Also, memorial of the Municipal Assembly of Catoctin, P. R., memorializing the President and the Congress of the United States to endorse Congressman McGee's resolution, demanding the immediate removal of Ralox Ford Guy Tugwell as Governor of Puerto Rico, and for other purposes; to the Committee on Insular Affairs.

Also, memorial of the Municipal Assembly of Puerto Rico, memorializing the President and the Congress of the United States to endorse Congressman McGee's resolution, demanding the immediate removal of Ralox Ford Guy Tugwell as Governor of Puerto Rico, and for other purposes; to the Committee on Insular Affairs.

Also, memorial of the Municipal Assembly of Punacelas, P. R., memorializing the President and the Congress of the United States to endorse Congressman McGee's resolution demanding the immediate removal from the office of the present Governor of Puerto Rico, Ralox Ford Guy Tugwell, and for other purposes; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN of Maryland:

H. R. 4702. A bill for the relief of Carroll I. Yancy; to the Committee on Claims.

By Mr. D'ALESSANDRO:

H. R. 4703. A bill for the relief of the estate of Annie Brown; to the Committee on Claims.

By Mr. HARRIS of Virginia:

H. R. 4704. A bill for the relief of Hilda M. Crouch; to the Committee on Claims.

H. R. 4705. A bill for the relief of Catherine M. Spencer; to the Committee on Claims.

H. R. 4706. A bill for the relief of Ernest A. Wild; to the Committee on Claims.

By Mr. McCORMICK:

H. R. 4707. A bill for the relief of J. Fletcher Lankton and John N. ziegele; 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:

5559. By Mr. BARRETT: Petition of Rev. S. C. Ryland and 17 other citizens of Gillette, Wyoming, opposing the purchase and support for the passage of House bill No. 2092, suspending the alcoholic beverage traffic for the duration of the war; to the Committee on Judiciary.

5570. By Mr. HALE: Petition of the G. Fayette Stogies Post Auxiliary, No. 67, American Legion, Old Orchard Beach, Maine, for the passage of the veterans' omnibus bill as a small payment of the debt owed to the men who are offering their lives in defense of our country; to the Committee on World War Veterans' Legislation.

5573. By Mr. EDWIN ARTHUR HALL: Petition of the Hall Firetough Club, No. 6, seventh ward, Binghamton, N. Y., and signed by 106 residents of the Thirty-fourth Congressional District, urging the passage of Hall furlough bill (H. R. 1604) providing free transportation during furloughs for members of our armed forces; to the Committee on Military Affairs.

5573. By Mr. KENNEDY: Petition of the Fourteenth Assembly District of Republican Club of New York City, advocating the amendment of article II, section 2, paragraph 2, of the Constitution of the United States; to the Committee on the Judiciary.

5573. By Mr. MERTS: Petition of sundry citizens of Philadelphia, Pa., protesting against the enactment of the Bryson bill (H. R. 2083); to the Committee on the Judiciary.

5574. By Mr. SMITH of West Virginia: Petition of Mrs. Bertha H. Harrington and 94 other members of Charles Town, W. Va., urging the enactment of the Bryson bill (H. R. 2083); to the Committee on the Judiciary.

5575. By Mr. WIGGLESWORTH: Petition of the residents of the townships of Massachusetts, favoring improved and additional air-line service for Massachusetts; to the Committee on Interstate and Foreign Commerce.

5576. By the SPEAKER: Petition of the secretary-treasurer, Southern University Conference, praying consideration of their resolution with reference to the education of returning veterans; to the Committee on Education.

SENATE

FRIDAY, APRIL 28, 1944

(legislative day of Wednesday, April 12, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of truth and beauty, and for the feathered loveliness of winged songstiers: God of all nature, we give Thee thanks.

For a part and place on the side of the gods in the war, to the fullest of our capabilities; for the powers of darkness and the principalities of evil: God of all truth, we give Thee thanks.

For the valiant armies of youth gayly and gladly, yet with stern resolve, offering their lives to enthrone liberty, and for the powers of darkness and the principalities of evil: God of all truth, we give Thee thanks.

For those in overrun countries who meet every day with unblinking eyes of defiance rather than bow to the keening of the debasing Baal: Thou God of unconquered souls, we give Thee thanks.

For every sign through the darkness of these dread days of the daybreak, whose welcome dawn shall yet surely bathe the strained faces of waiting million when the glad cry will echo, Life again! Joy again! Light again! Home again! in a world saved from savagery to liberty in a bright tomorrow: We—Thee thanks, 0 God of our hope and our salvation. Amen.

THe JOURNAL

On request of Mr. Barkeley, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, April 25, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On April 22, 1944:
S. 1028. An act to amend the Fire and Casualty Act of the District of Columbia.

On April 24, 1944:
S. 660. An act to fix the compensation of registrars of the district land offices in accordance with the Classification Act of 1923, as amended.

On April 26, 1944:
S. 662. An act for the relief of Mr. and Mrs. Frank Holehan;
S. 1433. An act for the relief of Clarence A. Giddens;
S. 1466. An act for the relief of Walter Eugene Hayes;
S. 1517. An act for the relief of Staff Sgt. Marion Johnson, United States Marine Corps and Sgt. George E. Kress, United States Marine Corps Reserve;
S. 1542. An act to provide for reimbursement of certain Navy personnel and former Navy personnel for property lost or damaged as the result of a fire in building B. O. Q. O-3 at the United States naval construction training center, Davisville, R. I., on March 27, 1943;
S. 1632. An act for the relief of Capt. S. E. McCarty (Supply Corps), United States Navy;
S. 1677. An act for the relief of Lt. (Jr. Gr.) Nevet A. Smith, United States Naval Reserve for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the annody of Aviation Free Gunnery Unit, Dam Neck, Va.; and
S. 1681. An act to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 102 for personal property lost or damaged as the result of a fire in officers' quarters on February 9, 1943.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, returned to the Senate, in compliance with a request, the bill (S. 176) for the relief of Austin L. Tierney.

The message announced that the House had passed without amendment the joint resolution (S. J. Res. 122) to limit the operation of sections 109 and 113 of the Criminal Code, and sections 361, 365, and 366 of the Revised Statutes, and certain other provisions of law.

The message also announced that the House had passed a bill (H. R. 4679) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1945, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice-President:
S. 46. An act to amend section 3 of the act of June 7, 1924 (43 Stat. 653: 16 U. S. C. 560); and
S. 1127. An act to amend an act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia."
EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letter, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF COMMERCE AND LABOR, FISCAL YEAR 1945 (H. R. 3768)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation in the amount of $50,000 for the Department of State, fiscal year 1945, in the form of an amendment to the Budget for that fiscal year, was referred to the Appropriations Committee and ordered to be printed.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting to law, a list of papers and documents on the files of the Departments of War (3), Navy, and Agriculture (2); War Manpower Commission, Office for Emergency Management, and Selective Service System which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. Barkley and Mr. Brewster members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Two memorials of the Senate of Arizona: to the Committee on Banking and Currency:

"Senate Memorial 2

"Memorial on the preservation of home industries.

"To the President and the Congress of the United States:

"Your memorialist respectfully represents:

"Agreement should be unanimous that this Nation's No. 1 policy, at this time, is the winning of the war at the earliest possible moment. Let it be saved, the freedom we so highly prize insured, and economic and social dislocation minimized.

"It is the duty of every loyal citizen to cheerfully make any necessary sacrifice, to cheerfully endure any inconvenience imposed by the exigencies of the existing emergency.

"Nevertheless, while never losing sight of the above primary objectives, it is also of great importance to give consideration to the present and future effects of the disruption of industries essential to the welfare and happiness of the people and the prosperity of communities, States, and the Nation, and in all possible cases to alleviate conditions which lead to their destruction.

"Two of Arizona's major industries are mining and cattle raising. With respect to the latter, it is evident that the widespread mining operations, although permitted by law to continue, must be curtailed. The forces of the war effort, has inevitably led to the reduction of beef cattle stocks. The beef cattle industry is being severely strained; the beef cattle industries are idle, their plants closed, they cannot be consumed locally, although essential metals susceptible of being produced at home are procured from abroad, and which tend to their destruction.

"For the reason that under existing regulations their organizations disrupted, their taxpayrifice, to cheerfully endure any inconvenience pence rather than an asset to their owners, they cannot be consumed locally, although essential metals susceptible of being produced at home are procured from abroad, and which prevent the marketing of cattle feeding on Arizona's ranges while processed meats are being shipped to many communities well able to supply all local needs."

"Senate Memorial 3

"Memorial requesting the coordination of regulations affecting the production and availability of meats.

"To the President and the Congress of the United States:

"Your memorialist respectfully represents:

"The United States Government, through its several agencies charged with the direction and management of phases of the war effort, has undoubtedly attempted repeatedly to appeal to the Nation's producers to redouble their efforts in the production of essential commodities. This country's fighting men may be fed, the resources of the armed forces of the Allies supplemented; aid extended to ravaged and impoverished people's subsistence provided for citizens and residents of the United States fighting the war on the home front.

"This appeal has with particular emphasis been directed to producers of meat, since it is well understood that meat is a principal and indispensable part of the American diet.

"The Government's call has met with prompt and wholehearted response, and all previous record of production, of staple articles of food have been eclipsed.

"Despite the efforts which have been put forth and the progress, so far as production is concerned, which has attended them, it is an indubitable fact, inconsistent and incongruous as it may seem, that with respect to certain commodities, and conspicuously so with respect to beef, a definite shortage exists throughout the Nation.

"With the ranges overpopulated by a record increase of 12,000,000 head of beef cattle, the markets are ill supplied with beef, and citizens possessed of necessary ration points are unable to have their legitimate wants supplied.

"This undesirable condition reaches not only the consumer, but as well vitally affects the producer, who has done all within his power to meet the demand imposed upon him by his Government. His ranges are overcrowded with cattle he cannot sell, to the injury of the ranges, and his breeding stock is becoming averaged.

"These conditions, serious alike to the consumer and the producer, are due, it is felt, to lack of coordination of the policies and regulations of the several governmental agencies whose orders affect the cattle industry, and to the inability of such agencies to comprehend the nature of the problems involved. To the consumer, ration points are supplied, but the range is forever lost. The packer and the middleman cannot be found in the markets, although there is an abundance of cattle on the range to meet their demands. To the producer, an incentive to increase the cattle industry cited, similar commodities are being imported in large quantities from other countries.

"To the producer no consideration is being paid the fact that the cost of living has greatly increased since the enactment of old-age assistance legislation by the Congress. And the needy aged will suffer as a result thereof.

"Whereas the dislocation of the civilian population during the present war, caused by the migration of a large segment of the population from their home States to other States has and will put an undue and unequal burden on certain States, including the State of Arizona, to the advantage of other States; and

"Whereas the mild winters and excellent climatic conditions in Arizona and other Southern States have a long season of grazing; and

"There is an abundance of cattle on the range to meet their demands. To the producer, an incentive to increase the cattle industry cited, similar commodities are being imported in large quantities from other countries.

"There is no intention, in calling attention to this situation, to criticize the so-called good-neighbor policy, but neither is it assumed that this policy, which commends itself to all thoughtful American citizens, contemplates the destruction or crippling of this Nation's industries or the impoverishment of its citizens.

"Wherefore your memorialist, the Senate of the State of Arizona, urgently requests:

"1. That immediate steps be taken to place in the hands of a single agency all questions affecting the production and availability of meats.

"2. That such agency be composed of representatives of consumers, producers, and Government."

A memorial of the Senate of Arizona; to the Committee on Commerce:

"Senate Memorial 1

"Memorial praying Congress to extend the Civilian Pilot Training Act of 1940 to 1945.

"To the Congress of the United States of America:

"Your memorialist respectfully represents:

"The expansion of aerial mechanics super-imposed by the war, and the corollary demand for competent air pilots, will be multiplied in its phases upon the return of peace activities.

"Without the stimulating effect of the Civilian Pilot Training Act of 1940, the need for civilian pilots could not have been met. Without a continuation of the benefits of this generous legislation, this drain, and ulterior need for such talent and a lucrative and useful field of employment will be denied many thousands of men.

"Wherefore your memorialist, the Senate of the State of Arizona, urges: 1. That the Congress pass S. 1492 or H. R. 4079, extending the life of the Civilian Pilot Training Act to July 1, 1945.

"Approved by the Senate, March 13, 1944.

"Approved by the Governor, March 14, 1944.

"Filed in the office of the secretary of state, March 14, 1944.

"A joint memorial of the Legislature of Arizona; to the Committee on Finance:

"Senate Joint Memorial 2

"Joint memorial requesting the Congress of the United States of America to increase the amounts of grants to States for old-age assistance.

"To the Congress of the United States of America:

"Whereas under the acts of Congress now in effect providing for payments to the States for old-age assistance, the amount contributed thereunder to the States in respect to each individual is $60; and such limitation discourages the States from assuming a greater share of the cost of old-age assistance by providing for maximum payments to individuals of more than $40 per month; and

"Whereas it is recognized by the United States Government and the several departments thereof that the cost of living has greatly increased since the enactment of old-age assistance legislation by the Congress, and the amount presently contributed by the United States does not take into consideration such increased cost of living, and the needy aged will suffer as a result thereof; and

"Whereas the cost of living has greatly increased since the enactment of old-age assistance legislation by the Congress, and the amount presently contributed by the United States does not take into consideration such increased cost of living, and the needy aged will suffer as a result thereof; and

"Whereas the migration of a large segment of the population from their home States to other States has and will put an undue and unequal burden on certain States, including the State of Arizona, to the advantage of other States; and

"Whereas the mild winters and excellent climatic conditions in Arizona and other Southern States have a long season of grazing; and

"There is an abundance of cattle on the range to meet their demands. To the producer, an incentive to increase the cattle industry cited, similar commodities are being imported in large quantities from other countries.

"There is no intention, in calling attention to this situation, to criticize the so-called good-neighbor policy, but neither is it assumed that this policy, which commends itself to all thoughtful American citizens, contemplates the destruction or crippling of this Nation's industries or the impoverishment of its citizens.

"Wherefore your memorialist, the Senate of the State of Arizona, earnestly requests:

"1. That immediate steps be taken to place in the hands of a single agency all questions affecting the production and availability of meats.

"2. That such agency be composed of representatives of consumers, producers, and Government."
"Whereas old-age assistance is, therefore, essentially a national and Federal problem which should be provided for by the National Government: Now, therefore, your memorialist, the Legislature of the State of Arizona, prays:

"That the Congress of the United States of America speedily enact such legislation as (1) will recognize that old-age assistance should be provided for by the National Government and provide that all amounts paid to aged needy individuals shall be paid by the National Government; or as (2) will provide for payment to the States of an amount for old-age assistance equal to one hundred and fifty percent of all sums expended by the States during any quarter up to the maximum amount provided by the law of each State, respectively, to be paid to any individual. Adopted by the Senate, March 14, 1944, "Adopted by the House, March 16, 1944. Approved by the Governor, March 17, 1944. "Filed in the office of secretary of state, March 18, 1944."

A memorial of the Senate of Arizona; to the Committee on the Judiciary:

"House Joint Memorial 4
"Memorial relating to the regulation of the insurance business

"To the Congress of the United States:
"Your memorialist respectfully represents:

"That the House of Representatives (H. R. 2369, H. R. 3270, and S. 1825) to confirm the intention of Congress that the regulation of insurance companies remain within the control of the several States and that the acts of July 2, 1890, and October 15, 1914, as amended, be continued in that as to that the premises are licensed. Bills in question are designed to leave the regulation of the insurance business with the several States.

"The State of Arizona receives from its insurance premium tax law, and from fees for the licensing of insurance companies and insurance agents an average based on the revenue during the last 5 years, of more than a quarter of a million dollars annually, such proceeds during the year 1943 amounting to $305,694.74.

"Insurance business in this State is highly competitive. There are at present authorized to do business 143 stock fire companies, 7 mutual fire companies, 1 reciprocal fire company, 31 stock life insurance companies, 8 mutual life insurance companies, 88 miscellaneous stock companies, 10 miscellaneous mutual companies, and 3 miscellaneous reciprocal fire companies. For the year 1943, 2,977 individual insurance agents were licensed.

"A large portion of the insurance premium collected by insurance companies are comprised under the law for the benefit of the firemen's pension fund.

"Fire insurance rates are determined primarily by local conditions, particularly the availability of water supply, fire fighting equipment, and the efficiency of fire departments all matters peculiarly within the jurisdiction of State and local agencies.

"By developing safety factors under State regulation, the fire insurance rates in Arizona were reduced 83.6 percent between the years 1926 and 1943.

"Should the regulation of insurance companies be withdrawn from the States the situation would result in (a) loss of a large amount of revenue now paid to the State of Arizona; (b) an increase in taxing upon other properties to supply such deficiency; (c) further encroachment by the Federal Government on the proprietary rights of the State and the withdrawing from State regulation of a matter which can most prudently be regulated by local agencies; (d) placing under Federal regulation the business and means of livelihood of at least 4,627 citizens of Arizona now actively engaged in the insurance business; and (e) the destruction of the premium and rate structure built up over the years by competitive methods, which has resulted in a decrease in fire insurance rates in this State of 53.6 percent.

"Wherefore your memorialist, the Senate of the State of Arizona, prays:

"1. That the Congress speedily enact the bills H. R. 2369, H. R. 3270, and S. 1825, in their passage to the Senate, March 14, 1944, "Passed by the Senate, March 16, 1944. "Passed by the Governor, March 17, 1944."

A memorial of the Legislature of Arizona; ordered to lie on the table:

"House Concurrent Memorial 1
"Concurrent memorial requesting Congress to enact a bill providing for old-age assistance for men and women in the armed services

"To the Congress of the United States:
"Your memorialist respectfully represents:

"There are approximately 10,000 veterans and women in the armed forces of the United States.

"The Nation owes these men and women an eternal debt of gratitude, a debt which can never fully be repaid, but the Government can, however, adequately, evidence its appreciation by making the transition period less difficult.

"It is therefore incumbent upon the Nation to make some provision for these services men and women.

"Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, urgently requests:

1. That the Congress of the United States promptly enact a bill, Senator Clark and others, and H. R. 3917, by Representative Rankin and others, which embody the program of the American Legion, known as the bill of rights for men and women now in the armed services.

"Passed by the House, March 15, 1944. "Passed by the Senate, March 16, 1944. "Approved by the Governor, March 20, 1944. "Filed by the Secretary of State, March 30, 1944."

"Petitions of sundry citizens of Brooklyn, N. Y., praying for the enactment of legislation to extend the Office of Price Administration, and also for an immediate roll-back of prices; to the Committee on Banking and Currency.

"Resolutions adopted by Santa Monica Bay District No. 1, Central of their Counties of Santa Monica, Calif., and the National Maritime Union of America, of Charleston, S. C., favoring the measures to establish a Nation-wide broadcast of congressional proceedings to the Committee on Rules.

"A joint memorial of the Legislature of Arizona; to the Committee on Education and Labor:

"House Joint Memorial 1
"Memorial relating to the removal of temporary war housing in Arizona to rural areas

"To the Congress of the United States and to the United States Senators and Congressmen from the State of Arizona:
"Your memorialist respectfully represents:

"A large number of temporary housing units have been constructed in many localities from the Armed forces administration by the Federal Public Housing Authority in connection with war activities in the State.

"When such war activities are terminated, continued operation of such housing in these localities by the Federal Public Housing Authority will depress the real-estate market and have a detrimental effect upon private home-building enterprise.

"There exist in certain rural areas in the State of Arizona a number of improved housing facilities for farmers with small incomes and for farm labor.

"Removal of such housing administered by the Federal Public Housing Authority to such rural areas and availability thereof to such farmers and farm labor through the media of authorized local authorities would be in the public interest of the State and the Federal Government.

"It is a matter of State concern that the removal and disposition of the temporary housing constructed by the Federal Public Housing Authority for war purposes be effected in a manner designed to protect private enterprise and to effectuate the public purpose of making such housing available to such farmers and farm labor within this State.

"Wherefore your memorialist, the Legislature of the State of Arizona, prays:

"That the Congress authorize the removal of such housing as is detrimental to the war effort, through the medium of, or by sale or other disposition, to the State of Arizona, at appropriate cost, and the withdrawing from State of such housing constructed by the Federal Public Housing Authority in the State of Arizona, who are in need of improved housing facilities.

"Passed by the House, March 15, 1944. "Passed by the Senate, March 15, 1944. "Approved by the Governor, March 17, 1944."

"The VICE PRESIDENT also laid before the Senate a memorial identical with the foregoing, which was referred to the Committee on Education and Labor."

VETERANS' BENEFITS—RESOLUTION BY AMERICAN LEGION, DEPARTMENT OF MARYLAND

Mr. TYDINGS. Mr. President, I ask unanimous consent to present a resolution adopted by the American Legion, Department of Maryland, relating to Senate bill 1767, the so-called G. I. bill of rights. I request that the resolution be printed in the Record and appropriately referred.

"There being no objection, the resolution was ordered to lie on the table and to be printed in the Record, as follows:

"The Department commander, the grand cheif de gare, five department vice commanders, and the commanders, adjutants, and membership chairman of 101 posts of the Department of Maryland, assembled at the War Memorial Building, Baltimore, Md., on Sunday, April 22, 1944, for the annual membership round-up, respectfully request Congressmen John E. Rankin, chairman of the Veterans' Legislation Committee, to immediately report the G. I. bill of rights—Senate Bill 1767—to the House floor, and any controversial sections be submitted to the Members of the House so that this bill may be connected into law before May 30, 1944, as a tribute to the memory of all the men and women who have lived for the preservation of our country, and further that a copy be sent to the senior Senator from Maryland, the Honorable Millard E. Tydings; and the senior Representative of the Maryland delegation, the Honorable Thomas D'Alesandro, for insertion in the CONGRESSIONAL RECORD.

"WHEREAS during the last few days, whereas the Missouri river has witnessed the return of destructive spring floods, and..."
Whereas many thousands of acres of valuable productive land and many homes have been inundated by this catastrophe, and millions of dollars needlessly lost; and

Whereas the allotment of funds for the work it control work thereunder, so that the needless

Whereas a definite and effective plan, known as the Pick plan, for the control of the Missouri River has been set forth and laid before Congress for its approval, and for the allotment of funds for the work it advised;

Whereas further delay in placing such plan into effect would be neither economically sound nor patriotically wise: Now, therefore,

Resolved by the City Council of the City of Omaha, That it is the sense of the City Council of the City of Omaha that the Congress of the United States should approve this plan with amendments to provide for immediate flood control without further delay, allot the necessary funds therefor, and order the immediate commencing of flood-control work thereon; that the needful destruction of farms and other property can be brought to an early and definite end; be it further

Resolved-- That the city clerk be, and he is hereby, ordered and directed to transmit certified copies of this resolution to all Nebraska Senators and Congressmen and to such others of adjoining States as may seem advisable.

Hereby certify that the foregoing is a true and correct copy of the original document now on file in the city clerk's office.

M. J. DINEEN, Jr.,

City Clerk.

LIMITATIONS ON THE SALE, TRANSPORTATION, AND USE OF CORN

Mr. BUTLER, Mr. President, I also ask unanimous consent to present for printing in the Record and appropriate reference copy of a letter addressed by Harry B. Coffee, president of the Union Stock Yards Co., of Omaha, to Hon. Chester Bowles, Director of Price Administration, together with a resolution adopted by livestock feeders of the Omaha Nebr. territory.

Whereas there being no objection, the letter, together with the resolution, were referred to the Committee on Agriculture and Forestry and ordered to be printed in the Record:

UNION STOCK YARDS CO.,
OF OMAHA, LTD.
Omaha, Neb., April 26, 1944.

Mr. Chester Bowles,
Director of Price Administration,
Washington, D. C.

Dear Sir: The enclosed resolution expresses the sentiment of the livestock producers in this area on the "corn freeze" order which is placing a premium on the stock markets and is causing further confusion and discouragement among the livestock producers.

Livestock feeders in the restricted area are unable to purchase corn necessary to complete their feeding operations. Others who have contracts entered into in their feedlots, find their contracts for corn have been canceled by the order and they are left in the lurch.

What is to be done with this surplus corn and do the feeders go to the feed stores and buy their feed at money price? Can the restriction be held on their feedlots if they want to buy and feed their cattle? The principal meat-producing area in America is now confronted with an order that will drastically curtail meat production.

It would have been a simple matter to secure the necessary corn supply for the designated essential corn processors. The O. P. A. could allow the designated processors to pay a couple of cents premium per bushel in the open market for their corn. This would keep them supplied with available corn from surplus areas. The O. P. A. permitted California for meat processors to pay a money premium that drained this area of millions of bushels of corn. No one could object to this principle, so that the movement of corn to the essential war industries.

The present W. F. A. Order No. 98 disrupts this method of allocating corn to restricted area and will seriously retard meat production. Under existing regulations the feed lots are being emptied and serious shortage is certain within the next 60 days.

Hoping you will use your influence to correct this situation, I am,

Yours sincerely,

Harry B. Coffee,
President.

While livestock feeders of the Middle West are cognizant of the need for corn in the Nation's essential war industries, and they are desirous of seeing that such necessary supplies are obtained immediately, at the same time they feel that all commercial corn-producing areas should be permitted to share in the production of alcohol.

War Food Administration Order No. 98, Limitations on the Sale, Transportation, and Use of Corn, requires, except as provided in the order, that all corn in the 125 designated counties be 0.9% to the account of the Commodity Credit Corporation. The 125 designated counties represent the largest meat-producing counties in the United States.

The provisions of this order not only will curtail the continued production of meat, it will require the immediate marketing of livestock, due to the inability of feeders to secure needed supplies of corn, because the livestock feeder will be unable to compete with the Commodity Credit Corporation in the purchase of corn: Therefore be it

Resolved--

1. That War Food Administration Order No. 98, entitled "Limitations on the Sale, Transportation, and Use of Corn," be amended to provide that all commercial corn-producing counties be permitted to the account of the Commodity Credit Corporation on the same basis as purchased are made by the corn processors.

2. That livestock feeders in the restricted area be accorded a priority on corn second only to the war material needs, as well as the Ordinance oil materials, and that the permits issued by the county A. A. A. committees to livestock feeders be accepted for the corn held by elevators for the account of the Commodity Credit Corporation on the same basis as purchased are made by the corn processors.

3. That a reasonable percentage of the corn delivered to the elevators for the account of the Commodity Credit Corporation be set aside to meet the immediate essential needs of the livestock feeders in the restricted area.

4. That corn from commercial meat-producing area be drawn upon only after every effort has been made to obtain supplies nearest the location of the essential corn processors.

5. That such area be declared a "federal meat zone" and the livestock feeders in the restricted area be allowed to use that area in their feeding operations.

6. That corn from the essential meat-producing areas be used in the production of alcohol.

While livestock feeders of the Middle West are cognizant of the need for corn in the Nation's essential war industries, and they are desirous of seeing that such necessary supplies are obtained immediately, at the same time they feel that all commercial corn-producing areas should be permitted to share in the production of alcohol.

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The provisions of this order not only will curtail the continued production of meat, it will require the immediate marketing of livestock, due to the inability of feeders to secure needed supplies of corn, because the livestock feeder will be unable to compete with the Commodity Credit Corporation in the purchase of corn: Therefore be it

Resolved--

1. That War Food Administration Order No. 98, entitled "Limitations on the Sale, Transportation, and Use of Corn," be amended to provide that all commercial corn-producing counties be permitted to the account of the Commodity Credit Corporation on the same basis as purchased are made by the corn processors.

2. That livestock feeders in the restricted area be accorded a priority on corn second only to the war material needs, as well as the Ordinance oil materials, and that the permits issued by the county A. A. A. committees to livestock feeders be accepted for the corn held by elevators for the account of the Commodity Credit Corporation on the same basis as purchased are made by the corn processors.

3. That a reasonable percentage of the corn delivered to the elevators for the account of the Commodity Credit Corporation be set aside to meet the immediate essential needs of the livestock feeders in the restricted area.

4. That corn from commercial meat-producing area be drawn upon only after every effort has been made to obtain supplies nearest the location of the essential corn processors.

5. That such area be declared a "federal meat zone" and the livestock feeders in the restricted area be allowed to use that area in their feeding operations.

6. That corn from the essential meat-producing areas be used in the production of alcohol.

While livestock feeders of the Middle West are cognizant of the need for corn in the Nation's essential war industries, and they are desirous of seeing that such necessary supplies are obtained immediately, at the same time they feel that all commercial corn-producing areas should be permitted to share in the production of alcohol.

War Food Administration Order No. 98, Limitations on the Sale, Transportation, and Use of Corn, requires, except as provided in the order, that all corn in the 125 designated counties be 0.9% to the account of the Commodity Credit Corporation. The 125 designated counties represent the largest meat-producing counties in the United States.

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5. That such area be declared a "federal meat zone" and the livestock feeders in the restricted area be allowed to use that area in their feeding operations.

6. That corn from the essential meat-producing areas be used in the production of alcohol.
Mr. WHEELER. Mr. President, I ask unanimous consent to introduce a bill to amend the Selective Training and Service Act of 1940, as amended, with respect to the order of induction by age groups of certain men who have children, and for other purposes.

I also ask that the bill be printed in the Record and appropriately referred.

The VICE PRESIDENT. Without objection, the bill will be received, appropriately referred, and printed in the Record.

The bill (S. 1870) to amend the Selective Training and Service Act of 1940, as amended, to the order of induction by age groups of certain men who have children, and for other purposes, was received, referred to the Committee on Military Affairs, and ordered to be printed in the Record, as follows:

**Be it enacted, etc., That section 5 (m) of the Selective Training and Service Act of 1940, as amended, is amended to read as follows:**

**(m) Notwithstanding the provisions of section 4 (b) of such Act and regulations as the President may prescribe, on the basis of the best information available to him, or the President may prescribe, in a manner that will not affect the usual regular and orderly flow of the Nation's manpower into the armed forces and the services therein, and in accordance with the requisitions of the land and naval forces and with the other provisions of this act, registrants shall, on a Nation-wide basis within the Nation and a State-wide basis within each State, be ordered to report to induction stations (1) in such a manner that registrants, regardless of the distance of their homes from the activity in which they may be engaged, who were married prior to December 8, 1941, who have maintained a bona fide family relationship with their families since that date, and who have a child or children under 18 years of age, will be inducted after the induction of other registrants who are employed, relieved from liability, or postponed from induction by the rules and regulations, except pursuant to a requisition by the land or naval forces, and (2) in such a manner that such registrants who had attained the age of 26 years on May 1, 1944, who are not deferred, exempted, relieved from liability, or postponed from induction under this act or the rules and regulations prescribed thereunder, and who have a child or children under 18 years of age, in such a manner that such registrants who had attained the age of 26 years on May 1, 1944, will be inducted after the induction of such registrants who had not attained the age of 26 years on May 1, 1944, who are not deferred, exempted, relieved from liability, or postponed from induction under this act or the rules and regulations prescribed thereunder, and who have a child or children under 18 years of age, in such a manner that such registrants who had attained the age of 30 years on May 1, 1944, shall hereafter, without his consent, be inducted for training or service under this act. The term 'child' as used in this section means a legitimate child born prior to September 15, 1943, and a legitimate child, adopted child, foster child, or a person who is in the relationship of child to the registrant, who became such prior to December 8, 1941, who is less than 18 years of age, and whose reason of mental or physical defects is incapable of self-support, who is unmarried, and with whom the registrant has maintained a bona fide family relationship with his family since that date, who has a child or children under 18 years of age, and who had attained the age of 30 years on May 1, 1944, shall hereafter, without his consent, be inducted for training or service under this act.**

Mr. WHEELER. In connection with this, I have just had the opportunity to call attention to one of a great many editorials which have appeared recently. An editorial appeared in the New York Sun on Monday, April 24, from which I quote the following:

**IT IS TIME TO PUT AN END TO MUDGEL OF THE DRAFT**

"Where do you stand in the draft?"

"I don't know—I haven't seen a paper this morning."

This current joke has the twin elements of humor: truth, blended with exaggeration. It is true that the men, for their families, for their employers, the draft today spells uncertainty. Men subject to it may know or think they know what their present status is, but they do not know..."
what it will be 3 weeks from now or 3 months from now. They do not know whether the regulations which Joe Jones introduced in the House on Monday will apply to Fred Brown on Wednesday or not.

Almost any man across whose tomorrow lies a question mark as to whether or not he will stand anything better than uncertainty. He asks no ironclad guaranty of the future, but can only assume that he will be able to plan a little ahead.

Mr. President, I ask that the entire text of the editorial be printed in the Record at this point.

The ministering no objection, the editorial was ordered to be printed in the Record, as follows:

IT IS TIME TO PUT AN END TO MIDDLE OF THE DRAFT

"Where do you stand in the draft?"

"I don't know, I haven't seen a paper in the last 3 hours."

This current comic has the twin elements of humor—truth blended with exaggeration. It is plain truth that for millions of men, for their families, for their employers, the draft is the most likely answer to the problem. No man can say whether or not he will be subject to it or know whether or not he will be 3 weeks from now or 3 months from now. They do not know whether the regulations which take Joe Jones into the Army may not presently be applied to Fred Brown. The whole country is angry over this situation.

Almost any man across whose tomorrow lies a question mark will study to find that he can stand anything better than uncertainty. He asks no ironclad guaranty of the future, but only reasonable assurance that he will be able to plan.

Whether operating at its best or at its worst, selective service has undergone many changes since it was introduced in 1940, when President put his signature to the original act. In the summer of 1940 two courses were open. One was to follow the European pattern of calling up classes for training and service; that is, putting all physically fit men of 20 or 21 or 22 into uniform. The other was to follow the American pattern of 1917-18, under which all men in broad age groups were subject to draft who are not fathers; that is, the emphasis in 1940 was on armored forces and air power, whereas now it has swung back to the infantry, with the need for young men imperative.

If this is correct, if the draft is to take young men of prime occupational advantage—military, whether in industry or agriculture, then it ought to be possible to provide reasonable certainty about the future for a large proportion of men subject to it and to mediate call. Reasonable certainty is all that they ask.

The Army has shown that it can make it's estimates with considerable accuracy. The Navy knows pretty closely how many men it is relatively flexible. But it would be impossible to carry out a long-range policy if it becomes established that the Army and the manpower situation that has existed at any time. In my judgment the uncertainty is leading toward a breaking down of the morale of the country.

The statement is not generally being made that the Army does not want men over 30 years of age. My bill provides that in the case of men under 26 years of age the Army shall first take men subject to draft who are not fathers; that married men between the ages of 26 and 30 shall not be induced until after the induction of those less than 26 years of age; and that the Army shall defer all men over 30 years of age who have families and who are living with their families.

I have been informed from various sources that the Army does not take fathers who are over 30 years of age, unless something unforeseen shall happen. It seems to me that Congress should say definitely that the Army shall not take fathers. If they are taken it naturally results in breaking up the home. Unless definite provision is made with respect to fathers they will be left in complete uncertainty as to their position under the conditions which exist at the present time. If at a later time it becomes necessary to take fathers, the Congress of the United States can promptly pass legislation which will protect the status of fathers, and I should be one of the first to join in changing the provision with respect to fathers if it becomes essential that they be taken. At any rate something should be done now to make definite and positive provision, so that the uncertainty may be done away with as well as the confusion which now exists so that one can with certainty know when they stand from day to day.

HOUSE BILL REFERRED

The bill (H. R. 4670) making appropriations for the Department of the Interior for the fiscal year ending June 30,
1945, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

RECOMMITTAL OF BILL

Mr. DOWNEY. Mr. President, on behalf of the Civil Service Committee, I will offer an amendment to the bill (S. 522) providing for separation from the classified civil service of persons absent from their official duties for certain periods, which has heretofore been referred to the Committee on Commerce by the distinguished senior Senator from Tennessee [Mr. McKellar], be withdrawn from the calendar and recommitted to the Committee for its further consideration. I may say that I have asked the agreement of the Senator from Tennessee to this effect, and he has no objection.

Mr. WHITE. Mr. President, my attention was diverted and I did not hear what the request was. Will the Senator repeat it?

Mr. DOWNEY. A bill of rather minor importance was referred to the Civil Service Committee several days ago by the distinguished senior Senator from Tennessee [Mr. McKellar]. Because of certain aspects which were not thoroughly understood by the committee, the committee has asked me to request unanimous consent that the bill be withdrawn from the calendar and recommitted to the committee for further consideration.

Mr. WHITE. Very well. The Vice President. Without objection, the bill is withdrawn from the calendar and recommitted to the Committee on Civil Service.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

Mr. MEAD submitted an amendment intended to be proposed by him to the bill (S. 461) to amend further the Civil Service Retirement Act, approved May 22, 1940, and ordered to lie on the table and to be printed.

AMENDMENT OF EMERGENCY PRICE CONTROL ACT—AMENDMENT

Mr. BANKHEAD submitted an amendment intended to be proposed by him to the bill (S. 364) to amend the Emergency Price Control Act of 1942 (Public Law 421, 77th Cong.) as amended by the act of October 2, 1942 (Public Law 729, 78th Cong.), which was referred to the Committee on Banking and Currency and ordered to be printed.

IMPROVEMENT OF BEAVER AND MACHINING RIVERS, PENNSYLVANIA AND OHIO—AMENDMENT

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

APPROPRIATIONS FOR THE LEGISLATIVE AND JUDICIAL BRANCHES—AMENDMENT

Mr. HOLMAN submitted an amendment intended to be proposed by him to the bill (H. R. 4414) making appropriations for the legislative branch and for the Judiciary for the fiscal year ending June 30, 1945, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 48, line 10, after the first semicolon, insert the following: "for payment of compensation in lieu of leave of absence to employees and former employees, or in the case of those who have died or become incapacitated since June 30, 1942, to their legal representatives, for leave of absence earned during the fiscal year 1943 which has not been taken, and for which they have not otherwise been compensated, such payment to be at a rate equal to the rate of compensation of the employee during the time in which such leave was earned."

COMMITTEE SERVICE

On motion of Mr. WHITE, and by unanimous consent, it was Ordered, That the Senator from Iowa [Mr. Wilson] be excused from further service on the Committee on Commerce, Roads and Post Offices and that he be assigned to service on the Committee on Agriculture and Forestry; and that the Senator from Oregon [Mr. Condon] be assigned to service on the following committees: Commerce, Indian Affairs, Irrigation and Reclamation, the Library, and Post Offices and Post Roads.

AMERICA CAN DO BETTER—ADDRESS BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the Record an address entitled "America Can Do Better," delivered by him before the Ohio Federation of Republican Women at Columbus, Ohio, April 21, 1944, which appears in the Appendix.]

POLISH CONSTITUTION DAY—STATEMENT BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the Record a statement prepared by him for May 3, Poland's national holiday, the anniversary of the signing of the Polish Constitution on May 3, 1919, which appears in the Appendix.]

PRESENTATION OF GOLD MEDAL AWARD TO MME. CHIANG KAI-SHEK BY NEW YORK SOUTHERN SOCIETY

[Mr. GEORGE asked and obtained leave to have printed in the Record excerpts from an article which appeared in the Pittsburgh Post-Gazette, on December 3, 1943, and the annual meeting of the society at the University Club, New York City, on April 16, 1943, at which a gold medal was presented to Mme. Chiang Kalasheh, which appear in the Appendix.]

COPULATORY SICKNESS INSURANCE—EDITORIAL FROM CHRISTIAN SCIENCE MONITOR

[Mr. HOLMAN asked and obtained leave to have printed in the Record an editorial entitiled "Sauce for the Goose," discussing the question of compulsory sickness insurance, published in the Christian Science Monitor, April 14, 1944, which appears in the Appendix.]

AMERICA AT WAR ON THE FARM FRONT—ARTICLE BY SELDEN MENEFEE

[Mr. CHAVEZ asked and obtained leave to have printed in the Record an article entitled "America at War," by Selden Menefee, having to do with the farm situation, written and published in the Washington Post, which appears in the Appendix.]

STATEMENT BY VINCENTE LOMBARDI TOLEDANO ON AIDS OF LATIN NATIONS

[Mr. CHAVEZ asked and obtained leave to have printed in the Record an article published in the Washington Times-Herald of April 25, 1944, containing a statement by Vincente Lombardi Toledano, to the International Labor Organization in session at Philadelphia, dealing with the aims of Latin nations, which appears in the Appendix.]

COMMONWEALTH CLUB OF CALIFORNIA BALLOT ON INTERNATIONAL RELATIONS

[Mr. HATCH asked and obtained leave to have printed in the Record the result of Commonwealth Club of California ballott on international relations, which appears in the Appendix.]

INTER-AMERICAN HIGHWAY—ARTICLE BY PICO CORTES

[Mr. WHERLEY asked and obtained leave to have printed in the Record an article in regard to the Inter-American Highway, written by Pico Cortes and published in the Naples Daily News, Florida, April 19, 1944, which appears in the Appendix.]

HISTORICAL DOCUMENTS IN SELIGMAN MEMORIAL LIBRARY

[Mr. MEAD asked and obtained leave to have printed in the Record a statement regarding historical documents available at the Seligman Memorial Library, Columbia University, which appears in the Appendix.]

IMPORTANCE OF INFANTRY—ADDRESS BY BRIGADIER GENERAL WILBUR

[Mr. MEAD asked and obtained leave to have printed in the Record an address delivered by Brig. Gen. William H. Wilbur at the annual meeting of the American Society of Newspaper Editors held at the Statler Hotel, Washington, D. C., on April 22, 1944, which appears in the Appendix.]

SOT. CHARLES "COMMANDO" KELLY

Mr. DAVIS. Mr. President, May 3, 1944, and May 25, 1944, were memorable days in the history of the city of Pittsburgh and the State of Pennsylvania, for on the former date Sgt. Charles E. "Commando" Kelly, the one-man army, came home from the wars, and the latter date, designated as Commando Kelly Day, was marked by a community-wide celebration in the city of Pittsburgh.

The daring exploits of "Commando" Kelly at the Salerno beachhead in Italy are well known. For his courage and bravery in that action Sergeant Kelly was awarded the Congressional Medal of Honor—1 of 15 living men who have received that coveted medal during the present war.

The account of "Commando" Kelly's heroism—although he would not call it that—is best told in his own words. I therefore ask unanimous consent to include in the Record as a part of my remarks excerpts from an article which appeared in the Pittsburgh Post-Gazette of April 25, 1944, which recounts in the sergeant's own words the events and actions for which he was cited.

The Vice President. Without objection, the excerpts will be printed in the Record.
**The excerpts are as follows:**

Sergeant Kelly began his story with the landing of the Thirty-sixth Division on the Salerno Beach September 9th. The old hometown and the infan­try pushed those boys in like nothing was in front of them. Those boys slipped out in front of both automatic rifles and tried to stop them.

**Tanks Stop Them**

"The Germans would come with their tanks and our boys would lay waiting for them, then jump out and throw hand grenades. They stopped a lot of them, too. The tank crew took cover and some of them jumped out with their hands up and some of them actually shot themselves before they’d be captured."

"We went out patrols and finally found where the Germans actually were. It was 22 miles away."

"So, I went on the sergeant in the most matter-of-fact way imaginable, ‘we marched those 22 miles, and the next morning we attacked the hill where the Germans were dug in."

"Somehow I seemed to get out in front of the column and I think I was cut off. We rushed the machine-gun nests and cleaned them out and reached the top of the hill. That night I set out to reconnoiter an area where the Germans were gathered and came back and reported. So they sent me back again. I got back that time, too, with my report."

But the third time Kelly went back to check up on the German movements he and a group of men were cut off. They opened fire on the Germans with automatic rifles and the Germans began to drop.

**Goes for Ammunition**

And there in Kelly’s story is revealed the temperament that wins congressional medals. "I had a lot of fun watching them," he reported, and he wasn’t trying to be funny either. "We were running out of ammunition but the boys decided to stay. Then finally we did run out of ammunition entirely and we had to withdraw to our company lines until we got more ammunition."

"I got a pair of good field glasses and finally I knew where the Germans were. I could see the Germans a long way away."

"So I got it," is the way Kelly dismissed the whole thing and then jumped his story ahead to—

"The third time I went after ammunition I didn’t get back. I got stuck."

Back at the ammunition dump Kelly and the men there were ordered to carry all the ammunition to a house nearby. The Germans were advancing. Then came some more of the Kelly idea of fun. "Everything was fine. I had a pair of good field glasses and could see the Germans a long way off. We all had a lot of fun. We had plenty of everything. I turned out four machine guns. Then I picked a bang and fired that awhile."

"That night they sent me up in that 37-millimeter gun. I’d never fired one of those things before but all you have to do is ask yourself to do it. Then you just start pushing things and all of a sudden you touch something and off it goes."

**Goes Back to House**

Whatever it was that Kelly touched on that 37-millimeter antitank gun it stopped the Germans for a time. Apparently not wanting to miss any of his own peculiar idea of fun, he jumped into the house and took it. That’s when he got into the mortar shell tossing tournament that the whole company could be proud of.

"I found a lot of 60-millimeter mortar shells laying on the floor. I figured that if I could set one of them off it would at least scare the Germans. I started to tap it on the window sill and the pin fell out and I threw it."

"Well, those shells stopped them."

"How many mortar shells did you throw?" one of the newsgirls asked. "I don’t know. I know we had a couple of patrols failed to get through."

"How far could you throw them?" the next question.

"It was three stories up where I was and there was a sidewalk up in a gully. The Germans were, so I guess I could get ‘em across almost 60 yards."

"Any idea how much ammunition you shot away?" another newsgirl asked to know.

"Well, I fired 3,000 rounds in an hour," returned the lad from Shawano Street. "I just kept pouring it out. I know I used up four cases of bullets in 4 or 5 hours there."

**He Learned the Hard Way**

"Did you know anything about firearms before you went into the service?" was another question.

"I had very little experience," said Kelly, earnestly. "I was picked up in the Army—and most of it after I got into action."

"How many different types of weapons did you use in the 48 hours you were penned up in that house?" another interviewee wanted to know.

"I fired every weapon the infantry uses," said Kelly. "Browning, light machine guns, water-cooled machine guns, bazookas, and that 37-millimeter gun I told you about."

"You don’t have to know anything about them," he assured his listeners reassuringly. "Just keep on pushing them around and they’ll shoot."

"But the ruined house was becoming too hot for the handful of doughboys left, and they decided to get out. A couple of patrols failed to get through."

Kelly volunteered to stick and cover the withdrawal of his detail.

"I stayed there fighting for a while until the fellows got away, and then I sneaked down in the cellar and out the back way and got out into the country."

"I ran into a lot of fellows. You just didn’t know who was who. I passed Germans that didn’t pay any attention to me."

"I walked behind some of the Germans and they didn’t shoot."

"When I woke up there were Germans all around me—most of them wounded and calling for a truck to take them to a field hospital. I ran into another regiment that was withdrawing, and I went with them. Then I went back to my own regiment, and the first thing they sent me out on another patrol. Well, I came back from that one, too, and after that we went back to get reorganized."

Mr. Davis. Mr. President, that indeed is such action as we in America are proud to be proud of. He described to me the sincere, humble attitude which is the love and attachment which a man has set both at home and abroad. Mr. Davis.

**SALES OF WAR STAMPS AND BONDS BY SENATE AND HOUSE PAGES**

Mr. Stewart. Mr. President, I wish to speak briefly about the activities of the Senate and House of Representatives in the sale of War bonds and stamps. It may not be known to most of us that for some time these young men have been very active in this direction. As a matter of fact, they have already sold several thousands of dollars’ worth of War bonds and stamps. I refer particularly to the pages in this Chamber and the House, who are sold, have cooperated with the House pages, who have also sold a great many thousand dollars’ worth of War bonds and stamps.

Mr. President, I wish to compliment the young men, and invite attention to the fact that in furtherance of their activities an informal dance has been arranged. Perhaps we have not all arrived at the point where we are ready to accept an informal dance, but if we do so we shall be happy.

**TERMINATION OF WAR CONTRACTS**

Mr. Vandenberg. Mr. President, I desire to make a statement and I shall be particularly obliged if I may have the attention of the able majority leader in connection with what I am about to say. The Senate Military Affairs Committee this morning voted unanimously to report to the Senate next Monday Senate bill 1718, which deals with a formula for the termination of war contracts and the clearance of war plants. This action was taken on a unanimous report from the Murray
subcommittee headed by the able junior Senator from Montana who has rendered yeoman service to this desperately important cause. The proposed legislation partially originates in the special committee of the Senate headed by the able Senator from Georgia [Mr. George], the Special Committee on Post-War Economic Planning, of which I am a member. It has the unanimous support of that committee; it has the united support of all the procurement departments of the Government. It has the support of Mr. Baruch, who has led in the consideration of this matter in behalf of the executive department; it now has the unanimous support of the Military Affairs Committee.

Mr. President, there is nothing so important to the economic life of the United States as that this proposed legislation shall be immediately concluded in the Senate and then acted upon in the House. Involved in it is the whole post-war economic life of the Nation. Contingent upon it is our successful transition from war to peace economy. War contracts in the billions of dollars are being terminated already. War contracts in the hundreds of billions of dollars will be terminated from coast to coast when the incalculably previous hour of armistice arrives. Unless we are prepared in advance for that climax, and its aftermath, we shall face economic confusion and economic chaos in America. The preparation cannot be delayed. Every hour of delay from now on, as Mr. Baruch put it to me himself the other day, means a greater advance in adversity; whereas adequate and effective congressional action, before it is too late, will cut the demobilization and reconversion hazard to a minimum and will hasten the ultimate day of a great and stable peace prosperity. Fifty million post-war jobs are involved in what I am saying. Eighty percent of the annual labor force in America is involved. We can have the greatest panic in history; or we can, with but a brief transition interlude, have the greatest postwar prosperity. The preparation cannot be delayed; time is now the essence of this action.

We have been dealing with this problem for about 9 months, in committee hearings, and in the discussion of various legislative formulas, in various committees of both the House and the Senate. It has involved essential and indispensable exploration. American industry has patiently cooperated with these long labors. But now the time has come when we must have action, because the time has arrived when those whom we intend to hold responsible for operating private enterprises on a basis that shall restore us to economic stability and full employment in post-war days, inaugurate reconversion without further delay, the dependable knowledge as to what the congressional formula and the congressional attitude will be. They can do nothing until we act.

The most controversial phase of the demobilization and reconversion problem in respect to war contracts is the question of the disposal of surplus property. We have deliberately eliminated that phase of the problem from this immediate legislation, for the very good reason that there should be practically no controversy regarding whether the form shall be used to this list of the contract termination and plant clearance. In other words, we are putting first things first; we are asking present action at the point where it should be easiest to get. We are straining every muscle under way. Therefore, having eliminated the most controversial phase of the matter, and postponed its consideration until after the consideration of the present legislative proposal shall be concluded, I respectfully submit that the legislation respecting contract termination and plant clearance should have immediate right-of-way in the Senate.

I repeat that upon the effective answer by Congress to the question involved literally depend 50,000,000 post-war jobs, literally depends the success with which we meet the post-war economic impact, literally depends the economic life of this country.

It is in a wholly unpolitical way that I add to this that in a conference of Republican Senators this morning we unanimously agreed that we would join in the request that Senate bill 1718 shall have immediate right-of-way. And I very respectfully present the request to the able majority leader, in the hope that in behalf of the proposed legislation, which has the united support of the Government, the Military Affairs Committee, the procurement officers of the Government, and Mr. Baruch himself, some way may be found next week, without a further delay, for action on the proposed legislation on the floor of the Senate.

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

[Mr. VANDENBERG yields.]

Mr. BARKLEY. No member of the Committee on Military Affairs has so far mentioned this matter to me, or indicated when the committee would like to have the bill. I do not know as yet when the report will actually be made.

Mr. VANDENBERG. It will be made Monday.

Mr. BARKLEY. I might say that it had been contemplated that the Senate would recess today until Tuesday. There is now pending a bill, which is the unfinished business, which should not take long, upon which I understand the Senator from Maine [Mr. Warre], the minority leader, will request that no vote be taken today. That would take it over until next week, when I do not know as yet when the report will actually be made.

Mr. VANDENBERG. Therefore I can assure the Senator, so far as I am concerned, that early next week, it may be following the pending order, that I will take up the bill to which he refers.

Mr. MCKELLAR. There will not be an appropriation bill considered on Tuesday.

Mr. VANDENBERG. I thank the Senator from Kentucky for his helpful statement. I think perhaps I should apologize for "jumping the gun" in respect to the proposed legislation. It just happens that I come from the No. 1 war production area of the United States, and therefore I also come from the No. 1 area in which the terrific post-war reconversion problem is of paramount importance. It is only because I have had definite and specific evidence, time and time again, in the last few weeks, that there is serious hazard to the country and its welfare in every additional hour that we delay in respect to the legislation, that I have presumed to make this advance statement.

I mean to include in the statement my compliments to the subcommittee of the Committee on Military Affairs, which has cooperated magnificently this week in bringing the measure to a swift committee conclusion.

Mr. BARKLEY. If I may ask the Senator to yield further.

Mr. VANDENBERG. I yield.

Mr. BARKLEY. I myself am a member of the Special Committee on Post-War Economic Policy and Planning, along with the Senator from Michigan, and we all know that that committee has worked diligently for months on this war problem, and especially to which he has called attention is a part of the program we must enact into law. It may be the most urgent and immediate problem, others being required to await a little further development and a little more information.

This problem is very important, and the Committee on Post-War Planning so considered it, and reported its recommendation, and Senate bill, which was introduced and referred to the Committee on Military Affairs.

I realize the importance of disposing of the matter, in order that facilities of all kinds which are to be discontinued, and contract holders who have rights growing out of the war, may know as soon as possible what their rights are. So that I think we have the right to consider the proposed legislation, and I am sure we can do it early next week.

Mr. REVERCOMB rose.

Mr. VANDENBERG. I thank the majority leader, and I am about to yield to the able Senator from West Virginia [Mr. Ravenscroft], who, I should like to say in the course of yielding, is a member of the subcommittee of the Committee on Military Affairs which has just made this favorable disposition of Senate bill 1718, to which I have referred. I express my personal thanks to the Senator from West Virginia for aid in the expedition of the action on the bill. I yield to the Senator from West Virginia.

Mr. REVERCOMB. Mr. President, I appreciate very much the remarks of the able Senator from Montana [Mr. Baruch], and I believe it is the right of the member of the subcommittee of the Committee on Military Affairs, composed of the Senator from Montana [Mr. Murray], the Senator from Maine [Mr. Tarbell], and myself, to express my wishes that the bill will be brought on for consideration by the Senate as quickly as possible. I am delighted this morning to hear the majority leader consent to the statement that he will aid in it being accomplished.

After listening to evidence on this subject for several months I know how much such legislation is needed in order to continue the industries of this country
Mr. BARKLEY. Did the Committee on Military Affairs make any substantial amendments to the bill?

Mr. REVERCOMB. I am advised it did not add anything substantial.

Mr. VANDENBERG. Mr. President, I have concluded the statement I desired to make. I thank the Senator from West Virginia for what he has said. I wish to be sure that the Record shows my appreciation for the cooperation of the junior Senator from Montana [Mr. MURRAY], who was chairman of the subcommittee, and who has joined in this utterly essential effort to conclude this task before it is too late.

Mr. BARKLEY. I might further say that, so far as I now know, there is no reason why the bill cannot follow the pending unanimous order to be reported to the Senate.

Mr. VANDENBERG. I thank the Senator.

Mr. HOLMAN. Will the Senator from Michigan yield?

Mr. VANDENBERG. I yield.

Mr. HOLMAN. Mr. President, I sat in the meeting of the Committee on Military Affairs this morning, and ordering the bill under discussion to be reported we added an admonition recommending expedition in the consideration of the subject.

Mr. VANDENBERG. I thank the Senator. Expeditious action is absolutely essential. I cannot overemphasize that point.

Mr. VANDENBERG subsequently said: Mr. President, in connection with the remarks I made previously today, and immediately following them, I ask unanimous consent to have printed in the Record a letter to me from President Alvan Macaulay, of the Automotive Council for War Production.

There being no objection, the letter was ordered to be printed in the Record, as follows:

AUTOMOTIVE COUNCIL FOR WAR PRODUCTION

Detroit, Mich., April 22, 1944.

Hon. ARTHUR H. VANDENBERG,
Senate Office Building,
Washington, D. C.

DEAR SENATOR VANDENBERG: Your conclusions on contract-termination legislation, now pending before Congress will vitally affect post-war employment. The reconversion period and unemployment will be long or short and great or small depending upon the action taken by Congress. The contract-termination section removes the major obstacle facing the automotive industry and emphasizes the need for early legislative action in order that "growing" industries may not be ousted and in consequence the general termination at the end of the war in either major theater.

Employment in the manufacture, distribution, and service of vehicles directly affects every section of the country. Before the war, one out of every seven of the Nation's workingmen found his livelihood upon the automotive industry, its suppliers, and highway transport. Even though the reemployment of all of these workers may not depend directly upon prompt solutions of the above problems, they are of far-reaching importance.

Sincerely yours,

ALVAN MACAULEY,
President.

Mr. BRIDGES. Mr. President, I should like to read the following:

In modern war the maintenance of a healthy, orderly, and stable civilian economy is essential to successful military effort. Even in the absence of section 3 of the War Labor Disputes Act, therefore, I believe that by the exercise of the aggregate of your powers as Chief Executive and Commander in Chief, you could lawfully take possession of and operate the plants and facilities of Montgomery Ward & Co., if you found it necessary to do so to prevent injury to the country's war effort.

Mr. President, what I have just read to the Senate is a statement of Attorney General Biddle upon which President Roosevelt undertook the seizure of Montgomery Ward & Co. in Chicago.

Mr. President, I shall not attempt to justify the claim to the counterclaim made by all sides involved in this issue, but I do say that the interpretation the President has derived from the Attorney General's opinion and assertion of the right of Government to subject every individual and every private enterprise, big or small, to Federal influence is of a nature to American heretofore could understand.

From the President's interpretation of Mr. Biddle's opinion, Mr. President, it is not too extreme to suggest that were the manner in which you and I tended our Victory gardens not in accord with the methods endorsed by the Chief Executive he could construe our activities as presenting an injury to the country's war effort and authorize war back yards and make them subject to governmental operation. The fact that troops, which in simple language means force, were employed to effect the President's order, which is unpleasantly similar to the actions taken by the governments of our enemies.

Are there no courts existing in our country which can review the legality of the decisions handed down by government bureaus, particularly when such decisions affect industry not engaged in the processing or production of war materials. Under the influence of wartime emergency, have we transferred all our civil rights to the Chief Executive? If the legality of the President's order, representing the people, must, in my judgment, by law provide some definitions, some limitations to the powers which are entrusted to the President, in order that the President will be held responsible and the American people may be enforced.

In this direction Congress should not act hastily, thereby endangering the national interest. Those powers which the President exercises in pursuance of the war effort, he should have and should retain; but those he does not need should be returned to the people; and we should clarify the situation so that action such as taken by the President in the Montgomery Ward case cannot be repeated. If the President is to be sure that the RECORD shows my appreciation for the cooperation of the Council for War Production.

Mr. BARKLEY. I am not going to enter into a debate as to the legality of the Montgomery Ward seizure, any more than I am going to enter into a debate as to the legality of the seizure of the Ken-plant at Owensboro, in my State, which is now before the Federal court. In proceeding brought by that company to test the legality of that action, I do not believe its legality can be tested in the Senate or by the Congress. If I were to take the testimony of an editorial in an outstanding daily newspaper a few days ago, it might be possible to draw an invidious distinction between the attitude of Montgomery Ward & Co. toward its employees as compared to the attitude of Sears, Roebuck & Co. toward its employees, in the same city of Chicago and in other places throughout the country.

I regret as much as anyone could possibly regret the necessity for taking over industrial plants, whether such necessity be national defense or part of management or obstinacy on the part of employees or any other element composing the set-up of any company in this country. But it is certainly fantastic to compare the taking over of a plant such as the Montgomery Ward plant, which distributes good all over the United States and in various parts of the world, to the taking over of a Victory garden or a corner drug store. Congress has passed this law. Congress itself no doubt was as uncertain as to its scope and author as administrative officers are or whether officers may be or whether courts themselves may be until it has finally been determined in some way by the highest court in the land exactly what we mean by the Smith-Connally Act, by the Second War Powers Act, and by any other act under which the President exercises jurisdiction or under his constitutional power as Commander in Chief of the Army and Navy of the United States.

The point I wish to make is that we cannot determine on the floor of the Senate the legality of any act by the President in pursuance of a law which we ourselves have enacted, and I do not think we can make any
Mr. BARKLEY. Mr. President, I have said all I have to say on this matter; I do not now have time to read it all—relates only to plants furnishing war materials, as such. I think the Attorney General's point was predicated on a broader basis, on some general war powers which Congress has granted to the President, to take over any plant under certain conditions.

Mr. TAFT. Mr. President, will the Senate yield?

Mr. BARKLEY. I yield.

Mr. TAFT. The Senator from Texas is entirely mistaken. Three-quarters of the Attorney General's opinion is based on the Smith-Connelly Act, the Smith-Connelly Act reads in part as follows:

The power of the President under the foregoing provisions of this section to take immediate possession of any plant upon a failure to comply with any such provision, and the authority granted by this section for the use and operation by the United States or in its own behalf of any plant of which possession is so taken, shall also apply as hereafter provided to any plant, mine, or facility equipped for the manufacture, production, or other use of any articles or materials which may be required for the war effort or which may be useful in connection therewith.

The Attorney General has held that because Montgomery Ward manufactures three or four articles, among the thousands of articles it sells, therefore it is engaged in the manufacture of articles referred to in the Smith-Connelly Act, and that its whole distributing facilities may be taken over. I do not raise the question whether that conclusion is legal or illegal; but that, in part, is the basis for the Attorney General's argument. I should like to deal further, in my own time, with the other questions which was raised by the Senator from New Hampshire.

Mr. BARKLEY. Mr. President, I have said all I have to say on this matter; I am sorry I was provoked to say this much.

Mr. TAFT obtained the floor.

Mr. EASTLAND. Mr. President, will the Senate yield?

The PRESIDING OFFICER (Mr. HANSEN in the chair). Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. TAFT. I yield.

Mr. EASTLAND. Were the manufacturing facilities operated by Montgomery Ward & Co. in producing commodities for the war effort?

Mr. TAFT. No; I do not understand that they were. I have not read the entire opinion, and I do not desire at this time to enter into the merits of the question whether the President could take over the Montgomery Ward plant under the provisions of the Smith-Connelly Act. I merely wished to make clear, in reply to the statement of the Senator from Texas, that the Smith-Connelly Act is the main ground for the opinion of the Attorney General. Regardless of the law, I certainly do not think it was the intention of the Congress to permit the taking over of a great distributing, merchandising enterprise under that law. Whether it is legal or illegal, I do not at the moment purport to say.

Mr. EASTLAND. I thoroughly agree with the Senator from Ohio, and I state that the point I made under the Smith-Connelly Act, I cannot see one scintilla of authority to take over any distributing system or any mercantile business in this country. I know it was not the intent of Congress to pass such a measure. If the President has the power to take over Montgomery Ward, then he has the power to take over a grocery store or a butcher shop in any hamlet in the United States.

Mr. TAFT. It seems so to me.

Mr. President, the Attorney General, having based his opinion primarily on the Smith-Connelly Act, then goes on, in addition to the matter quoted by the Senator from New Hampshire (Mr. BARKLEY), to say:

It is not necessary, however, to rely solely upon the power of the War Labor Disputes Act. As Chief Executive and as Commander in Chief of the Army and Navy, the President possesses an aggregate of powers that are derived from the Constitution—

In other words, we cannot take them away from him—

and from various statutes enacted by the Congress for the purpose of carrying on the war.

The Constitution lays upon the President the duty of "to execute the laws be faithfully executed." The Constitution also places upon the President the responsibility and invests in him the powers of Commander in Chief of the Army and Navy. In time of war when the existence of the Nation is at stake, this aggregate of powers includes authority to take reasonable steps to prevent Nation-wide labor disturbances that threaten to interfere seriously with the conduct of the war. The initial impact of these disturbances is on the production or distribution of essential civilian supplies and equipment. The President, as Chief Executive and as Commander in Chief of the Army and Navy, has the power to take steps to protect the Nation's war effort.

These are the words read by the Senator from New Hampshire:

In modern war the maintenance of a healthy, orderly, and viable civilian economy is essential to successful military effort. The President has recognized exercising such statutes as the Emergency Price Control Act of 1943; the act of October 2, 1942, entitled "An act to amend the Emergency Price Control Act of 1942 for the purpose of preventing inflation, and for other purposes"; the small business mobilization law of June 11, 1942, and the War Labor Disputes Act. Even in the absence of section 3 of the War Labor Disputes Act, therefore, I believe that by the exercise of his powers as Chief Executive and Commander in Chief, he could lawfully take possession of the factory of Montgomery Ward & Co. If you find it necessary to do so to prevent injury to the country's war effort.

If that is good law, Mr. President, there is nothing the President cannot do. He can find anything relating to the civilian economy to be in the interest of the war effort. That means anything relating to you and to me. He can take over a distributing company such as Montgomery Ward & Co., but, as has been said, he can take over every grocery store in the United States. He can take over every man in the United States without any Selective Service or any other provision by Congress for the drafting of men.

There is no such law. There is no such principle in the Constitution of the United States. The President as Commander in Chief of the Army and Navy, but that fact does not give him one additional power over any civilian, except in territories where the Army and Navy are actually operating in the course of their normal functions as Army and Navy.

So, Mr. President, I think the protest made by the Senator from New Hampshire is amply justified. If we admit the validity of any such principle, Congress might just as well go home and let the President run the United States and every feature of it.

MR. VANDENBERG. Mr. President, will the Senate yield?

Mr. TAFT. I yield.

Mr. VANDENBERG. In line with the Senator's observations, I wish to read two sentences from a very able and restrained statement of this whole situation in the editorial columns of the New York Times of this morning. Speaking of the Attorney General's argument regarding the President's general over-all war powers, the editorial states:

This is tantamount to declaring that the President in wartime can do practically anything in his own judgment is it necessary to prevent injury to the country's war effort. No one who is concerned about civil liberties and constitutional process will easily accept so sweeping a claim as this of wartime powers for the President.

Mr. President, I wish to make that last sentence my own. Entirely regardless of any other consideration, and without respect to the merits or demerits of the War Labor Disputes Act or any other fact by enacting this point, I do not see how anyone who is concerned about civil liberties and constitutional process can easily accept so sweeping a claim as this of wartime powers for the President of the United States. In this, so sweeping a demonstration of the use of the armed power of the Government.
Mr. TAPT. Mr. President, I fully agree. Before I take my seat, I desire to make it clear that I do not wish to express any suggestion of seizing this plant under the Smith-Connelly Act, and I do not care what the courts may finally decide on that question. After all, this is a question of policy. Was it a wise policy for the President, under the circumstances? In wartime we must grant vast powers to the President of the United States; but it is not intended that such powers shall be exercised unless it is absolutely required by the circumstances.

Mr. BARKLEY. Of course, we can debate endlessly about what any President in wartime may do without specific authority of Congress, and it is a very interesting question. But I do not think we can make comparisons of what Presidents have done during wartime. The Constitution provides that the writ of habeas corpus shall not be suspended unless in cases of rebellion or invasion the public safety may require it. It has been the opinion of lawyers generally that that means that Congress itself could suspend it by an act. But during the Civil War President Lincoln suspended the writ of habeas corpus without an act of Congress. He also, in a measure, suspended freedom of speech, and press, and all freedom of the press, and it was necessary for the Congress, in the autumn of 1861, to enact retroactive legislation legalizing all the orders and proclamations which President Lincoln had issued.

Mr. TAPT. The writ of habeas corpus was suspended in the State of Maryland, where there was practically a state of insurrection. It was practically in the war area. That action was held to be illegal by the Chief Justice of the United States in a very courageous opinion. The general opinion since that time is that it was unmistakably an illegal act for the President to suspend the writ of habeas corpus, and that only Congress could do so.

Mr. BARKLEY. That is true.

Mr. TAPT. Congress subsequently legalized the Habeas Corpus Act.

Mr. BARKLEY. It legalized retroactively the orders which had been issued. President Lincoln acted under his powers as President and Commander in Chief of the Army and Navy in that war, which was, of course, a very unfortunate domestic controversy between two sections of the country. He felt that he had the authority to do so. No one who knows the history of Abraham Lincoln and admires him as I have always admired him would for a moment suggest that Lincoln did not think he had the power to do. Later it developed that he did not have such power. The courts held that he did not have it, and later Congress legalized what he had done illegally.

So there is nothing new about Presidents, in time of war, exercising authority, even without an act of Congress, which courts may subsequently declare to be illegal.

As to the question of policy involved, that is a matter about which men may have an honest difference of opinion. To form an intelligent opinion about it is necessary for us to know, for example, what it is that Montgomery Ward & Co. manufactures. I do not know. It is necessary to know the relationship of what it does, not only in manufacture, but also in distribution in a Nation-wide fashion of the things which it either makes or sells, or other concerns in the country which are engaged in the manufacture and distribution of materials. It is also necessary to know the comparative labor relations existing in that company as compared with other companies which are involved.

Mr. TAPT. Mr. President, I ask unanimous consent that there be printed in the Record at this point an executive order of mine. I am not discussing any part of my remarks the Executive order and the opinion of the Attorney General, in order to throw light on the whole procedure. The Attorney General discusses the things which are in my opinion, and claims that some of them are of direct interest in the war effort. It seems to me that the object sought could have been obtained by seizing the manufacturing plant, without seizing the distribution facilities, which represent 99 per cent of the entire business, and are not covered by the Smith-Connelly Act.

There are many factory orders and opinion were ordered to be printed in the Record, as follows:

EXECUTIVE ORDER

Whereas after investigation I find and proclaim that there have been threats and interruptions of the operations of the plants and facilities of Montgomery Ward & Co., located in Chicago, Ill., as a result of labor disturbances arising from the failure of Montgomery Ward & Co. to comply with direct orders of the National War Labor Board that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary, in the interest of the war effort, the operation of these plants and facilities and of certain plants and facilities which are threatened to be affected by the said labor disturbances;

Now, therefore, by virtue of the power and authority vested in me by the Constitution and laws of the United States, as President of the United States and Commander in Chief of the Armies and navies of the United States, it is hereby directed as follows:

1. The Secretary of Commerce is hereby authorized and directed, through and with the aid of the President, to sever any or all of the plants and facilities of the company which he may designate, to take possession of the plants and facilities of Montgomery Ward & Co., including the mail-order house, the retail store, and the Schwinn warehouse, together with any real or personal property and other assets used in connection with the operation thereof, and to seize or to arrest the products of the plants and facilities in any manner that he deems necessary for the successful operation or any part of the war. The company shall have no right of action against the Secretary or his agents.

2. The Secretary of Commerce shall operate the plants and facilities of the company under the terms and conditions of the directive orders of the National War Labor Board dated January 15, 1944, and April 5, 1944.

3. The Secretary of Commerce is authorized to take any action that he may deem necessary or desirable to provide protection for the plants and facilities and for all persons employed or seeking employment therein.

4. Upon the request of the Secretary of Commerce, the Secretary of War shall take any action that may be necessary to enable the Secretary of Commerce to carry out the provisions and purposes of this order.

5. Possession, control, or operation of any plant, facility, or part thereof, not covered by this order shall be terminated by the Secretary of Commerce within 60 days after he determines that the products of the plant, facility, or part thereof prevailing prior to the existing and threatened interruptions of production, referred to in the recitals of this order, have also ended.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, April 23, 1944.

BIDDLE'S OPINION

April 22, 1944.

The President.

The White House.

Mr. DEAR MR. PRESIDENT: My opinion has been requested on the legality of a proposed Executive order directing the Secretary of Commerce to take possession of and to operate certain plants and facilities of Montgomery Ward & Co. in Chicago, Ill., in which a strike is now in progress. From information received from other agencies and departments of the Government I understand that the Secretary of Commerce is of the opinion that the company cannot secure the necessary amount of labor to operate the company's plants and facilities, and that the grant of the order is necessary to carry out the provisions of the Smith-Connally Act.

Montgomery Ward is an Illinois corporation with its principal place of business in Chicago, Ill. It is engaged in selling commodities by mail order and also manufactures certain of the commodities that it sells. In the fiscal year 1943 the company's sales amounted to $434,779,000. It is one of the two largest mail-order houses in the United States.

There are certain items of merchandise that the company handles include automobile supplies, building materials, farm machinery, and household goods. The company's plants and facilities in Chicago, Ill., include a warehouse, a mail-order distribution center, and a manufacturing plant that operates mail-order establishments in 8 other States and retail stores in each of the other 47 States. The total number of retail stores is in excess of 600. The company employs approximately 70,000 persons. No exact information as to the number of its customers is available, but it is conservatively estimated that they number in the millions.

The company's plants and facilities, which manufacture paints, varnish, fencing, and part of the farm equipment and supplies sold by the company. The paint factory is located at Highland Heights, Illinois. The paint is distributed by the company are bought by it directly from manufacturers.
SHEETS FACTORY IS IN WAR WORK

At the present time Hummer Manufacturing Co., a division of Montgomery Ward & Co., located in Chicago, Ill., is engaged in making carborundum, propellers and gun mounts for military aircraft. Hummer is also manufacturing farm supplies, machinery, including repair parts. Other divisions of Montgomery Ward & Co., are engaged in making or distributing other goods that are essential to the maintenance of the war economy.

The company is an important distributor of goods that are essential to the war economy, such as farm and cotton planters, deep and shallow well systems, soil pulverizers, hay loaders, and other farm equipment. Approximately 75 percent of the mail-order customers of the company are farmers, engaged in the production of essential agricultural commodities, who live in areas where they must depend upon mail-order houses for many necessary articles.

Government agencies have recognized the importance of the company to the war economy. The War Production Board has granted the company priority ratings for the materials it uses in its manufacture of commodities such as farm pumps, cream separators, paint, work clothing, wire and chain, that are essential to the maintenance of the war effort. The War Production Board has also assigned preference ratings to Montgomery Ward & Co., and its mail-order house, Hummer, for buying farm supplies, machinery, and other goods, for example, farm equipment, tools and supplies of various kinds, that are required for essential civilian uses.

Since April 1942, the Chicago branch of the company has filed with the War Production Board, applications for preference ratings of this kind. Because of the scarcity of paper and paper products, it is impossible to ship orders without a preference rating from the War Production Board. Montgomery Ward has been given preference ratings to enable it to buy containers for packaging merchandise to fill mail orders.

Furthermore, the War Production Board has given Montgomery Ward & Co., a preference rating for maintenance, repair, and operating supplies which enables the company to purchase necessary supplies without a preference rating from the War Production Board. Montgomery Ward has been given preference ratings to enable it to buy containers for packaging merchandise to fill mail orders.

REVIEWS LABOR DISPUTES

For a number of years the company has been engaged in disputes with its employees. Since, labor controversies in the company's plants in St. Paul, Minn.; Kansas City, Mo.; and Portland, Ore., have led to four proceedings before the National Labor Relations Board. In each of the cases the National Labor Relations Board found that the company had engaged in unfair labor practices and entered an order directing the company to cease and desist from such practices.

In three of the cases the orders of the National Labor Relations Board were affirmed in the Circuit Courts of Appeals. In the other case, the first order made by the National Labor Relations Board was vacated. In the Circuit Courts of Appeals, the Board, after rehearing, entered a second order which directed the company to reinstate certain discharged employees and to make them whole for any back wages.

The company did not appeal from this order.

Since 1940 the company has been engaged in a dispute with its employees in Chicago. The issues have been: (1) The right of the employees to organize, (2) the terms and conditions of the agreements between the company and the union, particularly the right of the union to bargain collectively with the company, and (3) the right of the union to bargain collectively with the company, and (4) the right of the union to unilaterally make changes in the terms and conditions of employment.

The Board further directed that if the union did begin such a proceeding the terms and conditions of the contract would continue to govern the relations between the parties until the issues as to the right of representation could be decided in a peaceable and orderly way, and that the greater part of these employees are now on strike. The National War Labor Board states that there is substantial and immediate danger that this labor disturbance will spread to other branches of the company, and that the greater part of these employees are now on strike. The company has refused to accept this order.

Efforts by the War Labor Board to persuade the company to maintain the status quo in Chicago have failed. The major issue of representation could be decided in a peaceable and orderly way, and on April 12, 1944, the union called a peaceful settlement, might interfere with the effective prosecution of the war, and that the dispute is not now within the jurisdiction of the Board's order.

The second part of the panel report, dated October 18, 1942, dealt with the question of union security, arbitration of employee grievances, and seniority. On November 5, 1942, the Board, following the recommendation of the panel report, unanimously directed the company to include provisions for union security, arbitration, and seniority in its agreement with the union. However, the company, dated November 13, 1942, the company rejected this order but stated that if the President of the United States, the Secretary of War, or the Chief of the Board directed the company to respect the order, it would respectably obey. On November 18, 1942, the Board ordered the company to comply with the Board's order of November 5, 1942. Thereafter the company stated that it would comply with this direction and on December 8, 1942, the agreement became effective. Under the Board's order, the agreement was to remain in force for 1 year.

Prior to the expiration of the contract on December 8, 1943, the company notified the union that upon the termination of the contract it would not recognize the union or negotiate a new agreement. The company took this position on the ground that despite the prior certification by the National Labor Relations Board, the company had never agreed to be bound by an agreement in which it had no longer represented a majority of the employees in the warehouse and retail store, the two most bargaining units designated by the National Labor Relations Board.

On December 8, 1943, the ensuing labor dispute was certified to the War Labor Board. By order of the President of the United States, the United States Constitution Service pursuant to the War Labor Disputes Act, which became law on June 25, 1943, on January 13, 1944, the Board directed that the terms and conditions of the contract should be extended without change for a period of 90 days. After that time a new union should within that time commence a proceeding before the National Labor Relations Board to determine the representation question.

The War Labor Board states that the company's repeated refusal to accept the orders of the Board and the recurring disputes between the company and the union, are in the interest of the war economy. The Board further directed that if the union should begin such a proceeding the terms and conditions of the contract would continue to govern the relations between the parties until the issue as to representation could be decided in a peaceable and orderly way, and that the greater part of these employees are now on strike. The company has refused to accept this order.

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The Board also reports that there is a real and present danger that the disturbance will spread to other branches of the company, and that the greater part of these employees are now on strike. The company has refused to accept this order.

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The National Labor Board states that the company's repeated refusal to accept the orders of the Board and the recurring disputes between the company and the union, are in the interest of the war economy. The Board further directed that if the union should begin such a proceeding the terms and conditions of the contract would continue to govern the relations between the parties until the issue as to representation could be decided in a peaceable and orderly way, and that the greater part of these employees are now on strike. The company has refused to accept this order.
In my opinion the facts that have been summarized justify the following conclusions:

1. Montgomery Ward & Co. is engaged in activities of a kind that are essential to the maintenance of our war economy. An interruption of the company's activities would have a serious adverse effect upon the war effort.

2. There is a real and present danger that the labor dispute that now is interrupting the operation of the plants and facilities of the company in Chicago and throughout the United States would breed other labor controversies that will interrupt the operations of plants and facilities of other companies, both in the Chicago area and elsewhere, that are engaged in making or distributing goods or performing services that are essential to the war effort.

3. There is now no reason to expect that the disputes between the company and its employees will be settled promptly and peaceably either by agreement or by the machinery of the Act. The company has set up in the War Labor Disputes Act the basic legal question is whether you have the power to take possession of and to operate the plants and facilities of Montgomery Ward & Co. in Chicago in order to prevent interference with the war effort. Section 3 of the War Labor Disputes Act (Public Law 80, 78th Cong.) provides in part as follows:

The President under the foregoing provisions of this section to take immediate possession of any plant upon a finding by him that the operation of such plant and the authority granted by this section for the use and operation by the United States or in its interests of any plant of which possession is so taken, shall also apply as hereinafter provided to any plant, mine, or facility equipped for the manufacture, production, or mining of any articles or materials which may be required for the war effort or which may be useful in connection therewith.

SAYS PRESIDENT HAS THE POWER

Such power and authority may be exercised by the President through such department or agency as he designates as his representative, and may be exercised with respect to any such plant, mine, or facility whenever the President finds that the operation of such plant, mine, or facility is necessary to the war effort or to the prevention of injury to the country's war effort. Therefore, the President finds that the war effort will be unduly impeded or delayed by such interruption, and that the exercise of such power and authority is necessary to insure the operation of such plant, mine, or facility in the interest of the war effort.

One of the facts of the case is that the union no longer has a majority of the company's employees. The Board's order, declined to continue the contract, because of this refusal, after various deliberations. The Board ordered the Ward case, in which the President said he would not interfere, and which is the present Montgomery Ward case. The Board asked the President to compel Mr. Lewis to sign, to "comply faithfully" with the Board's order. A few days later, at a press conference, Mr. Roosevelt was asked whether he would compel Mr. Lewis to sign. He replied that he would not, because he could not. In a spirit with petulance he asked the President what he would have said to do—Mr. Roosevelt has a nice note on pink paper? (This is the Lewis case.) A spirit touched with petulance he asked the President to take possession of and operate the plants and facilities of Montgomery Ward & Co., in Chicago, in time directed that an election be held to determine whether there was a majority of the employees.

There being no objection, the Board, again following its usual practice, passed the case up to the President Roosevelt, asking him to make the company comply.

President Roosevelt, in this case, said nothing about writing a nice note on pink paper. He wrote a letter to Mr. Lewis, asking him to sign, to "comply faithfully" with the Board's order. A few days later, at a press conference, Mr. Roosevelt was asked whether he would compel Mr. Lewis to sign. He replied that he would not, because he could not. In a spirit with petulance he asked the President to take possession of the plants and facilities of Montgomery Ward & Co., in Chicago, in time directed that an election be held to determine whether there was a majority of the employees.

There being no objection to the President, the Board company signed, the contract took effect, for the specified period, 1 year. On expiration of the contract last December, Ward did not continue it. The company could have done that on the simple ground that there was no longer any contract. But the company added a special reason—that the union no longer had a majority of the company's employees.

The union appealed to the Labor Board. The Labor Board, following its usual practice, passed the case up to the President Roosevelt, asking him to make the company comply. The Board ordered the Ward case, in which the President said he would not interfere, and which is the present Montgomery Ward case. The Board asked the President to take possession of and operate the plants and facilities of Montgomery Ward & Co., in time directed that an election be held to determine whether there was a majority of the employees.

The Ward Co. declined to obey the Labor Board's order, declined to continue the contract. Out of this refusal, the Board, following its usual practice, passed the case up to the President Roosevelt, asking him to take possession of the plants and facilities of Montgomery Ward & Co., in time directed that an election be held to determine whether there was a majority of the employees.

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Mr. WILEY. Mr. President, the issue in this matter is now squarely in the courts. As has already been stated, the contention of the Government is that there is statutory authority for the step which has been taken. As has been stated by the distinguished Senator from Ohio (Mr. TAFT), the Attorney General has cited the Smith-Connally law as such authority. Secondly, that irrespective of the statute, the President has wartime power to do what he has done in the Montgomery Ward matter.

I agree with the statements made on the floor of the Senate that there is nothing in the Smith-Connally law, or at least that was not the intention of the Senators who voted for it, that should contain anything which would authorize the Executive to exercise the power which he has exercised in the present case.

I have stated that the matter is now in the courts. In view of that fact, I hesitate giving my opinion on the subject. I feel that the question is in a place where it should be decided without partisanship, and in an atmosphere where reason and justice prevail.

Mr. President, there is only one reason which causes me to take the floor today. The people of the country are very much concerned. Naturally, not having a legal background, in reading the various editorials in the press and comments on these matters, I became concerned about the meaning of this step which has been taken.

I have been asked, as several other Senators have already stated, whether I have been misled by nothing in the Smith-Connally law, or the Montgomery Ward matter. Has the Attorney General cited the Smith-Connally law in the reasons he has given for the step which he has taken? In my personal opinion is that even a Illegal question, and not the President. This is a political disease in which the people read in their history books that when certain conditions exist in a given area of life, the Executive was dominant. Then a political revolution took place, the people werefacts. There is, however, a little different situation now. We are the legislative body that passed a certain law, which the Attorney General claims has given the power which is now being exercised, although there is not a Member of the Senate who would take the view that it was the intent of the Smith-Connally Act to give the President such power.

The people expect this body to remain on guard. There must be no usurpation of power by the executive or any other branch of our Government. The dangers to our liberties are from within as well as from without.

INVESTIGATION OF SEIZURE OF MONTGOMERY WARD PLANT

Mr. BEAD. Mr. President, the use of military forces to seize civilian goods whenever, in his judgment, the President deems it necessary to prevent injury to the war effort, he might conceivably take over the whole of private industry without so much Congressional approval. One wonders why, if this is the President's notion of his general wartime authority, he bothers to ask Congress for any specific authority.

The extension of the powers of the President that would be made possible by acceptance of the sweeping Biddle opinion would alarm Americans who do not believe that any emergency confers dictatorial powers on the President.

If this matter were not in the courts, I would make an extended legal argument on that proposition, but all through my years I have felt that when a matter is in court it is time for the average citizen to stand up and shout so that the court may dispassionately approach the problem. There is, however, a little different situation now. We are the legislative body that passed a certain law, which the Attorney General claims has given the power which is now being exercised, although there is not a Member of the Senate who would take the view that it was the intent of the Smith-Connally Act to give the President such power.

The people expect this body to remain on guard. There must be no usurpation of power by the executive or any other branch of our Government. The dangers to our liberties are from within as well as from without.

The Attorney General of the United States flew to Chicago to assume personal command of the armed forces, which he utilized to enforce his demands upon the business operators of Montgomery Ward & Co. He personally directed the soldiers to enter the office of the chairman and to remove the person of the 68-year-old chairman from his own office by force if need be. He personally directed the soldiers to seize all the books and other property of Montgomery Ward, using the military forces of the United States Government, if such need were necessary.

Mr. BEAD. Mr. President, I desire to read a paragraph or two from an editorial which appeared in this morning's Washington Post, which is along somewhat different lines from the article by Mark Sullivan. The writer of that editorial may be misled by nothing in the Smith-Connally law, or the Montgomery Ward matter.

I agree with the statements made on the floor of the Senate that there is nothing in the Smith-Connally law, or at least that it was not the intention of the Senators who voted for it, that should contain anything which would authorize the Executive to exercise the power which he has exercised in the present case.

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I have been asked, as several other Senators have already stated, whether I have been misled by nothing in the Smith-Connally law, or the Montgomery Ward matter. Has the Attorney General cited the Smith-Connally law in the reasons he has given for the step which he has taken? In my personal opinion is that even the illegal question, and not the President. This is a political disease in which the people read in their history books that when certain conditions exist in a given area of life, the Executive was dominant. Then a political revolution took place, the people were awakened. Now, there are 37 Republicans in the Senate who contend that the people of this country wanted the whole idea, the fundamental concept of checks and balances, to remain in operation in order that liberty might be preserved.

My own personal opinion is that even if it should be held—and this is a time of war, and sometimes courts go pretty far—that the President had the authority to act, either of the grounds urged, it was a mistake of the Executive to seize the property of Montgomery Ward under the guise that the seizure was to prevent injury to the war effort. I am satisfied that the first contention that the statute gives the authority is an absolute misinterpretation of the legislative intent. I ask, Mr. President, is it not strange that the very group which opposed the Smith-Connally bill now contends for a lopsided interpretation of this kind?

I repeat, it is well that the legal questions will be decided in the courts, and I hope the determination will be made in an atmosphere which will be free from partisanship and prejudice and also from speculation. I believe that the courts will hold that under present conditions in this country, when we have even ceased to have blackouts, when we no longer need to fear bombing, the courts will hold there is no power in the President to seize private plants distributing civilian goods merely because he has an opinion that if he did not seize them it would injure the war effort. No; there must be something more. How can it be that a question for the courts to decide.
The Montgomery Ward organization is engaged in the operation of retail stores. It is not a war industry. It does not come within the purview of the only law, the Smith-Connelly Act, passed by Congress authorizing the seizure of plant, equipment, and personnel for the production of munitions necessary to the successful prosecution of the war. If Mr. Lewis can use the armed forces to seize or take over the mails and business operations of Montgomery Ward without the approval of either Congress or the courts, he can seize any plant or business operation, using the same military power whenever he sees fit. In other words, if Mr. Lewis, stationed at Washington and going to Chicago in a spectacular air trip to take charge of the military forces that would be ordered to eject the chairman of the board of Montgomery Ward? What reason had he to refuse to refer this case to the arbitration of the courts so that under our constitutional procedures it could be determined whether the War Labor Board was right or Montgomery Ward was right?

If he succeeds in thus usurping the power of both Congress and the courts, will he then use the military forces to compel compliance with all the directives of the various other bureaus of the Government?

Today the American people are in the hands of a centralized and entrenched bureaucracy such as America has never before known. It is imperative, so as to safeguard the rights of the individual citizens to appeal to the courts, and require that differences that may occur between the citizen and any bureau of the Government shall not be settled by military force, but shall be determined by the Congress and the courts.

It is very pertinent, in this connection, to contrast the action of the Attorney General in taking personal command of troops of the United States in order to eject the chairman of the board of Montgomery Ward from his office and to take possession of all its properties, books, and equipment, with the attitude of the President of the United States, the Attorney General, and all branches of the Government to the arrogantly obtuse and arrogant labor leader America ever produced, who three times successfully defied his Government in time of war, John L. Lewis.

Generalissimo Biddle did not lead an invading army from Europe to drive the coal miners to strike and cease the management of Montgomery Ward. Neither has the President at any time condemned John Lewis by name or ordered. Whatever criticism of the Attorney General in using military forces in this instance presents to the Congress a fundamental question which we must meet face to face, namely, if Congress permits any official of this Government to disregard the courts and to use military force to compel acquiescence in the directives of various bureaus, then we have failed to perform our oath to preserve the Constitution of our country.

Mr. President, I ask unanimous consent to insert in the body of the Record, as part of my remarks, a statement which has been issued by Mr. Sewell Avery, chairman of Montgomery Ward & Co.

There being no objection, the statement was ordered to be printed in the Record, as follows:

MONTGOMERY WARD'S REPLY TO THE PRESIDENT OF THE UNITED STATES

Mr. President: We have your telegram of April 4, 1944.

Ward's welcomes the suggestion that an election be held at an early date to determine employees' membership in the plant. The question whether the union represents a majority of the employees in Ward's mail order house and store in Chicago has been pending since November 19, 1943. Ward's
The War Labor Board, by asking you to force Ward's to comply with its order issued by the Board, the troops moved in and took over the plants of the Ken-Rad Corporation at Owensboro and Bowling Green, Ky. There might have been some excuse for the Government might have thought it had some excuse, for taking over those plants, because they were making articles for the Army and the Navy. But they were not.
remarks a telegram which I have received from a large number of citizens in my State on this question. There being no objection, the telegram was ordered to be printed in the Recess, as follows:

LITTLE ROCK, Ark., April 27, 1944.
Hon. Senator JOHN L. MCCULLAN, Washington, D. C.: Taking over private business not engaged in manufacturing or distributing war material by the President not authorized by act of Congress or the Constitution is pure dictatorship. We demand immediate legislation for the curbing of the assumption of power by the War Labor Board and the President before it is too late.


Mr. EASTLAND. Mr. President, I join the junior Senator from Arkansas in commending the distinguished Senator from Virginia for his courageous speech today, and for the resolution which he submitted providing for an investigation by the Judiciary Committee of the Senate of the action of the Attorney General of the United States in taking over the plant and business of Montgomery Ward & Co. When that resolution reaches the floor of the Senate I expect to support it.

As I understand, section 3 of the Smith-Connally Act is the principal legal authority upon which the Attorney General acted. I cannot see that he has any authority under that act, or the President, to take over a private mercantile business which is not engaged in the war effort. Section 3 of that act provides as follows:

The power of the President under the foregoing section to take immediate possession of any plant upon a failure to comply with any such provisions, and the authority of the President under that section for the use and operation by the United States or in its interests of any plant of which possession is so taken, shall also apply as hereinafter provided to any plant, mine, or facility equipped for the manufacture, production, or mining of articles or materials which may be required for the war effort or which may be useful in connection therewith.

There is no dispute, under the facts, that Montgomery Ward & Co. is not a manufacturing "plant, mine, or facility equipped for the manufacture, production, or mining of articles or materials which may be required for the war effort or which may be useful in connection therewith.

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Mr. O'DANIEL. Mr. President, we have just witnessed in this Nation a tragic and disgraceful performance which most Americans would have said only a few short years ago "could not have happened here." But it has happened, and the head of a reputable retail store has been forcibly carried out of his place of business by our brave soldier boys who joined the Army under "Generalissimo" and which are still slumbering peacefully in some committee.

Mr. President, I ask unanimous consent to have printed at the close of my remarks copies of several telegrams which I have received about the seizure of the Montgomery Ward & Co. retail store in Chicago, together with copies of the eight bills which I have introduced in the Senate and which are still slumbering peacefully in some committee.

These telegrams express the attitude of many of our citizens, and therefore thousands of others who feel the same way about this matter. I again urge the citizens of this Senate which have not yet to bring their wills to the floor of the Senate for consideration. I am fully convinced that these bills cannot be passed by this Congress as it is presently constituted, but I should like to put these honest constructive bills before this body once and have a yeas-and-nays vote before the general election so that the people may know just how each Senator stands on these basic problems. This Chicago incident is only part of the havoc that has been inflicted upon the great rank and file of the people of this Nation during the 11-year reign of the New Deal gang. It will take several generations of sacrifice and suffering under sane administrations for us to ever get back to our American form of democracy as besought to us by our wise founders in the Constitution of the United States of America.

I am certainly glad that election time is near and I am satisfied that the people of this Nation will go to the polls this year with "blood in their eyes" and determined to conduct a thorough housecleaning in Washington. We will no longer have a "grandstand play" with which deplorable legislation is passed in the Senate and which the people like myself cannot condone.

Since then I have introduced several other bills, the effect of which if they had been passed would have prevented such tragic and disgraceful performance. The Senate has not, so far as I am aware, decided upon any of these bills because it seemed to me that the Congress and the President during the reign of the New Deal had turned this Government over to a gang of rascally racketeers, and the purpose of my bills was to recover our Government from this gang, and return it to the people. I hope this Senator at Chicago will arouse the Members of both Houses of Congress to the point where they will take action that will curb the racketeering of labor leaders, and if the bills I have introduced will not do the job, I hope some Senator will write stronger bills and bring them to the floor of this Senate.

While this Chicago incident is alarming, distasteful, and disgraceful to a Nation that claims to practice democracy, yet it seems clear to me that it is only the natural result of unsound legislation that has been passed under the New Deal administration during the past 11 years. In other words, it is only the reaping of that which has been sown right here in the Senate Chamber.

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vides for limiting the tenure of office to 6 years for every elected official in the executive and legislative branches of our Federal Government.

There being no objection, the telegrams and bills were ordered to be printed in the Record, as follows:


Ruth B. Zant.


Ruth B. Zant.

Fort Worth, Tex., April 28, 1944. Honorable W. Lee O'Daniel, United States Senate, Washington, D.C.: Please use all your influence to save country from the tyrannical handling of the Montgomery Ward case. It procedure that case upheld we have lost war if we win it.

Elizabeth L. Lee.

Washington, D.C., April 27, 1944. Senator W. Lee O'Daniel, United States Senate, Washington, D.C.: I am terrified at the report in today's press of the action of our Government in the C. I. O. -Montgomery Ward controversy. I am sure our representatives will not let it pass without challenge of the strongest kind and want to add my appeal to you to use your great influence to correct this situation and prevent a recurrence ever in the future.

T. D. Anderson.

Houston, Tex., April 27, 1944. Senator W. Lee O'Daniel, United States Senate, Washington, D.C.: Roosevelt's seizure of Montgomery Ward is the most high-handed piece of dictatorship ever forced upon the American people. The voters of Texas look to you as their representative to fight this outrageous unconstitutional seizure of lawfully conducted private industry. I am a foreman in a shipyard and I know how the average man feels about this sort of thing.

W. B. Osborn.
WASHINGTON, D. C., April 28, 1944.
Hon. W. Lee O'Daniel,
United States Senate, Washington, D. C.:

The executive department claims that the Montgomery Ward outrage against constitutional rights and liberties is authorized by acts of Congress. If Congress is responsible, the mistake should be immediately corrected. The per­mit our Government to ignore the Constitution, usurp total­itarian power, and govern us by armed forces, we have surrend­ered our liberty and our democracy is gone. If our Chief is usurping authority not granted him by Congress and denied him by the Constitution, impeachment proceedings are in order.

John A. Dering.

Dallas, Tex., April 27, 1944.

Senator W. Lee O'Daniel,
United States Senate, Washington, D. C.:

As a voter, I state that Montgomery Ward be returned to its owners and over­powering of the President's orders to seize this company.

E. J. Wright.

Dallas, Tex., April 27, 1944.

Senor W. Lee O'Daniel,
United States Senate, Washington, D. C.:

Soldiers with fixed bayonets stood guard at the entrance while a Gestapo squad with cocked rifles went directly to Mr. Avery's office.

W. H. Johnsen.

Dallas, Tex., April 27, 1944.

Hon. W. Lee O'Daniel,
Senate Office Building: I note with alarm the Montgomery Ward situation. Is the C. I. O. or Congress running our country?

E. L. Dalton.

Evans ton, Ill., April 26, 1944.

Senator W. Lee O'Daniel,
Senate Building, Washington, D. C.:

Regarding Montgomery Ward seizure, I implore you take immediate action to re­strain this Presidential action. This is non­war issue. Civil rights and liberty must be protected. The upright citizen's hope lies with Congress.

W. R. Whiteley.

Houston, Tex., April 26, 1944.

Senator W. Lee O'Daniel,
United States Senate, Washington, D. C.:

Were alarmed to hear the news that the Government had taken over Montgomery Ward. It would seem that the time has come for Congress to act to protect the constitution­al rights of businessmen and to end­anger the unconstitutional methods of our executive branch.

Loyal supporters,
Mr. and Mrs. J. N. C. Cameron.

Washington, D. C., April 26, 1944.

Hon. W. Lee O'Daniel,
United States Senate, Washington, D. C.: Roosevelt's illegal and unlawful and ap­parently impeachable act against Montgomery Ward & Co. seems to me to endanger the constitutional rights of all citizens and in my opinion, smacks of fascism, the thing we are supposed to be fighting abroad. Please help rectify situation. Thanks and regards.

E. M. Nichols.

Dallas, Tex., April 26, 1944.

Hon. W. Lee O'Daniel,
United States Senate: If the National Labor Relations Act legally permits the action of the President of the United States in taking over the business of Montgomery Ward & Co., the Congress is directly responsible for the political situation that parallels Hitler's philosophy against which we have declared war and in an effort to destroy this philosophy, you are sending your boys overseas. As a citizen I petition you for immediate action toward amending this law to make such a situation impos­sible. The reported action of the Post Office Department is inexcusable under the laws of our country and must be immediately corrected.

Crispin T. Smith.

San Antonio, Tex., April 26, 1944.

Senator W. Lee O'Daniel,
United States Senate Office Building, Washington, D. C.:

As a native Texan I vigorously protest the Army taking over Montgomery Ward, a retail store, in order to protect C. I. O. Congress should take action.

Marshall O. Bell.

Denton, Tex., April 28, 1944.

Hon. W. Lee O'Daniel,
United States Senate, Washington, D. C.:

Be President's seizure correct? If Congress has granted President the arbitrary powers used, Congress is the agent which has de­stroyed American liberties and the Amer­i­can Bill of Rights. It cannot over­power the owners of any business, also have constitutional rights which neither Congress nor the President has any right to usurp. It is time to correct the situation.

Morrison Milling Co.
E. W. Morrison, President.

San Antonio, Tex., April 28, 1944.

Senator W. Lee O'Daniel,
Washington, D. C.:

What has happened to Montgomery Ward in Chicago is a disgrace to the Nation, and it is high time that you representing us in Texas did something about it. What are we fighting Hitler for?

General Supply Co., Inc.,
G. E. Hartline, President.

Bay City, Tex., April 28, 1944.

Senator W. Lee O'Daniel,
United States Senate, Washington, D. C.:

The citizens of Bay City and Matagorda County are thoroughly aroused because of the drastic and dictatorial action taken by the Federal Government in confiscating the
property of Montgomery Ward Co. in Chicago. It is the belief of our people that Congress should now take steps to curb the

It is the belief of our people that Congress

earnestly request and even demand that

force or violence, prevent or attempt to

of force or violence, or threat of the use of

violence, to prevent or to attempt to prevent any person from engaging in any

vision of this act shall, upon conviction

2. The

s. 727

A bill to amend the National Labor Relations Act

Be it enacted, etc., That so much of the

the National Labor Relations Act is amended by adding at the end of such section a new

provider, That the employer in such discus

shall not threaten to deprive his emplo

law."

S. 190

A bill to amend certain provisions of law relating to overtime pay, and for other

purposes.

Be it enacted, etc., That section 7 of the

Fair Labor Standards Act of 1938 is amended to read as follows:

Sec. 7. Every employer shall pay to any of his employees who are engaged in com-

merce, or in the production of goods directly or indirectly for commerce, compensation at

the same rate for their services whether performed by such employee during any pay period.

Sec. 2. Until the termination of the wars in which the United States is engaged.

(a) no provision of Federal or State law which limits or restricts hours of employ-

ment shall be applicable with respect to em-

ployees of any contractor who is engaged in

the performance of work directly or indirectly necessary for the fulfillment of any

contract heretofore or hereafter made with

the

United States, and (b) no provision in any

contract herefore or hereafter made with

the

United States, and for other purposes," approved

June 20, 1946, is amended by adding at the

end of the first section thereof the following

new paragraph:

"(f) When the wage rates for regular hours

of employment have been determined for the

purposes of this act, the same hourly wage

rates shall apply with respect to all hours

worked during any day or workweek or other

work period in employment with respect to

which wages are determined under this sec-

tion."

S. 191

A bill relating to the hours of employment, compensation, and conditions of employ-

ment of employees engaged in interstate

commerce or in the production of goods for

such commerce or employed in the per-

formance of any Government contract

Be it enacted, etc., That the Fair Labor

Standards Act of 1938 be amended as follows:

At the end of such paragraph and inserting in lieu thereof a colon and the following:

"Provided, No employer shall be

required to accept as a collective bargaining agency to represent his employees any person or or-

ganization that has willfully engaged in vio-

lence or unlawful destruction or seizure of

property in connection with any labor dispute or in connection with any ef

fort to organize an employee or collective bargaining agency to represent his employees any person or or-

ganization that has willfully engaged in vio-

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organiza

New Jersey, 1924.

Article—Freedom to Work

"Section 1. No person shall be denied em-

ployment because of membership in or af-

filiation with or resignation from a labor

union, or because of refusal to join or af-

filiate with a labor union; nor shall any cor-

poration or individual or association of any

kind enter into any contract, written or or-

al, to exclude from employment members of

a labor union, or person who refuse to join a

labor union, or because of resignation from a

labor union; nor shall any person against

his will be compelled to pay dues to any

labor organization as a prerequisite to

or conditions of employment.

 ARTICLE

S. 191

A bill relating to the hours of employment, compensation, and conditions of employ-

ment of employees engaged in interstate

commerce or in the production of goods for

such commerce or employed in the per-

formance of any Government contract

Be it enacted, etc., That the Fair Labor

Standards Act of 1938 be amended as follows:

At the end of such paragraph and inserting in lieu thereof a colon and the following:

"Provided, That the employer in such discus

shall not threaten to deprive his empl

employees of any rights which they have under

the law."

S. 723

A bill to amend the National Labor Relations Act

Be it enacted, etc., That section 8 of the

National Labor Relations Act is amended by adding at the end of such section a new

paragraph (1) of such section is amended to read as follows:

"Sec. 8. It shall be unlawful for any person to engage in any lawful vocation

or condition of employment.

 Senate Joint Resolution 4

Joint resolution proposing an amendment to the Constitution of the United States, rela-
ted to the receipt of war contracts.

Resolved by the Senate and House of Rep-

resentatives of the United States of America

in Congress assembled (two-thirds of each

House concurring therein). That the follow-

ing article is proposed as an amend-

ment to the Constitution of the United

States, which shall be valid to all intents

and purposes as part of the Constitution

when ratified by the conventions in three-

fourths of the several States:

"ARTICLE—Freedom to Work

"Section 1. No person shall be denied em-

ployment because of membership in or af-

filiation with or resignation from a labor

union, or because of refusal to join or af-

filiate with a labor union; nor shall any cor-

poration or individual or association of any

kind enter into any contract, written or or-

al, to exclude from employment members of

a labor union, or person who refuse to join a

labor union, or because of resignation from a

labor union; nor shall any person against

his will be compelled to pay dues to any

labor organization as a prerequisite to

or conditions of employment.

"Sec. 2. The Congress shall have power to

enforce this article by appropriate legisla-

tion."

Senate Joint Resolution 86

Joint resolution proposing an amendment to the Constitution limiting the tenure of

office of President and Vice President of the United States and Members of Congress to

6 years and imposing limitations on the appointment or election of certain persons to

office.

Resolved by the Senate and House of Rep-

resentatives of the United States of America

in Congress assembled (two-thirds of each

House concurring therein). That the follow-

ing article is proposed as an amend-

ment to the Constitution of the United

States, which shall be valid to all intents and purposes as part of the Constitution by

the legislatures of three-fourths of the several States:

"ARTICLE

"Section 1. The term of office of each

President of the United States and of each

Vice President of the United States elected

after the date of this article takes effect shall

be 6 years; and no person who shall have

served as President or Vice President shall be

eligible for election to the office of President

or the office of Vice President.
"Sec. 2. No person shall be eligible for election or appointment to the office of Senator or Representative in Congress for any term which, if served by such person, would cause the aggregate service of such person as a Member of either or both the House of Representatives to exceed 6 years.

"Sec. 3. Nothing contained in section 1 or section 2 of this article shall be construed to prevent any person who may hold the office of President, Vice President, Senator, or Representative in Congress, during the term within which this article is ratified, from holding such office for the remainder of such term.

"Sec. 4. No person shall be appointed to any civil office under the authority of the United States, or who shall have held within 5 years next preceding the date of such appointment, the office of Senator or Representative in Congress or of judge of any court under the authority of the United States, but nothing contained in this section shall be construed to prevent the appointment or assignment of a person who holds the office of judge of a court under the authority of the United States, or of any other court under the authority of the States, within 7 years from the date of its submission to the States by the Congress."

RETURN TO PRIVATE OWNERSHIP OF GREAT LAKES VESSELS—CONFERENCE REPORT

Mr. RADCLIFFE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3261) to amend the act of April 28, 1943, to authorize the return to private ownership of Great Lakes vessels and vessels of 1,000 gross tons or less, and for other purposes, having met, after due and full consideration, have agreed to recommend and do recommend to their respective Houses, as follows:

The amendment to the bill, as amended, it is respectfully recommended that the following amendments be inserted:

1. The word "aggregate" is stricken and the word "cumulative" is substituted, together with the following sentence: "or who shall have served, or who shall have held such office for the remainder of such person's term of service, or appointment to the office of judge of a court under the authority of the United States, within 7 years from the date of its submission to the States by the Congress."

2. No person shall be eligible for election or appointment to the office of Senator or Representative in Congress or of judge of any court under the authority of the United States, or who shall have held such office for the remainder of such person's term of service, or appointment to the office of judge of a court under the authority of the United States, or of any other court under the authority of the States, within 7 years from the date of its submission to the States by the Congress."
surgical operating; trucks and portable hospital equipment that may be carried on the backs of men through jungles, across icy streams, and up mountain passes.

The importance of blood plasma in saving the lives of men suffering from wounds and shock at the front cannot be overemphasized. It is a tribute to our citizens that donations of blood to provide this life-saving substance now amount to 100,000 pints a week. This record must be sustained to meet the demand. Dried plasma is now going forward to all theaters and the product is being used on every battle line with unflagging success. I am proud to claim as a fellow citizen of my native State of Arkansas Brig. Gen. Charles C. Hartman, Chief of Professional Service in the Office of the Surgeon General, through whose keen foresight and early initiation of the plasma program the lives of thousands of our American soldiers have been saved.

After front-line surgery, the speed with which these patients may be evacuated accounts, in many cases, for their quick recovery. In America they are being brought into hospitals within the theater, by air transport planes or hospital ships, and may be carried home when recovery is to be prolonged. Airplanes fly men out of areas of battle and bring them back in any way other than. Hospital ships make it possible to bring home large numbers of the wounded at one time.

Extremities wounds and injuries constitute two-thirds to three-fourths of all wounds in this war. Land mines have been responsible for increased injuries to soldiers' feet and legs, but there are relatively fewer amputations due to new methods of treatment and improved surgery. There will be amputations incident to this war, but we must remember that many other things than these wounds all in all would have died in the last war for the want of blood plasma, sulfa drugs, and modern surgery.

Five general hospitals to which are assigned surgeons skilled in plastic and amputations, are the workmen especially trained in making and fitting artificial limbs, are designated as amputation centers. A special method of performing amputations now produces better results for the fitting of artificial legs and arms than ever before. Much time and thought is spent not only in getting the stump in shape for an artificial leg or arm but in fitting it and in training the soldier to use it. He will be assisted in this by watching other equally unfortunate soldiers who have become proficient at using theirs.

The chief value of the sulfa drugs and of the new drug, penicillin, has been to prevent and fight complicating infection in battle wounds. Research in connection with the use of these drugs is still being carried on, and much more will be learned, especially about penicillin, the medical department reports.

In detecting and curing diseases, the Army establishment is going to return healthier men to peacetime living, thus improving the general public health conditions. The greatest case-finding activity ever undertaken is the giving of chest X-ray examinations to men inducted into the Army. This is now Army routine. These tests have been the means of detecting early tuberculosis in the case of thousands of men and women. Without the aid of this diagnostic tool, many cases of tuberculosis might have been missed. The greatest case-finding activity ever undertaken is the giving of chest X-ray examinations to men inducted into the Army. This is now Army routine. These tests have been the means of detecting early tuberculosis in the case of thousands of men and women. Without the aid of this diagnostic tool, many cases of tuberculosis might have been missed.

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The routine immunization of Army men against one of the most feared complications of battle injuries during the First World War, has practically eliminated that death-dealing malady in this war. Among 1,352 casualties admitted to an evacuation hospital on Guadalcanal, during some of the operations there, no cases of tetanus developed, and only 1 case of gas gangrene occurred.

In the First World War deaths from pneumonia were 24 for every 100 cases. In this war, the rate is six-tenths of 1 percent. Recoveries are quickened by the use of sulfadiazine or sulfathiazole to prevent further spread of the disease. In one large camp in this country, it was found that 70 percent of the men had meningitis germs in their throats. This number was reduced in a few days to less than 1 percent by the administration to each individual of three doses of sulfadiazine.

Typhus fever, which has been the insidious fifth column in many countries since wars first began on this earth, is controlled by this powder and by the constant and careful attention given to it. In this war the disease is a negligible quantity in the soldier population's sickness records. Not a single death has been attributed to it.

The Army has recently set up at the Army and Navy General Hospital, at Hot Springs National Park, Ark., a center for the diagnosis and treatment of arthritis. Studies conducted there will be the source of extensive knowledge for the whole medical profession now and after the war.

The reconditioning program of the Army—departure from the old method of keeping bodies together at all costs, with nothing to employ mind or body—has for its purpose the training of men physically and mentally while they are convalescing, so that they can be returned to duty with troops in fine fettle, and also so that they may be kept profitably occupied in hospitals. Results show that the program makes for quickened recovery.

Liaison is maintained with the Veterans' Administration, the State vocational rehabilitation agencies, the Federal Security Agency, and the United States Employment Service of the War Manpower Commission in order that the Army program, as arranged for the patient who must be discharged from the service, may be completed.

Three special hospitals have been designated for the treatment of the deaf. While under the care of doctors skilled in the treatment of diseases of the ear, meningitis germs in their throats. This is now Army routine. These tests have been the means of detecting early tuberculosis in the case of thousands of men and women. Without the aid of this diagnostic tool, many cases of tuberculosis might have been missed.

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unprecedented number of the wounded, to gain the admiration of the entire medical world. Two private first classes are on the list of medical department heroes. Robert H. McNeely, ambulance driver at Pearl Harbor, and the wounded received the Legion of Merit award; and Robert W. Andrews received the Soldiers’ Medal posthumously for diving into the sea in an attempt to save the life of another man. I take this occasion to recall the story of the heroism of a Navy Medical Corps officer, Lt. Comdr. Corydon M. Wassell, of Little Rock, Ark. How he volunteered to get a dozen wounded men 50 miles from the Java seacoast to a small vessel, for a safe journey to Australia, is one of the classic annals of this war.

To all Indians of the service Medical Corps officers cannot be given. The man who watches over the health of our troops on the global fronts, accompanies them into battle, and risks his own life to attend them when wounded, must be a man with skill, courage, tact, and judgment of superior degree. I should like to add briefly, in conclusion, that, as is said in the war of information about the medical care of those in the service is not the whole story of the medical profession in this war. The great number of physicians and nurses in the service has caused a great burden to fall upon those not in the armed services. It has caused long hours of additional labor.

Mr. President, regarding the physicians at home, I should like to quote a part of an editorial which appeared in the Arkansas Democrat, one of the leading newspapers in my State:

A physician, using an advertisement in the Nashville (Ga.) Herald, addresses a message to the people of Berrien and adjoining counties. He tells his neighbors he has broken under the strain of overwork resulting from the shortage of doctors caused by demands from the armed services. After confessing that he has been compelled to limit his labors he must discontinue his long hours or run the risk of complete impairment of his health. He will limit his labors to 8 hours a day and will be unable to make any residential calls. Instead, his patients must be referred to the hospital at Marietta, where they will be given temporary treatment by the resident nurses and he will see them for 4 hours. There are two points of interest in this, one of many simple but glorious annals of the country doctors who are in service. The majority of practitioners in the rural districts today are older men. They would like to retire, they say, but their devotion to duty keeps them plugging along doing their best for their patients, hypocritically declaring that there is no sentiment involved.

The second is that this country doctor cheerfully takes up the routine of an 8-hour day, feeling that it is far too short for what he can do.

These physicians are meeting the crisis in a wonderful spirit.

Mr. President, I have been glad to pay this well-deserved tribute to the medical profession, and at the same time to give information to those who have relatives and friends among our fighting men, so that they may know the story. I am sure they will be glad to have this information, as I was when I investigated the situation.

CONFIRMATION OF NOMINATIONS ON THE EXECUTIVE CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that, as in executive session, the routine nominations on the Executive Calendar be considered and confirmed, and that the President be immediately notified.

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

EXECUTIVE MESSAGE REFERRED

As in executive session, the PRESIDING OFFICER (Mr. McFarland in the chair) laid before the Senate a message from the President of the United States submitting several nominations in the Army which were referred to the Committee on Military Affairs.

For nominations this day received, see the end of Senate proceedings.

DEATH OF SECRETARY OF THE NAVY FRANK KNOX

Mr. BARKLEY. Mr. President, we have all heard with the profound grief of the death of the Secretary of the Navy, Frank Knox. I am sure that not only the Senate but the whole country will be shocked at the news of the untimely and unexpected death of our Secretary of the Navy, who during the great war crisis has filled in a magnificent way the position assigned to him by the President of the United States, and, indirectly, by the Senate.

Secretary Knox was a man of outstanding ability, of the sincerest character, and of unimpeachable motives. He served his country in a nonpartisan way, laying aside for the time being any partisan considerations, as so many hundreds of thousands and millions have done in this great war. It is with the deepest of sorrow that I am compelled to announce his death to the Senate. I am sure that I speak the sentiments of the Members of this body, regardless of party, in expressing our great grief over this deplorable loss to the country, and in expressing our profoundest sympathy to his family.

Mr. President, I send forward a resolution which I ask to be read.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 287), as follows:

Resolved, That a committee of seven Senators be appointed by the President of the Senate to join a committee of the House of Representatives in attempting to secure the services of the late Secretary of the Navy on behalf of Congress and to take such other action as may be proper in honor of the memory of the deceased and to manifest and appreciate the service of Congress for his public service.

Mr. WHITE. Mr. President, the news which has just been announced reaches us with terrific suddenness and with heavy impact.

Secretary Knox was a native of New England. He was born in the city of Boston. After spending his early years in that section of the country he moved westward, and I believe he went to school and began his active life in the State of Michigan. He was a newspaperman by profession. He published newspapers in the States of New Hampshire and Michigan, and I believe elsewhere, which had a circulation throughout the length and breadth of this land.

Secretary Knox was a forceful character. By his industry, his forthrightness of thought, and his close and diligent attention to every detail of every duty which came before him, he mounted to the very topmost round of his profession. Perhaps the outstanding characteristic of Secretary Knox’s life was a burning, vibrant patriotism. In his early youth he served as a Rough Rider under the command of Theodore Roosevelt. Later, when what is usually considered military age, he served in the Army of the United States in the First World War, and saw service on the active battle front in France.

Mr. President, in the present war Secretary Knox has rendered service which exceeded of him what I firmly believe to be the utmost measure of devotion which a man can render his country. I believe the arduousness of his duties and the weight of his responsibility so reduced him as to his direct contribution to his untimely end.

Secretary Knox was an aggressive character, a fighting character. There is satisfaction in the thought that always he fought for those things he believed to be right. Always he could be found to be arrayed against those things which he believed to be wrong. He always served without partisanship, and with the highest patriotism.

Mr. BRIDGES. Mr. President, I join with the distinguished majority leader [Mr. Barr] in this poor and halting tribute to Secretary Knox. He has been a personal friend of mine. In his passing I lose a very dear and trusted friend, and the Nation loses an outstanding leader and a great American.

He combined those traits of character which I admire in any individual. He had ability, courage, loyalty, forthright-
ness, and steadfastness. These were manifest throughout his entire career.

Frank Knox was a native of New England. He was born in Boston on January 4, 1874, 70 years ago. He then moved west and spent his boyhood during the early period of his life. Later he returned to New England, where he published in my State of New Hampshire a newspaper known as the Manchester Union Leader, one of New England’s leading publications. He had a very brilliant record in business, civic affairs, politics, and in the service of his country.

During the Spanish-American War he served as a member of the first regiment of United States Volunteers, which was commonly known as the Rough Riders. In the First World War he entered as a private and rose to the rank of major, serving in the Three Hundred and Third Ammunition Train of the Seventy-eighth Division. He saw active service for a very long period in France and was wounded in his participation in the St. Mihiel drive and the Meuse-Argonne offensive.

In the current war he served his Nation with the Navy and he assumed the Secretaryship on July 11, 1940. Under his leadership he saw the Navy grow until it is today the finest sea-fighting force of any nation in the world; it is the most powerful Navy which any nation in the history of the world has ever had. He has seen it in recent months move on and take the offensive against the Axis. I recently talked with him, and he told me about his pride and satisfaction in the success of the Navy in the Pacific.

All of us can thank God that the objective to which he so selflessly dedicated the last years of his life—the building of a strong and powerful Navy—was attained prior to his death. It was Colonel Knox’s energy, his vigor, and his vision that contributed to bringing about this result. This achievement, probably as much as any other factor, will shorten the duration of the war. In the building of the Navy was a part of the team. He never would talk about his achievements, nor would he permit his efforts to be singled out above those of others.

Frank Knox has been an editor, publisher, and businessman. He published newspapers in New Hampshire and Illinois. In my State, his paper was the Manchester Union Leader, an outstanding publication; and in Illinois, the Chicago Daily News, one of the great daily newspapers of the Nation.

He was interested in politics, and he was a distinguished member of the Republican Party. It was my privilege in 1938 to place his name in nomination for Vice President of the United States at the Republican Convention held in Cleveland, and he finally was nominated by a practically unanimous vote as the Vice Presidential candidate of the Republican Party. He did credit to that Party and one of its standard bearers.

His first active interest in politics was in 1911 when he became Theodore Roosevelt’s preconvention Midwest campaign manager. He was one of the leading spirits of the formation of the Progressive or Bull Moose Party in 1912, having idealized and believed in Theodore Roosevelt from the date of his service under him as a member of the Rough Riders.

Several years before the outbreak of the World War No. 2, he was pointing out the threat of Nazi-ism and fascism in the world and urging the preparedness of this country. When the European war finally broke on the horizon, he advocated all possible aid to the Allies.

In 1940 President Roosevelt called him to the service of his country as a member of the Cabinet, and from the date he assumed the duties of the Secretary of the Navy, he laid aside partisan politics and has rendered able and outstanding service in that capacity.

Through the most perilous period in our Nation’s and in the world’s history, he has guided and directed one of the most important departments in the war effort. Every single day following Pearl Harbor when many a weaker heart was discouraged, he had faith and carried on. He was one of the few who knew how effective the Japanese sneak attack really was. He was one of the few who knew that the striking force of our Navy in the Pacific had been seriously crippled, but he did not falter, he responded with the same fearlessness which inspired Americans in other days, and he carried on and he made good.

The American Navy and its status today and the record bear witness to the greatness of America’s patriotic and distinguished public service. He lived through an eventful period of our Nation, a period when history was in the making, and he helped make that history.

He was one of the ablest men of his generation. His integrity, his vision, his honor, his courage were known to all who came in contact with him. He was never touched by the pomp of power. He was human to the end.

In our State of New Hampshire he left his mark. Few men have made the contribution to the civic, business, and public life of our State that he has made. We shall miss him. His place will be hard to fill. His death was a casualty to the war effort just as truly as if he had been killed on the fighting front.

My heart goes out to Mrs. Knox, a gracious, charming, wonderful lady, who has been his helpmate through the greater period of his life. I am sure that I am expressing the sentiments of my colleagues and the people of my State when I extend to her and to other members of the family our sincerest sympathy and deepest solace.

This is but my humble tribute to a personal friend and a great American.

The PRESIDING OFFICER. The question is on agreeing to the resolution submitted by Senator from Kentucky (Mr. Barkley).

The resolution was unanimously agreed to.

The PRESIDING OFFICER. The committee will be appointed at a later time.

Mr. McKellar. Mr. President, as a further mark of respect to the memory of the deceased Secretary of the Navy, I move that the Senate take a recess until Tuesday next at 12 o’clock noon.

The motion was unanimously agreed to; and (at 2 o’clock and 1 minute p. m.) the Senate took a recess until Tuesday, May 2, 1944, at 12 o’clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 28 (legislative day of April 12), 1944:

APPOINTMENTS FOR TEMPORARY SERVICE IN THE ARMY OF THE UNITED STATES

TO BE LIEUTENANT GENERAL

Maj. Gen. Lewis Hyde Brereton (colonel, Air Corps), Army of the United States.

Maj. Gen. Barney McKinney Giles (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

TO BE MAJOR GENERAL

Brig. Gen. Elwood Richard Quesada (major, Air Corps; temporary lieutenant colonel, Air Corps), for his part in the United States, Air Corps, Army of the United States.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 28 (legislative day of April 12, 1944):

PUBLIC UTILITIES COMMISSION, DISTRICT OF COLUMBIA

TO BE PEOPLE’S COUNSEL

James W. Lauderdale

IN THE MARINE CORPS

TO BE SECOND LIEUTENANTS


Edward R. Messer (lieutenant colonel, Air Corps), Army of the United States.

TO BE MAJOR GENERAL

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