place of butter. I hardly think such action on the part of these individuals can be in the interest of the American farmer.

Mr. Speaker, one thing more. I am informed that within the last 2 weeks more than a million dozen dried eggs from Argentina were shipped to New York. Why not use some of this "excess" feed we talk so much about and produce our own eggs?

Mr. Speaker, of course, we all want to be "good neighbors," but I am sure we do not want to penalize the American farmers in order to do it.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Speaker, this bill ought to pass. It does affect and does help those who, owing to no fault of their own, have had a poor crop. Bushelage, instead of the theoretical amount that a piece of land will raise, is what will govern.

As for attempting to change the basic law and reducing the 49-cent penalty, it is simply wrong to do so. We in the Agricultural Committee deliberately raised the price of wheat in the United States when we changed the loan value from 56 percent to 85 percent of parity. It advanced the price of wheat in the United States 34 cents a bushel.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. PIERCE. No; not now.

We should help the farmer who has been cooperating, but not the man who has not complied with the law. The committee, with full information before it, provided that the 34-cent rise in the price of wheat, which had resulted from raising the amount of the loan from 56 percent to 85 percent of parity, belonged to the man who had been a part of the program; and therefore we raised the penalty from 15 cents a bushel to 49 cents. No man who has been complying, who has been playing the game, who has been trying to help the agricultural program has a word of complaint. It all comes from the noncooperators, the men who are not a part of the program, the men who said, "I will sow what I want to sow and will harvest it; I will get away with it somehow." Those men have been long enjoying a good price by reason of the sacrifice made by friends and neighbors.

I ask the Members of this House to vote for this bill. If it proves desirable to take up the question of the 49-cent penalty, let us do it sometime when we can give it full consideration.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, at the time the bill was before the House imposing 49 cents a bushel penalty on excess wheat, I introduced an amendment to exempt the 1941 crop from the increase and the penalty. We had very good support from several Members from the West but not enough.

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

Mr. O'CONNOR. I yield.

Mr. CASE of South Dakota. Had the gentleman's amendment been adopted, all this trouble would have been avoided.

Mr. O'CONNOR. I thank the gentleman. And I will say the gentleman and I prepared the amendment together.

Mr. Speaker, the A. A. A. program has been of great benefit to the farmer. I agree to some extent with what our distinguished friend from Oregon just said upon that subject. This penalty, however, was imposed at a time when the farmers who raised fall wheat and also spring wheat had already planted their crops. They were justified in assuming that the Congress of the United States would not change the rules, so to speak, after the game had started for that would be unfair to those who had planted their crops. The Congress, therefore, should not have levied that increased penalty from 15 cents to 49 cents per bushel. In addition it was retroactive legislation which should not have been enacted.

I am going to vote for this bill. It will help some. It should go further and provide that excess wheat could be used for feed and seeding purposes. It also should provide that the excess wheat be measured on harvested acreage rather than seeded acreage. Owing to the parliamentary situation the bill is coming before us under such circumstances that an amendment cannot be offered, yet I feel, as I said before, that it will help a little.

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

Mr. O'CONNOR. I yield.

Mr. PIERCE. Does the gentleman believe that the chiseler should have had the same consideration as the man who played the game?

Mr. O'CONNOR. I do not like the gentleman's use of the word "chiseler."

Mr. PIERCE. Let us say, then, the man who was not in the program.

Mr. O'CONNOR. Surely the farmers who had planted their fall and spring wheat were justified in assuming that the Congress would not change the percentage after their crops had been planted.

Mr. PIERCE. They were not in the program.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. FULMER. I yield.

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. NICHOLS. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the Record and to include therein a statement by former Senator Owen on a pending piece of legislation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOPE. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I shall support this bill, but I object strenuously to the procedure of bringing a bill in here under suspension of the rules which precludes any opportunity of offering constructive and necessary amendments to the law.

Mr. GWYNNE. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Iowa.

Mr. GWYNNE. Is this bill substantially the same as one which passed the House some time ago?

Mr. AUGUST H. ANDRESEN. This bill is identical with a bill that passed the House some time ago which went over to the Senate and was amended by putting in the freezing amendment in connection with wheat and cotton.

Other gentlemen have spoken about the penalty on excess wheat. I will not discuss that, although I think we should have an opportunity to offer amendments and consider them to either do away with the penalty on wheat that is fed to livestock on the farms or adjust some of the differences that have arisen as a result of the penalty law.

I object to the farmers being called chiselers. If a farmer refuses to be regimented, if a farmer refuses to accept subsidies out of the United States Treasury, if a farmer wants to continue to go along and farm his farm in the American way, then he is called a chiseler. It is un-American, in other words, for a man to refuse to become regimented and bureaucratized from Washington.

Mr. MICHENER. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman did not go quite far enough. The gentleman will recall that when this bill was before the House previously, the gentleman from Missouri [Mr. CANNON] said the farmers who did not comply were scabs.

Mr. AUGUST H. ANDRESEN. Let me tell you of a situation that has arisen in connection with this 49-cent penalty program. Our flour mills throughout the interior were doing quite a bit of business with Cuba and some of the South American countries. They have lost all that business to the mills that are milling 75-cents-a-bushel Canadian wheat in bond and shipping it down to Cuba and South America. They have absolutely lost that market to Canadian wheat. When the 49-cent penalty went into operation on excess wheat produced in the United States, what happened? Hundreds and thousands, yes; in fact, over 3,000,000 bushels of wheat came in from Canada, feed wheat, at 42 cents a bushel, with an ad valorem duty of only 4½ cents a bushel, and this is being fed to American livestock. They cannot feed American wheat because there is a penalty of 49 cents a bushel on it. Now, when we are giving away everything to foreign producers and foreigners in other countries at the sacrifice of the American producers, it seems to me it is time for some adjustment to be made by the American Congress.

It is our business to handle these things for American citizens. There was an opportunity in this bill, had we been permitted to offer amendments, to correct some of the evils that now exist, but we are denied that opportunity under this gag rule. I resent this very much as one Member who is interested in the welfare of the American farmer and who wants to see him progress and succeed and have the advantages of our American system.

Mr. HOPE. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, as has been stated in the debate, this bill has already passed the House. When it reached the Senate, the Senate added the so-called freezing provisions whereby the Government was prevented from selling or disposing of surplus cotton and wheat now owned by the Government by virtue of the A. A. A. law.

As we all know, that bill was vetoed by the President. The bill now before the House is but a crumb so far as value to the wheat farmer is concerned. It will be helpful, however, in the sections of the country where hailstorms, floods, droughts, fires, and frosts prevented the reaping of wheat crops planted in 1940. In those circumstances, under the present law and a regulation of the Department of Agriculture, farmers are compelled to pay 49 cents a bushel on imaginary wheat that they did not produce or harvest before they can use or otherwise dispose of wheat which they did harvest. This inconsistency obtains because the quota allotment is on acreage basis rather than bushel basis; that is, if the farmer is entitled to grow 17 acres of wheat under the A. A. A. and he plants 20 acres

but because of drought or a hailstorm he only cuts or harvests 15 acres, he is compelled to pay a 49-cent penalty on the wheat the 5 acres is presumed to have produced. This thing is as silly as it is unreasonable, yet such is the law.

This bill will be of no value in the congressional district which I have the honor to represent in Congress, because we had a usual crop of wheat in that district this year. It will be helpful, however, in other sections of the country, and therefore I shall support the bill.

On several occasions since the enactment of the law of May 26, 1941, which requires the 49-cent penalty, I have addressed the House, protesting against the imposition of this unjust penalty. I shall not repeat today. I do, however, express the fervent hope that the Committee on Agriculture will report favorably legislation now pending before the committee, which will permit the farmer to at least feed on his own land or use for seed on his own land the wheat which he has grown on his own land without paying a penalty or tribute in the amount of 49 cents a bushel.

I know of no legislation affecting agriculture that has caused as much discussion and dissension in our section of the country as the imposition of this 49-cent penalty, and, Mr. Speaker, pursuant to the permission given to me, I include herein resolutions of the Michigan Marketing Quota Protest Association, which are as follows:

**MICHIGAN MARKETING QUOTA PROTEST ASSOCIATION
RESOLUTION ON A. A. A. ADOPTED AT ANN
ARBOR OCTOBER 1, 1941**

Pledging themselves to the support of organized effort to halt the regimentation of the farmers of the United States, executive leaders and delegates, representing six Michigan counties, adopted the following at a protest meeting October 1, 1941, at the Allenel Hotel, Ann Arbor, Mich.:

"We, the Michigan Marketing Quota Protest Association, following the aims, purposes, and basic principles of this organization, resolve:

"We demand that the inherent constitutional rights of the American farmer be preserved, to wit:

"That the Agricultural Adjustment Administration Act of 1938 violates certain of the rights and leads directly to the further regimentation of the American farmer, and we demand the repeal thereof and of subsequent amendments thereto.

"Especially we condemn the increase of the wheat penalty to 49 cents per bushel placed upon the wheat crop of 1941 6 months after the crop was planted, particularly when the tariff on foreign-grown imported wheat or foreign-grown imported milling wheat is only 42 cents per bushel, and on foreign-grown imported feed wheat only about 5 cents per bushel.

"Furthermore, we condemn any future imposition of any crop penalty on the American farmer.

"We abhor the bureaucratic and alien administration of the A. A. A. program and the autocratic abuses thereof.

"We declare it to be the inherent right of every American farmer to manage, control, and operate his own farm according to his own judgment.

"We believe the blueprinting of the farms of America to be along the same line as that which in the beginning was adopted by Stalin in Russia prior to the reducing of the farms of that country to collective farms and the liquidating of the owners thereof.

"We recommend that a copy of this resolution be sent to the members of the Michigan congressional delegation."

H. S. ATCHINSON,
President.
KENNETH C. WEBER,
Secretary.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and to include therein resolutions passed by the Michigan Marketing Quota Protest Association.

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

There was no objection.

Mr. HOPE. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. MCGREGOR].

Mr. MCGREGOR. Mr. Speaker, I want to add my voice to the statement made by the previous speaker, the gentleman from Minnesota, and I do not like the manner in which this bill has been brought in. I hope that some time in the near future this great Committee on Agriculture will bring a bill before us in the regular order and let it pass on its merits, so that we may at least endeavor to amend it and the Members will not be governed by the gag rule as we are now when we consider this bill.

Although I am going along with this bill, I feel it is just another type of administration bill to help a certain part of agriculture. They are helping a small group of individuals, and they refuse to let us amend the bill so as to take care of all the farmers of the United States. A few days ago I made a statement on the floor of this House that we were importing 1,500,000 bushels of wheat from Canada and at the same time penalizing our own farmers for growing wheat. I asked my good friends on the Democratic side of the aisle to advise me if that statement was not true. Up to this date none of them has said a word, so I take it for granted we are importing 1,500,000 bushels of wheat from Canada, at the same time penalizing the American farmers 49 cents a bushel for growing excess wheat.

Mr. PIERCE. Will the gentleman yield?

Mr. MCGREGOR. I yield to the gentleman from Oregon although he did not yield to me.

Mr. PIERCE. The Canadian Government has notified the chairman of this committee, the gentleman from South Carolina [Mr. FULMER], that it is not allowing wheat to come into this country under the program for feeding purposes.

Mr. MCGREGOR. I would be very happy to have the gentleman put the statement in the RECORD, and I will at the same time put in the record of the Agricultural Department which shows the actual number of bushels imported and in direct competition with our American farmers.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

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

Mr. AUGUST H. ANDRESEN. The record shows that during the first 7 months of this year nearly 3,750,000 bushels of Canadian wheat came into the United States under a 10-percent ad valorem duty.

Mr. MCGREGOR. That is correct, and 600,375 bushels came into this country last month under the ad valorem duty, and these are your own figures.

Mr. PIERCE. That was in bond, going through this country.

Mr. MCGREGOR. I beg to differ with the distinguished gentleman because I know he would not misrepresent anything, but the Department's own figures show 1,354,211 bushels total import and 600,375 bushels feeding, which is in direct competition with our American farmer.

Mr. HOPE. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Speaker, I want to join in the sentiment expressed by the gentleman from Minnesota [Mr. ANDRESEN] with reference to the manner in which this bill has been brought before the House.

I refer to the fact that it is not subject to any amendment.

This bill should have been submitted to Congress so as to provide plenty of time for discussion and an opportunity to submit amendments.

I should have offered an amendment striking out the 49-cent wheat penalty.

The country generally as well as the vast majority of farmers realize the injustice that was done in levying this penalty, especially in placing it after the wheat had been planted and was in the process of being harvested.

The 49-cent wheat penalty has produced a great deal of trouble among the farmers. It is now well known that practically none of the farmers who voted for the 49-cent penalty knew what they were doing. It is not true, as the gentleman from Oregon [Mr. PIERCE] says, that only the noncomplainers of the A. A. A. program are complaining. I have talked to a number of farmers who voted for the penalty who told me that they did not know they were voting for the 49-cent penalty, and who expressed themselves to me that they regretted the way they voted.

The gentleman from Oregon [Mr. PIERCE] calls those farmers who feel that the 49-cent wheat penalty is unjust, chiselers. The gentleman from Missouri [Mr. CANNON] some time ago termed them scabs.

I think it is unbecoming of Congressmen to resort to this kind of vilification. The last place in America that any such name calling as this should be indulged in is in the Congress of the United States. I have a hard time in always knowing right from wrong. If there is one among us who does not live in a glass house, I would like to know his or her name.

I shall, of course, support this measure. It is just a little relief for some of the wheat farmers from the bureaucratic domination, but even so it will be welcome to those who receive it.

It should be pointed out, however, that it is in some respects unfair to certain wheat farmers. While this bill provides for taking care of those wheat farmers who had a poor yield as a result of weather and climatic conditions, it has the effect also of penalizing in some cases farmers who have used fertilizer and

who worked hard and kept their land in a higher state of cultivation.

But after all it is impossible to amend a thing so basically wrong as the 49-cent wheat penalty without doing an injustice to some.

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

Mr. SMITH of Ohio. I am sorry I cannot yield to the gentleman because he did not yield to anybody else, and I know his position in the matter, anyway.

Mr. HOPE. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I am glad to support the pending bill, but I am sorry that it was not brought up in the regular way. It is unfortunate that because of a "gag" rule we are not permitted to offer some much needed amendments to this bill.

Mr. Speaker, I have been surprised to hear certain members of the majority refer to those farmers who believe in the American way and who are opposed to regimentation as "chiselers" and "scabs." Such farmers do not have the privilege of this floor and my chief purpose in asking recognition at this time is to express resentment for the farmers against the use of such language in referring to men who, in my judgment, are among our best citizens.

It was not fair for Santa Claus to change rules in the middle of the game and the farmers of my district are very resentful because of the 49-cent penalty on excess wheat. When they planted wheat in the fall of 1940, they understood that if they exceeded their allotted acreage they would be subject to a 15-cent penalty. When the crop was almost ready to harvest last May, they were notified that the penalty would be 49 cents per bushel. It is claimed that a majority of the farmers voted in favor of the 49-cent penalty but this is disputed. Most of the farmers with whom I have talked and who have written me say that they were not given full particulars at the time of the referendum.

I have made an effort to amend the law so that farmers might feed their excess wheat to their own stock on their own farms without paying the 49-cent penalty. I regret that as a result of the "gag" rule under which this bill is being considered, I am precluded from offering such amendment at this time.

It seems inconsistent to me for the Government to be begging the farmers to increase the yield of pork, poultry, and eggs and refuse them the right to feed their wheat, which, in many instances, is the only feed farmers have, without paying the 49-cent penalty. Farmers have written me saying that, because of their inability to hire help, they knowingly exceeded their acreage allotment on wheat last fall and were willing to pay the 15-cent penalty rather than to try to grow corn when they could not employ farm help and were too old to cultivate corn. Now such farmers find themselves without corn but with plenty of wheat which they cannot afford to feed to an unusually large number of pigs, when additional pork is needed, because of the 49-cent penalty.

Mr. Speaker, I know that there are some good features about the farm program, but I think it is unfortunate that the Government insists upon regimenting the farmers, forcing them to reduce their crops and at the same time permitting the importation of competitive farm products practically duty free.

Mr. Speaker, the farmer appears to be the forgotten man. With more butter in cold storage than ever before, the Government is taxing him along with the rest of us for an advertising program to teach the people to use oleomargarine instead of butter. With millions of bushels of wheat in storage, the Government is collecting 49 cents per bushel from farmers who feed excess wheat to their own stock, while administration leaders advocate importation of wheat to keep the price down. It is my prediction that the farmers will be heard from in 1942.

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Speaker, we are faced with a very practical situation today, as I see it. We have before us a bill that passed this House some time ago and was vetoed by the President. As I understand, the Committee on Agriculture and the Department of Agriculture approve the bill, and I trust the President will sign it. It is not a question of what we want, it is a question of what we can get.

This bill will furnish relief to a large number of farmers who have suffered seriously because of short crops through winter killing, flood losses, hail losses, and the depredations of the Hessian fly. I sincerely trust the House will pass this bill this afternoon, and I trust the Senate will pass it without amendment. It is the one thing we should do, and we know it is a thing we can do. There are many here who would like to see other changes, but when we cannot get them, let us get what we can and work it out for the best.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. JOHNSON].

Mr. JOHNSON of Illinois. Mr. Speaker, I am for this bill most wholeheartedly, because it takes care of that man who, of all the wheat growers, is hurt worst and in most dire distress today. He is only a man who has not exceeded his total yield beyond the normal yield of his allotted acreage.

I am sure that some of the gentlemen really do not mean some of the attacks upon the integrity of certain of our farmers who did not choose to go along with the program. The program is clear. The A. A. Act in that respect gives every man an opportunity and choice. He has one of two choices, one being to go along with the program and accept the benefits appurtenant thereto, the other being to take his chance on a lower market and forego A. A. A. benefit payments. Either is perfectly honorable under the A. A. A. law, and I do not believe there can be any just criticism of, nor should there be any aspersions cast upon, the character

of the man who did not choose to go along with the program.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, in addition to the Canadian situation that has been referred to dealing with the increase in the shipments of feed wheat and of milling in bond, I call attention to a remark by the Secretary of the Treasury the other day in which he suggested that all Canadian wheat be admitted on a nonquota basis. If you recall, that means Canadian flour-grade wheat would be subject only to a 42-cent tariff, whereas the domestic farmer who has raised a little in excess of his quota remains subject to a 49-cent marketing penalty.

I took the matter up with an official of the Treasury Department and suggested that I supposed that comment of the Secretary grew out of a desire to increase Canadian dollar exchange for the purpose of paying for war supplies. I was advised that that was not the reason for the statement, that the reason was that the Secretary thought the price of wheat in this country was going too high, and the purpose of admitting Canadian wheat was to make a hedge against inflation.

Imagine that if you can—opening the gate to Canadian wheat to break the price while we legislate to raise the commodity-loan values to sustain prices and penalize the domestic producer who markets in excess of his quota.

This bill ought to pass and give at least this much of a chance to domestic farmers rather than to Canadian farmers. All it does is to let the man who harvested a short crop market up to his quota without penalty.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. RICH] for a unanimous-consent request.

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include a letter I received from one of my constituents, dealing with the problem of regulation of the farmer.

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

There was no objection.

Mr. RICH. Mr. Speaker, the letter I refer to is as follows:

JERSEY SHORE, PA.,
July 30, 1941.

HON. ROBERT RICH,
Woolrich, Pa.

DEAR SIR: Am writing you concerning this wheat question. When a farmer asks no aid from the Government of any kind, buys his own lime and seed and fertilizer, pays for it out of the money he earns on his farm, pays his local taxes and all the other alphabetical unknown taxes, and doesn't join this Soil Conservation Act, and then out of a clear sky, when his wheat is almost ready to cut, comes a pimp of some kind who doesn't know how to work, is too lazy to work if did know how, and tells you your wheat must be plowed under or be fined 49 cents per bushel, that makes a self-respecting farmer boil clear down to his toes and makes him think of that old Winchester standing behind the door.

Twenty-eight farmers in ——— Township, out of a possible 100, had a right to vote against it. If that is all the farmers, you have to show me.

I do not believe in Government soil conservation. I was practicing it before the Government thought of it.

I really think it is time for the farmers to get together and clean house of such Representatives as that.

We do not, as you know, make any money growing wheat at \$1 per bushel.

I feel that under the Constitution I have a perfect right to grow what I please on my farm. I don't borrow money from land banks, and most of them that do never expect to pay it back. These are some of the things I think. Hoping I haven't bored you with this letter, I am

Yours respectfully,

Mr. FULMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

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

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

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

There was no objection.

(Mr. MURDOCK asked and was given permission to revise and extend his own remarks in the RECORD.)

THE PRIVATE CALENDAR

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

RAYMOND J. McMAHON

The Clerk called the first bill on the Private Calendar, H. R. 3731, for the relief of Raymond J. McMahon.

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

Be it enacted, etc., That the President of the United States is authorized to appoint Raymond J. McMahon, ensign A-V (N), United States Naval Reserve, to the rank of lieutenant (junior grade), United States Naval Reserve. The President is authorized, immediately upon such appointment taking effect, to place the said Raymond J. McMahon on the retired list of the Navy, with three-fourths of the active-duty pay of his grade as lieutenant (junior grade): *Provided*, That a duly constituted naval retiring board finds that the said Raymond J. McMahon is incapacitated for service by reason of physical disability incurred in line of duty.

With the following committee amendment:

Strike out the period at the end of the bill, insert a colon, and add the following: "*Provided further*, That he elects not to receive the benefits provided under the act of June 23, 1937 (50 Stat. 305), and section 304 of the Naval Reserve Act of 1938 (52 Stat. 1181)."

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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.

ANTHONY O'HARA

The Clerk called the next bill, H. R. 1511, for the relief of Anthony O'Hara.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Anthony O'Hara, of Syracuse, N. Y., the sum of \$2,500, in full satisfaction of his claim against the United States for personal injuries received on December 31, 1935, when a quantity of ice, which had negligently been allowed to accumulate, fell from the roof of the old post-office building in Syracuse, N. Y., then occupied by the Works Progress Administration, striking claimant on the head.

Sec. 2. That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Line 6, strike out the figures "\$2,500" and insert in lieu thereof "\$1,827.25 and Stephen F. Maroney, of Syracuse, N. Y., the sum of \$158."

Line 7, strike out the words "his claim" and insert in lieu thereof "all claims."

Line 12, strike out "claimant on the head" and insert in lieu thereof "claimants."

Amend the title so as to read: "For the relief of Anthony O'Hara and Stephen F. Maroney."

The committee amendments were agreed to.

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

The title was amended.

FISIL ROSENBERG AND SOFIE ROSENBERG, AND JENNY AND JACQUES ROSENBERG

The Clerk called the next bill, H. R. 2697, for the relief of Fisil Rosenberg, his wife Sofie, his daughter Jenny, and his son Jacques.

The Clerk read the title of the bill.

Mr. ALLEN of Louisiana and Mr. BECKWORTH objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LADISLAS FRANK

The Clerk called the next bill, H. R. 4584, for the relief of Ladislav Frank.

The Clerk read the title of the bill.

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

The SPEAKER. That request is not in order in the consideration of the Private Calendar.

Is there objection to the request of the present consideration of the bill?

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

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence to Ladislav Frank as of October 15, 1939, the date on which he was admitted temporarily to the United States, if he is found to be otherwise admissible under the provisions of the immigration laws, other than those relating to quotas. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Hungarian quota of the first year that the Hungarian quota is available.

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.

M. L. LEOPOLD ROSENBERG AND HIS WIFE LISA

The Clerk called the next bill, H. R. 2698, for the relief of M. L. Leopold Rosenberg and his wife Lisa.

Mr. REES of Kansas and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

TIBOR HOFFMAN AND MAGDA HOFFMAN

The Clerk called the bill (H. R. 3315) for the relief of Tibor Hoffman and Magda Hoffman.

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

Be it enacted, etc., That in the administration of the immigration and naturalization laws Tibor Hoffman and his wife Magda Hoffman shall be held and considered to have been legally admitted to the United States for permanent residence on the date of their entry into the United States. Upon the enactment of this act the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct two numbers from the nonpreference category of the Hungarian quota.

With the following committee amendments:

Line 4, strike out "Hoffman" and insert "Hoffmann."

Line 5, strike out "Hoffman" and insert "Hoffmann."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of Tibor Hoffmann and Magda Hoffmann."

ALBERT E. WELLS

The Clerk called the bill (H. R. 1360) granting a pension to Albert E. Wells.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert E. Wells, late of Troop E, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$60 per month.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider laid on the table.

JAMES J. SCANLON

The Clerk called the bill (H. R. 1759) granting an increase of pension to James J. Scanlon.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James J. Scanlon (claim No. C-2349677), late of Company A, Engineer Corps, California National Guard, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

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

WILLARD FULK

The Clerk called the bill (H. R. 1932) granting a pension to Willard Fulk.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Willard Fulk, late of Company M, Tenth Regiment United States Infantry, and pay him a pension at the rate of \$90 per month.

With the following committee amendments:

Line 7, after the word "infantry", insert "and Battery F, Sixty-second Regiment, United States Coast Artillery", and in line 9, strike out "\$90" and insert "\$52.50."

The committee amendments were agreed to.

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

IMOGEN MORRIS TAYLOR

The Clerk called the bill (H. R. 4301) granting an increase of pension to Imogen Morris Taylor.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Imogen Morris Taylor, widow of the late David W. Taylor, rear admiral, United States Navy, and pay her a pension at the rate of \$150 per month in lieu of that she is now receiving.

With the following committee amendments:

Line 7, after the word "Taylor", insert the words "late a", and in line 8, strike out "\$150" and insert "\$100."

The committee amendments were agreed to.

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

JEANNETTE W. MOFFETT

The Clerk called the bill (H. R. 3560) granting an increase of pension to Jeannette W. Moffett.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jeannette W. Moffett, widow of Rear Admiral William A. Moffett, late of the United States Navy, and pay her a pension at the rate of \$100 per month in lieu of that she is now receiving.

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

GRIZELDA HULL HOBSON

The Clerk called the bill (H. R. 3312) granting an increase of pension to Grizelda Hull Hobson.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Grizelda Hull Hobson, widow of Admiral Richmond Pearson Hobson, late of the United States Navy, and pay her a pension at the rate of \$100 per month in lieu of that she is now receiving.

With the following committee amendment:

Line 6, before the word "Admiral", insert the word "Rear."

The committee 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.

PENSIONS TO CERTAIN DEPENDENTS OF VETERANS OF CIVIL WAR

The Clerk called the bill (H. R. 5367) granting pensions and increase of pensions to certain dependents of veterans of the Civil War.

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

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Venia Moody, widow of Francis M. Moody, late of Company A, Thirteenth Regiment Tennessee Cavalry, and pay her a pension at the rate of \$20 per month and increase the rate to \$30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Alice Shaw, widow of Edward W. Shaw, late of Company F, One Hundred and First Regiment Ohio Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Bertha M. Knapp, widow of Rufus H. Knapp, late of Company H, Fourth Regiment New Hampshire Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Simmons, widow of William D. Simmons, late of Company D, One Hundred and Fifty-third Regiment Ohio Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margaret Butler, widow of George W. Butler, late of Company A, Second Battalion, Sixteenth Regiment United States

Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ruby Ellen Hogg, helpless and dependent daughter of John L. Hogg, late of Company I, One Hundred and Twentieth Regiment Illinois Infantry, and pay her a pension at the rate of \$20 per month.

The name of John W. Arnold, helpless and dependent son of Alexander C. Arnold, late of Company H, Twenty-fourth Regiment Kentucky Infantry, and pay him a pension at the rate of \$20 per month.

The name of Elsie Israel, helpless and dependent daughter of Pleasant R. Israel, late of Company H, One Hundred and Fifty-first Regiment Indiana Infantry, and pay her a pension at the rate of \$20 per month.

The name of Annie A. Riggs, widow of James S. Riggs, late of Company F, Fourteenth Regiment West Virginia Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Harvey, helpless and dependent daughter of Samuel F. Harvey, late of Company F, One Hundred and Forty-eighth Regiment Ohio Infantry, Company I, One Hundred and Eighty-sixth Regiment Ohio Infantry, and Company E, Thirtieth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of Anna Houghtlin, widow of George E. Houghtlin, late of Company C, Thirtieth Regiment Michigan Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Eva A. Kinney, widow of Norman Kinney, late of Company D, Hatch's Independent Battalion, Minnesota Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Murphy, widow of Dennis Murphy, late of the unassigned, Eighty-first Regiment Pennsylvania Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Hettie Miller, former widow of James Villers, late of Company C, Seventh Regiment West Virginia Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Maria Wren, widow of Frederick R. J. Wren, late of Company D, Sixty-first Regiment New York Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

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

DR. WILHELM WOLFGANG KRAUSS

The Clerk called the next bill, H. R. 4047, to grant the status of a quota immigrant to Dr. Wilhelm Wolfgang Krauss.

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

Mr. HANCOCK and Mr. REES of Kansas objected, and the bill, under the rule, was recommitted to the Committee on Immigration and Naturalization.

FRANK KASSNER

The Clerk called the next bill, H. R. 666, for the relief of Frank Kassner.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Kassner, of Cleveland, Ohio, the sum of \$89.18 in full settlement of all claims against the United States for damages to the automobile owned by Mr. Kassner and driven by him when it was struck by an

Army truck on November 19, 1939, in Cleveland, Ohio, at the intersection of East Eighteenth Street and Carnegie Avenue, which damages were paid by the said Frank Kassner: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating this provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 7, strike out after the word "to" "the" and insert in lieu thereof the word "his."

Page 1, line 10, after "Ohio", strike out "at the intersection of East Eighteenth Street and Carnegie Avenue, which damages were paid by the said Frank Kassner."

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.

MARIE V. TALBERT ET AL.

The Clerk called the next bill, H. R. 793, for the relief of Marie V. Talbert and her sons, James Osborn Talbert and Dewey Talbert.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,333.33 to each of the following: Marie V. Talbert and her sons James Osborn Talbert and Dewey Talbert, of Ayer, Mass. Such payments shall not be in substitution for but in addition to sums heretofore and hereafter paid Marie V. Talbert and her sons by the Veterans' Administration. Such sum represents damages on account of the death of Staff Sergeant Charles D. Halbert, Army serial No. 6787170, Headquarters Company, Third Battalion, Sixty-sixth Regiment United States Infantry, on April 19, 1939, at Fort Devens, Mass. who was killed by a blast of dynamite negligently set off by Works Progress Administration workers.

With the following committee amendments:

Page 1, line 5, starting with the figures "\$3,333.33", strike out all the language down to and including the word "Administration" in line 10 and insert in lieu thereof "\$5,000 to the estate of Charles D. Talbert, deceased, in full settlement of all claims against the United States."

Page 2, line 5, strike out "Works Progress" and insert "Work Projects."

At the end of the bill, add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Charles D. Talbert, deceased."

WALTER M. ZIEGLER

The Clerk called the next bill, H. R. 1854, for the relief of Walter M. Ziegler. There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter M. Ziegler, of Monterey, Calif., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims against the United States by the said Walter M. Ziegler for damages on account of injuries sustained by him on May 22, 1937, when the car in which he was riding was struck, on the road between Gilroy, Calif., and Santa Cruz, Calif., by a vehicle in the service of the Department of Agriculture: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Line 6, page 1, strike out "\$10,000. The payment of such sum shall be", and insert in lieu thereof "\$3,000."

Line 8, page 1, strike out "by the said Walter M. Ziegler for damages on account of", and insert in lieu thereof "for."

The 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.

WILLIAM SCHOEB

The Clerk called the next bill, H. R. 2462, for the relief of William Schoeb.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Schoeb, San Francisco, Calif., the sum of \$90. The payment of such sum shall be in full settlement of all claims against the United States by the said William Schoeb for compensation for services rendered in San Juan, Puerto Rico, from October 1 to October 15, 1938, as commercial photographer for the Puerto Rican Reconstruction Administration. Claim for such compensation has been denied on the ground that the official of such administration by whom the said William Schoeb was hired lacked the proper authority.

With the following committee amendments:

Page 1, line 6, strike out the period and "The payment of such sum shall be."

Line 8, strike out "by the said William Schoeb for compensation."

Line 11, beginning with the period, strike out the remainder of the bill and insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on

account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

GEORGE KENNEDY

The Clerk called the next bill, H. R. 2726, for the relief of George Kennedy.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, to George Kennedy, of Belvidere, Ill., in compensation for injuries sustained February 5, 1940, in the city of Monmouth, Ill., from fall down Monmouth (Ill.) Federal Building steps, caused by ice which was permitted to remain on the steps.

With the following committee amendment:

Line 10, after the word "steps", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee 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.

JOHN C. MARTIN

The Clerk called the next bill, H. R. 2962, for the relief of John C. Martin.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to John C. Martin, of Tishomingo, Okla., the sum of \$150, compensating the said John C. Martin for services rendered the National Youth Administration in the early part of the year 1936. Said services being as county supervisor of Johnston County for the National Youth Administration, for which no salary was received as had been agreed: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty

of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "and in full settlement against the Government, to John C. Martin, of Tishomingo, Okla., the sum of \$150, compensating the said John C. Martin" and insert, in lieu thereof, "to John C. Martin, of Tishomingo, Okla., the sum of \$150 in full settlement of all claims against the United States."

Page 1, line 9, strike out ". Said services being as county supervisor of Johnston County for the National Youth Administration, for which no salary was received as had been agreed."

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.

FLOSSIE BIVINS

The Clerk called the next bill, H. R. 2963, for the relief of Flossie Bivins.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Flossie Bivins, nee Harris, in full settlement of all claims against the United States of America for the death of her husband, James C. Harris, at the hands of Federal prohibition-enforcement officers on July 4, 1929, during a raid on the Harris home, situated in Pottawatomie County, Okla.

With the following committee amendments:

Page 1, line 6, strike out "Flossie Bivins, nee Harris" and insert in lieu thereof "the estate of James C. Harris."

At the end of bill add: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of the estate of James C. Harris."

H. L. REPPART ET AL.

The Clerk called the next bill, H. R. 3174, for the relief of H. L. Reppart, E. J. Terrill, Lloyd M. Blanchard, E. J. Corman, Hazel Ann Clark, O. E. Henkle, Alva E. Home, Robert F. Mason, Paul E. Jackson, W. F. Tannahill, Alton A. Register, Walter E. Crabb, Guy A. Murray, Wilson E. Stroup, Lorraine Giesy, and Katherine M. Holt.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized

and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. L. Reppart the sum of \$52.37, to E. J. Terrill the sum of \$42.50, to Lloyd M. Blanchard the sum of \$26.60, to E. J. Corman the sum of \$53.87, to Hazel Ann Clark the sum of \$27.50, to O. E. Henkle the sum of \$49, to Alva E. Home the sum of \$34.43, to Robert F. Mason the sum of \$30.07, to Paul E. Jackson the sum of \$23.32, to W. F. Tannahill the sum of \$9.05, to Alton A. Register the sum of \$13, to Walter E. Crabb the sum of \$20.75, to Guy A. Murray the sum of \$88.85, to Wilson E. Stroup the sum of \$146.30, to Lorraine Giesy the sum of \$27.88, and to Katherine M. Holt the sum of \$34, in full satisfaction of claims against the United States covering the value of personal belongings lost by fire in the Work Projects Administration's Topeka, Kans., office on January 8, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "appropriated", strike out the bill to the word "in", page 2, line 8, and insert in lieu thereof "to H. L. Reppart the sum of \$14.87, to Lloyd M. Blanchard the sum of \$5.60, to E. J. Corman the sum of \$31.87, to O. E. Henkle the sum of \$13.50, to Alva E. Home the sum of \$15.18, to Robert F. Mason the sum of \$12.07, to Paul E. Jackson the sum of \$9.32, to W. F. Tannahill the sum of \$2.30, to Walter E. Crabb the sum of \$3.25, to Guy A. Murray the sum of \$16.05, to Wilson E. Stroup the sum of \$63.05."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of H. L. Reppart and others."

STATE OF OREGON AND CERTAIN OREGON STATE AGENCIES

The Clerk called the next bill, H. R. 3185, for the relief of the State of Oregon, Department of Forestry of the State of Oregon, and certain organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939.

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

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$4,852.54 for reimbursement of the following-named organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939: The State of Oregon, Department of Forestry of the State of Oregon, Clackamas-Marion Counties Forest Protective Association, Coos County Forest Protective Association, Douglas County Forest Protective Association, Eastern Lane County Forest Protective Association, Klamath Forest Protective

Association, Linn County Forest Protective Association, Polk County Forest Protective Association, Southwest Oregon State Unit, and Western Lane Forest Protective Association.

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

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: Page 2, line 7, after the word "Association", insert "the Northwest Oregon Fire Protective Association."

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.

TO EXEMPT STRATEGIC AND CRITICAL MATERIALS FROM CUSTOMS DUTIES

Mr. COX, from the Committee on Rules, presented the following report (H. Res. 308) on the bill (H. R. 5667) to exempt strategic and critical materials from customs duties in certain cases, and for other purposes (Rept. No. 1226), which was read, referred to the House Calendar and ordered printed:

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 the bill (H. R. 5667) to exempt strategic and critical materials from customs duties in certain cases, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration the committee shall rise and report the bill 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 recommit.

OSCAR C. WOLLAN ET AL.

The Clerk called the next bill on the Private Calendar, H. R. 3472, for the relief of Oscar C. Wollan, Fred F. Diel, Laura I. Martin, Jane E. Koppes, and Helen Olson.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar C. Wollan, \$2,706.55; to Fred F. Diel, \$2,758.30; to Laura I. Martin, \$5,915; to Jane E. Koppes, \$2,135.50; and to Helen Olson, \$2,040; all of Tacoma, Wash., said sums being in full settlement of all claims against the United States for personal injuries, property damage, or medical expenses resulting from a collision on July 16, 1938, in which the car being driven by Oscar C. Wollan collided with an Army Civilian Conservation Corps truck from the Hawk's Prairie Camp near Elma, Wash.

With the following committee amendments:

Page 1, line 6, strike out the figures "\$2,706.55" and insert in lieu thereof "\$1,243.55."

Line 6, strike out the figures "\$2,758.30" and insert in lieu thereof "\$1,258.30."

Line 7, strike out the figures "\$5,915" and insert in lieu thereof "\$3,915."

Line 7, strike out the figures "\$2,135.50" and insert in lieu thereof "\$1,135.50."

Line 8, strike out the figures "\$2,040" and insert in lieu thereof "\$800."

Page 2, line 2, strike out all the language after the year "1938" and insert in lieu thereof "when the car in which they were riding was struck by a Civilian Conservation Corps truck in Tacoma, Wash.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

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.

KEHL MARKLEY, JR.

The Clerk called the next bill, H. R. 3643, for the relief of Kehl Markley, Jr.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Kehl Markley, Jr., of Pennsylvania, Pa., the sum of \$696.75. Such sum represents the value of personal property owned by Kehl Markley, Jr., and destroyed by fire at Camp S-141, Grantville, Pa., on February 28, 1937, while said Kehl Markley, Jr., was an employee of the Civilian Conservation Corps.

With the following committee amendments:

Page 1, line 6, strike out "\$696.75" and insert in lieu thereof "\$511.45."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. And person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

LOUISE L. KAPFER

The Clerk called the next bill, H. R. 4061, for the relief of Louise L. Kapfer.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louise L. Kapfer, of De Kalb Junction, N. Y., the sum of \$4,690, in full satisfaction of her claim against the United States for damage to her private property arising out of the occupancy and use of her land by the Army in connection with the First Army maneuvers held in the vicinity of Pine Camp, N. Y., during the period of August 5 to 24, 1940: *Provided*, That no part of the amount appropriated in

this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$4,690" and insert "\$2,312."

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.

MRS. DELLA THOMPSON

The Clerk called the next bill, H. R. 4561, for the relief of Mrs. Della Thompson.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Della Thompson, Laona, Wis., the sum of \$5,182.57. Such sum represents the amount of the uncollected judgment recovered by the said Mrs. Della Thompson in the circuit court of Forest County, Wis., against one Theodore Zaszcznoynski, for damages sustained on account of the death of her husband, James Thompson, who died from injuries received on June 4, 1938, when he was struck on United States Highway No. 8 near Laona, Wis., by a truck in the service of the Civilian Conservation Corps operated by the said Theodore Zaszcznoynski. Such payment shall be conditioned upon the filing by the said Mrs. Della Thompson of a discharge and satisfaction of such judgment.

With the following committee amendment:

Page 1, line 6, strike out "\$5,182.57" and insert in lieu thereof "\$4,950 in full settlement of all claims against the United States."

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.

DELBERT E. LIBBEY

The Clerk called the next bill, H. R. 4778, for the relief of Delbert E. Libbey.

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

Be it enacted, etc., That sections 17 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Delbert E. Libbey, who allegedly was injured and became permanently disabled while in the performance of duty on November 23, 1924, while serving as assistant librarian of the House of Representatives, and as a result of such duty, and his claim for compensation is authorized to be considered and acted upon the remaining provisions of such act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than 6 months after the date of enactment of this act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this act.

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

DANIEL ELLIOTT AND HELEN ELLIOTT

The Clerk called the next bill, H. R. 4998, for the relief of Lt. Daniel Elliott and Helen Elliott.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lt. Daniel Elliott, of Baltimore, Md., the sum of \$500, and to Helen Elliott, of Baltimore, Md., the sum of \$3,000, in full settlement of all claims against the United States for personal injuries and expenses sustained when the car in which they were riding was struck by a Work Projects Administration truck on Broening Highway, on October 29, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

The title was amended so as to read: "A bill for the relief of Daniel Elliott and Helen Elliott."

NETTIE WOOLFOLK MONTAGUE ET AL.

The Clerk called the next bill, H. R. 5206, for the relief of Nettie Woolfolk Montague and Jerry L. Woolfolk and others.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nettie Woolfolk Montague, Washington, D. C., widow of Hallie E. Woolfolk, the sum of \$1,666.67, and to the following surviving children of the said Hallie E. Woolfolk the sums appearing after their names: Mayme Woolfolk, Washington, D. C., the sum of \$555.55; Aaron H. Woolfolk, Washington, D. C., the sum of \$555.55; Geneva E. Davisons, Howison, Va., the sum of \$555.55; the guardian of Cecilia H. Woolfolk, Washington, D. C., the sum of \$555.56; the guardian of Louise B. Woolfolk, Washington, D. C., the sum of \$555.56; the guardian of Nannie B. Woolfolk, Washington, D. C., the sum of \$555.56; and Jerry L. Woolfolk, Atlantic City, N. J., the sum of \$5,000. The payment of such sums shall be in full settlement of all claims against the United States on account of the death of the said Hallie E. Woolfolk and the injuries sustained by the said Hallie E. Woolfolk and Jerry L. Woolfolk, and on account of expenses incurred in connection therewith, as a result of a collision on October 15, 1932, on United States Highway No. 1, near Alexandria, Va., between a United States Army truck negligently operated and a motorcycle driven by the said Hallie E. Woolfolk: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same

shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 2, line 17, strike out "Hallie E." and insert: "Jerry L."

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.

W. W. CARLTON

The Clerk called the next bill, S. 755, for the relief of W. W. Carlton.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. W. Carlton, of Columbia, Tenn., the sum of \$300, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as the result of the car which he was driving having been struck by a Civilian Conservation Corps truck operated by an enrollee of the Civilian Conservation Corps near Waynesboro, Tenn., on February 2, 1939: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$300" and insert "\$1,000."

The committee amendment was agreed to.

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

AMENDING PRIVATE ACT NO. 446, SEVENTY-SIXTH CONGRESS, APPROVED JULY 2, 1940

The Clerk called the next bill, S. 1251, amending Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes.

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

Be it enacted, etc., That section 3 of Private Act No. 446 approved July 2, 1940, be, and the same is hereby, amended to read as follows:

"Sec. 3. No provision of this act shall relieve any payee from any indebtedness to the United States of America resulting from the disallowances by the Comptroller General of the United States included in the above set forth sums and which are charged against disbursing officers named therein except that there shall be credited in the accounts of Hugh S. Johnson, Administrator of the National Recovery Administration, any amount charged against him on account of alleged

overpayment for transportation and actual expenses of subsistence or per diem in lieu of actual expenses for subsistence."

With the following committee amendment:

Page 2, line 3, strike out "any amount charged against him" and insert "Kilbourne Johnston, and Miss F. M. Robinson, any amount charged against them."

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.

HOMER J. SWOPE

The Clerk called the next bill, S. 1392, for the relief of Homer J. Swope.

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

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Homer J. Swope at Quincy, Ill., with the sum of \$985.79, representing the amount of postal funds and money order funds lost in the burglary of the post office at Quincy, Ill., on December 3, 1939.

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.

I. M. COOK ET AL.

The Clerk called the next bill, S. 1709, conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.

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

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, of Charlotte, N. C.; J. J. Allen, of Charlotte, N. C.; Radiator Specialty Co., of Charlotte, N. C.; and the R. & W. Motor Lines, Inc., of Charlotte, N. C., for damages allegedly sustained by each by reason of a fire which destroyed a building, known as the Cook Body Co. Building, in Charlotte, N. C., in December 1938, such fire having started from an oil stove in a part of such building which was occupied by the Works Progress Administration.

SEC. 2. In the determination of such claims the United States shall be held liable for such damages and for any acts committed by any of its officers and employees to the same extent as if the United States were a private person.

SEC. 3. Suits upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from and payment of any judgments thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended.

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.

DORIS MONGOL RAI

The Clerk called the next bill, H. R. 4604, for the relief of Doris Mongol Rai.

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

Be it enacted, etc., That notwithstanding the provisions of section 13-C of the Immigration Act of May 26, 1924, the Attorney General be, and he is hereby, authorized and directed to permit Doris Mongol Rai to remain permanently in the United States, provided she is otherwise admissible under the immigration laws.

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.

LOUISE HSIEN DJEN LEE LUM

The Clerk called the next bill, H. R. 1537, for the relief of Louise Hsien Djen Lee Lum.

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

Be it enacted, etc., That from and after the date of the approval of this act, Louise Hsien Djen Lee Lum, who was admitted into the Territory of Hawaii on June 29, 1934, for a temporary stay and is the Chinese wife of a citizen of the United States and the mother of two children born in the United States, shall be deemed to have been lawfully admitted as an immigrant for permanent residence.

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

BURL THREADGILL AND HELEN THREADGILL

The Clerk called the next bill, H. R. 1371, for the relief of Burl Threadgill and Helen Threadgill.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Burl Threadgill and Helen Threadgill, of El Paso, Tex., \$5,500 for personal injury and damage to property suffered by them when their car was in a collision with a truck belonging to the Bureau of Reclamation and operated by an employee of the United States Government.

With the following committee amendments:

Page 1, line 6, after "\$5,500", insert "in full settlement of all claims against the United States."

Page 2, line 1, after "1938", insert "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

MARY, ETHEL, AND RICHARD FARRELL

The Clerk called the next bill, H. R. 2379, for the relief of Mary, Ethel, and Richard Farrell.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons the sums hereinafter specified in full satisfaction of their claims against the United States for damages arising out of an automobile accident on November 27, 1931, in East Providence, R. I., when a Government-owned automobile driven by one Alexander Moffat, a Federal prohibition agent, skidded on wet pavement, mounted the sidewalk, and struck Mary and Ethel Farrell, wife and daughter, respectively, of Richard Farrell: Mary Farrell, \$1,000; Edith Farrell, \$300; and Richard Farrell, \$200: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Sec. 2. Payment shall not be made under this act until the above-named claimants have released all of their claims against the said Alexander Moffat in a manner satisfactory to the Secretary of the Treasury.

With the following committee amendment:

Page 1, line 5, after the word "appropriated", strike out the balance of line 5 and all of lines 6 to 12, inclusive, and lines 1 and 2 on page 2 and insert the following: "to Mary Farrell the sum of \$1,000, to Ethel Farrell the sum of \$300, and to Richard Farrell the sum of \$200, of East Providence, R. I., in full settlement of all claims against the United States for damages and injuries sustained when a Government vehicle, driven by Alexander Moffat, a Federal prohibition agent, skidded on wet pavement, mounted the sidewalk, and struck Mary and Ethel Farrell, on November 27, 1931: *Provided*,".

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.

O. C. OUSLEY

The Clerk called the next bill, H. R. 2780, for the relief of O. C. Ousley.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to O. C. Ousley, of Sharps Chapel, Tenn., the sum of \$2,500, in full settlement of all claims against the United States for personal injuries to him, and medical and hospital expenses incident thereto, as a result of a collision of an automobile in which he was riding with a Government Civilian Conservation Corps truck, which

truck was being recklessly operated by the driver thereof. This injury to claimant occurred on June 21, 1937, on Highway No. 33, in Union County, Tenn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

EDWIN FAIRFAX NAULTY AND LESLIE FAIRFAX NAULTY

The Clerk called the next bill, H. R. 2864, for the compensation of Edwin Fairfax Naulty and Leslie Fairfax Naulty.

Mr. REES of Kansas and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

THELMA CARRINGER

The Clerk called the next bill, H. R. 4010, for the relief of Thelma Carringer.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thelma Carringer, widow of A. M. Carringer, the sum of \$10,000 on account of the death of A. M. Carringer, who was killed at Murphy, N. C., on or about the 7th day of October, 1931 in an attempt to apprehend Jess McPherson, Walter Bryson, and Casey Bryson, who had robbed a post office at Coker Creek, Tenn., the said A. M. Carringer having been advised of such robbery by telephone message from Tellico Plains, Tenn., with instructions to apprehend said robbers.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000" and insert "\$1,500."

Line 9, strike out "1931" and insert "1930."

Line 11, after "Tennessee", strike out the remainder of line 11 and line 12 and lines 1 and 2 on page 2 and insert in lieu thereof the following: "to pay the sum of \$500 to Burt Savage for personal injuries sustained while assisting in apprehending Jess McPherson, Walter and Casey Bryson; to pay the sum of \$550 to J. A. Cearly; to pay the sum of \$1,700 to Frank A. Fain, in full settlement of all claims against the United States for services rendered in apprehending Jess McPherson, Walter and Casey Bryson, who had robbed a post office at Coker Creek, Tenn., on October 7, 1930: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of Thelma Carringer and others."

ALTA LEDGERWOOD

The Clerk called the next bill, H. R. 4062, for the relief of Alta Ledgerwood.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alta Ledgerwood, the sum of \$648, in full settlement of all claims against the Government of the United States for the loss of her personal effects in the fire which destroyed the schoolhouse at Fort Yukon, Alaska, on September 29, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be fined in any sum not exceeding \$1,000.

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

MACON COUNTY OIL CO.

The Clerk called the next bill, H. R. 4415, for the relief of the Macon County Oil Co.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. H. Lamar, of Tuskegee, Ala., as trustee for the Macon County Oil Co., the sum of \$4,738.50. Such sum represents the amount found by the Court of Claims to be due from the United States under Congressional Reference Case No. 17373, decided October 7, 1940.

With the following committee amendments:

Page 1, line 7, strike out the period and "Such sum represents" and insert ", in full settlement of all claims against the United States for."

At the end of the bill add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

HATTIE DILLON

The Clerk called the next bill, H. R. 4503, for the relief of Hattie Dillon.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$46.84 to compensate Hattie Dillon, postmaster, Tuscarora, N. C., as legal representative of Thomas A. Dillon, late postmaster, Tuscarora, N. C., for actual financial loss sustained by him, without negligence on his part, through refund already made to the Post Office Department, by the said Hattie Dillon, for funds for which Thomas A. Dillon was responsible as postmaster at Tuscarora, N. C., which were on deposit in the First National Bank of New Bern, N. C., when the said bank failed to open for business on October 26, 1929.

With the following committee amendment:

At the end of the bill insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be lawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

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

SAMUEL J. D. MARSHALL

The Clerk called the next bill, H. R. 4514, for the relief of Samuel J. D. Marshall.

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

Be it enacted, etc., That the General Accounting Office be, and it is hereby, authorized and directed to credit the account of Samuel J. D. Marshall, former captain, Quartermasters, Corps, United States Army, disbursing officer of the Army at Camp Stewart, Va., and Mitchel Field, Long Island, N. Y., with \$49,112.18, this sum being an alleged shortage in the accounts of the said Samuel J. D. Marshall and a balance due the United States while acting as disbursing officer at Camp Stewart, Va., and Mitchel Field, N. Y., due to the lack of evidence to support certain disbursements.

With the following committee amendment:

Line 8, strike out "\$49,112.18" and insert "\$49,612.18."

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.

J. A. SANDELL AND FRANCES SANDELL

The Clerk called the next bill, H. R. 4879, conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon the claims of J. A. Sandell and Frances Sandell, his wife.

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

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Western District of Washington to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of J. A. Sandell and Frances Sandell, his wife, of Forks, Jefferson County, Wash., for damages resulting from personal injuries and property damage in an accident on the 30th day of September 1937, on the Olympic Highway when an automobile driven by J. A. Sandell and in which Frances Sandell was riding, was struck by a gravel truck driven by Wilbert Sampson, an Indian, in the employ of the Civilian Conservation Corps.

Sec. 2. Suit upon such claims may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgments thereon shall be in the same manner as in the cases over which such court has jurisdiction upon paragraph 20 of section 24 of the Judicial Code, as amended.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. A. Sandell and Frances Sandell the sum of \$2,500, in full settlement of all claims against the United States for damages and personal injuries sustained when the car driven by J. A. Sandell was struck by a truck driven by an employee of the Civilian Conservation Corps near Ranger Station at Quinault Lake, Wash., on September 30, 1937: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of J. A. Sandell and Frances Sandell."

CAPT. ALEX PAPANA

The Clerk called the next bill, H. R. 5021, for the relief of Capt. Alex Papana.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. Alex Papana the sum of \$2,100, in full satisfaction of all claims against the United States on account of damage to his airplane sustained as a result of an accident involving an Army airplane at the Chicago Municipal Airport, Chicago, Ill., on July 1, 1940: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

VICTOR M. LENZER

The Clerk called the next bill, H. R. 5038, for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor.

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

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1655) be considered in lieu of the House bill.

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

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Victor M. Lenzer, former special agent, Department of Labor, the sum of \$139.79, public funds for which he is accountable, and which were paid by him in good faith to employees of the United States traveling, but not stationed, in foreign countries, for exchange losses, according to his interpretation of the rules then in effect governing such payments.

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. 5038, was laid on the table.

BUREAU OF RECLAMATION

The Clerk called the next bill, H. R. 5104, to authorize the Secretary of the Interior to pay certain claims of employees of the Bureau of Reclamation arising out of loss of tools deposited in a warehouse and shop building maintained by the Bureau of Reclamation at Parker Dam, Ariz., destroyed by fire.

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

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1649, be considered in lieu of the House bill.

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

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to pay, out of any moneys appropriated for construction of the Parker Dam power project, Arizona, as compensation to the following employees of the Bureau of Reclamation for loss of their tools in a fire which destroyed the warehouse and shop building maintained by the Bureau of Reclamation at Parker Dam, Arizona, on June 28, 1940: To James E. Barrett, the sum of \$150; to John Johnston, the sum of \$172.58; to Richard C. Hudson, the sum of \$5.90; to Thomas H. Dieu, the sum of \$55.12; to Hugh S. Watters, the sum of \$257.18; to Nick Latkovich, the sum of \$78.53; to Andrew E. Lofstedt, the sum of \$83.98; to John W. Stone, the sum of \$127.50; to Allen L. Jones, the sum of \$158.82; to Tonie L. Ellerkamp, the sum of \$251.39; to Arnie A. Nyholm, the sum of \$12.68; to John W. Alewine, the sum of \$10.95; to Homer B. Coleman, the sum of \$56.75; and to Graham

Klehl, the sum of \$137.81: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

A similar House bill, H. R. 5104, was laid on the table.

REGINALD H. CARTER, JR.

The Clerk called the next bill, H. R. 5223, for the relief of Reginald H. Carter, Jr.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that the bill (S. 1695) may be considered in lieu of the House bill.

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

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to settle and allow under the applicable appropriation for fees of commissioners, United States courts the claims of Reginald H. Carter, Jr., United States Commissioner, at New Orleans, La., for fees otherwise properly due for services rendered by him during the periods December 17, 1940, to January 31, 1941, and February 1 to 19, 1941, such claims having been disallowed by the General Accounting Office on settlements of claims numbered 064391 (1) and 064391 (33), dated April 28, 1941, and June 9, 1941, respectively, for the reason that such services were rendered by the said Reginald H. Carter, Jr., between the date his appointment as United States Commissioner expired and the date he was reappointed.

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 was laid on the table.

SUSANNAH SANCHEZ

The Clerk called the next bill, H. R. 5225, for the relief of Susannah Sanchez.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1708) may be considered in lieu of the House bill.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Susannah Sanchez, Rio Hato, Republic of Panama, the sum of \$1,000 in full satisfaction of her claim against the United States on account of the death of her minor son, Louis Sanchez, on December 17, 1940, as the result of the explosion of a 37 mm. dud shell in the yard of their home in the eastern part of the gunnery range, department training center, Rio Hato, Republic of Panama: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon

conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. GRANT of Indiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRANT of Indiana: On page 1, strike out "\$1,000" and insert "\$1,500."

The amendment was agreed to.

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

G. F. ALLEN

The Clerk called the next bill, H. R. 5280, for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes.

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

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of G. F. Allen, chief disbursing officer, Treasury Department, covering the period prior to July 31, 1939, for sums aggregating not to exceed \$4,923.50, suspended or disallowed, together with the amounts of any additional payments which have been or may be suspended or disallowed in the accounts of the chief disbursing officer more than 3 years after such payments were made: *Provided*, That the Secretary of the Treasury shall certify that in his opinion there is no evidence of fraud on the part of the chief disbursing officer in connection with such payments.

Sec. 2. No charge shall be made against the certifying officer, or if heretofore made, shall be removed, for the amount of any payment for which credit shall be allowed under section 1 of this act, where the head of the department or establishment concerned, or his duly authorized representative, shall certify to the Comptroller General of the United States that the payment appears to have been made without fraud on the part of the certifying officer.

Sec. 3. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Cecil M. P. Cross, former special disbursing agent, Treasury Department, for sums aggregating not to exceed \$26.39, representing items disallowed in his accounts.

Sec. 4. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Will S. Wood, former special disbursing agent, Bureau of Narcotics, for a sum not to exceed \$2.70, representing the unpaid balance of an item disallowed in his accounts.

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.

HELEN RAUCH AND MAX RAUCH

The Clerk called the next bill (H. R. 5291) for the relief of Helen Rauch and Max Rauch.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Helen Rauch, of New York City, the sum of \$2,132.20, and to her husband, Max Rauch, of New York City, the sum of \$500, in full satisfaction of their claims against the United States for judgments obtained against the Director General of Railroads as the result of personal injuries received by Helen Rauch on May 11, 1919, when a passenger on the Hud-

son and Manhattan Railroad which was being operated by the Director General of Railroads, acting for the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

MRS. A. B. TANNER

The Clerk called the next bill, S. 1228, for the relief of Mrs. A. B. Tanner.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. A. B. Tanner, of Hattiesburg, Miss., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Mrs. A. B. Tanner on account of the death of her husband, A. B. Tanner, who was struck by a bullet fired by a sentry, Private Olen R. Ekes, at Camp Shelby, Miss., on October 8, 1940, when the driver of the automobile in which the said A. B. Tanner was riding, L. B. Tanner, his son, failed to execute properly an order given by the sentry: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

OTIS THOMPSON

The Clerk called the next bill, S. 1426, for the relief of Otis Thompson.

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

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of Otis Thompson, Belington, W. Va., and his claim for compensation for disability resulting from injuries alleged to have been received during May 1938, while employed by the Works Progress Administration at Philippi, W. Va., is authorized to be heard under the remaining provisions of such act, as amended, as if he had filed notice of injury and claim for disability compensation within the time prescribed by such sections 17 and 20.

With the following committee amendment:

At the end of the bill, strike out the period and insert a colon and the following: "*Provided*, That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the

approval of this act: *And provided further*, That no benefits shall accrue prior to the approval of this act."

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.

RELIEF OF CERTAIN BASQUE ALIENS

The clerk called the next bill, H. R. 1944, for the relief of certain Basque aliens.

Mr. HANCOCK, Mr. PIERCE, Mr. BARDEN, and Mr. GORE objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LENA B. CROUCH

The Clerk called the bill (H. R. 247) for the relief of Lena B. Crouch.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury appropriated and allocated by the President or otherwise for the maintenance and operation of the Work Projects Administration and/or out of any other money in the Treasury not otherwise appropriated, to Lena B. Crouch, of Mulberry, Ark., the sum of \$10,000 in full settlement and satisfaction of her claim against the United States for damages sustained by her resulting from the fatal injuries sustained by her husband, B. F. Crouch, who is one and the same person as and sometimes referred to as Franklin R. Crouch, in a collision of a truck owned and operated by the Work Projects Administration or its predecessor and a truck driven by the said B. F. Crouch, which said collision occurred on the 31st day of August 1939, near the town of Mulberry, in Crawford County, Ark.: *Provided*, That no part of the amount appropriated by this act in excess of 10 percent thereof shall be paid to or received by any agent or agents, attorney or attorneys, on account of service rendered in connection with said claim, and it shall be unlawful for any agent or agents, attorney or attorneys, either directly or indirectly, to exact, collect, withhold, or receive any sum of the money hereby appropriated in excess of 10 percent thereof, for or on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$5,000.

With the following committee amendment:

Page 1, line 5, after the word "Treasury", strike out the remainder of the bill and insert: "not otherwise appropriated, to Lena B. Crouch, of Mulberry, Ark., the sum of \$5,650 in full settlement of all claims against the United States for the death of her husband, B. F. Crouch, sometimes known as Franklin R. Crouch, who died from the result of injuries sustained in a collision of a truck owned and operated by the Work Projects Administration and a truck driven by the said B. F. Crouch, which collision occurred on August 31, 1939, near the town of Mulberry, in Crawford County, Ark.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person vio-

lating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill 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.

ALEXANDER KEHAYA

The Clerk called the bill (H. R. 4777) for the relief of Alexander Kehaya.

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

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed, upon payment of all duties, charges, and expenses, to surrender and deliver to Alexander Kehaya, of New York, the purchaser, 261 bales of tobacco imported into the United States by the Aeolian Shipping Co. on or about October 20, 1937, and entered at the port of New York under warehouse entry No. 91992, which tobacco was abandoned by the said shipping company to the United States without authority of the said purchaser.

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

MRS. ALBERT SPILLMAN

The Clerk called the bill (H. R. 5039) for the relief of Mrs. Albert Spillman.

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

Be it enacted, etc., That, notwithstanding any other provision of law, the National Service Life Insurance applied for on February 15, 1941, by James Elmore Spillman, flying cadet, United States Army Air Corps, shall be held and considered to have been granted and in effect at the time of his death, and the Administrator of Veterans' Affairs is authorized and directed to pay such insurance to Mrs. Albert Spillman, mother of the said James Elmore Spillman, the beneficiary designated in the application for such insurance.

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.

SOUTH DAKOTA WHEAT GROWERS ASSOCIATION

The Clerk called the next business, Senate Joint Resolution 29, for the relief of the South Dakota Wheat Growers Association, Inc.

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

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to South Dakota Wheat Growers Association, Inc., of Aberdeen, S. Dak., the sum of \$40,473.71, in full satisfaction of all its claims against the United States for losses sustained by it, during the stabilizing operations of the Federal Farm Board in 1929 and 1930, through withholding grain from the market, paying the storage and carrying charges thereon, and making advances to its members in order to stabilize prices: *Provided*, That no part of the amount appropriated in this joint resolution in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same

shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this joint resolution shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, strike out "\$40,473.71" and insert "\$85,390.71."

The committee amendment was agreed to.

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

PERNE MILLER

The Clerk called the bill (S. 605) for the relief of Pherne Miller.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated to Pherne Miller, of Washington, D. C., the sum of \$200 in full satisfaction of her claim against the United States for compensation for services performed by her in making drawings for the United States George Washington Bicentennial Commission during the year 1931: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

ELINOR LEUGERS

The Clerk called the bill (S. 1398) for the relief of Elinor Leugers.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elinor Leugers, dependent mother of the late LeRoy Leugers, machinist's mate, second class, United States Coast Guard, who died aboard the *Pandora* on October 14, 1939, an amount equal to 6 months' pay at the rate said LeRoy Leugers was entitled to receive at the date of his death: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

LESLIE CHARTERIS ET AL.

The Clerk called the bill (H. R. 4562) for the relief of Leslie Charteris (Leslie

Charles Bowyer Yin) and Patricia Ann Charteris.

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

Be it enacted, etc., That in the administration of the immigration and naturalization laws Leslie Charteris (Leslie Charles Bowyer Yin), the husband of a citizen of the United States, and his daughter, Patricia Ann Charteris, shall be held and considered to have been lawfully admitted to the United States for permanent residence on September 8, 1939, the date the said Leslie Charteris and Patricia Ann Charteris were last admitted to the United States for temporary residence.

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

J. T. COULTER

The Clerk called the bill (H. R. 466) for the relief of J. T. Coulter.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500 to J. T. Coulter, of Glasgow, Ky., in full settlement of all claims against the Government of the United States for personal and permanent injuries suffered by him on May 20, 1938, when a truck in which he was riding in Barren County, Ky., on State Highway No. 63, about 2 miles southeast of Glasgow, Ky., was, through and by the negligence of one of the employees and enlisted men of the United States Army, struck and demolished by a United States Army baggage truck of the Thirteenth Regiment United States Cavalry, Fort Knox, Ky., driven and operated by said employee and enlisted man; that his injuries were caused by the reckless, careless, and negligent manner in which said truck was operated by said enlisted man, and he would not have been injured but for the said recklessness, carelessness, and negligence aforesaid.

With the following committee amendments:

Page 1, line 6, strike out "Coulter" and insert "Colter."

Page 2, line 10, strike out the period and insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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.

The title was amended so as to read: "A bill for the relief of J. T. Colter."

JAMES A. SWEENEY

The Clerk called the bill (H. R. 4116) for the relief of James A. Sweeney.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James A. Sweeney the sum of \$10,000, in full

satisfaction of all claims he may have against the Government on account of the death of his wife Emelle I. Sweeney, who was fatally injured, said injuries and death being caused by the negligent operation of a Civilian Conservation Corps truck, by a Civilian Conservation Corps enrollee or employee, while acting within the scope of his employment, on July 19, 1938, on United States Highway No. 220, about 8 miles south of Madison, N. C.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000" and insert "\$5,000."

Page 2, line 4, strike out the period, insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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.

REGIS MOXLEY AND FRANCES MOXLEY

The Clerk called the next bill, H. R. 4570, for the relief of Regis Moxley and Frances Moxley.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Regis Moxley and Frances Moxley, his wife, the sum of \$20,000 for the death of their child, Regis Moxley, Jr., on November 25, 1938, at Fort Lee, Bergen County, N. J., as a result of the carelessness, recklessness, and negligence of the workers of the Works Progress Administration.

With the following committee amendments:

Page 1, line 6, strike out "\$20,000" and insert in lieu thereof "\$2,500."

At the end of bill add: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

FRANK P. WALDEN AND VIOLA HARP

The Clerk called the next bill, S. 493, conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden in his individual capacity and as husband and legal representative of the estate of Anice Walden,

deceased, and Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor.

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

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claim of Frank P. Walden, of Jacksonville, Fla., in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and the claims of Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor, of Silverton, Ga., against the United States of America for alleged damages as the result of a collision between the automobile of Frank P. Walden and a Civilian Conservation Corps truck on United States Highway No. 1, near Callahan, Fla., on or about August 7, 1938, in which Anice Walden, wife of Frank P. Walden, was fatally injured; and Frank P. Walden; Juanita Louise Walden, his daughter; Viola Harp and Marjorie Gayle Harp were injured while riding in such automobile at the time of the collision.

SEC. 2. In determination of such claims, the United States shall be held liable for the acts of its officers and employees to the same extent as if it were a private person, except that any judgment rendered on each claim shall not be in excess of \$5,000.

SEC. 3. Suits upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims and appeals from and payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "twentieth" of section 24 of the Judicial Code, as amended.

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 NEAL STORAGE CO.

The Clerk called the next bill, S. 1608, for the relief of the Neal Storage Co.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$24 to the Neal Storage Co., of Cleveland, Ohio, in full satisfaction of its claim against the United States for damages incurred as a result of the cancellation on June 27, 1940, by the Bituminous Coal Division, Department of the Interior, 501 Bulkley Building, Cleveland, Ohio, of its order for three trucks to be furnished by the Neal Storage Co. for the purpose of moving and transporting certain office furniture and equipment of said Bituminous Coal Division, Department of the Interior: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

LLOYD BRYANT

The Clerk called the next bill, H. R. 2208, for the relief of Lloyd Bryant.

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

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Lloyd Bryant, of Rochester, N. Y., and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said act, for injury to his head alleged to have been incurred by him during February 1934, while an employee of the United States post office at Rochester, N. Y.: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

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

MARY E. PHILPOT ET AL.

The Clerk called the next bill, H. R. 2724, for the relief of the estate of Mary E. Philpot, Sandra G. Philpot, and Mrs. R. L. Keckler.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to the estate of Mary E. Philpot, the sum of \$5,000, in full satisfaction of the claim of such estate against the United States for compensation for the death of the said Mary E. Philpot, who was killed as a result of a collision between the car in which she was riding and a Civilian Conservation Corps truck on United States Highway No. 91, at or near Washington, Utah, on July 3, 1937; (2) to the guardian of Sandra G. Philpot the sum of \$10,000, in full satisfaction of the claim of said Sandra G. Philpot against the United States for personal injuries received by her while riding in such car at the time of such collision; and (3) to Mrs. R. L. Keckler, of Weeping Water, Nebr., the sum of \$631, in full satisfaction of her claim against the United States for reimbursement of the funeral expenses of said Mary E. Philpot paid by her: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out the figure "\$5,000" and insert in lieu thereof "\$2,000."

Page 1, line 6, strike out "satisfaction of the claim of such estate", and insert in lieu thereof "settlement of all claims."

Page 2, line 2, strike out "\$10,000" and insert in lieu thereof "\$3,000."

Page 2, line 2, strike out "satisfaction of the claim of said Sandra G. Philpot" and insert in lieu thereof "settlement of all claims."

Page 2, line 7, strike out "satisfaction of her claim" and insert in lieu thereof "settlement of all claims."

The committee amendments were agreed to.

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

FRED FARNER

The Clerk called the next bill, H. R. 3141, for the relief of Fred Farner.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred Farner, Prairie View, Ill., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims against the United States arising out of the death of Barbara Frances Farner, minor daughter of the said Fred Farner, who was killed on August 29, 1940, when she was struck while standing on a sidewalk in Half Day, Ill., by a United States Government ambulance driven by an enrollee of the Civilian Conservation Corps.

With the following committee amendment:

Page 1, line 1, beginning with the figure "\$10,000", strike out the remainder of the bill and add: "\$5,000 for the death of his daughter, Barbara Frances Farner, a minor, who was killed on August 29, 1940, and to Ernest Schroeder, of Prairie, Ill., the sum of \$5,000 for personal injuries sustained by his daughter, Doris M. Schroeder, on August 29, 1940, in full settlement of all claims against the United States, when they were struck while standing on a sidewalk in Half Day, Ill., by a United States Government ambulance driven by an enrollee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

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

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: On page 2, line 4, after the word "to", strike out the balance of line 4, all of line 5 and all of line 6, down to and including "1940", and insert "the legal guardian of Doris M. Schroeder, of Prairie, Ill., the sum of \$5,000 for personal injuries sustained on August 29, 1940"; and amend the title accordingly.

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.

The title was amended so as to read: "A bill for the relief of Fred Farner and Ernest Schroeder."

LAWSON COFFEE CO., INC.

The Clerk called the next bill, H. R. 4245, for the relief of the Lawson Coffee Co., Inc.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not

otherwise appropriated, to the Lawson Coffee Co., Inc., Sumter, S. C., the sum of \$220.63. The payment of such sum shall be in full settlement of all claims of such company against the United States under contract No. ER-t33 ps-4221 with the Procurement Division, Treasury Department, for certain coffee to be furnished the Santee-Cooper Work Projects Administration project. Due to a misunderstanding of the grade of coffee called for by the invitation for a bid, such company submitted a bid which resulted in an actual loss of \$220.63 in carrying out such contract.

With the following committee amendment:

Page 2, line 4, after the word "contract", insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

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

ESTATE OF MRS. EDNA B. CROOK

The Clerk called the next bill, H. R. 4557, for the relief of the estate of Mrs. Edna B. Crook.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to O. B. Triplett, Jr., Forest, Miss., executor of the estate of Mrs. Edna B. Crook, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Mrs. Edna B. Crook, who was fatally injured on May 6, 1940, in Forest, Miss., when struck by a United States Army truck.

With the following committee amendments:

Page 1, line 7, strike out "\$5,000" and insert in lieu thereof "\$2,500."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

RAY C. McMILLEN

The Clerk called the next bill, H. R. 4587, for the relief of Ray C. McMillen.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ray

C. McMillen, of Glenwood, Iowa, the sum of \$5,000, in full satisfaction of all his claims against the United States for damages resulting from his conviction and incarceration in a Federal penitentiary for over 7 months for the offense of fraudulently negotiating a check stolen from a letter box, of which offense he later was proven to be innocent, the President granting him an unconditional pardon: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$5,000" and insert in lieu thereof "\$3,500."

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.

ELSIE HUGABOOM

The Clerk called the next bill, H. R. 4964, for the relief of Elsie Hugaboom.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elsie Hugaboom, of Malone, N. Y., the sum of \$1,101, in full satisfaction of her claim against the United States for personal injuries sustained when she fell as a result of the broken pavement in front of the Malone, N. Y., post office on April 22, 1931: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

LILLIAN KORKEMAS AND ROSE GRAZIOLI

The Clerk called the next bill, H. R. 5498, for the relief of Lillian Korkemas and Rose Grazioli.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money not otherwise appropriated, to Lillian Korkemas, of Troy, N. Y., the sum of \$500, and to Rose Grazioli, of Troy, N. Y., the sum of \$200, in full settlement of all claims against the United States for damages, and for pain and suffering resulting from personal injuries sustained on April 7, 1940, in the city of Troy, N. Y., when the automobile in which they were riding was struck by a truck in the service of the Post Office Department: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services ren-

dered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

HARRY RENTON BRIDGES

The Clerk called the next bill, H. R. 1644, to direct the deportation of Harry Renton Bridges.

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

Be it enacted, etc., That notwithstanding any other provision of law the Attorney General be, and he is hereby, authorized and directed to take into custody forthwith and deport forthwith to Australia, the country of which he is a citizen or subject, the alien, Harry Renton Bridges, whose presence in this country the Congress deems hurtful.

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.

JAMES WOOD

The Clerk called the next bill, H. R. 268, for the relief of James Wood.

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

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 17 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes" approved September 17, 1916, as amended, the United States Employees' Compensation Commission be, and is hereby, authorized and directed to receive and consider, when filed, the claim of James Wood, of Oswego, N. Y., for disability incurred by him while in the employment of the Emergency Relief Work Bureau in February 1934, and to determine said claim upon its merits: *Provided*, That no benefits shall accrue prior to the enactment of this act.

With the following committee amendment:

Page 1, line 7, strike out "September 17" and insert in lieu thereof "September 7."

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.

JEAN N. BURTON AND LAURA JONES

The Clerk called the next bill, H. R. 2718, for the relief of Jean N. Burton and Laura Jones.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jean N. Burton, of Omaha, Nebr., the sum of \$2,500, and to Laura Jones, of Omaha, Nebr., the sum of \$200. The payment of such sums shall be in full settlement of all claims against the United States for the personal injuries received by the said Jean N. Burton, for property damages to her automobile, and for personal injuries received by the said Laura Jones, when such automobile was struck, on the Dodge Street Highway, approximately 16 miles west of Omaha, Nebr.,

on May 22, 1936, by a truck driven by a Works Progress Administration worker.

With the following committee amendments:

Page 1, line 6, strike out the figures "2,500" and insert in lieu thereof the figures "\$1,000."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

ELIZABETH AYERS

The Clerk called the next bill, H. R. 4246, for the relief of Elizabeth Ayers.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Ayers, of Mount Vernon, Ohio, the sum of \$1,250, in full settlement of all claims against the United States for hospital bills, doctors' bills, and funeral expenses of her husband Richard R. Ayers, a former employee of the Emergency Relief Administration at Mount Vernon, Ohio, who was fatally injured June 1, 1935, by the caving in of a sewer project on which he was working, and who died August 22, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$1,250" and insert "\$1,163.95."

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.

CANTON EXCHANGE BANK AND THE FIRST NATIONAL BANK

The Clerk called the next bill, H. R. 4411, for the relief of the Canton Exchange Bank.

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

Be it enacted, etc., That the Canton Exchange Bank, of Canton, Miss., is hereby relieved of all liability to the United States in connection with 10 checks drawn on the Treasurer of the United States, aggregating \$791, which were negotiated during the years 1936 and 1937 through such bank by J. C. Harris, then county agent of Madison County, Miss., who had fraudulently obtained such checks and forged the endorsements of the payees thereon. Any subsequent endorsers of such checks are hereby relieved of any liability arising out of their endorsements and

the Treasurer of the United States shall be entitled to credit in his accounts for any sums paid out by him on account of such checks.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such Canton Exchange Bank a sum equal to the amount, if any, paid by such bank to the United States, or any officer thereof, on account of its liability in connection with such checks.

With the following committee amendments:

Page 2, after the word "checks" in section 2, insert the following:

"Sec. 3. That the First National Bank, of Canton, Miss., is hereby relieved of all liability to the United States in connection with three checks drawn on the Treasurer of the United States, aggregating \$234, which were negotiated during the years 1936 and 1937, through such bank by J. C. Harris, then county agent of Madison County, Miss., who had fraudulently obtained such checks and forged the endorsements of the payees thereon. Any subsequent endorsers of such checks are hereby relieved of any liability arising out of their endorsements and the Treasurer of the United States shall be entitled to credit in his accounts for any sums paid out by him on account of such checks.

"Sec. 4. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such First National Bank, a sum equal to the amount, if any, paid by such bank to the United States, or any officer thereof, on account of its liability in connection with such checks: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of the Canton Exchange Bank and the First National Bank of Canton, Mississippi."

ALBERT DeMATTEIS

The Clerk called the next bill, H. R. 4437, for the relief of Albert DeMatteis.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert DeMatteis, Columbus, Ohio, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Albert DeMatteis against the United States for personal injuries sustained on June 28, 1940, when he was struck by a piece of timber while employed in the carpenter shop in the United States penitentiary, Atlanta, Ga. The said Albert DeMatteis is totally blind as the result of such accident.

With the following committee amendments:

Page 1, line 6, after "\$5,000", insert "at the rate of \$50 per month for 100 months."

Page 2, line 2, after the word "accident", insert a colon and the following: "*Provided*,

That upon the death of Albert DeMatteis, the unpaid sum, if any, shall be paid to his estate: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

MRS. W. V. JUSTICE

The Clerk called the next bill, H. R. 4830, for the relief of Mrs. W. V. Justice.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. W. V. Justice, of Jackson, Miss., the sum of \$1,500, in full settlement and satisfaction or all damages sustained by her on account of personal injuries received by her on September 6, 1940, when the car which she was driving collided with a United States mail truck, driven by Carrier Robert L. Momon, an employee of the Jackson, Miss., post office, said collision being entirely the fault of the post-office employee: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out "\$1,500, in full settlement and satisfaction for all damages sustained by her" and insert in lieu thereof "\$1,000, in full settlement of all claims against the United States."

Line 10, strike out "driven by Carrier Robert L. Momon, an employee of the Jackson, Miss., post office, said collision being entirely the fault of the post-office employee", and insert in lieu thereof "at Jackson, Miss."

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.

KULP LUMBER CO.

The Clerk called the next bill, H. R. 5594, for the relief of the Kulp Lumber Co.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000.65, to the Kulp Lumber Co., of Shamokin, Pa., in full settlement of all claims against the United States for remission of liquidated damages withheld under contract W-978-eng-ECW-1, dated September 27, 1935, for white oak ties furnished the United States Engineer Corps: *Provided*, That no part of the amount appropriated in this act in excess of

10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

ALLEGHENY FORGING CO.

The Clerk called the next bill, H. R. 5659, for the relief of the Allegheny Forging Co.

Mr. REES of Kansas and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

EDWIN L. WADE

The Clerk called the next bill, H. R. 5687, for the relief of Edwin L. Wade.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin L. Wade, of Schenectady, N. Y., the sum of \$1,559, in full settlement of all claims against the United States for personal injuries received by him and property damage to his automobile when such automobile was forced from the Middleburgh-Schoharie Highway near Schoharie, N. Y., on December 3, 1935, by a truck in the service of the Civilian Conservation Corps.

With the following committee amendments:

Page 1, line 6, strike out "\$1,559" and insert "\$484."

Page 1, at the end of line 11, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

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

HARRY F. BAKER

The Clerk called the next bill, S. 1813, for the relief of Harry F. Baker.

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

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Harry F. Baker, of Rockland, Del., in the sum of \$601.19, said amount representing payments made to Harry F. Baker for services rendered as postmaster while also holding an appointment with the Federal Housing Administration in contravention of the dual compensation statutes.

With the following committee amendment:

Page 1, line 5, strike out "\$601.19" and insert "\$599.93."

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.

BROOKS EQUIPMENT & MANUFACTURING CO.

The Clerk called the next bill, H. R. 4773, for the relief of Brooks Equipment & Manufacturing Co.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$2,661.69 to Brooks Equipment & Manufacturing Co. for loss sustained by it as a result of the wrecking and destruction of an International tractor and Bucyrus-Erie bullgrader on February 16, 1940, by a Work Projects Administration employee on the farm-to-market road project in Hamilton County, Tenn., near Montlake: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "against the Government" and insert "of all claims against the United States."

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.

ANNA J. KROGOLL

The Clerk called the next bill, H. R. 4918, for the relief of Anna J. Krogoll.

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

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Anna J. Krogoll, Jamaica, N. Y., in full settlement of all claims against the United States for injuries received when a car in which she was riding was struck by a United States post-office truck at Chicago, Ill., on July 7, 1938: *Provided,* That no part of the amount appropriated in excess of 10 percent thereof shall be paid or delivered to any agent or attorney for services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time; was read the third

time, and passed, and a motion to reconsider was laid on the table.

FRED PIERCE, SR., AND MARY PIERCE

The Clerk called the next bill, H. R. 5584, for the relief of Fred Pierce, Sr., and Mary Pierce.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred Pierce, Sr., and Mary Pierce, of Clermont County, Ohio, the sum of \$6,000, in full settlement of all claims against the United States on account of the death of their son Fred Pierce, Jr., who was killed when the automobile in which he was riding was struck by a Work Projects Administration truck on United States Highway No. 50, near Monterey, in Clermont County, Ohio, on May 27, 1941: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, strike out "\$6,000" and insert "\$4,405.11."

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.

EDITH M. POWELL

The Clerk called the next bill, H. R. 5632, for the relief of Edith M. Powell.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith M. Powell, the sum of \$5,000 in full compensation and settlement for all claims and demands of Edith M. Powell growing out of, or arising from, injuries suffered in an accident on Government property near Newport in Lincoln County, Oreg., on or about August 2, 1926: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$5,000" and insert "\$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

EVA MUELLER

The Clerk called the next bill, S. 807, for the relief of Eva Mueller.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva Mueller, of Lincoln, Nebr., the sum of \$591.65, in full satisfaction of all claims against the United States for reimbursement of medical, hospital, and other expenses incurred by her or her husband, and for compensation for personal injuries sustained by the said Eva Mueller and her minor daughter Marylin Mueller, as a result of the collision near Gallup, N. Mex., on January 8, 1939, of the car in which they were riding with an Office of Indian Affairs truck operated by Pierce Denetclaw, an employee of such office: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$591.65" and insert "\$750."

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.

MR. BARDEN. Mr. Speaker, that completes the call of the Private Calendar.

REQUISITIONING PROPERTY FOR DEFENSE PURPOSES

MR. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

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

MR. MICHENER. Reserving the right to object, Mr. Speaker, is this the property-seizure bill?

MR. MAY. Exactly. This is the bill on which the House voted by a vote of 3 to 1 to instruct the conferees to insist upon two House amendments. The conferees have brought back these amendments exactly as they were instructed to do. The conference report has been pending here for 10 days.

MR. MICHENER. When the matter was brought up here the other day it was objected to by some Members on this side, as I recall, and the statement was made that the matter would come up today or this week.

MR. MAY. The gentleman is correct.

MR. MICHENER. Therefore, everybody had notice, including those who were here and objected, that it would come up this week. Of course, the

gentleman from Kentucky is not now asking unanimous consent to bring it up but is asking unanimous consent that the statement be read in lieu of the report.

Mr. MAY. That is correct. It is a privileged matter now.

Mr. MICHENER. An objection will not prevent its coming up now.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

[To accompany S. 1579]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by amendment numbered 1 insert the following: "for such property to be determined as hereinafter provided"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by amendment numbered 2 insert the following:

"The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this Act and the fair value of any property returned under section 2 of this Act, but each such determination shall be made on the basis of the fair market value of the property at the time it is requisitioned or returned, as the case may be. If, upon any such requisition of property, the person entitled to receive the amount so determined by the President as the fair and just compensation for the property is unwilling to accept the same as full and complete compensation for such property he shall be paid 50 per centum of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the Judicial Code (U. S. C., 1934 ed., title 28, secs. 41 (20) and 250) for an additional amount which, when added to the amount so paid to him, he considers to be fair and just compensation for such property. Such courts shall also have power to determine in an appropriate proceeding any questions that may arise with respect to the amount of the fair value to be paid upon the return of any property under section 2 of this Act, regardless of the amount in controversy in any such proceeding.

"Nothing contained in this Act shall be construed—

"(1) to authorize the requisitioning or require the registration of any firearms possessed by any individual for his personal protection or sport (and the possession of which is not prohibited or the registration of which is not required by existing law),

"(2) to impair or infringe in any manner the right of any individual to keep and bear arms, or

"(3) to authorize the requisitioning of any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business."

And the House agree to the same.

A. J. MAY,
R. E. THOMASON,
W. G. ANDREWS,
DEWEY SHORT,

Managers on the part of the House.

ROBERT R. REYNOLDS,
LISTER HILL (by W. R. A.),
H. H. SCHWARTZ,
ALBERT B. CHANDLER (by W. R. A.),
WARREN R. AUSTIN,
STYLES BRIDGES,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

"Section 1 of the Senate bill authorized the President during the national emergency declared by him on May 27, 1941, and not later than June 30, 1943, to requisition for the defense of the United States upon the payment of fair and just compensation in the manner provided for by the act of October 10, 1940, any military or naval equipment, supplies or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions, and to dispose of such property in such manner as he may determine is necessary for the defense of the United States. Such requisitioning was conditioned, however, upon a determination by the President during such period that the use of such property is needed for the defense of the United States, that such need is immediate and impending and such as will not admit of delay or resort to any other source of supply, and that all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted.

"Section 2 of the Senate bill provided that the President might return any property so requisitioned to the owner thereof if the owner desires the property and pays the fair value thereof and the President determines that such property is no longer needed for the defense of the United States. Such return is to be made in any case not later than December 31, 1943, if the owner desires it and pays the fair value of the property.

"Section 3 of the Senate bill provided for a report to the Congress by the President not less frequently than once every 6 months of operations under the act, and section 4 of the Senate bill provided for the delegation of authority of the President to others and for the issuance of rules and regulations and for obtaining information necessary and proper to carry out the provisions of the act.

"The first House amendment included a provision that the fair and just compensation to be paid upon the requisitioning of any property under the act would not be less than the fair market value thereof.

"The conference agreement makes a technical change in the amendment and incorporates in the agreement on the second House amendment a provision that the determination by the President of fair and just compensation shall be based upon the current fair market value of the property requisitioned. The reference in the Senate bill to the act of October 10, 1940 is deleted.

"The second House amendment provided that the President should determine the fair and just compensation to be paid for any property so requisitioned. If, however, the owner was unwilling to accept the amount determined by the President he was to be paid 50 percent of such amount and was

given the right to sue the United States in the Court of Claims or any district court of the United States for an additional amount which, when added to the sum already received by him, he considered to be fair and just compensation for the property. The conference agreement retains these provisions with clarifying changes and applies to the determination of fair and just compensation of requisitioned property, and to the determination of fair value under section 2 where such property is returned, the same basis of current fair market value. The implied authority to have questions concerning fair value under section 2 determined in an appropriate judicial proceeding is also set out more clearly.

"The second House amendment also contained a provision that nothing contained in the act should be construed to authorize the requisition or require the registration of firearms possessed by any individual for his personal protection or sport or be construed to impair or infringe the right of any individual to keep and bear arms. There was also a provision that no machinery or equipment should be taken out of an operating factory or business if it is in actual use in connection with such factory or business and is necessary to the operation thereof. The conference agreement retains these provisions with clarifying changes."

A. J. MAY,
R. E. THOMASON,
W. G. ANDREWS,
DEWEY SHORT,

Managers on the part of the House.

Mr. MAY. Mr. Speaker, in view of the legislative history of this bill and the large amount of discussion that has been had thereon, I doubt if anybody cares to discuss it further. Therefore, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EDWIN FAIRFAX NAULTY AND LESLIE FAIRFAX NAULTY

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to return to Private Calendar No. 399, the bill (H. R. 2864) for the compensation of Edwin Fairfax Naulty and Leslie Fairfax Naulty, vacate the proceedings had thereon, and consider the bill.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred on the Court of Claims of the United States to hear, determine, and render judgment, notwithstanding the lapse of time since origination, or any provision of law to the contrary, on the claims against the United States of America of Edwin Fairfax Naulty, of New York City, N. Y., and Leslie Fairfax Naulty, of Hartford, Conn., for damages alleged to have been sustained by them as the result of the use, without their consent or compensation, by the Government of the United States of America continued over a period of years of the copyrighted plans, designs, specifications of structure, construction and operation of aircraft, aircraft accessories, and other aeronautical appliances from or through the technical ideas and proposed use contained in copyrighted drawings and textual specifications of construction and operation and, also, through the description of and explanation of such elements of avia-

tion and aeronautical technique contained in bills introduced in Congress for the purchase of aviation and aeronautical inventions and technique by the Government of the United States of America from and of Edwin Fairfax Naulty and Leslie Fairfax Naulty (part title to and in such copyrighted graphs and text also resting in Nancy Washington Naulty, of Philadelphia, Pa., and Virginia Fairfax Naulty, of Hartford, Conn., by grant from Edwin Fairfax Naulty and Leslie Fairfax Naulty) such information being indicated in the text of the items listed hereafter in this act and contained in bills described above, in several and successive sessions of Congress and thereby available for above-described construction, operation, modification, and use of such inventions without the consent or purchase of such inventions from Edwin Fairfax Naulty and Leslie Fairfax Naulty, or either of them.

Such use is presently asserted, only in the case of the following itemized structures, at several and different periods of time by officials, officials connected with and through them, by others contracting with departments and independent offices of the United States of America for which use proper award for compensation by judgment under the common law and usage and such statutory law as may apply under the terms of the fifth amendment of the Constitution of the United States of America by Edwin Fairfax Naulty and Leslie Fairfax Naulty; suit to be brought within 2 years from the date of the enactment of this act.

The items indicated are—

Fairnault cantilever flight craft, an invention of stream-lined, nonstrut-, high-, middle-, and low-wing monoplane aircraft, with transverse cantilever wing and thorobrace fuselage, with or without Fairnault stepped body, or side-set, top-set, or under-set radiators and Fairnault movable cockpit dome.

Fairnault detachable fuel tank or container, an invention for quickly disengaging aircraft gasoline and oil containers in event of fire or other emergency during flight, and Fairnault "contents discharging" fuel and oil containers of various structures.

Fairnault portable parachute, attachable to body of pilot, an invention to provide escape from a damaged aircraft in the air, also same combined with a means of quick inflation for opening and of manual collapse control and manipulation to avoid a dangerous landing from a landplane, and combined with an air-belt life preserver to keep aviator afloat after jump from a seaplane.

Fairnault aviators' steel helmet, with removable visor, combined with wireless and interplane phone receivers and transmitters and oxygen tube, an invention for the protection of aviators in combat, to enable them to give or receive messages in flight, to listen in on motor and air screw, or cut out noise of same, and to provide connection with an oxygen container, or compressed sea-level air container, yielding breathable air at high altitudes.

Fairnault-Weaver sectional density, metal flight wings, an invention to provide differing zenith and nadir surfaces, of fixed type, for aerofolios, embodying reduction of volume and increase in mass of aerofolios—a combination of ballistics and aviation—and also designed so that curved and regular transverse sections serve as bracing and add to strength of aerofolios.

Fairnault-Weaver sectional density flight wings, an invention factorable of fabric or metal and with various contours controllable in operation by pilot.

Fairnault metal intermesh combined with vulcanized fabric for aircraft, an invention to provide a weatherproof "nondoped", para-electric, slow burning casing or covering for bodies, aerofolios, elevators, rudders, and fins, which is factored by coating suitable metal mesh with hard rubber or other suitable plastic material capable of fixation of ten-

sion and easily moldable in fabrication to any desired contour.

Fairnault variable gage bays for aerofolios, an invention by means of which the weight of metal or other material or structure and casing used in outboard bays of aircraft is reduced proportionally, bay by bay, from fuselage to wing tips.

Fairnault movable multiple winding hexagon wireless aerial, an invention to reduce to small compass and to increase the efficiency of an aerial used on aircraft and to determine the direction of initiation of any wireless message.

Fairnault symmetrical design for aircraft, an invention by means of which all parts of an aircraft have a common dimensional divisor, or multiple, so that span, chord, gap, fuselage structure, elevators, rudders, dihedral, cathedral, master diameter, diametric plane, fineness ratio, aspect ratio, and air-screw diameter are all in symmetrical proportion.

Naulty argo, an invention of a series of stepped and variable contoured, streamlined hull designs for use as main hulls and pontoons for seaplanes.

Fairnault slot wings, 1917-18, and Fairnault slot wings for 1917-18, improved.

Sec. 2. There is hereby authorized to be appropriated, from the general fund in the United States Treasury not otherwise obligated, such sum of money as may be necessary to pay the amount of any judgment rendered pursuant to this act. The amount of such judgment shall be payable by the Secretary of the Treasury on the presentation of a duly authorized copy of the judgment of the Court of Claims of the United States.

With the following committee amendments:

Page 1, line 4, strike out the words "determine, and render judgment," and insert in lieu thereof "find facts, and report to Congress."

Page 1, line 5, strike out the words "since origination."

Page 2, line 16 after the word "Naulty" and starting with the words "such information," strike out the remainder of the bill and insert in lieu thereof a period and the following:

"Sec. 2. Suit hereunder shall be brought within 1 year from the enactment of this act."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to confer jurisdiction upon the Court of Claims to hear, find facts, and report to Congress, the claim of Edwin Fairfax Naulty and Leslie Fairfax Naulty."

MRS. CLYDE THATCHER ET AL.

Mr. WEISS. Mr. Speaker, I call up the conference report on the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3827) entitled "An Act for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 3 and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the figures "\$2,500" insert "\$2,700"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title, and agree to the same.

HALE BOGGS,

SAMUEL A. WEISS,

JOHN JENNINGS, JR.,

Managers on the part of the House.

PRENTISS M. BROWN,

ALLEN J. ELLENDER,

ARTHUR CAPPER,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference of the disagreeing vote of the two Houses on the amendments of the Senate to the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children Marjorie Thatcher and Bobby Thatcher, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

This bill as it passed the House provided for the payment of the sum of \$500 to Mrs. Clyde Thatcher; the sum of \$500 to the legal guardian of Marjorie Thatcher; and the sum of \$5,000 to the legal guardian of Bobby Thatcher, Beaumont, Tex., for injuries and expenses sustained by them when the car in which they were riding was struck by a Civilian Conservation Corps truck at the intersection of Beech Street and Grand Avenue, Beaumont, Tex., on August 1, 1936. The Senate reduced the amount to be paid to the legal guardian of Bobby Thatcher, from \$5,000 to \$2,500, and also made two amendments to strengthen the form of the bill, one of these making Mr. Clyde Thatcher accept the above sums in full settlement of all medical expenses incurred by him.

At the conference the Senate conferees agreed to a compromise amount of \$2,700 to be paid to the legal guardian of Bobby Thatcher. The House conferees agreed to the two Senate amendments which they felt strengthen the form of the bill.

HALE BOGGS,

SAMUEL A. WEISS,

JOHN JENNINGS, JR.,

Managers on the part of the House.

Mr. WEISS. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record and include therein an article by Ray Tucker appearing in This Week magazine on the able, timely, and patriotic services being rendered our country by our colleague the gentleman from Michigan [Mr. ENGEL].

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

There was no objection.

Mr. WEISS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Celler] be permitted to extend his own remarks in the Record at two points, in one to include a radio address delivered by him, and in the other to include a letter written by him to Mr. Morgenthau.

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

There was no objection.

LOUIS DEMBITZ BRANDEIS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is that agreeable to the gentleman from Illinois [Mr. Mason], who has permission to address the House at this time for 10 minutes?

Mr. MASON. I consent, Mr. Speaker, to the gentleman's preceding me to address the House for 1 minute.

Mrs. ROGERS of Massachusetts. May I say that it is like the gentleman from Illinois to do that.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, in the death of Louis Dembitz Brandeis our country loses probably the greatest exponent and defender of the doctrine of tolerance, sympathy for the distressed, and believer in the rights of the individual under the Constitution our generation has seen.

His career reads like one of Oliver Optic's stories of success. Undaunted by the financial reverses suffered by his father and which made it necessary for him to finance his own law course at Harvard University, he worked hard as a tutor and graduated with so brilliant a record that the rules of the university were suspended to permit him to graduate at the age of 20. He was admitted to the bar in St. Louis in 1878 and practiced there for a year before returning to Boston to open his own law office.

We who come from Massachusetts know at first hand of his many bitter fights for the little man, his battles for better labor conditions and a clearer understanding between labor and industry. He was a defender of the oppressed. One of his great cases involved social legislation defending the constitutionality of laws limiting the hours of labor for women in various States of the Union.

In January 1916 President Wilson presented Mr. Brandeis' name to the Senate as a Justice of the United States Supreme Court. It created a storm of controversy that lasted for 5 months before he was confirmed.

He was known as a great liberal, yet today many of his early views would be accepted as conservative. He was always a vigorous defender of social experimentation. During the early days of the so-called New Deal years he voted to uphold the Roosevelt administration in 7 of the first 13 cases in that category.

Probably the best proof of his greatness, his fine ability, and the esteem in which he was held was the sincerity of the congressional tributes at his retirement from the bench 2 years ago. These were in sharp contrast to the flood of criticism to which he was subjected when he was nominated.

The Jewry of America owes him much. He was deeply concerned over the plight of the Jewish race in Nazi Germany. He was most active in the advancement of the Zionist cause and has contributed a number of articles on Zionism and Jewish problems since his retirement.

Justice Brandeis will be sorely missed. He was fearless in his judicial decisions, a great believer in our Constitution, an enemy of the dogmas of communism and fascism, and a true patriotic American. He will be remembered with gratitude for his many battles for the oppressed. Countless persons will mourn his passing. To his widow and two daughters go the sympathy and condolence of all Americans.

THE WHYS AND WHEREFORES OF THE DEMAND FOR NEUTRALITY REPEAL

The SPEAKER. Under a previous order of the House, the gentleman from Illinois [Mr. Mason] is recognized for 10 minutes.

THE SITUATION

Mr. MASON. Mr. Speaker, under international law any neutral nation has the right to sail its ships and carry on ocean commerce anywhere on the seven seas without interference from belligerent nations. This right, usually called the freedom of the seas, has been restricted only when a belligerent nation declares and enforces a blockade in certain areas and around certain enemy countries. Such a blockade has always been recognized as strictly in accord with international law, and any neutral ship attempting to run the blockade did so at the risk of being captured and sunk. Neutral ships, from time immemorial, have tried to run such blockades, tempted by the huge profits that could be made. Many have been captured or sunk and settlements for claims thereon have been arrived at usually through arbitration commissions.

Under international law, any neutral ship has a right to sail anywhere on the seven seas, but no sane sea captain would think of sailing his ship among dangerous shoals clearly marked by buoys just because he has the right to do so. Does any prudent sea captain risk taking his ship through dangerous breakers, plainly marked, because he has the right to sail anywhere on the seven seas? Does not every prudent captain avoid unnecessary risks, shun all shoals, rocks, and dangerous places wherever possible, always keeping uppermost in his mind the safety of his ship?

England has declared a blockade of all the coast of continental Europe that is now under the domination of Hitler. Under that blockade our ships are prevented from trading with every continental European nation, other than Spain and Portugal. We accept that blockade, and conform to it, partly because we sympathize with England in her battle against totalitarian Hitler; partly

because we want to aid England in every way "short of war;" and partly because our neutrality law still forbids our ships, sailors, and citizens from entering the war zones set up by President Roosevelt, which include all the coast of Europe.

Hitler has also declared a blockade of England, depending very largely upon German submarines and German war planes for the enforcement of that blockade. This Hitler blockade of England is in strict accord with international law, just as England's blockade of the European continental coast is in accord with international law. Neither blockade violates the right of a neutral nation to sail its ships anywhere on the seven seas. However, because we fear Hitler's totalitarian ambitions or designs upon the democratic nations; because we believe he has designs and ambitions that include the Western Hemisphere, and because we abhor and despise him for his race murdering program of intolerance, we do not want to accept Hitler's blockade, we do not want to conform to it, nor abide by it, although we must acknowledge that one belligerent has as much right, technically, as another to establish a blockade.

THE HISTORY

Mr. Speaker, from the very beginning of our history this Nation has insisted upon the freedom of the seas. We fought the War of 1812 on that issue. We fought the pirates of Tripoli on that issue. We fought the first World War on that issue. Freedom of the seas has always been an American shibboleth.

In 1935, however, President Roosevelt and his administration made a right-about-face upon our long-established freedom-of-the-seas policy, and caused the enactment by the Congress of our so-called Neutrality Law. In passing the Neutrality Act we voluntarily gave up our right to sail the seven seas, and in it we said we would not trade with belligerent nations nor extend credit to belligerent nations. This meant we voluntarily gave up our right to trade where, and when, and with whom we pleased.

Then came the war in Europe, and in 1939 our neutrality law was amended, at the insistence of the President, in order that we might trade with belligerent nations, if they would come and get the goods, pay cash for them, and take them away in their own ships and at their own risk. The 1939 amendment also wrote into the neutrality law a provision expressly forbidding any American ship, American sailor, or American citizen from entering war zones that the President might designate, which would include all waters that he considered dangerous.

In 1940 came the fall of France and the threat of invasion for England. Again, at the insistence of the President, another act was passed, known as the Lease-Lend Act, which nullified both the cash-and-carry provision and the no-credit provision of the neutrality law. Then, in order to get around the clause in the neutrality law that forbids American ships and American sailors from entering war zones, the administration registered 125 American vessels with the Panamanian Government, had them fly

the flag of Panama, so they could enter the forbidden war zones, mounted guns on them, and thus had them run the risk of being sunk. This was a deliberate subterfuge in order to get around that part of the neutrality law that had not been nullified by the Lease-Lend Act.

THE DEMAND

Mr. Speaker, some of these vessels have been sunk, and now comes the demand from President Roosevelt, Secretary Knox, Secretary Hull, and others that we repeal or amend the neutrality law, that we permit American vessels flying the American flag to arm themselves with guns and enter the war zones, thereby inviting incidents.

This demand for neutrality repeal is so well explained and analyzed in an editorial from the Washington News of Thursday, September 25, that I read it as a part of my remarks for the benefit of my colleagues in the House.

[From the Washington News of September 25, 1941]

NEUTRALITY REPEAL

The President's proposal for modification or repeal of the neutrality law raises two issues. One is the preservation of constitutional government by returning to Congress the responsibility for decisions involving peace or war. We are for that 100 percent.

The other is whether Congress should now give the "go" sign for further intervention. We hope Congress will prevent the further intervention, at least until the United States is adequately armed to fight Hitler and our Pacific defenses are secure—unless this hemisphere should be attacked before.

But regardless of whether Congress agrees with the nonintervention hope of an apparently overwhelming majority of Americans, it is far better for Congress to decide than to permit acts of war by Executive order. In Congress is reposed not only the authority but the responsibility. If President Roosevelt, or any other President at any time, though he be the fount of all wisdom and patriotism, should put this Nation into war without congressional consent, this would not be a democracy.

Loss of faith by Americans themselves in the sanctity of our constitutional processes would be the result. If by official bypassing, short-circuiting, and subterfuge that faith should be destroyed, we would have lost our democracy as France lost hers—with or without a Hitler to take over the corpse. For ours is a system of equal and coordinate powers—executive, legislative, and judicial—running back to all the people.

Only so long as our democracy is strong and functioning as intended can we be united, despite the differences of the moment on any given question. United, we can arm, and, if necessary, we can fight and fight victoriously.

President Roosevelt by announcing he will ask Congress to reconsider the neutrality law follows, in this matter, the constitutional way. And the decision of Congress is binding on all of us from the President to the lowliest American.

When Congress considers repeal of the neutrality law, it will further face the war issue. We are already partly in the war by a Presidential order for conveying and shooting on sight, which Congress in the Lend-Lease Act and the cash-and-carry neutrality amendment hoped to avoid. Taken alone, repeal of the remaining bans against arming our merchant ships and putting them in the direct war trade might not mean war. But in the present situation and on top of other measures, it would be interpreted abroad

and at home as a blank check for undeclared war.

We think that would be unwise at the present time. If the war has taught anything it is that Hitler cannot be defeated by threats, name-calling, and half-way preparedness. This country is not yet prepared, according to official admission. As to the Army, it will be many months yet before it is even equipped. As to the Navy, it is far from the two-ocean goal.

Neither the people, nor Congress, nor the administration is even willing up to now to pay the price of preparedness involved in all-out production, all-out taxation, all-out control of prices, profits, and wages. From the White House on down we are kidding ourselves if we believe we can have peace and war at the same time. So, before we fight, face the facts.

In our judgment Congress should shift this country from an economy three parts peace and one part war to one of four parts preparedness.

FURNISHING INFORMATION FOR NATIONAL-DEFENSE PURPOSES BY BUREAU OF THE CENSUS

Mr. KEAN. Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the joint resolution (H. J. Res. 213) authorizing the Director of the Census to furnish certain information for national-defense purposes was passed, for the purpose of offering a clarifying amendment.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. SPARKMAN). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KEAN: On page 1, lines 7 and 8, strike out "or (b) to any Member of Congress", and on page 1, line 5, "(a)."

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

Mr. KEAN. I yield.

Mr. McCORMACK. I assume this amendment has been discussed with the Member involved?

Mr. KEAN. Yes; and the gentleman from Pennsylvania [Mr. MOSER] is present.

Mr. McCORMACK. I assumed that was true, but I wanted the RECORD to show that.

The amendment was agreed to.

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.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. O'CONNOR] is recognized for 30 minutes.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by including therein a speech made by John T. Flynn entitled "Understudy for Russia."

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

There was no objection.

Mr. O'CONNOR. Mr. Speaker, there is not any question but what we are approaching now the most critical time in the history of this country. The President has given orders to the Navy to shoot any seagoing war machine of any kind belonging to the Axis on sight. This, of course, without a doubt, means that we are going to engage in a war upon the Atlantic Ocean, and if it results in the sinking of our ships and the drowning of our citizens or the killing of them, the war propagandists will inflame the public to the extent that Congress will declare war and that another expeditionary force will be sent abroad. I am going to address myself this afternoon to the question of whether or not we should repeal the Neutrality Act.

Mr. HOOK. Mr. Speaker, will the gentleman yield for just one question right on that point?

Mr. O'CONNOR. Yes.

Mr. HOOK. Will the gentleman inform the House as to whether he thinks neutrality is a question of policy or legislation? Does not the gentleman think that is a question of policy and not legislation?

Mr. O'CONNOR. Of course, neutrality is always a question of policy and I am coming to that later on.

The Congress can pass no legislation that is a guaranty of peace or that is a guaranty against bullets. That cannot be done. The President of the United States has almost plenary power in matters external concerning the foreign affairs of our country. He can do more to get us into war or keep us out of war than the Congress, but remember this: The President is not entirely free to act; that is to say, his conduct and his actions in many instances are to be governed, or at least, persuaded, by the acts or the conduct of our potential enemies.

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

Mr. O'CONNOR. Yes.

Mr. VORYS of Ohio. The gentleman has spoken of our President starting this shooting war. When the President, as the gentleman no doubt knows, but as the public does not know, announced that he used the Algerian War under Jefferson and the French War under Adams as precedents, I think the gentleman should point out to the public something that was utterly misleading in the President's statement, and that is that in both of those so-called undeclared wars, the Congress authorized what those Presidents did by specific acts before it was done. In 1790 Congress passed acts authorizing action against France and, later, Congress authorized the actions against the Bey of Tripoli. So what the President of the United States has now done is utterly unprecedented. I thought the gentleman would like to point that out, as I am sure he is familiar with it, and the public is not.

Mr. O'CONNOR. I thank the gentleman, and I think the gentleman is quoting the history of these two incidents, as I remember. I want to get this thought over. When the Congress of the United States passed this neutrality law, it did it upon the theory that it was a peace measure, that it would keep us out of

war. The American people accepted it as such. The Congress voted for it as a peace measure. I voted against that bill and I will tell you why. I did so because it carried, to my way of thinking, the very thing that would get us into the war, that is, it carried lifting the embargo on the sale of arms to belligerent nations in time of war. That, I thought, was the first step, to get away from our neutrality. I think that is why we were called back here in special session by the President, to pass this law, but the President coupled with that a very powerful statement, and I think it was this statement that the President made, as well as the statement made by the chairman of the committee who had the bill in charge in the House, and the chairman of the committee who had charge of the bill in the Senate that had much influence in obtaining the passage of the act. I think it is well to recall those words. I want to see them again in the CONGRESSIONAL RECORD. Here is the President's language when he called us back here in special, extraordinary session in the fall of 1939 to repeal the so-called Neutrality Act that was existing at that time, and the Members of the House will recall that he spoke movingly on the subject, as he can. The President said:

I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

Those provisions were written into this law and those provisions are in there today and are intact. Unquestionably enough votes were secured to lift the arms embargo simply upon the statements that the bill would include inhibitions against our citizens going on belligerent boats, that is, the boats of belligerent nations, or going into combat areas where they might lose their lives. It barred American vessels from going into those two areas, and it is upon those provisions that the Congress relied and it is because those provisions were in the bill that the Congress voted to lift the embargo. These were the causes that got us into the other war. There is no question but these provisions had a persuasive effect upon the Congress in passing this law and in lifting the embargo.

I want to call attention to some more words. The gentleman from New York [Mr. BLOOM], when he was in charge of the bill on the floor of the House, used the following language:

If the pending legislation provided for nothing else than the prohibition of American shipping and travel in areas where laws do not exist, where death awaits the peaceful traveler, I would support it as the most effective means of keeping us out of war.

Let us see what Senator CONNALLY said in the Senate when the bill was before the Senate. He had the bill in charge. He said:

Although under international law you have a right to go about your vocation and to travel the high seas, as a domestic regulation we forbid you to do so at this time, in order, not alone to protect your lives but to protect the lives of all the millions of Americans and help keep them out of this devastating

and desolating war. That is the purpose of keeping citizens off belligerent ships.

The provisions that the President spoke about, that the gentleman from New York [Mr. BLOOM] spoke about, and that Senator CONNALLY spoke about are intact in this law. The loaning provision and the cash being paid on the barrel head—you will recall that phrase—are now out. All Members of Congress thought if we could sell these war materials and get the cash that we were that much ahead, and that secured many votes. Then again, of course, the Congress thought if we could prevent the citizens of this Nation from loaning money to foreign nations that were at war that would help keep us out of war. So the Congress was induced to pass this law upon that theory.

I want to go back a little bit and quote the President just some time before that to show you that he had in his mind a policy of neutrality when he used the following language at Chautauqua, in New York, on August 14, 1936. Undoubtedly at that time the shadows of war had begun to lengthen in Europe. We all knew that the foundation for the war that is going on now was laid when the Versailles Treaty was written. The seed was sown then. It kept on growing until eventually it appeared on the surface as early as 1934 or 1935. The President had that very situation in mind when he uttered these words:

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fools' gold—would attempt to break down or evade our neutrality.

Is that not going on today? Did it not start to go on just as soon as a major war began in Europe? Then the people who make profits out of war started in to agitate the fact that their war was ours, and gradually worked around until the administration apparently had adopted this foreign policy of the dependence on the navy of the British Empire. That is our policy today. There are those who are advocating union with Great Britain. If we are going to be called upon to save Great Britain every 25 years, upon the theory that she is fighting our war and that we are dependent upon her, then we made a mistake in kicking ourselves loose from Great Britain 150 years ago. Because, my friends, here is the point: We wanted to get away from all those intrigues and those war policies that have been going on for 2,000 years. Wars have been going on in Europe for 2,000 years and they will continue to go on. There will never be such a thing as the last war, because they live in each other's back yards. But if we are dependent upon the British Navy, then I say we made a mistake when we got our independence. But I want to add I think we did not make a mistake. I think if we could stand on our own feet when we were a few colonies and a few people, that today, as the richest nation in the world and with 130,000,000 people, we can stand on our own feet. If we are going to go to Europe every quarter of a century to bail England out, then we should have something to say about the preliminary decisions that bring about these wars. Either

we have got to stand on our own feet or we have got to join the British Empire.

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

Mr. O'CONNOR. Yes; I yield.

Mr. KNUTSON. Is there anything in the record to indicate that we were consulted before this war was declared?

Mr. O'CONNOR. Why, of course not. The gentleman knows, as every other person knows who has read the history of the writing of the Versailles Treaty that the United States was double-crossed right there. We went into war a quarter of a century ago upon the theory that it was a war to end wars; that a peace treaty would be written on the basis that there was no victor. That was Wilson's thought. He did not want a peace written between a victor and a vanquished.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield further?

Mr. O'CONNOR. I yield.

Mr. KNUTSON. I happened to be in Europe at the time this war broke out. It was our information over there that an amicable agreement had been entered into between Poland and Germany, and when London heard about it she called up Joseph Beck, who was then foreign minister of Poland, and insisted that Poland stand pat and that Great Britain would come to her assistance. Great Britain made the same promise to Norway and to the Lowlands and undoubtedly to Greece by Mr. Donovan and others who were over there as pseudo-representatives of this Government, and in every instance she let them down. Now she wants Russia to continue fighting until Uncle Sam is ready to get into it.

Mr. O'CONNOR. Exactly. Now, I think that history will bear out this statement, that it was the stupidity of the statesmanship of France and England that brought about this man Hitler. They laid the foundation for a man like him to enter the scene in Europe. How do we know that history is not going to be repeated? If we make another sacrifice such as we made 25 years ago, how do we know but what we will be called upon again 25 years hence to do the same thing over again?

I just want to call your attention to some things. I did not intend to speak on this. I wanted to hear what the President had to say before I said anything, but I read an editorial in this morning's Washington Herald, quoting Secretary Knox. If anyone cannot see danger ahead in reading what Knox said in Indianapolis, it seems to me they cannot understand the English language:

War on two fronts? That Nazi-ism will be defeated I have no doubt. That we shall proceed from one measure to another measure until we have taken adequate steps to bring defeat to the legions of Hitler and his satellites, Italy and Japan, again I have no doubt. To put it bluntly, we must join our force, our power, to that of Great Britain, another great peace-loving nation, to stop new aggression, which may lead to a world disturbance, at its beginnings.

There is your Secretary of War, who wants to practically make a union again with Great Britain upon the theory that Great Britain is a peace-loving nation

and is our savior. They have not read history or they would know how Great Britain acquired all her possessions, so extensive, upon which as tradition has it the sun never sets.

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

Mr. O'CONNOR. I yield.

Mr. CURTIS. Is it not true that Secretary Knox has suggested that this co-operation or union with Britain extend for a period of 100 years?

Mr. O'CONNOR. I was just coming to that.

Mr. CURTIS. It seems to me that is a violation of the rule in Shelley's case—that is binding us for quite a while.

Mr. O'CONNOR. Of course, the rule in Shelley's case was forgotten a long time ago. Continuing the quotation:

It is the hope of the world that sea power for the next 100 years at least will reside in the hands of the two great nations which now possess that power—the United States and Great Britain.

That was Secretary of the Navy Knox speaking at Indianapolis on October 1, 1941. I read now some of the comments by the writer of the editorial:

For one thing, what does Colonel Knox mean by great peace-loving nations when talking of the United States and Great Britain? The United States is on the point of going to war for the sake of war, as it did in 1917, hoping to get nothing for itself out of the war. This is the old-time Iroquois Indian stuff—to love war as the only occupation worthy of a true man.

I can see in the first paragraph that I read that Colonel Knox, and I think Secretary Stimson, are trying to commit as far as they can this administration to going to war and sending an expeditionary force to Europe if it is necessary to lick Germany and Italy, and now he includes Japan. Let us think this thing through for just a moment.

How can we lick Germany, and Italy, and Japan without sending troops to Europe, without sending an expeditionary force to Europe? Germany and those countries cannot be licked without an invasion. The Continent will have to be invaded in order to do it. Now, let us see about the question of whether we are dependent upon the British Navy.

There is an article in last August Reader's Digest that should be read by every Member of Congress before he votes upon the question of dependence on the British Navy for our continuance as a free nation. It is written by Hanson W. Baldwin, nationally noted military and naval expert of the New York Times. Hanson Baldwin is one of the most acute and best-informed observers of the present conflict. Mr. Baldwin graduated from the Naval Academy in 1924 and served 3 years aboard ship in the Atlantic and Caribbean before resigning his commission to enter newspaper work. He is the author of *United We Stand*, on the defense of the Western Hemisphere, and *What the Citizen Should Know About the Navy*. Listen to what he writes in this article:

We need not fear being outbuilt in a naval race, even should Hitler be able to turn all Europe and England to the task. One authority has estimated the shipbuilding capac-

ity of Germany, her conquered lands, and her allies at 3,200,000 tons, and of Britain at 2,500,000 tons—a total of 5,700,000 tons a year. Assume that Hitler could get the full benefit of this, an assumption which disregards damage already done to shipyards by bombs and ignores the inefficiency of sullen, conquered labor. Still we could meet the challenge, for we shall turn out 1,100,000 tons of merchant ships alone this year, next year 3,000,000, and more than 5,000,000 tons in 1943. And simultaneously we are pushing forward a naval building program just about equal to the combined programs of all of the rest of the world, including the British Empire.

Furthermore, we can expand shipbuilding incomparably more than can Europe. There most of the sites for ways from which big ships can be launched into deep water have long been utilized, while we have scores of sites yet undeveloped. Shipbuilding is limited by steel and armor production. One American steel company will this year produce more steel than all of Germany; our expanded capacity soon will outmatch all the rest of the world. Our armor production, steadily increasing, is believed already to exceed that of England plus that of Germany.

I say, Mr. Speaker, if England is not fighting our war—and I say she is not—then if we get into it we are in it for the purpose of establishing the four freedoms we have been talking about. I have lived in this country for a long time. My God! When I think about trying to establish freedom from want, freedom from fear, freedom of religion, and freedom of speech in every country in the world everywhere I shudder at the prospect and the obligations we are going to load upon our children, their children, and their children's children, and from then on, because it will never be done. For 150 years we have been trying to do the same thing here and have not succeeded. We have poverty among our people today, and it would be rampant all over the country if it were not for the defense program. We have fear among our people. There are thousands of old people and thousands of young people who when they wake in the morning do not know whether they will be able to eat or not, they do not know what may happen to them. Freedom of religion. I happen to know, and so do you, that people of a certain religious faith have been discriminated against in our public schools and in public office. You do not have to recall very far back when the old Ku Klux Klan was going pretty strong in this country. Freedom of speech. Let us see about that. We have heard certain people pretty well talked about in the last 3 or 4 months because they expressed their views. As a matter of fact it has been intimated that it was unfortunate some men should occupy such an important position in the minds of the people of the country and that they could still talk. I want you to understand very thoroughly, that it is physically impossible to establish those freedoms in the world unless we can establish them here, and we have not been able to do it. That is too big an attempt for me to vote upon the taxpayers of this country. It is too big a commitment for me to vote on our children, their children, and their children from then on.

Mr. KNUTSON. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Minnesota.

Mr. KNUTSON. We spent thousands of millions of dollars trying to abolish freedom from want in this country between 1933 and 1939. When this emergency arose our unemployment was just as big as when we started in.

Mr. O'CONNOR. I think it had dropped a little.

Mr. KNUTSON. Well, maybe it did, but it was not appreciable, according to figures furnished by the American Federation of Labor statistical department.

Mr. O'CONNOR. Unemployment was high, I admit.

Mr. KNUTSON. It was high. Of course, we cannot tell when these megalomaniacs get to operating, they are liable to succeed where normal men have failed, but that remains for the future.

Mr. MUNDT. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from South Dakota.

Mr. MUNDT. I was very much interested in the statement which the gentleman read from Hanson Baldwin, who probably ranks second to no man in America from the standpoint of his comprehensive study and knowledge of our ability to protect ourselves. In direct support of the position taken by Hanson Baldwin I call the gentleman's attention to an article which I have placed in an extension of remarks in today's RECORD, written by Lieutenant Colonel Phillips of the General Staff of the United States Army, in which he made some amazing statements that should be read by every citizen in this country, because they bear directly upon the ability of the United States and the Western Hemisphere to defend itself. As an inkling of what is incorporated in the remarks of Lieutenant Colonel Phillips, may I say that in substance he states that the United States would be able to protect itself against invasion because of the development of aviation in the world, even though there was no American Navy at all.

[Here the gavel fell.]

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes.

The SPEAKER pro tempore. There is another special order.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. H. CARL ANDERSEN]?

There was no objection.

Mr. MUNDT. From that point he proceeds to point out specifically in terms of one of the leading military men of this country just how modern aviation would permit us to repel an attempted invasion of the Western Hemisphere. I would like to ask the gentleman from Montana a question, because he is a close student of national defense and of foreign affairs. Does he know of any active military authority in this country today, who the gentleman can quote to disprove the statements of Hanson Baldwin or Lieutenant Colonel Phillips to show that this

country is in danger of direct invasion by any possible cooperation of foreign powers?

Mr. O'CONNOR. I am glad the gentleman asked that question, because I have searched the record to find some reputable person who might have claimed that this country could be physically invaded. I want to call attention to what Mr. White, the gentleman who heads the committee to defend this country by aiding the Allies, said. He said, "Invasion, no; that is, physical invasion, no, but by ideas, yes." That is what he said. You cannot stop ideas with bullets. Even he in all of his ravings never claimed that this country could be invaded by Germany. I do not see how anybody who has any sense can make such a claim when Germany had England practically on her knees and she could not cross a distance of 22 miles of water. Now, if she cannot cross 22 miles, how is she going to cross 3,000 miles of water and invade a country that is strongly fortified, a country that has just as good a navy as England?

Mr. MUNDT. The first obligation of this country is to prepare that type of aviation defense which our military authorities say will make us impregnable. Let us get that job done first so we can be sure this country can survive.

Mr. O'CONNOR. That is right.

Mr. H. CARL ANDERSEN. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. I was much interested reading in the press that a gentleman very high up in the British councils had made the assertion that the British Empire at present did not have the necessary manpower to attempt to establish a second front in Europe. Does the gentleman have definite information as to the reputed losses of the British to date in manpower in the 2 years of the war? I ask that question for this reason: I have heard that to date, after 24 months of war, they have only lost 142,000 men in casualties and that a good many of these are Australians and New Zealanders. If that is the case, will the gentleman tell me why it is that these high-up officials in the British Empire, after suffering only 3-percent casualties of their total armed strength, with two and a half million men in the reserves, should dare intimate, as they have intimated recently, that they must have manpower from America for a second A. E. F.?

Mr. O'CONNOR. I thank the gentleman for that statement. Never has the British Empire even attempted to draw on her pool of manpower. She has in her empire over 400,000,000 people and only 4,000,000 armed men. She has resources all over the world, also mining in the neighborhood of \$700,000,000 in gold from Africa alone every year, most of which she is selling to us at a profit. She has never started to draw on her own manpower, she has never started to draw on her own resources, but yet she wants the taxpayers of this country to bear again the burden of another war in Europe, as well as furnish our boys to do their fighting.

Mr. H. CARL ANDERSEN. There appeared also in the press yesterday a statement to the effect that Britain today controls more than 50 percent of the shipping tonnage throughout the world, due especially to the magnanimity and generosity of the United States.

Mr. O'CONNOR. There is a great deal to that.

Let me read just a paragraph or two out of a statement made by Capt. M. M. Corpening appearing in this morning's Times-Herald bearing this headline:

Army unworthy of name, Louisiana observers agree. Year's more training, better leadership held first need.

The article states that the Nation today does not possess an army worthy of the name and there is little indication that it can have one within a year. It then shows the lack of training in the Army.

Mr. Speaker, we are unprepared for war even if we wanted to get into this war. I commend to the Members of the House to read in the August Readers' Digest another article entitled "What Would We Fight With" condensed from the United States News. Among other things, it says:

Where does all this leave our Army? The new Army possesses sufficient rifles and machine guns, but an inadequate supply of all other weapons from antitank guns to airplanes and tanks, and it will remain inadequately supplied for many months to come.

We do not need to be in any hurry about getting into this war. I believe it will last a long time. As far as I can see, it is not a private war. I think anybody or any nation can get in who wants to at any time on their own terms.

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

Mr. O'CONNOR. I yield to the gentleman from Idaho.

Mr. DWORSHAK. The gentleman has just expressed much concern and skepticism over whether we in this country are enjoying the right of free speech. Is not the gentleman aware that our ally, Joe Stalin, will probably guarantee to crusade in this country for one of the four freedoms, the right of free speech?

Mr. O'CONNOR. Yes; I see that he is commencing now to say that he wants to guarantee religious freedom. Of course, Joe is willing to swap anything to get some help. Hitler has him by the throat. He is now willing to say to the people that they can worship God as they see fit—for a while. I am not impressed with death-bed restitutions.

Mr. KNUTSON. What good does that do when there are no Christians left?

Mr. O'CONNOR. I believe many countries over there have forgotten that there is a God. If we are not careful in this country, and get into this war, we shall forget that there is a God, for our purpose will be the destruction of people we do not even know.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. The lend-lease bill is supposed to come on the floor on Wednesday. Will the gentle-

man support an amendment I plan to introduce, which would provide that Russia should receive nothing from us unless she guarantees freedom of religion, and guarantees that communistic propaganda in the United States which emanated from there shall cease? Surely, that is little enough for Russia to do. We are supposed to be aiding the countries that want freedom of religion. The great majority of persons in the United States abhor communism. It seems to me essential that we place in the lend-lease bill some such provision; the amendment should provide that if Russia does not live up to such a guaranty it shall not receive supplies.

Mr. KNUTSON. Will the gentlewoman from Massachusetts tell the House how we may be sure that the guaranty will be carried out?

Mrs. ROGERS of Massachusetts. I suppose we cannot be sure that any country will live up to its agreements, but at least we are making a gesture and trying to secure freedom of religion. I do not see how we can go on as we are without trying to get that into the bill. At least, it would be making a great effort to secure freedom of religion for the people of Russia and, in my opinion, would have a great effect upon the entire world.

Mr. O'CONNOR. I hope the gentlewoman offers that amendment, and I assure her that I shall give it serious consideration. It, of course, is a God-like thought.

However, I would not take the word of Joe Stalin for anything. He is as big a brute and human monster as the man he is fighting—Hitler. If we have reached the point when we in America are dependent for our existence on this man Stalin, whose hands reek with human blood, reek with the blood of people who practiced their religion as they saw it, as well as with the blood of the Finns and others, then it will take God Almighty to save this country.

Mrs. ROGERS of Massachusetts. This is an opportunity after all, however, for us to make an effort to make the fight for religious freedom, and to stop the flow of communism that has emanated from Russia to the United States.

Mr. O'CONNOR. Oh, I will make the effort. I suppose it is a case of any port in time of storm.

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

Mr. O'CONNOR. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Several hundred years ago there was a war in England known as the War of the Roses. I prophesy that this war will go down in history as the War of the Prevaricators.

[Here the gavel fell.]

Mr. STEFAN. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for 5 additional minutes, with the consent of the gentleman from Wisconsin.

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

There was no objection.

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

Mr. O'CONNOR. I yield to the gentleman from Nebraska.

Mr. STEFAN. The gentleman from Montana has been making a masterly address, much of which has centered around the proposed change in the Neutrality Act. I wonder if the gentleman has any information on the status of the proposed legislation to change that act.

Mr. O'CONNOR. I am going to come to that point. I am glad the gentleman brought it up.

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

Mr. O'CONNOR. If the gentleman will excuse me, I want to get that point out of my system in the next few moments.

The loan provisions of the act have been nullified by the Lease Lend Act as billions in materials have been and are now being leased and loaned to England and other countries. The act as it is today provides that in case the President or Congress finds a state of war to exist between foreign states the President shall name the states and thereafter it will be unlawful for any American vessel to carry any passengers or materials to any state named, and it will be unlawful for an American citizen to travel on any vessel of any such state named, except under rules laid down by the President. The President may revoke any such proclamation. The act also provides that after the President has issued such proclamation he may thereafter find that if the protection of citizens and American ships so requires he shall define combat areas and that then it will be unlawful, except under such rules as he lays down for any citizen or any of our vessels to proceed into or through any such combat areas. The President may modify or extend any proclamation issued with reference to combat areas. You will see the President has wide latitude in the exercise of his discretion. He is not required to name states or combat areas. For instance, he has not issued a proclamation naming the states of Japan, China, or Russia as being at war. Therefore, none of these provisions apply to those states. These provisions are to keep our citizens from going into dangerous places even though we have the legal right to go there in the same way as we would have the legal right to go into a place of danger on a public highway. The President of the United States, with alacrity, has enforced the provisions of this law by naming country after country as being at war and naming combat area after combat area as danger zones beginning the very day he signed the act and continuing on down as late as April 24, 1941. The President has done a fine job in making the provisions of this law effective in regard to saving the lives of our citizens. Has it worked otherwise? Let us see what ships have been sunk and under what circumstances. According to the best information I can secure the following are the facts in relation to sunken ships:

The *Pink Star* was a Danish ship which had been seized by the United States under the recent law for the seizure of foreign ships in American ports. It was

chartered by the Maritime Commission to the United States Lines, a private concern, and registered under the flag of Panama. No American citizens were on the ship when she was sunk between Iceland and Greenland, on her way to Britain—Washington Times-Herald, September 23, 1941. The *Sessa* and the *Montana* were also Danish ships which had been seized similarly, chartered to a private American firm, and also registered under the flag of Panama. Both were sunk near Iceland while carrying cargoes to Iceland—New York Times, September 1, 13, 1941. Only one American was on board the *Sessa* and none on the *Montana*. The *Steel Seafarer*, sailing under the American flag, was sunk in the Red Sea, 12,000 miles from the United States, while carrying contraband war supplies for Britain. The ship was legally present in that area only because President Roosevelt had revoked his proclamation declaring the Red Sea a war zone. The *Robin Moor*, also under the American flag, was carrying contrabands to another country at war, British South Africa, and was sunk in the South Atlantic. In neither case were any American lives lost.

The *White* ship recently sunk, I am informed, had been transferred to Panamanian register and had been loaned to Britain under the lease-lend law and was under British direction and was not flying the American flag.

If these are the facts in regard to the ships which have been sunk, would these sinkings justify aggressive warfare on the Atlantic on our part? There has been a lot of misinformation going to the public on the import of what is known as the Lease-Lend Act. It has been said that the Congress committed this country when it passed this law to deliver lease-lend goods to the democracies. There is nothing further from the truth than that statement. Nowhere in the bill does it even suggest that the United States shall deliver these goods. If it had been suggested when this bill was under consideration, it would never have passed. There are two provisions in the law that expressly negative any such interpretation of this act of Congress. I quote:

(d) Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

(e) Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

If the Congress intended to authorize delivery of these goods, there would be no such language as just quoted in the act. The country understood that convoys were banned. The President at the time said "convoys were not considered; that they meant shooting and shooting meant war." Now we are seeking to read into this act of Congress the obligation upon our part to deliver these goods. The Congress never made any such commitment. It is suggested that there is no use in making these implements of war if they do not reach the place of need. That condition should have been thought of at the time the bill was under consider-

ation. Anybody knows that to deliver these goods means war, and remember every step that has been taken, such as the lifting of the embargo, the provisions we have been discussing in the Neutrality Act, the Conscription Act, the Lease-Lend Act, the appropriations made under it, were taken in the name of peace and to keep this country out of war. Now if we take a step to deliver these goods which confessedly means war, then we are nullifying the stated object of all of these steps and leading the country right up to the mouth of the cannon. I say let us leave the Neutrality Act as it is.

When it comes to arming a merchant vessel I want to say this to you. I am afraid it is going to be like making a two-gun man. We have out West what we call two-gun men. They are men who can shoot with either hand equally well. It will be a good deal like trying to arm a two-gun man when he has no hands, or like putting a popgun in the hands of a boy to fight an armed burglar, because in the first place merchant ships are not built to be made into battleships. And in the second place your crews are not trained to handle those guns. I question the wisdom of it and I question the efficacy of it, because once you arm those vessels or if you put even one gun on those vessels you are going to invite your enemy to shoot and sink at sight and without warning. That is the danger. I am not saying now whether I would oppose an amendment of that kind or not, but I am saying that I doubt the wisdom and efficacy of it.

Does the gentleman from Michigan [Mr. Hook] desire me to yield to him?

Mr. HOOK. I was just wondering on the question of the amendment of the gentleman from Massachusetts [Mrs. Rogers] whether it would not be a good idea that we provide an amendment to the amendment that in case Joe does not come through, we have the right to withhold any aid, and so on down the line.

Mr. O'CONNOR. Let us adopt what our President said in Chautauqua during August 1936:

We seek to isolate ourselves completely from wars.

And I think it is time that we think with our heads and not our hearts. And I think the sooner this country comes to adopting a concept of minding its own business the better it will be. That is No. 1. Second, prepare ourselves and arm ourselves to the teeth to take care of ourselves. We did this for 150 years and I think we can do it now, and let us not follow a policy that we are dependent upon Joe Stalin or upon Mr. Churchill or upon anybody else, but that we are dependent on the United States of America and our 130,000,000 people and upon our matchless resources, excelled no place in the world.

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

Mr. O'CONNOR. I yield.

Mr. KNUTSON. Outside of prohibition, can the gentleman recall anything that America got out of the last war?

Mr. O'CONNOR. Oh, no. You got a lot of grief. You got dead and wounded

soldiers and you have a debt that is still bearing interest and unpaid.

Mr. KNUTSON. And we got a lot of deadbeats that are owing us money.

Mr. O'CONNOR. Exactly.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent that at the conclusion of other special orders today I may be permitted to address the House for 10 minutes.

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

There was no objection.

The SPEAKER pro tempore. Under special order of the House the gentleman from Wisconsin [Mr. MURRAY] is recognized for 10 minutes.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield to me for a unanimous-consent request?

Mr. MURRAY. I yield.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

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

There was no objection.

THE BUTTER SITUATION

Mr. MURRAY. Mr. Speaker, since 42 percent of the milk produced in the United States is made into butter, and since about 75 percent of the manufactured dairy products consist of butter, this product is the basis of the dairy industry.

There is not much of a reason for Mr. Henderson to ask for price control of butter, as its price is, and has been for several years, controlled by the present administration.

The following article points out that November butter is only 35.4 cents per pound. Butter is imported into New York for 22 cents per pound, which includes the price in Argentina, insurance, and transportation:

[From the Washington Sunday Star of October 5, 1941]

BUTTER FUTURES DEPRESSED BY ARGENTINE IMPORTS

CHICAGO, October 4.—Produce traders today blamed a report of impending Argentine butter imports at New York as being partly responsible for a decline in butter futures prices here.

The Agricultural Marketing Service reported approximately 6,000 boxes of Argentine butter are due to arrive in New York Monday, and additional quantities estimated at upward of 50,000 boxes are expected the next few weeks.

Butter futures here lost one-fourth cent a pound, with November delivery closing at 35.35 cents, or about the lowest level in 7 weeks. Liberal receipts here and lagging demand also were blamed for the market's weakness.

Traders said there are 56 pounds in a box of Argentine butter. Current prices, cost, insurance, and freight included, were around 22 cents a pound. The import duty is 14 cents. Domestic butter extras were quoted at 37 in the spot market here.

The butter farmer is surely fortunate in having the protection of 14 cents per

pound as provided by the much-maligned Smoot-Hawley Tariff Act. If the tariff rate on butter had been reduced in comparison with the reduction of the tariff on cheese which was effected by the New Deal, we would have 7 cents per pound duty and 29-cent butter in New York today. No dairy farmer, with the present costs, can get 20 cents per hour for his labor and produce 37-cent butter. If the 37-cent ceiling proposed by the price-control bill sets the price of labor; that is, the farmers' labor.

When we realize that butter averaged 39.9 cents per pound the 10 years before the New Deal obtained control of the House of Representatives and that the national debt was being paid off at the rate of \$1,000,000,000 a year, and when we realize that during the 10 years of the New Deal butter has averaged only 25.5 cents per pound at a time when the Government was running in the red one to three billions of dollars a year, it is evident that the butter farmer looks askance at the market manipulations of the self-styled apostles of the more abundant life.

The butter farmer is not only threatened from without but also from within.

We now have the Food and Drug Act under supervision of Mr. McNutt. The oleo can be fortified with diacetyl acid to make it taste like butter, needled with vitamins to acquire some of the properties of butter, given a shower bath in skim milk to make it smell like butter, preserved with benzoate of soda to make it keep though this practice is prohibited in the manufacture of butter, and then have a Government agency with radio time try to convince the consumer of its merits.

This is just one more example of the fact that dairying and New Dealing do not mix any more than oil and water.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. Yes.

Mr. H. CARL ANDERSEN. Do I understand that the gentleman's figures show that under the 10 years of the New Deal the dairy farmer has received an average of 13 cents per pound less than he received during the 10 years prior to the New Deal?

Mr. MURRAY. Fourteen and four-tenths cents per pound—25½ cents per pound to 39.9 cents per pound.

Mr. H. CARL ANDERSEN. And that in itself, I am sure the gentleman will admit, would amount to a good many hundreds of millions of dollars loss to the dairy farmer market.

Mr. MURRAY. The butter market has been manipulated by the present administration for several years. This has been done through the Surplus Marketing Corporation. They go out and tell the farmer that it is for his benefit, but they have been buying the product as cheaply as possible. It is a statement of fact, which was recorded in the Banking and Currency Committee a few days ago, that shows the product is put on the market to hold the price down. So I do not see, so far as agricultural products are concerned, why Mr. Henderson wants to put a strait jacket on them, because they have it on them at the present time under Government regulation. Never in

the history of this country has an administration controlled the farm market as it has today. We have some artificial farm prices today, made artificial by the governmental agencies, which have nothing to do with the law of supply and demand.

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

Mr. MURRAY. Yes.

Mr. STEFAN. The gentleman has stated that there was some butter shipped here from Argentina delivered in New York at 22 cents a pound.

Mr. MURRAY. Yes.

Mr. STEFAN. It has been always thought by the farmers in my district that whenever there is any butter imported off our shores from, say, New Zealand—and usually it comes from New Zealand—whenever any butter comes in at a lower rate than the rate at which we can produce it, it always depresses the price of butterfat in my district. What does that butter sell for in New York?

Mr. MURRAY. With a 14-cent tariff, it would be 36 cents, so that Argentina controls the price of butter in this country so long as they are selling it down there at the present price.

Mr. STEFAN. But Argentina is not a butter country. Butter usually comes in from New Zealand. We seldom have competition from Argentina. How much does that butter sell for in New York as compared with our butter?

Mr. MURRAY. It would have to cost 36 cents if it is put on sale there.

Mr. STEFAN. That is natural; but that would depress the price of our own butter.

Mr. MURRAY. Surely, and all over the United States; and when we realize that the dairy industry represents between 20 and 25 percent of the farm income and that 75 percent of the dairy products are in the form of butter, we realize that butter is the real basis of the dairy industry.

Mr. STEFAN. The gentleman will agree that the American farmer cannot produce butter for less than 40 cents today.

Mr. MURRAY. He cannot produce it for that, at the present cost.

Mr. HOOK. Does the gentleman know of any period of history in this country when the farmer has ever really got the cost of production for his products?

Mr. MURRAY. I have been for many days at the Banking and Currency hearings, listening to these statements there, and it is not always pleasant to stand up here and have so many people think that you are demagoging for one group of people or another. So far as that is concerned, I do not have one speech for the farmers and one for labor and one for the businessman. I do not care enough about politics to do that, but there is the trouble, that over there in that committee up to this time, until Mr. O'Neil spoke a day or two ago, there has not been a person there to represent the farmer. They talk about a strait jacket being put on the farmer. Mr. Morgenthau spoke about a 6-percent strait jacket on the businessman, and there was a terrible howl all over the country; but they are putting a 37-cent top price

on butter, and there is not a fellow in the Department of Agriculture who is smart enough to make 1 percent if he produces 37-cent butter.

Mr. STEFAN. The farmers in my district are tickled to death to get the cost of production with no profit at all.

Mr. MURRAY. Of course, we cannot please all groups, because we cannot expect to have runaway prices with only one group. It will be remembered that I was the only Republican who voted for the Casey amendment, which would have given us some study of the producer, consumer, and distributor situations. I have believed for several months that we should approach this price situation in a fair way for the producer, the consumer, and the distributor, without any one group getting an advantage over the other group.

Mr. STEFAN. But the gentleman realizes that the farmer in my district does not take into consideration his time, his overhead, or anything. All he thinks about is cost of production, and he is not getting that. So when you take into consideration a price-control bill you have to consider a bottom as well as a top, as far as the farmer is concerned.

Mr. MURRAY. If a price-control bill goes through he will have a 37-cent ceiling.

Mr. STEFAN. He may have a ceiling, but there is no bottom guaranteed.

Mr. MURRAY. There is supposed to be a 31-cent guaranty since last spring. There is supposed to be a 31-cent floor under butter.

Mr. H. CARL ANDERSEN. Will the gentleman yield?

Mr. MURRAY. I yield.

Mr. H. CARL ANDERSEN. With reference to the question asked by the gentleman from Michigan [Mr. Hook], I believe we have had two periods of parity or cost of production; that is, 1909 to 1914 and 1925 to 1930. I think that today in certain farm products we have parity, but not in all.

Mr. MURRAY. I would like to ask my colleague what that product is in the dairy industry.

Mr. H. CARL ANDERSEN. Not in the dairy industry. I am not referring to the dairy industry, but in beef and hogs we are at parity today.

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. SPARKMAN). Under previous order of the House, the gentleman from New Mexico [Mr. ANDERSON] is recognized for 10 minutes.

PROGRESS IN AIR SAFETY

Mr. ANDERSON of New Mexico. Mr. Speaker, within the past few days there has been circulated to the membership of this House the preliminary report of the Select Committee to Investigate Air Accidents. It is an encouraging report, which looks hopefully to the future of commercial aviation, but which makes to this body a group of seven recommendations for legislative consideration and action.

While the House has before it this report and others which are scheduled to come from the committee, it might be proper to read into the Record a letter sent by the Honorable Jesse Jones, Sec-

retary of Commerce, to the presidents of all operating domestic air lines. This is his message:

I am informed that the safety record of the air lines so far in 1941 is the best in the history of American aviation.

Despite 2 fatal accidents early in the year, for more than 8 months passenger planes have flown at a rate of more than 48,000,000 miles per fatal accident.

This is almost 60 percent better than the record for the year 1939, and 20 percent better than the best previous record, during the year 1940.

For a little more than 6 months there has not been a single fatal accident, although air travel has greatly increased.

In this defense crisis the necessity for careful operation is greater than ever. I have cautioned our personnel to be particularly watchful in light of the heavy air traffic load now traveling the air lanes and in anticipation of other possible handicaps growing out of the emergency.

We are looking forward to a continuation of the good record you are making and appreciate your determination for safety in air travel. All of us in the Department will welcome any suggestions as to how we may be of assistance.

This is surely an encouraging report from that colossus of American business who directs the activities of the Commerce Department. Behind the fear and hysteria developed early this year by two unfortunate accidents, he has seen the solid truth of growing air safety. He points your attention and that of the American people to the fact that in 1941 passenger-miles flown per fatal accident are 60 percent better than 1939 and 20 percent better than 1940, the year with the best previous record.

His message, commendable for its brevity, leaves out some of the statistics which students of aviation progress might enjoy. Let me list some of them for your scrapbooks.

United States air lines this year have flown at a rate of 54,284,500 miles per fatal accident up to September 28. This compares with 39,827,570 miles per fatal accident for the year 1940 and 30,325,354 miles per fatal accident in 1939.

This improvement of 79 percent in the past 2 years comes on top of sharp earlier gains in safety. In 1936 the air lines flew 7,121,173 miles per fatal accident. The 1939 record is about 330 percent better, and this year's rate represents an increase of 660 percent in the safety factor during 5 years.

While miles flown by the air lines has steadily increased, and this year's total will probably be double that of 1936, the number of fatal accidents has been steadily reduced, from 10 in 1936 to 3 in 1939, 3 in 1940, and only 2 thus far this year.

Since March 1 the carriers have flown about 90,000,000 miles without a fatal accident. Mileage of this 7-month period is not far under the total for the longest accident-free period, the stretch of more than 12 months, from August 13, 1939, to August 31, 1940, when 114,293,526 miles were flown. It exceeds the mileage of 78,197,239 for the entire year 1938, when there were eight fatal accidents.

Possibly you would like the record year by year, with the year 1941 including only the performances of the first 9 months:

1936: Miles flown, 71,211,726; fatal accidents, 10; miles flown per fatal accident, 7,121,173.

1937: Miles flown, 74,700,237; fatal accidents, 6; miles flown per fatal accident, 12,450,040.

1938: Miles flown, 78,197,239; fatal accidents, 8; miles flown per fatal accident, 9,774,655.

1939: Miles flown, 90,976,063; fatal accidents, 3; miles flown per fatal accident, 30,325,354.

1940: Miles flown, 119,482,711; fatal accidents, 3; miles flown per fatal accident, 39,827,570.

1941: Miles flown, 108,569,000; fatal accidents, 2; miles flown per fatal accident, 54,284,500 (estimate to date).

In closing, may I call your attention to the remarks I made on this same subject on April 16, 1941. In that discussion of air safety I sought to persuade this honorable body that the merger of the independent Civil Aeronautics Authority into the Department of Commerce with Robert H. Hinckley as Assistant Secretary of Commerce for Civil Aeronautics and with Gen. Donald H. Connolly as Administrator, was not causing airplanes to fall out of the sky; that the discontinuance of the three-member air-safety board did not spell complete disaster; and that the test of time would prove that we were moving gradually toward the development in the air of a safe, speedy, and economical means of transportation.

Six months have passed—6 splendid months for American aviation. The record is spotless, and that is the more remarkable when the conditions are considered. Defense has made heavy demands upon men and equipment. The fervor of defense programs in the air adds to the problem. Read again what the select committee of this House says on that point:

Adding further confusion and danger to the air-traffic problem are thousands of military and naval planes daily engaged in all manner of training, including dive bombing and gunnery practice. In addition, there is multiple evidence of the lack of consideration for commercial aviation in the establishment by the Army and the Navy of anti-aircraft and gun emplacements, which fire projectiles up, into, and through designated airways used by commercial air lines. Then there are thousands of planes being manufactured in every section of the United States which must first be flight-tested and then ferried to Canada and elsewhere for delivery. These planes are being flown across the United States in ever-increasing numbers. They must land from time to time at our principal airports. It follows that in the interest of safety the whole field of air navigation requires the closest scrutiny for the purpose of developing a thoroughly comprehensive pattern of air conduct.

Under these circumstances, this new record of American aviation is inspiring and full of promise for the future. All of the problems are not solved. Accidents will come again, as the statistics in the development of other means of transportation indicate.

But we are moving ahead. The soundness of the program developed by the Department of Commerce, the Civil Aeronautics Administration, and the

Civil Aeronautics Board is being demonstrated. The Secretary of Commerce properly gave a pat on the back to the presidents of the domestic air lines. May the good work of drawing up a comprehensive pattern of safe air conduct go carefully ahead.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HARRIS of Virginia (at the request of Mr. ROBERTSON of Virginia) on account of illness.

To Mr. DOUGLAS (at the request of Mr. COLE of New York), indefinitely, on account of illness.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5682. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 5682. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes.

ADJOURNMENT

Mr. HOOK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 46 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 7, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, October 7, 1941, at 10 o'clock a. m., on H. R. 5336, Farm Credit Act.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, October 8, 1941, to consider certain private bills.

COMMITTEE ON INSULAR AFFAIRS

There will be a meeting of the Committee on Insular Affairs, Thursday, October 9, 1941, at 10 a. m., for the continuation of the hearings on H. R. 5722.

COMMITTEE OF THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Tuesday, October 14, 1941, at 10 o'clock a. m. to consider H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

965. A letter from the Secretary of War, transmitting the draft of a proposed bill to amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons; to the Committee on Immigration and Naturalization.

966. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 24, 1941, submitting a report, together with accompanying papers, on a preliminary examination of East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. S. 1772. An act to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property; without amendment (Rept. No. 1224). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5600. A bill to provide for payments in advance to enlisted men of monetary allowance in lieu of quarters and subsistence under certain conditions; without amendment (Rept. No. 1225). Referred to the Committee of the Whole House on the state of the Union.

Mr. COX: Committee on Rules. House Resolution 308. Resolution for the consideration of H. R. 5667, a bill to exempt strategic and critical materials from customs duties in certain cases, and for other purposes; without amendment (Rept. No. 1226). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5476. A bill to provide aviation education in the senior high schools of the District of Columbia, and for other purposes; with amendment (Rept. No. 1227). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred to as follows:

By Mr. MAY:

H. R. 5749. A bill to authorize the Secretary of War to sell to the Embury-Riddle Co. the military reservations of Carlstrom and Dorr Fields, Fla.; to the Committee on Military Affairs.

By Mr. FADDIS:

H. R. 5750. A bill authorizing the procurement and issue of an Army of Occupation of Germany Medal for each person who served in Germany as a member of the Army of Occupation; to the Committee on Military Affairs.

By Mr. KNUTSON:

H. R. 5751. A bill to authorize a preliminary examination and survey of the Mississippi River and its tributaries in the county of Aitkin, State of Minnesota, for flood control, for run-off and water-flow retardation, and

for soil-erosion prevention; to the Committee on Flood Control.

By Mr. VINSON of Georgia:

H. R. 5752. A bill to establish the naval procurement fund, and for other purposes; to the Committee on Naval Affairs.

By Mr. JOHNS:

H. R. 5753. A bill to provide for the making of refunds to the political subdivisions of the State of Wisconsin of the amount of the balance paid by them into the unemployment fund of the State; to the Committee on Ways and Means.

By Mr. KNUTSON:

H. R. 5754 (by request). A bill to repeal section 505 (d) of the Internal Revenue Code; to the Committee on Ways and Means.

H. R. 5755 (by request). A bill to amend the Internal Revenue Code; to the Committee on Ways and Means.

H. R. 5756 (by request). A bill to amend section 115 (a) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. RANDOLPH:

H. R. 5757. A bill to define and punish vagrancy in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROBSON of Kentucky:

H. R. 5758. A bill granting pensions to veterans of the World War, and for other purposes, to the Committee on World War Veterans' Legislation.

By Mr. GORE:

H. R. 5759. A bill providing for the limitation of profits on defense contracts; to the Committee on Ways and Means.

H. R. 5760. A bill to protect the national safety and security from the consequences of price and credit inflation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HOBBS:

H. R. 5761. A bill to amend Public Law 228 of the Seventy-seventh Congress, first session; to the Committee on Flood Control.

By Mr. RANKIN of Mississippi:

H. Res. 309. Resolution authorizing an investigation of the expenditures, claims, and activities of the Pacific Gas & Electric Co. in its attempt to circumvent or destroy the Raker Act; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H. R. 5762. A bill granting an increase of pension to Mollie Alexander; to the Committee on Invalid Pensions.

By Mr. BISHOP:

H. R. 5763. A bill granting an increase of pension to Emma Lee; to the Committee on Pensions.

By Mr. BLOOM:

H. R. 5764. A bill for the relief of Jakob Zoller; to the Committee on Immigration and Naturalization.

By Mr. BOGGS:

H. R. 5765. A bill for the relief of Gladys Moore and Genevieve Moore; to the Committee on Claims.

By Mr. CASE of South Dakota:

H. R. 5766. A bill for the relief of E. Bird Giles and Sherman Beck; to the Committee on Claims.

By Mr. COFFEE of Nebraska:

H. R. 5767. A bill for the relief of A. Paul Johnson; to the Committee on Claims.

H. R. 5768. A bill for the relief of Christa William Zeissler; to the Committee on Claims.

By Mr. KEAN:

H. R. 5769 (by request). A bill conferring jurisdiction upon the United States District Court for the District of Columbia to hear and determine the claim of Norman D. Mat-

tison for a patent; to the Committee on Claims.

By Mr. McMILLAN:

H. R. 5770. A bill for the relief of Clarence Wulbern Lynch; to the Committee on Claims.

By Mr. MUNDT:

H. R. 5771. A bill for the relief of Leonard Larson; to the Committee on Claims.

By Mr. MURDOCK:

H. R. 5772. A bill for the relief of Mr. and Mrs. Glenn A. Hoss; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 5773. A bill for the relief of Libby, McNeill & Libby; to the Committee on Claims.

By Mr. REES of Kansas:

H. R. 5774. A bill granting a pension to Fredonya D. Craig; to the Committee on Invalid Pensions.

By Mr. SHORT:

H. R. 5775. A bill granting an increase of pension to Mrs. Hattie M. Butler; to the Committee on Invalid Pensions.

By Mr. TREADWAY:

H. R. 5776. A bill for the relief of Mrs. Pasquale Diliberto; to the Committee on Claims.

By Mr. VOORHIS of California:

H. R. 5777. A bill granting an increase of pension to Mina Tobin; to the Committee on Invalid Pensions.

By Mr. WHEELER:

H. R. 5778. A bill for the relief of Luther Herbert Tench and Mrs. Mildred Farmer Tench; to the Committee on Claims.

By Mr. WHITE:

H. R. 5779. A bill for the relief of Howard McMillan and Dorothy McMillan, individually and as the legal guardians of Virginia McMillan, a minor, and for Virginia McMillan; 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:

1851. By Mr. HALLECK: Petition of sundry citizens of Fulton County, Ind., requesting that the excess penalty on wheat be revoked and for other purposes; to the Committee on Agriculture.

1852. By Mr. HOUSTON: Petition of the League for Social Progress, of Topeka, Kans., requesting the Seventy-seventh Congress to amend title I of the Social Security Act in accordance with House bill 1410; to the Committee on Ways and Means.

1853. By Mr. LUTHER A. JOHNSON: Petition of officials of the Central Texas National Farm Loan Association and the Hill County National Farm Loan Association, opposing House bill 5336; to the Committee on Agriculture.

1854. Also, memorial of J. B. Dulancy, of Coolidge, M. M. Seay, of Donie, George Thompson, Groesbeck, and Mr. and Mrs. Cecil Comer, of Groesbeck, all of the State of Texas, favoring House bill 4931; to the Committee on Interstate and Foreign Commerce.

1855. By Mr. MUNDT: Petition of members of the Pierre Townsend Club, Fort Pierre, S. Dak., urging Congress to consider House bill 1036; to the Committee on Ways and Means.

1856. By the SPEAKER: Petition of the Chamber of Commerce of the Borough of Queens, city of New York, N. Y., petitioning consideration of their resolution with reference to the omnibus river and harbor bill; to the Committee on Rivers and Harbors.

1857. By Mr. REES of Kansas: Petition of approximately 1,450 residents of Coffey and Woodson Counties, Kans., protesting against the wheat-marketing regulations under the Agricultural Adjustment Administration and urging repeal of penalty on excess wheat; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 7, 1941

The House met at 12 o'clock noon.

Rev. E. J. Kokowicz, chaplain, St. Francis Hospital, Hamtramck, Mich., offered the following prayer:

Almighty God, giver of all good gifts, we pray to Thee in these critical times of international complications for Thy divine guidance.

During the past decade of unemployment and uneasiness Thou hast showered us with plenty, that even the lowest amongst us did not suffer from want. Today our innocent brethren in distant lands, through their diabolical leaders and their new order of invasion and pillage, are suffering from starvation and unheard of tortures.

We beseech Thee, O Lord, who Thyself had suffered under Pontius Pilate untold agonies, was tortured and crucified for our redemption, to inspire us, and particularly our President and our leaders, to carry on with stout hearts of courage, in Thy name, that not only our freedom and liberty may persevere but that of the oppressed may be returned.

Hear us in the name of Him who is the Light of the World.

Our Father who art in heaven, hallowed be Thy name; Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 235, to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DOUGHTON, COOPER, BOEHNE, TREADWAY, and CROWTHER.

THE TEXAS LONGHORN

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. KLEBERG].

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KLEBERG. Mr. Speaker, on Thursday, at 2 o'clock in the afternoon, one of the descendants of the true pioneers of this country will be presented to the Washington Zoo by the Texas Society. The presentation will take place at the Zoo. He comes of a line that in bondage and in service played a distinct part and

contributed much to the development of our country. In the first chapter of Genesis, the group from which he comes is mentioned in the twenty-fourth verse:

And God said, let the earth bring forth the living creature after his kind, cattle, and creeping thing, and beast of the earth after his kind; and it was so.

Later on the industry to which he belongs, the first industry mentioned in the English language is spoken of in the fourth chapter of Genesis, the twentieth verse:

And Adah bare Jabal; he was the father of such as dwell in tents, and such as have cattle.

A long-horned steer of the old kind, of the herd which is rapidly vanishing, will make his debut here in the Nation's Capital. If you permit your mind to go back and follow the rutted trails of the oxcart, to go back to the period of time when Columbus, Cortez, and Coronado had to do with the development of this country—yes, in the taming of the West and the trails where the longhorns bore the load, you will find written there the history of the development of a major portion of this, our country.

Mr. Speaker, I thank you.

RELIEF OF REGINALD H. CARTER

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to vacate the proceedings whereby the bill (S. 1695) for the relief of Reginald H. Carter, was passed on yesterday for the purpose of offering clarifying amendments.

The Clerk read the title of the bill.

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

There was no objection.

The SPEAKER. The Clerk will report the amendments offered by the gentleman from Louisiana.

The Clerk read as follows:

Amendments offered by Mr. Boggs: On line 4, after the word "allow", insert "under the applicable appropriations for fees of commissioners of the United States court;" and in line 8 strike out the figures "20" and insert in lieu thereof the figures "19."

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.

EXTENSION OF REMARKS

Mr. KEEFE. Mr. Speaker, I have three requests: First, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter from a constituent; also to extend an editorial from the National Butter and Cheese Journal, and an editorial from the Chilton (Wis.) Times-Journal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE NATIONAL MEDIATION BOARD

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.