By Mr. HOEPPEL: A bill (H. R. 9112) for the relief of sundry claimants, and for other purposes; to the Committee on War Claims.

By Mr. DEROUEN: A bill (H. R. 9113) to provide for the residence of United States commissioners appointed for the national parks, and for other purposes; to the Committee on the Public Lands.

By Mr. McCORMACK: A bill (H. R. 9114) to abolish the oath required of customs and internal-revenue employees prior to the receipt of compensation, and for other purposes; to the Committee on Ways and Means.

By Mr. ZIONCHECK: A bill (H. R. 9115) to add to the Criminal Code, as amended, a new section 211a (relating to procedure for forfeiture of nonmailable matter); to the Committee on the Judiciary.

By Mr. RANKIN: A bill (H. R. 9116) to extend the provisions of veterans' laws and regulations to persons who served in Russia during the World War and their dependents; to the Committee on World War Veterans' Legislation.

By Mr. CONNERY: Resolution (H. Res. 338) providing for the consideration of S. 3303, an act to amend the act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings; to the Committee on Rules.

By Mr. CITRON: Joint resolution (H. J. Res. 377) to enable the States of Maine, New Hampshire, New York, Vermont, Massachusetts, Rhode Island, and Connecticut to conserve and regulate the flow of and purify the waters of rivers and streams whose drainage basins lie within two or more of the said States; to the Committee on the Judiciary.

By Mr. HOEPPEL: Joint resolution (H. J. Res. 378) proposing an amendment to the Constitution of the United States to establish the civil-service merit principle more firmly in the Federal Government in the interest of efficiency and honesty in government; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Tennessee, regarding the welfare of the blind in the United States; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BLANTON: A bill (H. R. 9117) for the relief of B. A. Duffy and his wife, Merle Duffy; to the Committee on Claims.

By Mr. BUCK: A bill (H. R. 9118) granting a pension to Margaretta Saugsted; to the Committee on Pensions.

By Mr. CELLER: A bill (H. R. 9119) authorizing the Court of Claims of the United States to hear and determine the claims of the estate of George Chorpenning, deceased; to the Committee on Claims.

By Mr. CRAWFORD: A bill (H. R. 9120) for the relief of Ellsworth Hendricks; to the Committee on Invalid Pensions.

By Mr. DOCKWEILER: A bill (H. R. 9121) for the relief of J. H. Bowling; to the Committee on Claims.

By Mr. GREGORY: A bill (H. R. 9122) limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to certain counsel; to the Committee on the Judiciary.

By Mr. HOBBS: A bill (H. R. 9123) for the relief of Mrs. Howard T. Edwards; to the Committee on Claims.

By Mr. HULL: A bill (H. R. 9124) granting a pension to Bessie E. Harriman; to the Committee on Pensions.

By Mr. KLEBERG: A bill (H. R. 9125) for the relief of Dr. F. U. Painter, Dr. H. A. White, Dr. C. P. Yeager, Dr. W. C. Barnard, Mrs. G. C. Oliphant, Amelia A. Dainwood, the Sun Pharmacy, Bruno's Pharmacy, Viola Doyle Maguire, Louise Harmon, Mrs. J. B. Wilkinson, Sisters of Charity of the Incarnate Word, Grace Hinnant, and Jennie Chapman; to the Committee on Claims.

By Mr. LEWIS of Maryland: A bill (H. R. 9126) for the relief of the heirs of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children; to the Committee on Claims.

By Mr. MAHON: A bill (H. R. 9127) for the relief of C. A. Duffy and his wife, Alma Duffy; to the Committee on Claims.

By Mr. MAY: A bill (H. R. 9128) granting a pension to Cynthia Conley; to the Committee on Invalid Pensions.

By Mr. SWEENEY: A bill (H. R. 9129) to appoint L. Z. Phillips a second lieutenant in the Marine Corps; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9306. By Mr. BRUNNER: Petition of approximately 3,000 residents of Queens County, N. Y., relative to the Mexican situation in New Mexico; to the Committee on Foreign Affairs.

9307. By the SPEAKER: Petition of a flood-control conference held at Tulsa, Okla.; to the Committee on Flood Control.

9308. Also, petition of the Common Council of the City of Milwaukee; to the Committee on Ways and Means.

SENATE

WEDNESDAY, AUGUST 14, 1935

(Legislative day of Monday, July 29, 1935)

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

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, August 13, 1935, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8870) to further protect the revenue derived from distilled spirits, wine, and malt beverages, to regulate interstate and foreign commerce and enforce the postal laws with respect thereto, to enforce the twenty-first amendment, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. SAMUEL B. HILL, Mr. CULLEN, Mr. TREADWAY, and Mr. BACHARACH were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the joint resolution (S. J. Res. 59) providing for the celebration on September 17, 1937, of the one hundred and fiftieth anniversary of the adoption of the Constitution of the United States of America by the Constitutional Convention; establishing a commission to be known as the "Sesquicentennial Constitution Commission", disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. O'CONNOR, Mr. BLOOM, and Mr. RANSLEY were appointed managers on the part of the House at the conference.

PROCEDURE OF COMMITTEE INVESTIGATING VIRGIN ISLANDS

Mr. TYDINGS. Mr. President, late yesterday afternoon, when the Senate was in executive session considering the nomination of Mr. Cramer to be Governor of the Virgin Islands, the Senator from Wisconsin [Mr. LA FOLLETTE] made the statement that the administration of the Virgin Islands had not been given a chance to appear and offer testimony in support of their position. That statement, while technically correct, probably arose from a misunderstanding.

Of course, when the committee commenced its investigation of matters in the Virgin Islands, in the interest of

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orderly procedure, it had to hear first the complainants, and we had not completed our hearing of the complainants when Governor Pearson was transferred from the Virgin Islands to a place in the Interior Department. With his transfer, of course, the entire situation which we were investigating changed, and the committee had no desire to continue with testimony affecting Governor Pearson, because it felt that it would then be in the position of persecuting him. The committee would have been glad to have had Governor Pearson or anybody else appear before it closed its hearings. It wanted to be fair to Governor Pearson and to everybody else, but before we had completed the hearing of the complainant it obviously was not proper to put the Governor on the stand in defense. We adopted the policy that we would first hear the complaint, and then would hear testimony in rebuttal of the complaint; but, before we had completed that phase of the matter, the happenings with which everybody is familiar occurred. Therefore the committee saw no point in having testimony brought out by Governor Pearson when he was no longer the Governor of the islands.

I simply make this short explanation because it never was my intention to deny to Governor Pearson or anyone else against whom charges were lodged the right, of course, to refute those charges; but it happened as I have described it, and for that reason we did not continue the investigation.

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

Mr. TYDINGS. I yield.

Mr. NORRIS. I am very glad the Senator has made the statement he has, because I had the information, which I gathered from the public press, that while the investigation was going on one side was heard, but the other side had no opportunity to be heard.

Mr. TYDINGS. The committee did not think it proper to put on the administrative officials of the islands then under charges until the complainant's side had been developed.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. LA FOLLETTE. Of course, I did not desire to make any statement not supported by the facts; but it was my information that the committee had not given an opportunity to be heard to those who had been charged with various acts which were brought under criticism, inefficiency and other things, not only so far as Governor Pearson was concerned but others, and perhaps officials of the Department. I am sure, insofar as there was any misunderstanding or misinformation, that the Senator's statement that he is now willing to hear anybody who is willing to be heard clears up any misunderstanding there may have been.

Mr. TYDINGS. Not only that, but from the very start the committee were always willing and intended to hear them, and the chairman so stated in letters to the officials against whom charges were filed, but orally on many occasions as well.

It would have been improper to have heard them until the evidence in support of the charges had been adduced. After that was the correct time for defense.

Let me say, in conclusion, that, of course, if we had put on one witness against the administration and one in defense, we never would have gotten through. What we hoped to do was to hear the complaint, the defense of the complaint, and then the rebuttal, and not to leave the naked charges undeveloped; but, in view of what occurred, the committee did not want to be put in the position of persecuting anyone, and they could see no point in carrying the matter through.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Bailey	Bilbo	Brown
Ashurst	Bankhead	Black	Bulkley
Austin	Barbour	Bone	Bulow
Bachman	Barkley	Borah	Burke
Byrd	Gore	McNary	Schall
Byrnes	Guffey	Maloney	Schwellenbach
Capper	Hale	Metcalf	Sheppard
Caraway	Harrison	Minton	Shipstead
Carey	Hastings	Moore	Smith
Chavez	Hatch	Murphy	Steiwer
Clark	Hayden	Murray	Thomas, Okla.
Connally	Johnson	Neely	Thomas, Utah
Copeland	King	Norbeck	Townsend
Costigan	La Follette	Norris	Trammell
Davis	Lewis	Nye	Truman
Dieterich	Logan	O'Mahoney	Tydings
Fletcher	Lonergan	Overton	Vandenberg
Frazier	Long	Pittman	Van Nuys
George	McAdoo	Radcliffe	Wagner
Gerry	McCarran	Reynolds	Walsh
Gibson	McGill	Robinson	Wheeler
Glass	McKellar	Russell	White

Mr. LEWIS. I announce the absence of the Senator from Massachusetts [Mr. COOLIDGE], the Senator from Ohio [Mr. DONAHEY], the Senator from Wisconsin [Mr. DUFFY], and the Senator from Idaho [Mr. POPE], who are necessarily detained from the Senate; and the absence of the Senator from West Virginia [Mr. HOLT], caused by illness.

I ask that this announcement stand for the day.

Mr. VANDENBERG. I announce that my colleague the senior Senator from Michigan [Mr. COUZENS] is absent because of illness.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. KEYES] and the Senator from Iowa [Mr. DICKINSON] are necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

PETITION AND MEMORIAL

Mr. COPELAND presented resolutions adopted by the Monroe County (N. Y.) Board of Supervisors, favoring the enactment of legislation providing for the payment of adequate governmental pensions to citizens who qualify therefor, in accordance with the so-called "Townsend old-age-pension plan", which were ordered to lie on the table.

He also presented a resolution adopted by the Wanakena (N. Y.) Chapter of the Izaak Walton League of America, opposing the enactment of Senate bill 2665, to change the name of the Department of the Interior to the Department of Conservation and Public Works, and authorizing the President to transfer to such Department agencies dealing with the conservation of natural resources, which was ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. BULOW, from the Committee on Civil Service, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

H. R. 8458. A bill to provide for vacations to Government employees, and for other purposes (Rept. No. 1251); and

H. R. 8459. A bill to standardize sick leave and extend it to all civilian employees (Rept. No. 1252).

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 7167) to provide for unemployment compensation in the District of Columbia, authorize appropriations, and for other purposes, reported it with an amendment and submitted a report (No. 1255) thereon.

He also, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 4860. A bill for the relief of Judson Stokes (Rept. No. 1286); and

H. R. 6177. A bill for the relief of Brooker T. Wilkins (Rept. No. 1287).

Mr. BAILEY, from the Committee on Claims, submitted a report (No. 1254) to accompany the bill (H. R. 3965) an act conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Prince Royal, Sr., Kathleen Royal Hayes, Victor A. Royal, Lucile Royal, Prince Royal, Jr., Maggie Fields Ramsey, and R. J. Ramsey, heretofore reported by him from that committee without amendment.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 3147. A bill for the relief of Will A. Helmer (Rept. No. 1256);

H. R. 3967. A bill for the relief of Raymond Parramore (Rept. No. 1257);

H. R. 5415. A bill to confer jurisdiction on the District Court of the United States for the Eastern District of North Carolina to hear, determine, and render judgment upon the claims of the Pamlico Timber Corporation against the United States (Rept. No. 1258);

H. R. 6275. A bill for the relief of John Livingston and Mrs. John Livingston (Rept. No. 1259);

H. R. 7099. A bill for the relief of Rocco D'Amato (Rept. No. 1260); and

H. R. 7520. A bill for the relief of David A. Trousdale (Rept. No. 1261).

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

H. R. 607. A bill for the relief of Florence Overly (Rept. No. 1262); and

H. R. 4923. A bill for the relief of Maj. E. Leslie Medford, United States property and disbursing officer for Maryland (Rept. No. 1263).

Mr. WHITE also, from the Committee on Claims, to which was referred the bill (H. R. 5750) for the relief of Mary Brown Raley, reported it with an amendment and submitted a report (No. 1264) thereon.

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

S. 3195. A bill for the relief of Guiry Bros. Wall Paper & Paint Co. (Rept. No. 1265);

H. R. 2024. A bill for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899 (Rept. No. 1266);

H. R. 2443. A bill for the relief of Milton Hatch (Rept. No. 1267);

H. R. 2690. A bill for the relief of John B. Grayson (Rept. No. 1268);

H. R. 6267. A bill for the relief of Wint Rowland (Rept. No. 1269);

H. R. 6268. A bill for the relief of W. C. Wright (Rept. No. 1270); and

H. R. 6269. A bill for the relief of W. H. Keyes (Rept. No. 1271).

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

H. R. 616. A bill for the relief of Homer J. Williamson (Rept. No. 1273);

H. R. 830. A bill for the relief of Sanford Madison Strange (Rept. No. 1274);

H. R. 921. A bill for the relief of Edgar Sampson (Rept. No. 1275);

H. R. 2126. A bill for the relief of Hugh G. Lisk (Rept. No. 1276);

H. R. 4831. A bill for the relief of L. E. Geary (Rept. No. 1277); and

H. R. 5654. A bill to authorize the Court of Claims of the United States to hear and determine the claim of Samuel W. Carter (Rept. No. 1278).

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

S. 2996. A bill for the relief of the Eberhart Steel Products Co., Inc. (Rept. No. 1279);

S. 3175. A bill for the relief of Jesse Ashby (Rept. No. 1280);

S. 3409. A bill for the relief of the estate of John Gellatly, deceased, and/or Charlyne Gellatly, individually (Rept. No. 1281);

H. R. 3759. A bill for the relief of E. H. Jennings (Rept. No. 1282);

H. R. 4852. A bill to authorize the settlement of individual claims of military personnel for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army (Rept. No. 1283); and

H. R. 7577. A bill for the relief of Mrs. William E. Smith and Clara Smith (Rept. No. 1284).

Mr. BURKE, from the Committee on Claims, to which was referred the bill (H. R. 5097) for the relief of Mary E. Lord, reported it with an amendment and submitted a report (No. 1285) thereon.

Mr. GEORGE, from the Committee on Civil Service, to which was referred the bill (S. 1763) to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service", approved May 29, 1928, as amended by the act of December 12, 1930, reported it with amendments and submitted a report (No. 1288) thereon.

Mr. COPELAND, from the Committee on the District of Columbia, to which was referred the bill (H. R. 6623) to amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want, reported it with amendments and submitted a report (No. 1289) thereon.

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which was referred the bill (S. 2072) for the relief of Robert H. Muirhead, reported it without amendment and submitted a report (No. 1290) thereon.

Mr. AUSTIN, from the Committee on Military Affairs, to which was referred the bill (S. 1464) for the relief of Frank P. Hoyt, reported it with an amendment and submitted a report (No. 1291) thereon.

He also, from the Committee on the District of Columbia, to which was referred the bill (S. 3353) providing for the exchange of certain park lands at and near Western Avenue and West Beach Drive for other lands more suitable to the development of Rock Creek Park and the street system of the District of Columbia, and for other purposes, reported it with amendments, and submitted a report (No. 1299) thereon.

Mr. CHAVEZ, from the Committee on Foreign Relations, to which was referred the bill (S. 3085) authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose, reported it with amendments and submitted a report (No. 1292) thereon.

Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the bill (S. 3386) for the relief of Helen Gallagher Dominian, reported it without amendment and submitted a report (No. 1293) thereon.

Mr. KING, from the Committee on the District of Columbia, to which was referred the bill (H. R. 6510) to amend the District of Columbia Alcoholic Beverage Control Act, reported it with amendments and submitted a report (No. 1253) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3035. A bill to provide for enforcing the lien of the District of Columbia upon real estate bid off in its name when offered for sale for arrears of taxes and assessments, and for other purposes (Rept. No. 1294);

S. 3270. A bill to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia (Rept. No. 1295);

H. R. 8580. A bill to amend the law with respect to the time for jury service in the police court of the District of Columbia (Rept. No. 1296); and

H. R. 8581. A bill to amend the law providing for exemptions from jury service in the District of Columbia (Rept. No. 1297).

Mr. TYDINGS, from the Committee on the District of Columbia, to which was referred the bill (S. 3162) to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia, relating to offenses against property, reported it without amendment and submitted a report (No. 1298) thereon.

NATIONAL ECONOMIC COUNCIL

Mr. BULKLEY, from the Committee on Manufactures, to which was referred the resolution (S. Res. 114) to investigate the desirability of establishing a National Economic Council, reported it without amendment, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate

INCOME AND INHERITANCE TAXATION—MINORITY VIEWS (REPT. NO. 1240, PT. 2)

Mr. METCALF. I ask unanimous consent to submit and have printed, as a separate document, the views of the minority of the Finance Committee on the pending tax bill.

Mr. WALSH. Mr. President, by whom is the report signed?

Mr. METCALF. It is signed by the Senator from Delaware [Mr. HASTINGS] and myself.

Mr. WALSH. Are there to be any other minority views filed?

Mr. METCALF. Not so far as I know.

The VICE PRESIDENT. Without objection, the minority views will be received and printed, as requested by the Senator from Rhode Island.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on August 13, 1935, that committee presented to the President of the United States the following enrolled bills:

S. 208. An act for the relief of the Consolidated Ashcroft Hancock Co., Inc., Bridgeport, Conn.;

S. 280. An act for the relief of Hazel B. Lowe, Tess H. Johnston, and Esther L. Teckmeyer;

S. 405. An act for the suppression of prostitution in the District of Columbia;

S. 447. An act conferring jurisdiction on the United States District Court for the District of Oregon to hear, determine, and render judgment upon the suit in equity of Rakha Singh Gherwal against the United States;

S. 457. An act for the relief of John W. Beck;

S. 490. An act for the relief of F. T. Wade, M. L. Dearing, E. D. Wagner, and G. M. Judd;

S. 540. An act for the relief of Fred Luscher;

S. 658. An act for the relief of K. W. Boring;

S. 1045. An act for the relief of A. Cyril Crilley;

S. 1070. An act for the relief of William A. Thompson;

S. 1214. An act for the relief of Oliver B. Huston, Anne Huston, Jane Huston, and Harriet Huston;

S. 1326. An act for the relief of Robert A. Dunham;

S. 1409. An act for the relief of the General Baking Co.;

S. 1497. An act to authorize the appointment of First Lt. Claude W. Shelton, retired, to the grade of captain, retired, in the United States Army;

S. 1577. An act for the relief of Skelton Mack McCray;

S. 1640. An act for the relief of Dan Meehan;

S. 1696. An act for the relief of Mary Sky Necklace;

S. 1735. An act for the relief of the estate of W. W. McPeters;

S. 2034. An act to prevent the fouling of the atmosphere in the District of Columbia by smoke and other foreign substances, and for other purposes;

S. 2076. An act for the relief of Domenico Politano;

S. 2168. An act for the relief of the Bell Telephone Co. of Pennsylvania;

S. 2225. An act authorizing adjustment of the claim of the Western Union Telegraph Co.;

S. 2312. An act for the relief of the Western Construction Co.;

S. 2373. An act for the relief of Harry Jarrette;

S. 2374. An act for the relief of Elliott H. Tasso and Emma Tasso;

S. 2388. An act authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Victoria Arconge;

S. 2393. An act for the relief of the widow of Ray Sutton;

S. 2426. An act to provide for the creation of a memorial park at Tampa, in the State of Florida, to be known as "the Spanish War Memorial Park", and for other purposes;

S. 2488. An act for the relief of the widows of an inspector and certain special agents of the Division of Investigation, Department of Justice, and operative in the Secret Service Division, Department of the Treasury, killed in line of duty;

S. 2635. An act for the relief of Sudden & Christenson, Inc., John A. Hooper, Emil T. Kruse, Edward Kruse, Gilbert Loken, and G. W. McNear, Inc., or their successors in interest;

S. 2666. An act for the relief of the Nacional Destilerias Corporation;

S. 2751. An act for the relief of Walter C. Price and Joseph C. Le Sage;

S. 2808. An act for the relief of Grier-Lowrance Construction Co., Inc.; and

S. 2818. An act for the relief of Blanche L. Gray.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WAGNER:

A bill (S. 3414) to provide for the appointment of an additional district judge in the United States District Court for the Eastern District of New York; to the Committee on the Judiciary.

A bill (S. 3415) to provide for the residence of the United States commissioners appointed for the national parks, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. SHEPPARD:

A bill (S. 3416) for the relief of Samuel Richard Mann; to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 3417) to provide for extending credit to aid in the conservation and operation of forest lands, to establish a Forest Credit Bank, and for other purposes; to the Committee on Banking and Currency.

By Mr. BAILEY:

A bill (S. 3418) for the relief of the Trent Trust Co., Ltd.; to the Committee on Claims.

A bill (S. 3419) to correct the military record of Paulus Williams; to the Committee on Military Affairs.

By Mr. GORE:

A joint resolution (S. J. Res. 172) to enable the Secretary of the Interior to invest the funds of restricted Indians in Oklahoma in mortgages secured by the Government under the National Housing Act, and for other purposes; to the Committee on Indian Affairs.

LOAD LINES FOR AMERICAN VESSELS—AMENDMENT

Mr. COPELAND submitted an amendment intended to be proposed by him to the bill (S. 2002) to provide for the establishment of load lines for American vessels in the coastwise trade, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

INCOME AND INHERITANCE TAXATION—AMENDMENTS

Mr. LONERGAN submitted an amendment intended to be proposed by him to the bill (H. R. 8974) to provide revenue, equalize taxation, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. LA FOLLETTE submitted three amendments intended to be proposed by him to the bill (H. R. 8974) to provide revenue, equalize taxation, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. McCARRAN I submit an amendment to the pending bill, which I ask to have printed and lie on the table. I also ask to have it printed in the RECORD.

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

At an appropriate place in the bill, to add a new section, as follows:

"SEC. —. That section 6, section 7, and section 8 of Public Law No. 438, Seventy-third Congress, are hereby repealed, and all Treasury rules and regulations made in pursuance of said sections 6, 7, and 8 of Public Law No. 438 are declared null and void and inoperative."

Mr. BANKHEAD. I submit an amendment, which I ask to have printed and lie on the table. It is a short amendment, and I ask also that it be printed in the RECORD in connection with this statement.

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

On page 17, after line 10, to insert:

"(e) If at or before the time prescribed for filing the return for any taxable year of the tax imposed by this section, the Secretary of Labor certifies to the Commissioner the amount distributed (in accordance with rules and regulations prescribed by the Secretary of Labor) by a taxpayer during such taxable year among its employees whose annual income is less than $2,000, as a bonus, and the amount so distributed is two-thirds or more of the amount of the tax imposed by this section upon such taxpayer for such taxable year, then such tax shall be abated."

EXPENDITURES BY THE GOVERNMENT FOR COTTON COOPERATIVES

Mr. McKELLAR submitted the following resolution (S. Res. 185), which was referred to the Committee on Appropriations:

Resolved, That the Committee on Appropriations, or any duly authorized subcommittee thereof, is authorized and directed to investigate the expenditures by the Federal Government for cotton cooperatives and their losses heretofore sustained. The committee shall report to the Senate, at the earliest practicable date, the result of its investigations, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-fourth Congress, to employ clerical and other assistants, to require by subpena or otherwise the attendance of witnesses and the production of books, papers, and documents, to administer oaths, to take testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report hearings shall not be in excess of 25 cents per hundred words, and the expenses of the committee, which shall not exceed $1,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

PENSIONS TO SPANISH-AMERICAN WAR VETERANS

Mr. BARKLEY. Mr. President, yesterday the President signed the Spanish War veterans' pension bill. At the same time he stated the position of the White House with reference to the matter. I ask unanimous consent that the statement be published in the RECORD.

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

[From the New York Times of Aug. 14, 1935]

RESTORES PENSIONS FOR SPANISH WAR

ROOSEVELT'S STATEMENT

The explanatory statement made public at the White House read:

"The President, in signing today H. R. 6995, a bill reenacting laws dealing with pensions granted to veterans and the dependents of veterans of the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion, made clear the definite distinction between legislation relating to veterans of early wars and the veterans of the World War.

"The Congress on many occasions has recognized that because of the complete absence of any system or policy initiated during or immediately following the Civil War, the Indian wars, and the Spanish-American War, and because of lack of adequate medical care from the point of view of modern standards, the veterans of these earlier wars could be compensated and taken care of only through some form of pension system.

"In the case of the World War, however, the Congress at the very beginning of the war adopted an entirely new system of care and benefits. This new system applied to all who fought in the World War, extended to them additional compensation if they had dependents, as well as insurance, hospitalization, vocational rehabilitation, and the adjusted-service certificates (the bonus).

"The veterans of the Spanish-American War, now approaching an average age of 62 years, had none of these advantages except hospitalization in recent years. Their case, therefore, cannot be compared to the case of World War veterans. For the same reason the approval of this bill establishes no ground or precedent for pensions for the World War group. Theirs is an entirely different case.

"There are some inequalities involved in this legislation, but the President recognizes the fact that the Spanish-American veterans were once on the rolls, under prior legislation; that they are approaching advanced age; that their disabilities are increasing.

"The President's action today is taken appropriately on the anniversary date of the occupation of Manila by the American forces."

MEASURE AFFECTS 50,000

The Veterans' Bureau estimated that 50,000 persons were directly affected by the bill, including more than 37,000 actual veterans and 11,220 widows and orphans. Spanish-American War pension costs will be raised in the current fiscal year from $85,610,868 to $131,200,000, the Bureau predicted.

The President's action was taken only after several consultations with Daniel W. Bell, Jr., Acting Director of the Budget, and Brig. Gen. Frank T. Hines, Administrator of Veterans' Affairs, both of whom had stressed on behalf of the White House the fact that the additional cost of the bill was not counted in current Budget estimates.

The Economy Act passed by Congress at the insistence of President Roosevelt during the special session called immediately after his inauguration was estimated to have brought about savings ranging from $450,000,000 to $500,000,000 annually, most of this being at the expense of the veterans.

Among the estimated savings was $200,000,000 accounted for by the restricting of benefits for non-service-connected disabilities, since repealed by Congress over the President's veto; the cuts in Spanish-American War veterans' pensions, estimated as saving $95,000,000 annually; and some $40,000,000 counted saved in administrative routine.

All economies at the expense of veterans now have been repealed, as well as an annual saving of $125,000,000 that accrued for a while from cuts in the pay of the Government's civil employees.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

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

On August 12, 1935:

S. 1633. An act to amend the Interstate Commerce Act, as amended, and for other purposes.

On August 13, 1935:

S. 39. An act for the relief of the estate of William Bardel;

S. 170. An act for the relief of Alva A. Murphy;

S. 276. An act for the relief of Harry Layman;

S. 684. An act for the relief of Brown & Cunningham, of Port Deposit, Md.;

S. 794. An act for the relief of the Bowers Southern Dredging Co.;

S. 908. An act for the relief of Edwin C. Jenney, receiver of the First National Bank of Newton, Mass.;

S. 1227. An act to authorize the issuance and sale to the United States of certain bonds of municipal governments in Puerto Rico, and for other purposes;

S. 2193. An act to provide for the construction, extension, and improvement of public-school buildings in Duchesne County, Utah;

S. 2545. An act to provide funds for acquisition of the property of the Haskell Students Activities Association on behalf of the Indian school known as "Haskell Institute", Lawrence, Kans.;

S. 2879. An act for the relief of Catherine Grace;

S. 3329. An act to authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the Fort Knox Military Reservation, Ky., for the construction thereon of certain public buildings, and for other purposes; and

S. J. Res. 145. Joint resolution authorizing the appropriation of funds for the maintenance of public order and the protection of life and property during the period August 16, 1935, to August 31, 1935, both inclusive.

THE CONGRESS AND THE CONSTITUTION—ADDRESS BY SENATOR CONNALLY

Mr. ASHURST. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by the junior Senator from Texas [Mr. CONNALLY] before the Virginia State Bar Association, at White Sulphur Springs, Va., Friday, August 9, 1935, on the subject of The Congress and the Constitution.

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

To address the Bar Association of the State of Virginia is an honor which arouses my pride and yet depresses my spirit. Conscious of the glorious traditions that attach to the bar and distinguished public characters of Virginia from colonial times, and the large share which they played in the Revolution, in the establishment of the Union, and in the formation and adoption of the Federal Constitution, and that the bar of Virginia has played an illustrious part throughout the subsequent life of the Republic, I cannot repress a sense of inadequacy to meet the expectations of this occasion.

EMERGENCY LEGISLATION

In times of crisis, whether of war or economic stress and dislocation, the legislative power is urged to adopt extraordinary

measures either under the war power or because of an emergency. Such was the case among the original States from the Declaration throughout the War of Independence and under the Confederation. Since the establishment of the Federal Government under the Constitution such situations have arisen at various periods of the Republic's history, and, no doubt, will continue to arise so long as organized society may continue. They have, no doubt, called forth the exertions of every great government that ever existed.

Under the spur of seeming necessity and in an effort to overcome economic disaster during the most tragic panic of this century, the Congress, since March 4, 1933, has, in its endeavor to regulate interstate commerce and to meet an emergency, enacted legislation which has been declared invalid by the Supreme Court of the United States.

N. R. A. AND OTHER DECISIONS

The recent decisions of the Court in the N. R. A. and railroad-pension cases have brought vividly to public attention the proposal, heretofore many times advanced, that the power of the Supreme Court to declare an act of Congress unconstitutional be limited or destroyed. The first of these decisions was by a unanimous Court, and its soundness is generally conceded, the latter by a Court dividing 5 to 4. These cases, of course, particularly arouse the interest of the bar. Since the Constitution itself and all the instrumentalities of government operating thereunder, including the Congress, the Executive, and the Supreme Court, are the creatures of the people themselves and owe their final responsibility to the people, it is not an unhealthy development that through clashes of their asserted authority the attention of the people may be arrested and directed to a consideration of the governmental policies involved in our whole framework of government; whether we are to continue in the heretofore well understood and accepted constitutional concepts or whether the people, in order to modify the governmental structure, may determine upon amendment or change. Such is the duty of those who would govern themselves under institutions of their own making designed for their own welfare and for the highest attainment of liberty and free institutions.

CONSOLIDATED GOVERNMENTS

In the case of unified and consolidated governments, possessing complete sovereignty, or in which the Parliament is omnipotent, the exercise of such powers arouses little notice or concern. The British live under an unwritten constitution. Their so-called "constitution" is merely a mass of custom, tradition, the common law of England, and acts of Parliament. Under that system Parliament is supreme, and the citizen possesses no personal right or guaranty that may not be invaded by Parliament.

WRITTEN CONSTITUTION

In the United States, however, since the foundation of the Republic we have lived under a system of Federal union of preexisting States, in which the Federal authority is delegated and limited by a written constitution, which also limits the powers of the States, and under which all powers not delegated to the Federal Government and not denied to the States are retained by the States or the people.

DUAL SYSTEM

It was this dual system—the existence of two separate governments acting upon and requiring the obedience and loyalty of the individual citizen—which was a novel feature of the American system and distinguished it from European forms. It was its dual character that required the adoption of a written constitution defining the jurisdiction of the Union and the States and limiting the powers of the departments of the Federal Government. Likewise, the adoption of a written constitution delegating, limiting, and defining powers, logically required the creation of an agency or tribunal in which might be asserted and maintained the distribution of powers and the enforcement and security of the rights guaranteed severally to the Union, the States, and every citizen claiming the protection of either.

THE SUPREME COURT

In the Convention at Philadelphia the framework of the Federal Government was debated in great detail, but when the Constitution emerged it carried no express authority to the Supreme Court to declare invalid an act of Congress. It did, however, provide that "the judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish"; and that "This Constitution and the laws of the United States which shall be made in pursuance thereof * * * shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding", and that "the judicial power shall extend to all cases * * * arising under this Constitution" as well as under the laws and treaties of the United States. It must also be borne in mind that eminent men in the Colonies had denounced the Stamp Act and other royal measures as "unconstitutional" and that under existing State constitutions State courts in some of the States exercised the power of declaring State statutes unconstitutional. Since most of the provisions of the Federal Constitution were derived or adapted from similar clauses of the various State constitutions or the Articles of Confederation, and the framers were guided both as to the rights to be secured and abuses to be prevented by their experience under the respective State governments, there is ample ground for the assumption that the Convention intended that the judicial power should extend to declaring acts beyond the Constitution invalid just as had been the practice in a number of the States. The unconstitutionality of legislation is strictly an American doctrine arising from our written constitutional systems and arising from the necessity of restraining the exercise of unauthorized powers.

MARBURY AGAINST MADISON

However, as early as February 1803, Chief Justice John Marshall, in *Marbury* v. *Madison*, unequivocally asserted the power of the Court to declare invalid an act of Congress which the Court regarded as beyond its constitutional power. The decision was based upon the theory that the Court was bound to apply the law and that where a right claimed under an act of Congress conflicted with the terms of the Constitution, the act must give way to the superior or supreme law of the land. Since that time the doctrine has been generally accepted as a definite and established power of the Court.

UNCONSTITUTIONAL ACTS

It may be interesting to observe, however, that from the establishment of the Court until the adjournment of the October term, 1934, only 58 acts of Congress, or 73 different provisions of such acts, have been declared unconstitutional by the Supreme Court. While the Court in these instances has differed with the Congress it has differed more frequently among its own membership. From the First to the Seventy-third Congress, inclusive, 56,659 public acts and measures have been enacted by the Congress. In the same period 649 State and municipal laws have been invalidated by the Court. Because of recent decisions of the Court, there is in some quarters criticism that Congress has, to an unusual degree, disregarded the Constitution. If it is remembered that much of the legislation attacked is based upon a misconception of the latitude of congressional power to regulate interstate commerce, and that for years such power has been much misunderstood and is in its nature incapable of definite and clear-cut demarcation, the errors of the Congress appear in a less unfavorable light. If the Congress erred in its conception of its authority over commerce, the Supreme Court was somewhat responsible because of seeming conflict of its own opinions in defining interstate commerce and the control thereof by Congress.

The Supreme Court has declared unconstitutional only three important acts of Congress enacted since March 4, 1933—the N. R. A., the Railroad Pension Act, and the Frazier-Lemke Bankrupt Farm Mortgage Act. Bear in mind that the first two were based upon the interstate-commerce clause and the latter upon the bankruptcy power of Congress. Both of these powers, within their proper sphere, are within the undeniable authority of Congress. There was no willful nor deliberate disregard by Congress of the Constitution. Congress erred only in its interpretation of the scope and sweep of its delegated powers.

In the most outstanding constitutional decision handed down in the last half century the authority of Congress was sustained. In the celebrated gold cases involving the power of Congress to regulate the value of money the Supreme Court in a sweeping decision vindicated and upheld this transcendent power. The critics of Congress give little notice to this signal vindication of Congress in its exercise of one of the most fundamental acts of sovereignty.

WAR BETWEEN THE STATES AND RECONSTRUCTION

During the War between the States and the era of reconstruction the Congress asserted many powers which the Court later denied and overthrew. Among such acts was that requiring a test oath for those applying for admission to the bar, *Ex parte Garland;* the legal-tender case of *Hepburn* v. *Griswold*, which was subsequently overruled in *Knox* v. *Lee*, both decisions being by a divided Court: the Income Tax Act of 1864, held invalid in *Collector v. Day;* Internal Revenue Act of June 20, 1864; the act of May 31, 1870, penalizing the State election officers, *United States* v. *Reese;* the act of April 20, 1871, providing punishment for any person denying equal protection of the law to a citizen, in *United States* v. *Harris*, 106 U. S.; and the civil-rights acts, invalidated by the Court in 109 U. S.

During the Lincoln administration seven acts were passed which later were declared invalid by the Supreme Court. During the Presidency of Grant 12 acts of Congress were subsequently declared unconstitutional. Many of these measures infringed primary rights of person and property. They were far-reaching and manifested a disregard of constitutional limitations to alarming and dangerous proportions. But for the Supreme Court such usurpations and tyrannical congressional enactments would have been imposed upon a helpless and unhappy people.

These measures were passed in a period when the prejudices of men were stirred to their depths and the Congress was passionately reaching for instruments of punishment and regal powers. It had defied and impeached a President and sought unhampered and unrestrained rule by Congress. Under the pressure of Congress there were adopted the thirteenth, fourteenth, and fifteenth amendments to confer on the Federal Government far-reaching powers which Congress was eager to exercise. It is not necessary here to discuss the turbulent conditions under which these amendments were adopted nor the assertion that all of them were not constitutionally ratified. In that era rule by Congress and its ascendancy over other branches of the Government reached their highest tide. Intoxicated by its own usurpations and maddened by passion it sought the control and then the overthrow of the

President of the United States and through the institution of military governments denied constitutional and civil governments to 11 States of the Union.

The dangers of unrestrained legislative power were foreseen in the Philadelphia convention. The expansion of legislative power in the States after the Revolution was noted by James Madison when he said:

"Experience had proved a tendency in our governments to throw all power into the legislative vortex. The executives of the States are, in general, little more than ciphers; the legislature omnipotent. If no effectual check be devised for restraining the instability and encroachment of the latter, a revolution of some kind would be inevitable."

If Congress should be alone the judge of its own power and should be free to choose the scope and breadth of its authority, the limits of Federal jurisdiction might be so extended as to build up a centralized Government far beyond the dreams of the founders of the Constitution. A hundred years ago Senator Berrien, of Georgia, in the United States Senate, exclaimed, "Is there a State in the Union which would have ratified that charter if such had been its provisions?"

The States, he said, would utterly lack security for all their rights if they were to be committed to the exclusive guardianship of Congress, unrestrained in the exercise of their powers, but by their own interpretation of our Federal charter.

With Congress unrestrained by constitutional limitations, and with the States resisting its encroachments, it is not difficult to imagine innumerable conflicts between the exercise of their respective powers. With no constitutional arbiter the balances and checks of the Constitution would prove ineffective and futile. How are the 48 States to preserve their jurisdiction and to maintain their sovereign powers unless the Federal authority be limited to its proper sphere of action? How are the powers specifically denied to the States to be successfully prohibited unless there be a supreme judicial authority to nullify their pretensions?

While in the entire history of the Congress only 73 provisions of acts have been declared unconstitutional, the existence of the Court and its construction and expounding of the Constitution have unquestionably been of inestimable aid to the Congress in its observance of its limitations. The legal philosophy displayed by the Court in upholding acts of Congress has no doubt many times satisfied the people that a power has been properly exercised, when otherwise doubt as to its justice might arouse objection and resistance. It is said that Congress, bound by oath to support the Constitution, may be trusted to keep within proper bounds. While it is the duty of Senators and Representatives to construe the constitutional power of Congress and to observe its limitations, they, just as the judges of the courts themselves, frequently disagree as to a disputed power.

Congress, under popular pressure and anxious to accomplish a desirable end, may unconsciously and innocently extend its authority beyond its constitutional bounds. The Court, free and independent, may disregard interest and defy every improper consideration.

BILL OF RIGHTS

The first 10 amendments were submitted by the First Congress and were speedily ratified. But for the assurance given in the State ratifying conventions that such amendments would be offered, it is doubtful that the original Constitution would have been ratified. Within those amendments is incorporated the American Bill of Rights—those fundamental personal guaranties that are always associated with our conception of individual liberty. If one of those rights be transgressed by the Congress, or the Executive, where may the citizen appeal for redress except to the Federal courts—finally to the Supreme Court?

The same judicial power that denies to Congress extra constitutional authority must also enforce the limitations and prohibitions pertaining to the Executive, when the question is properly presented to the Court in a judicial proceeding.

A striking example of usurpation by the Executive authority is found in Milligan's case. The decision in *Ex parte Milligan* (71 U. S.), is a monumental pillar in the constitutional history of the United States. It will be remembered that Milligan, a citizen of Indiana, who was neither in the military nor naval service, was arrested by order of the President in 1864 and was haled before a military tribunal, constituted by the military commander of the department of Indiana, was tried for seditious acts and was condemned to be hanged. In May 1865, he applied for a writ of habeas corpus and the case was certified to the Supreme Court of the United States. It was there held that he had been deprived of his rights of trial by jury in the civil courts of the United States. Judge David Davis, in the course of the opinion of the Court, said:

"The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government."

The Constitution, both in peace and war, is the same. In a case regularly before the Court, it was required to determine whether the right of a citizen to a jury trial in a civil court, a right guaranteed by the Constitution, could be denied by a military tribunal constituted by Executive authority.

It is true that Congress possesses a check on the Executive through impeachment, yet that is not an adequate remedy. The Milligan case is a striking and eloquent example. But for the interference of the court, under Executive orders and a military court a citizen would have been executed, in violation of his constitutional rights. Congress had no power to intervene. The Milligan case denies the existence of emergency power and refuses to recognize the suspension of constitutional guaranties in time of war. That ringing declaration of the Court, "The Constitution of the United States is a law for rulers and people, equally in war and in peace", is worthy to rank with the noblest periods in the literature of liberty.

PROHIBITIONS OF THE CONSTITUTION

There are 25 prohibitions in the Constitution against the exercise of powers by the Federal Government. How are they to be effectively maintained and enforced? That great document catalogs many prohibitions as to the power of the States. The power of the President of the United States is perhaps greater than that of any reigning monarch on the globe and yet there are limitations upon his authority which the Court in a recent decision defined and maintained.

In the Humphrey case the extent of Presidential removal of a Federal officer and the authority of Congress to prescribe and limit the causes for removal were involved and the Court upheld the Congress. Has the wisdom of man ever devised a more appropriate agency than an independent judiciary, appointed for life, learned in the law, and removed from political and partisan activity, to sit in solemn judgment on such titanic issues of constitutional government?

FIVE-TO-FOUR DECISIONS

But it is said that vital decisions are made by a divided court. In 145 years the Supreme Court has decided only 10 cases holding an act of Congress unconstitutional by a 5-to-4 vote; there were some cases in which 3, 2, or 1 of the judges dissented. In many cases the decisions were unanimous.

Proposals to require decisions by a two-thirds or a 7-to-2 vote have been made. The Court now acts by a majority vote. Each branch of Congress determines important questions by a majority vote. The President of the United States, exercising the entire executive power, is but one individual. To require a unanimous decision or a decision by two-thirds or more of the Justices is to vest in a minority of the Court the actual power of decision by preventing the majority from acting. A 5-to-4 decision is better than a 4-to-5 decision.

LIMITATION OR RECALL OF DECISIONS

This is not the first time in our history when distinguished men have contested the right of the Court to declare acts of Congress invalid. Thomas Jefferson is quoted as saying:

"No, no, my countrymen. The opinion which gives to the judges the right to decide what laws are constitutional and what are not * * * makes the judiciary a despotic branch. The Constitution has erected no such single tribunal, that to whatever hands confined * * * its members would become despots.

Former President Theodore Roosevelt, in 1912, advocated the recall of judicial decisions when he said:

"I do speak. Let the people recall the decision. The highest right of a free people is the right to make their own laws; and this right does not exist if under the pretense of interpolation an outside body can nullify the laws. I hold that the people should say finally whether these decisions are or are not to stand as the laws of the land."

The authority of the Court, however, has become firmly established and universally recognized.

AMENDMENT

The reserved right of amendment is always available. Whenever and however the distribution of the powers of the Federal Government among the several branches may seem to require a readjustment or change, there is adequate recourse through amendment of the fundamental law. But whatever that adjustment or rearrangement may be, there will still remain the necessity for a supreme tribunal to preserve and secure a proper and legal observance of the limitations of power. If the distribution of powers as between the States and the Federal Government is not such as to adequately meet the necessities of the time or afford agencies and instrumentalities for the people to meet and deal with modern problems, through amendment modifications and changes may be adopted. However, in any such new adjustment there will always remain the necessity for a lofty, impartial, and courageous tribunal to keep in check pretensions of power not authorized, and to preserve the checks and balances of the Constitution. If the existing Court should be destroyed or limited, in the course of time necessity would require the erection of another in its stead.

If the power of Congress is not broad enough to deal with modern problems, let the people by amendment of the Constitution give it new or added power. Jefferson said that each generation had a right to amend, change, or modify the fundamental law. The Constitution was made for the people. The people were not made for the Constitution.

But whatever rearrangement may be provided, whatever readjustment may be devised, wisdom dictates that there shall always remain a great tribunal to serve the people and the Constitution by preserving the rights of the former and vindicating the authority of the latter.

INFERIOR COURTS

The judicial power of the United States is vested in a supreme court and such other inferior courts as Congress may from time to time establish. There is cause for just complaint that the

inferior courts of the United States interfere with the execution of State laws by the issuance of injunctions. Of course, if a Federal right is involved, a Federal trial court is authorized to take cognizance of the subject matter and decide the issue upon the merits. This is true whether the power asserted emanates from the Federal Government or from the State government. However, the issuance of temporary injunctions against Federal officers and State officers staying the execution of regularly enacted legislation, for an individual judge to paralyze the legislation of a State and arrest its enforcement prior to a final decision of the merits of the cause by the Supreme Court of the United States, arouses in the minds of the people a resentment against what they deem to be tyrannical and autocratic judicial power. Congress may limit and define the jurisdiction of inferior Federal courts. My own view is that there is need for legislation qualifying and limiting the authority of inferior Federal courts to employ the writ of injunction against the enforcement of State and Federal laws prior to a determination thereof by the Supreme Court.

CHAOS AND CONFLICT

With a Congress, and with 48 State legislatures unbridled except by their own will, each seeking to extend the scope and force of its activity, and with Congress and the Executive in sharp conflict, unrestrained by a calm and unbiased umpire, the affairs of the people would be engulfed in chaos and dazed by such a tangled web it would be difficult for the citizen to know or effectively assert his rights of person and property. The Supreme Court is not a perfect instrument—it has been composed of men fallible in their judgment—it will in the future be composed of fallible men—there are no others—differing among themselves as to construction and interpretation of the law, yet its value and utility have been demonstrated in times of peace and calm as well as in periods of crisis and storm. It has erred in the past, and will err in the future, yet its character, integrity, and independence have attracted the admiration not alone of America but of the legal profession in all civilized countries. While some of its decisions involving political questions have appeared to have been determined along the lines of political bias, it has, no doubt, yielded less in that regard than have other governmental agencies.

To still further remove the Court from any possible political influence or bias, it should be provided that no member of the Court should ever be eligible to appointment or election to any political or governmental office. The members of that high Court should, like a cloistered monk, forsake the world and mammon when they assume the vows of that exalted station. Personally, I favor a constitutional amendment removing from the field of temptation the allurements of political ambition.

The Constitution and its guaranties belong to all the people of the United States. They are the possession of no political party; they belong to no clique or faction.

By no catchword, by no political slogan, by no cheap appeal to prejudice should the politicians be allowed to employ the Constitution as a screen from behind which to make a campaign upon an issue which is not properly a political issue. Those politicians who are now so loudly proclaiming themselves to be the particular protectors and guardians of the Constitution cannot employ that pretext as a vehicle to again ride into power. Those who would hide behind the Constitution for purely selfish, political ends are neither its friends nor defenders. The people of America will not be deceived or beguiled by any such tawdry and flimsy pretense. The Constitution is the possession of every American citizen.

OPPOSED TO LIMITING JURISDICTION

As an American citizen I oppose divesting the Supreme Court of the power to construe and interpret the Constitution at the suit of any citizen of the Republic whenever any right guaranteed to him by that instrument may be invaded by the Congress, the Executive, the courts, or any State of the Union. Where else can the citizen appeal for the protection of those fundamental Federal rights of trial by jury, freedom of speech and of the press, the writ of habeas corpus, freedom from unreasonable searches and seizures, and other treasured rights for which the Colonists first fought as Englishmen, and then, throwing off the royal yoke, as Americans flung at the base of the British throne a courageous challenge, of which Buckle said:

"In 1776 the Americans laid before Europe that noble declaration which ought to be hung up in the nursery of every king and emblazoned on the porch of every royal palace"?

If the Court should corruptly or wantonly and willfully transcend its just powers, there always remains the remedy of impeachment. Powerful and exalted, yet it is not above the organic law. Its towering authority does not reach beyond the arm of the Constitution. It is not sacred. It is not sacrosanct. It is composed neither of gods nor demigods. But where shall we find a better or wiser or more impartial tribunal in which to test the authority of a mighty government over a weak and humble citizen—in which to subdue the turbulent clashes between State and Federal authority, and through which to drive back within the boundaries of their respective jurisdictions legislative, executive, and judicial aggressors? Before what other bar would the American people consent to have summoned a sovereign State at the suit of another State?

These lofty judicial functions must be preserved if the American conception of a dual system is to survive. These high powers must be exercised if the distribution and limitations of governmental power charted by the Constitution are to be observed and maintained. Let the rights and powers secured by the Constitution remain where the might and the majesty of a great people, through that noble charter, deposited and secured them. May the Supreme Court, with the same regard for the limitations of its own authority, which it requires of others, with wisdom and justice and courage, ever protect and defend them.

LETTERS AND STATEMENTS BY SENATOR ASHURST

Mr. ASHURST. Mr. President, I ask unanimous consent to have printed in the RECORD certain letters addressed by me to various persons and several excerpts from remarks made by me.

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

JULY 25, 1935.

THE A. N. MARQUIS CO.,
Publishers Who's Who in America,
919 North Michigan Avenue, Chicago, Ill.

GENTLEMEN: Your letter of July 15 received.

Some years ago I wrote you requesting that my name be omitted from Who's Who in America, but you declined to comply with my wish.

My attorneys have advised me that I am without remedy and am powerless to prevent your including my name in Who's Who.

All that I may do is to protest against my name appearing in your 1936–37 edition of Who's Who in America, volume 19.

Please be advised that if you do include my name in your volume 19 of Who's Who in America, it will be done against my wishes, and I desire that you do not send me a copy thereof.

Sincerely yours,

HENRY F. ASHURST.

MAY 18, 1935.

Mr. J. F. MILLARD,
Phoenix, Ariz.

DEAR MR. MILLARD: Your letter of May 11 received in which you request me to recommend a pardon for ———.

In reply, it is my duty to say to you that during my service in the Senate I have never interfered with judicial processes or with pardons or paroles and have always refused to recommend pardons or paroles for the obvious reason that when Senators or Representatives do interfere in such matters they thwart the administration of justice. I shall not recommend pardon for ———.

With kind regards, sincerely yours,

HENRY F. ASHURST.

APRIL 17, 1935.

Mr. R. W. KNAPP,
Phoenix, Ariz.

DEAR FRIEND KNAPP: Your letter received.

It is quite true that many, if not most, of the laws passed in the hope of rescuing the country from the depression were experiments. Some of these experiments are successful, whilst frankness and candor compel me to say that some of them are failures. No rational person would admit a belief in the wholesomeness of all of these laws, and he would have been a bold man who would have ventured to prophesy that all of these experiments would be a success.

I share the hope you entertain that we may abandon experiments that are obvious failures and retain such as have been demonstrated to be of value.

In times of grave danger to our country, whether from unemployment, famine, fire, flood, war, pestilence, or depression, a nation, and certainly a first-rate nation, becomes a laboratory to test problems and discover which is the plan of recovery.

I observe your reference to the securities bill and also your reference to the Rayburn bill. It may come to pass that in order to emerge from the depression our Nation may yet be obliged to resort to those prosaic, unpopular, and age-old remedies that have never failed—economy, hard work, and the other simple virtues that made our Nation.

With kind regards, sincerely yours,

HENRY F. ASHURST.

Monday, March 13, 1933

Mr. ASHURST. Mr. President, I have received, as doubtless many Senators have, a large number of telegraphic dispatches respecting Senate bill No. 233, a bill to maintain the credit of the United States Government. One of the dispatches reads as follows:

"I feel it my duty to advise that your future success is in grave danger if you uphold granting Presidential power."

Another reads:

"Your attitude very unsatisfactory. You are taking $6,300,000 annually from Arizona, and are politically dead unless you change your attitude."

Mr. President, sometime ago I made the astonishing and for a while, to myself, the distressing discovery that the perpetuity of the American Government did not absolutely depend upon the reelection of one HENRY FOUNTAIN ASHURST to the Senate of the United States.

When a Senator makes such a discovery, at first the fact appears incredible. It seems as if the stars above his head had faded and the earth had slipped beneath his feet. But, as time rolls on, such a discovery proves to be a real antidote to megalomania; and the further flight of time brings to the discoverer a serenity and a humility to be envied by the world's greatest philosophers.

It may be, Mr. President, that the perpetuity of the American Republic does not depend upon my reelection to the Senate; but the perpetuity of the Republic may, indeed, depend upon granting to the President the authority to make the economies called for in his message to Congress.

MAY 29, 1933.

Mr. G. H. BROWN,
Phoenix, Ariz.

DEAR MR. BROWN: Yours of May 25 received, advising that you desire a position with the Bureau of Internal Revenue, and you request me to recommend you "to the new collector at Phoenix as soon as he is appointed."

It is my duty to tell you that the district attorney, marshal, collector of internal revenue, collector of customs, and register of the local land office, respectively, will be appointed upon the recommendations of the United States Senators from Arizona.

In my judgment, it would be improper for a Federal Senator to make any suggestion as to whom such persons thus recommended by Federal Senators should appoint. The Federal officials who may be appointed upon my recommendation shall be left free to select their own assistants, deputies, accountants, and clerks.

On this point I may be—probably am—censurably delicate, but it is my inflexible rule to which I adhered during the Wilson administrations. Quite naturally I desire to please as many of my constituents as possible and to offend as few of them as possible, but I believe in the principle of absolute noninterference by Federal Senators in the selection of the subordinates of Federal officials appointed upon my recommendation.

Sincerely yours,

HENRY F. ASHURST.

OCTOBER 16, 1933.

Mr. G. A. ROBERD,
Phoenix, Ariz.

MY DEAR FRIEND: Your letter received advising that the chamber of commerce had "denounced" Senator HAYDEN and myself for not securing larger sums of Federal funds for Arizona.

This complaint of the chamber of commerce is not at all unique, for daily, from the mail bags, there are dumped upon my desk demands that "this, that, or the other" industry be nourished by some gift, bounty, or largess out of the Federal Treasury.

I sympathize somewhat with the impatience of the chamber of commerce, and say in reply that I have worked harder since March 4 last than I have ever worked before, but I am not complaining, for, when an officeholder complains of overwork, he is simply proving that he has a task too big for him.

I have been for years a critic here and hope I am able, without making a wry face, to take a small dose of that medicine—criticism—of which I have given other fellows sizable doses; in other words, I not only "ladle it out" but can also "take it." Pardon my dropping into slang, but it conveys my thoughts precisely.

I believe you are correct in your conclusion that a number of candidates—all excellent gentlemen—will try to displace me at the next election, but it is beginning to appear as if I shall be reelected, not by reason of any particular merit that I possess or by any political activity on my part, but by the folly of my opponents.

Kind regards.

Sincerely yours,

HENRY F. ASHURST.

DECEMBER 18, 1933.

Mr. W. H. PETERSEN,
16 South Twentieth Avenue, Phoenix, Ariz.

DEAR FRIEND: Your letter of December 10 received requesting the payment of the adjusted-service (compensation) certificates before their maturity.

During the years when no deficit existed in the Federal finances I supported the adjusted-service (compensation) legislation, and I do not believe I made any mistake in so voting.

The question of cashing the adjusted-service (compensation) certificates before their maturity depends now upon the condition of the Federal Treasury.

If the Treasury may without disaster cash these certificates before they fall due, I should, so far as I am able to perceive at this time, be inclined to vote to cash the certificates now, provided always the Treasury may stand the strain.

If, however, the Treasury may not meet this demand and could not pay the certificates before maturity, I would not vote, and could not be expected to vote, to bring a collapse of our national credit. It is a principle of my personal and political conduct, and the same principle should guide governments, never to hold out a promise where such promise is obviously incapable of fulfillment; in other words, do not make promises unless you are certain you can translate the promises into actuality.

I decline to make promises that cannot be fulfilled.

I refuse to raise up hopes that I know will be dashed to the ground.

I shall indeed give careful consideration to and make a close investigation of the question of the ability of the Treasury to pay these certificates before their maturity.

I realize that the phrase "give careful consideration and make a close examination" is sometimes used as a polite euphemism for postponed negation, but I am not using the phrase in that sense, for I shall examine the subject in the hope of finding that the Treasury's condition may justify my voting to pay the certificates before they are actually due; and if, upon investigation, the facts show that the Treasury cannot stand that strain, I shall not be a party to an insincere gesture of pretending to pay an immature obligation out of an empty Treasury.

Kind regards.

Cordially yours,

HENRY F. ASHURST.

EXTRACT FROM A SPEECH DELIVERED BY HON. HENRY F. ASHURST, OF ARIZONA, AT THE ANNUAL BANQUET OF THE ALFALFA CLUB, JANUARY 18, 1930, WASHINGTON, D. C.

Mr. Toastmaster, I have lately received letters, some of them written in a serious vein and some of them written in bitter irony, urging that the Democratic Party abandon the donkey as its emblem and symbol, but I have replied to the letters that I hoped the Democratic Party would never abandon the donkey for he is a compendium of endurance, patience, fortitude, and stately dignity; he is a seriocomic philosopher whose stamina and stoicism conquered the wilderness and sustained the pioneer; the donkey uncomplainingly bears heavy burdens; he is a surefooted trustworthy creature of epicurean taste and gargantuan appetite, but his appetite and taste, happily enough, may be satisfied by a nibble at a desert cactus, and he is then ready for another long and lonely journey.

The donkey is the personification of the sublime virtues of moderation, forbearance, restraint, and rigid economy. From the vibrant chords of his throat there come zigzag bars of music as thrilling as the midnight minstrel of the nightingale. The donkey must not be abandoned for upon his back the Democratic hosts ascend the steep acclivity to power, or, to change the figure of speech, he is the pons asinorum over which they march to victory, and we should be ingrates if, in our day of supremacy, we felt abased at the donkey's homely indigence, deserted him, and offered to his lips the cup of neglect and oblivion.

THE STATE CAN DO NO WRONG—ARTICLE BY H. R. FRASER

Mr. WALSH. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article recently published in the American Mercury entitled "The State Can Do No Wrong." This article contains the history of the efforts made to obtain legislation permitting tort actions against the Government, and points out that the present law forbidding the Court of Claims from considering all claims "sounding in tort" has placed an increasing burden on the Congress, which has to deal with hundreds of such claims during each session of the Congress. Representative THEODORE L. MORITZ, of the Thirty-second Congressional District—Pittsburgh—of the State of Pennsylvania, has been especially interested in this subject, and it is at his suggestion I am making this request.

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

THE STATE CAN DO NO WRONG

By Hugh Russell Fraser

On November 7, 1918, Beatrice Manges, of Cleveland, was riding in an automobile which collided with a United States Army truck. Police investigation of the accident disclosed that the driver of the truck was clearly at fault. The injured girl, crippled for life, took her claim for damages to Congress—since the United States Government is immune from suit without its consent. The matter was, in course of time, referred to the Committee on Claims. Along about 1920 the claim was turned over to a subcommittee. After still another Congress had met and adjourned, it was reported to the full committee and approved. By the time it got to the floor of the Senate, however, three Presidents of the United States had come and gone. At last, on March 13, 1935—almost 17 years after the accident—the claim was reported out, passed, and the sum of $3,500 appropriated in full settlement.

On February 12, 1927, Federal prohibition agents raided a still in the town of Palisades Park, Bergen County, N. J. During the raid, one Thomas Peraglia walked in and said, "Hello." Immediately, and without warning, one of the agents shot him through the right lung. The visitor ran a short distance and fell. He was found to be unarmed. Some time later he died of his wounds. His widow, the mother of three children, presented her claim to Congress. Years passed. In 1934 the House committee agreed to pay $7,500. This was reduced to $5,000 by the Senate, and on April 15, 1935, the bill passed. Time elapsed: 8 years.

Late in September 1919 one Henry M. Hughes was crossing a street in Chicago. Suddenly, a United States mail truck speeded out of an alley and struck him. Subsequently he died of injuries sustained. His widow, astonished to find the Government was immune from suit, presented her case to the Committee on Claims. Finally, in the second week in April 1935—over 15 years later—it reached the floor of the House, and a bill appropriating $2,500 was passed.

In the Federal court for the northern district of Georgia on May 8, 1917, a pistol in the hands of a court attendant accidentally went off, killing one J. M. Crim. His widow, Mary M. Crim, petitioned Congress for damages. But it took 18 years for her bill to reach the floor of the House.

On the same day a resolution was reported, appropriating $5,000 to one Mrs. G. A. Brannan, "in full satisfaction for all claims

against the United States for damages for the death of her son, John Douglas Malone, from injuries received by him in the line of duty while employed as a fireman on the steamboat *John R. Meigs*, which was destroyed by an explosion of a mine laid by the Government on or about September 3, 1898, near Fort St. Phillip in the Mississippi River below New Orleans."

But perhaps the classic example of delay dates from June 30, 1866, when the private steamer *Olive Frances* was destroyed in a collision with a United States gunboat. Inquiry revealed the pilot of the gunboat clearly at fault. It was not, however, until February 1905—nearly 50 years after—that Congress conferred jurisdiction on a United States district court to try the case. At the trial the pilot of the gunboat doddered into the courtroom, an old man, a retired rear admiral. The gunboat was found clearly at fault, and damages were awarded.

Endless cases could be cited of similar delay and similar denial of justice. The record is full of them.

And no greater resentment in the entire field of the law exists than that felt by the individual who, wronged by the State, has no effective remedy. In the democratic United States the Government cannot be sued without its consent. It is the old application, of course, of Hobbes' theory that "the king can do no wrong." Originally the theory was that "the king was not privileged to do wrong"—a very different thing; but Blackstone set it down as meaning that the king was incapable of doing wrong. From thenceforth it became a maxim of law, associated with kings and kingdoms and the divine rights reputed to go therewith.

What was originally ascribed to a monarchy is now ascribed to a democracy. It is the United States, however, that has maintained almost unimpaired this ancient and monarchial doctrine of sovereign irresponsibility. England has long since abandoned, for all practical purposes, its substantive meaning. Today a British subject may petition for the right to sue the Crown, and the petition is rarely, if ever, denied. That is the same right which in varying forms exist today in all the countries of western Europe and in Canada, New Zealand, Australia, and British South Africa. But in the United States, beginning with the adoption of the eleventh amendment in 1798, the right has been consistently denied.

II

The whole question of sovereign immunity is bound up in a maze of contradictions. Although you can sue a city, you cannot sue a State without its consent, and this despite the fact that a given city may be larger than a State. To the first Chief Justice, John Jay, this was an absurdity; he said he couldn't see the difference in legal principle between "a suit against the 40,000 citizens of Philadelphia and one against the 50,000 citizens of Delaware."

For a hundred years the courts have been splitting hairs between governmental and corporate functions, with some curious results; thus, if you fall into a hole in the street in Memphis and break your arm, you can recover damages; but if you happen to be just over the city line in Shelby County, you are simply out of luck. In some States, if you are electrocuted by a city electric wire, your widow may or may not recover for damages, depending on whether the wire was used for street lighting or for domestic supply of electricity. Slip and fall on an unlighted stairway in a public building, in which some offices are rented to private individuals, and recovery will depend on where you were going when you entered the building. If you are run over by a fire engine going to a fire, the chances of recovery are slight because the fire engine has been held to be engaged in a governmental function; wait until the fire truck comes back from the fire, however, and your widow can recover damages if you are killed.

This kind of nonsense has been going on ever since the adoption of the eleventh amendment, which provides:

"The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another State, or by citizens or subjects of any foreign state."

The amendment specifically bars suits against a State by a citizen of another State. Not a word, however, is said about a suit against a State by one of its own citizens. But as late as 1934 the Supreme Court has held, in *Monaco* v. *Mississippi*, that it was unthinkable to suppose that the eleventh amendment exhausted the prohibitions forbidding suits against a State without its consent. Declared Chief Justice Hughes:

"Can we suppose that when the eleventh amendment was adopted it was understood citizens of a State could sue their own State in the Federal courts, while suits by citizens of other States were repelled? Supposing that Congress—when proposing the eleventh amendment—had included a proviso 'that nothing therein contained should prevent a State from being sued by its own citizens', can we imagine that in that event such a proviso would have been adopted by the States? The supposition that it would is almost an absurdity on its face."

It may have been an absurdity, and it is clear the States were not aware of it, but it is a fact that such a clause—giving the right to sue a State—was written into the Constitution of the United States. Article III, section 2, of the Constitution provides:

"The judicial power shall extend * * * to controversies to which the United States shall be a party; to controversies * * * between a State and citizens of another State * * *."

Here, in clear unqualified language, is a denial of the ancient and monarchical doctrine that "the king can do no wrong." It was written into article III, section 2, by Gouverneur Morris, the final draftsman of the Constitution. Morris was acting with the full approval of a small group of lawyers on the Committee on Detail, who, while intense nationalists at heart, believed that the United States in setting up a democracy in the New World should definitely and unequivocally break away from every last vestige of legal medievalism. The clause specifically provided for suits against a State by citizens of another State, and inferentially for suits against a State by citizens of that State. For by what logic could a suit in the first instance be upheld and in the latter denied?

The real sponsor of the clause was probably James Wilson, of the Committee on Detail. James Wilson was a Pennsylvania lawyer, later a member of the Supreme Court, a man of great learning and ability and a close friend of Gouverneur Morris. Knowing that the delegates to the Constitutional Convention were jealous of State sovereignty, neither Morris nor Wilson drew attention to the clause on the floor of the Convention. Nor, by an amazing coincidence, did the opponents of the Constitution notice it until it was sent to the States for approval.

In the original draft the clause did not appear. Careful examination of the records of the Convention indicates that the assembled delegates had no idea that the clause was in the final draft; that no suggestion of it was made in the Committee of the Whole; and that the Committee on Detail, responsible for the change, had no authorization to make any fundamental changes in the sections referred to it for drafting. But when the committee submitted the final draft to the Convention on August 6, 1787, the clause appeared for the first time. Sleight of hand had accomplished what debate could never have done. When the Constitution was sent to the States, however, sharp eyes soon detected what had been overlooked, and the fun began. Alexander Hamilton managed to stifle it in New York by a simple and sweeping assertion. A delegate suggested that under article III, section 2, a suit could be brought by a citizen against a State. Hamilton was quickly on his feet. The idea was not only untenable but preposterous. The word of the future Secretary of the Treasury was taken, and the question was passed over.

In Pennsylvania, James Wilson himself took the lead in defending it. Unlike Hamilton in New York, he did not attempt to deny that the clause meant what it said, but he frankly upheld it as necessary. "Impartiality is the leading feature of the Constitution", declared Wilson. "It pervades the whole. When a citizen has a controversy with another State there ought to be a tribunal where both parties may meet on a common footing." Wilson was speaking hurriedly, and the Pennsylvania State convention was generally friendly. Little did he guess, however, that he was the only delegate in any State convention to defend openly the clause as necessary and as meaning what it obviously said.

In the Virginia State convention the same farce was enacted as in New York, only in this instance the opponents were men of independent judgment who could read the English language and refused to take things on faith. There, on June 18, 1788, George Mason gained the floor and pounced on the clause. Sarcastically he flung down his challenge:

"Is the sovereignty of a State to be arraigned like a culprit or private offender? It would be ludicrous to say that you could put a State's body in jail! How is the judgment then to be enforced? A power which cannot be executed ought not to be granted."

Madison, arising to contradict him, said that the clause did not refer to suits by a citizen against a State, but by a State against a citizen. This absurdity brought the ever-alert Patrick Henry to his feet. Applause swept the galleries as he turned upon Madison:

"There is nothing to warrant such an assertion. He says the State may be plaintiff only. If gentlemen pervert the most clear expressions and the usual meaning of the language of the people, there is an end of all discussion. What says this paper? It says that the Federal court shall have cognizance of controversies between a State and citizens of another State, without discriminating between plaintiff and defendant. What says the honorable gentleman? The contrary—that the State only can be plaintiff. What!—is justice to be done to one party and not to the other? If gentlemen take this liberty now, what will they do when our rights and liberties are in their power?"

John Marshall was sent for; the Constitution was in danger. Hurriedly he was located in the lobby. There was only one thing to do, he felt: namely, to do what Hamilton had done in New York—deny the obvious and inescapable meaning of the English language. And so he said:

"I hope no gentleman will think that a State can be called to the bar of the Federal court. It is not rational to suppose that the sovereign power should be dragged before a court. The intent is to enable individuals to recover claims against individuals residing in other States."

Later, when Chief Justice of the United States, Marshall was to repudiate this view by saying in Cohens against Virginia that the sentiment which led to the adoption of the eleventh amendment forbidding suits against a State was induced not by the fear that the dignity of a State would be degraded by dragging it into Federal court, but by the practical fear that it might be forced to pay its debts. But Marshall's word, like Hamilton's in New York, carried the day in Virginia. The Constitution was ratified. The Supreme Court, however, was soon to contradict both Hamilton and Marshall as to what article III, section 2, said.

III

In South Carolina lived one Alexander Chisholm, executor of the estate of a former resident of Georgia, whose property had been impounded by the State. In 1793—4 years after the Constitution had been ratified—Alexander Chisholm brought suit in the Supreme Court against the State of Georgia, charging that the property in question had been illegally taken. Chisholm, pointing out

that, under article III, section 2, of the Constitution, he could bring suit against Georgia, asked Attorney General Edmund Randolph, who had been a member of the Committee on Detail and had concurred in the drafting of the clause, to represent him in the Supreme Court. Randolph agreed to do so, although he immediately became the subject of bitter attacks, including the official protest of Georgia. But he held his ground. Answering his critics, he pointed to his duty:

"I did not want the remonstrance of Georgia to satisfy me that the motion I made is unpopular. On ordinary occasions, this dignified opinion might influence me greatly. But on this, which brings into question a great constitutional right, to surrender it would be in me official perfidy."

Although Georgia declined to appear officially before the Court, the State's written protest was submitted to Chief Justice Jay, Justice James Wilson (the same man who as delegate from Pennsylvania had sponsored the clause in the Committee on Detail), and Justice Iredell. The protest was scornful and defiant in tone. It recited that Georgia was a sovereign State, that it did not deign even to appear before the Court officially to answer an insolent attempt to bring a sovereign State before the bar of justice, and that the proceedings were outside the pale of all that was known to the law.

Attorney General Randolph replied that article III, section 2, gave the Court jurisdiction in the case of the clearest of terms. He pointed out that the United States was not a monarchy and that the sovereignty rested in the people; that the very purpose of the Constitution was to establish domestic tranquillity and to promote the general welfare; and that these objectives could not be obtained if a State was not amenable to the legitimate claims of a citizen.

When Randolph concluded, the Court inquired if any of the distinguished lawyers present wished to present argument on the other side. None of them did, and a few weeks later the Court handed down its decision upholding the right to sue as within the meaning of article III, section 2. Justice Iredell alone dissented.

Interest was keen as the decision was handed down. In the most elaborate, carefully reasoned verdict of his career, Chief Justice Jay upheld the whole doctrine of the suability of a State by a citizen, saying:

"It—article III, section 2—is honest because it provides for doing justice without respect to persons; because it leaves not even the most obscure and friendless citizen without means of obtaining justice from a neighboring State; and because it recognizes that justice is the same, whether due from one man to a million or from a million to one man."

The Chief Justice went even further. He pointed out that the same section of the Constitution provides for suits "to which the United States shall be a party", without mentioning whether it means as plaintiff or defendant. Under this provision, he declared that a citizen might bring suit against the Federal Government, but that candor compelled him to note that there was a difference between a suit against a State and a suit against the Federal Government, namely, that in suits against States, the Supreme Court is supported in its decisions "by the arm of the Executive power of the United States, but in cases of actions against the United States itself, there is no power which the courts can call to their aid." It was an important distinction, but it was the first and only time that the Supreme Court pointed out that the National Government might be amenable to suit by a citizen under the specific terms and provisions of the Constitution.

Now came the turn of Justice Wilson to uphold his own handiwork in the Committee on Detail. And he made the most of the occasion: Citing the language of article III, section 2, he said: "Could the strictest legal language describe with more precise accuracy the cause now pending before this tribunal? * * * The Constitution also provides that 'the judicial power of the United States * * * shall extend * * * to controversies between two or more States.' Can the most consummate degree of professional ingenuity devise a mode by which this 'controversy between two or more States' can be brought before a code of law and yet neither of these be defendant?" He was hitting at the reasoning of Madison and Hamilton in the State conventions. Then he went on to point out the inevitable trend of sovereign irresponsibility:

"I shall have occasion to show how true it is that states and governments were made for man, and how it is that his creatures and servants have first deceived, next vilified, and at last oppressed their original master and maker. * * * To the Constitution of the United States the term 'sovereignty' is totally unknown. There is but one place where it could have been used with propriety: those who ordained and established the Constitution might have constituted themselves the 'sovereign people of the United States', but they avoided the ostentatious declaration."

From this clear-cut and definite breaking away from the medieval doctrine that "the king can do no wrong", Justice Iredell alone dissented. He denied a literal construction of article III, section 2, and declared that the States were sovereign as to all powers not specifically delegated to the Federal Government, and that in any case the possiblity of suit against a State without its consent was a proposition unknown to the law.

Of course the Justice was right in that this was a principle heretofore unknown to the law; but it was for that very reason and by that very fact that Gouverneur Morris and the Committee on Detail wrote it into the Constitution of the United States. America was to be a democracy in law as well as in legislative process.

A storm of disapproval met the majority decision. The States, jealous of their independence and fearful of their interdependence, formally protested. The lower house of the Georgia Legislature passed a resolution decreeing "death by hanging" to any agent or officer of the United States who attempted to carry out the decree of the Supreme Court by any manner or process whatsoever. The newspapers seethed with attacks on the Court, and the day after the decision Representative Sedgewick, of Massachusetts, gave notice of his intention of introducing an amendment to the Constitution forbidding suits against a State. This proposal ultimately became the eleventh amendment as it exists today. By its very words it nullified the plain and obvious meaning of article III, section 2, thus to all intents and purposes repealing the clause inserted by Gouverneur Morris and James Wilson.

It was the beginning of the fastening upon the democratic United States of the doctrine that "the king can do no wrong."

IV

The sensible way to attack this doctrine would be to repeal the eleventh amendment. That would leave article III, section 2, free to be construed as it was construed by the Supreme Court in *Chisholm* v. *Georgia*. But the Supreme Court, as late as 1934, showed itself to be against such a construction when it refused to attach any meaning to the plain words of article III, section 2, even though viewed without the modification of the eleventh amendment. Thus in *Monaco* v. *Mississippi*, Chief Justice Hughes said:

"We cannot rest with a mere literal application of the words of article III, section 2. Behind the words of the constitutional provisions are postulates which limit and control. * * * There is the postulate that States of the Union, still possessing attributes of sovereignty, shall be immune from suits without their consent save where there has been a surrender of this immunity in the plan of the Convention."

In other words, the language of the Constitution means nothing if it is in conflict with the "plan of the Convention", concerning which the Chief Justice quotes Hamilton in the Federalist. By this interesting theory, if one person enters into a contract with another, and said contract is duly signed and executed, the Court—in the event of a dispute—can go back of the plain words of the contract and cite the remarks and opinions expressed by the contracting parties before the contract was signed, and these opinions cited can specifically nullify the words and language of the contract itself.

Specifically, the Court says: "We cannot rest with a mere literal application of the words of article III, section 2." Then what good is a Constitution? What was the use of Gouverneur Morris and James Wilson writing in such phrases as "The judicial power shall extend to all cases in law and equity * * * to which the United States shall be a party; to controversies * * * between a State and citizens of another State"? Surely these phrases, from which Chief Justice Jay plainly deduced that a suit could be maintained against a State or the Federal Government, mean something or they mean nothing. If they mean nothing, then the doctrine that "the king can do no wrong" cannot be nullified or repudiated in the supposedly democratic United States, no matter what language is written into the Constitution or how clear and simple the force of expression.

Obviously, the Supreme Court is concerned with what the signers of the Constitution intended to write into that compact, not what was written in. And yet the question may be fairly raised as to whether or not the Court has a right to speak of "postulates which limit and control" when the postulates are, as in this case, relics of medievalism, of the ancient and monarchical doctrine of the divine right of kings. Surely, if by sheer circumstance of accident, a forward-looking and progressive principle was actually written into the Constitution, the Court might well go out of its way to uphold it so far as it is not specifically nullified by the eleventh amendment. This is the trend of progress throughout western Europe, and it has been attained to an extent never reached in the United States.

But since the Court is obviously determined to cling at all hazards to the doctrine of sovereign immunity from suit, the Congress has the power to extend the jurisdiction of the established Court of Claims to most cases involving property damage, personal injury, or death. At present, the Committee on Claims, a political agency, alone has this jurisdiction. Congress could, by appropriate legislation, such as is contained in the Federal tort claims bill introduced in 1925, remove claims against the Government from the political channel into a legal channel.

The Federal tort claims bill, passed in 1928, was vetoed by Coolidge on the advice of his Attorney General. Astutely drawn by Yale's Hotchkiss Professor of Law, Edwin M. Borchard, it limits the amount of recovery in personal injury or death to $7,500 and in property cases to $25,000, with certain upward extensions. The defect of the measure consists in the large class of exemptions made, although Professor Borchard declares this was done deliberately to win political support. A similar measure for enactment by the States, setting up State administrative boards and State claims courts, has been pushed by the Political Science Association, so far without result.

The Court of Claims, of course, is barred at present from considering all claims "sounding in tort." This has been narrowly construed—so narrowly, in fact, that an increasing burden has been thrown on the Congress.

Both Federal and State legislation is thus needed to end the undemocratic doctrine that the State can do no wrong, which has been abandoned, in effect, by all the nations of western Europe. It remains for the United States to recognize—in the words of Chief Justice Jay—that "justice is the same, whether due from one man to a million or from a million to one man."

RELIEF PROGRAM AND THE UTILITIES BILL

Mr. BONE. Mr. President, I ask unanimous consent to have printed in the RECORD editorials from the August 14, 1935, edition of the Philadelphia Record dealing with the relief program and the pending utilities bill.

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

[From the Philadelphia Record, Aug. 14, 1935]

BUSINESS DOESN'T WANT TO RETREAT

The United States Chamber of Commerce—true to its policy of representing Wall Street and not business men—calls upon Congress to cut $1,700,000,000 from the Federal budget.

Typically, $1,100,000,000 of the cuts suggested would be made in the relief appropriation.

Just suppose Congress called the Chamber of Commerce's bluff and accepted this suggestion. Picture the result and ask yourself just how much the business men, whom the Chamber of Commerce is supposed to represent, would like it.

In the first place, business income immediately would be cut by several times the amount of the reduction in Government spending—because each dollar spent for relief multiplies as it flows into trade and makes employment in private industry.

Gains of the past 2 years would begin to disappear. Values would head back toward 1933. Sales, earnings, dividends would sink together.

Meanwhile, what of the relief recipients?

Right now they are receiving the absolute minimum for subsistence. Suppose their payments were cut 25 percent. That would mean hunger and desperation.

Moreover, the cut would have to be closer to 50 than 25 percent for each recipient because, if the Government's spending program is curtailed, so many more men will be thrown out of work in private business that the relief rolls would jump appreciably.

Most of the progress we have made toward recovery has been based upon Government spending.

Now that the battle is half won, do business men generally want us to turn around and march back, to 1932?

They do not—and well the bluffers, the propagandists, and the Wall Street spokesmen who run the C. of C. know it.

COUNT ON INSULL FOR FOUR VOTES

Philip H. Gadsden defies President Roosevelt to make holding company regulation the issue in 1936.

Mr. Gadsden, head of the utility lobby in Washington, declares that there are 5,000,000 holders of utility securities in America. And he adds, these 5,000,000 utility security holders mean 10,000,000 votes.

Perhaps Mr. Gadsden is right. But before he counts too many of his chickens before they are hatched he might remember that among those stockholders are:

Thousands and thousands who bought Insull securities, which are worthless today.

Thousands more who hold securities in the Associated Gas & Electric Co.—the company which has been able to find around $800,000 to fight the Wheeler-Rayburn bill, and which has been able to pay an estimated $2,000,000 in the last 5 years to the elusive Mr. Hopson, but which hasn't been able to find a single penny for dividends since 1932.

It may be that security holders in these concerns will be enthusiastic to join the fight against Mr. Roosevelt's program of regulation. But we wouldn't be too sure of it.

INVESTIGATION OF LOBBYING ACTIVITIES

Mr. BLACK. Mr. President, I send to the desk a resolution amendatory of Senate Resolution 165 heretofore adopted by the Senate. After having it read I shall ask for its immediate consideration. I shall explain the reasons for it after it shall have been read.

The VICE PRESIDENT. The clerk will read, as requested.

The legislative clerk read the resolution (S. Res. 184), as follows:

Resolved, That in order to consider the full purpose and effect of efforts to influence legislation and Government contracts and activities by showing the realized and anticipated financial benefits therefrom, and to consider the connections and associations therewith of stock capitalization, corporate affiliations, salaries, bonuses, corporate relationships, corporate structure and political activities, and efforts to influence or suppress or foment public sentiment, in addition to the authority heretofore conferred upon the special Senate committee by Senate Resolution No. 165, agreed to July 11, 1935, the said special committee is hereby given the following additional power and authority:

(a) To investigate and report to the Senate upon the financial structure, corporate affiliations, interlocking stock ownerships and directorships and the financial relationships, stock transactions, capitalization, expenditures, and operations of such persons, companies, corporations, partnerships, and groups as have sought in any way to influence the passage or defeat of legislation, or to influence public contracts, activities, or concessions.

(b) To investigate and report upon the political contributions and activities of such persons, corporations, partnerships, or groups, their officers and agents, and their efforts if any to control, directly or indirectly, the sources and mediums of communication and information.

The original resolution is hereby amended by striking out the comma, on page 2, line 3, after the word "Congresses" and adding the following language: "as it may be necessary to properly perform the duties imposed by this resolution."

Mr. McNARY. Mr. President, I should like to have the Senator give some reasons for and explanation of the resolution.

Mr. BLACK. I shall be glad to give my reasons.

Mr. McNARY. Have the committee considered it this morning?

Mr. BLACK. Mr. President, I will state that the committee have studied the resolution and have unanimously agreed that it should be adopted for these reasons: First, let me state that it is my own judgment that each and every power contained in the amendatory resolution is already contained in the original resolution. However, in a number of answers to questionnaires the question has been raised by those to whom the questionnaires have been sent, and in addition to that Mr. Hopson, of the Associated Gas & Electric Co., has publicly stated before another committee, and his representatives have raised the question, that we do not have the right to do the things which are mentioned specifically in the resolution which has just been read. It is my own judgment that the original resolution was sufficiently broad to authorize the committee to carry out the purposes in view, and yet I realize the Congress will adjourn in a short time and the situation must be clarified before adjournment.

The question already having been raised not only by Mr. Hopson but by numerous others in their answers to the questionnaire, in order to make it so clear that even the most skillful lawyer cannot fail to understand it, we have endeavored to clarify the resolution as stated.

There is one amendment, I might state, in line 3 of the original resolution, which was made necessary by reason of a typographical omission in the original resolution. The customary phraseology in such resolutions is the committee may sit "at such times and places as it may be necessary to properly perform its duties." The original resolution simply stated that the committee could meet "at such times and places." For some reason the words "as it may be necessary to properly perform the duties" were omitted, that being the regular form heretofore used in connection with such resolutions.

The entire membership of the committee have gone over the resolution, have worked over it, and have unanimously agreed that it is necessary in order for the committee to carry out the duties imposed upon them by the Senate.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. HASTINGS. Mr. President, I should like to inquire particularly with reference to paragraph (a), which reads as follows:

(a) To investigate and report to the Senate upon the financial structure, corporate affiliations, interlocking stock ownerships and directorships and the financial relationships, stock transactions, capitalization, expenditures, and operations of such persons, companies, corporations, partnerships, and groups as have sought in any way to influence the passage or defeat of legislation, or to influence public contracts, activities, or concessions.

I am wondering just how it would help the committee or how it would help the Congress in any way to know about such matters.

Mr. BLACK. I shall be glad to answer the Senator. I think it is a very pertinent inquiry the Senator has submitted. I might give the Senator an illustration based upon questions which were asked and which have already been answered before the committee as to one company, and which the committee anticipates will be the course followed in connection with others.

For instance, the Associated Gas & Electric Co. has more than 150 subsidiaries, associates, and affiliates. Some of them are not associates or affiliates, but are privately owned by two men at the top—Hopson and Mann. The evidence

will show, when we get Mr. Hopson before our committee—and we expect to have him shortly, and, if not, we expect to cite him to the Senate for proper action—that Hopson and Mann are the two men who control all this vast utility empire by small stock ownership. In order to prove the incentive behind the lobbying activities, the reason why it is necessary for these gentlemen to spend so much money and, as a part of the entire campaign, who bore the brunt of the campaign, it was necessary to look into certain books and records of the Associated Gas & Electric Co., its associates and affiliates, and of the partnerships or companies owned by Messrs. Hopson and Mann.

The question is immediately raised each time, "You have no right to look at this paper because it relates to an entirely different matter. It has nothing whatever to do with that expenditure." Yet we find when we look into the records that in many instances such papers have a great deal to do with the expenditure. Many of the items are covered up so that it is not easy to find them. It will be found that they appear in some obscure expense account of some individual who may not be the one in whose expense account it would naturally be expected to be found. He might be connected with a company a thousand miles removed from the particular company we are investigating, but closely related to it by stock ownership, stock control, interlocking directorship, and so forth.

In addition to that, when the Associated Gas representatives were on the stand we followed the course right up to the top of the control of the expenditures, to ascertain what was being expended and from whom it was being taken, all of which the committee unanimously believed to be a part of the entire transaction, to illuminate and show just why there is such intense interest on the part of a certain few individuals to do something with reference to companies a thousand or two thousand miles away.

Mr. HASTINGS. Mr. President, I have no objection, and I think it is pertinent to inquire what has been done by anybody to influence the Congress to do a certain thing. I should like to ask a specific question in order that I may better understand the situation. I think no one is willing to stand here and defend the Associated Gas and all of its affiliated companies.

However, may I inquire, in order that I may secure the view of the chairman of the committee, what particular help it would be to have, for instance, the answer to the question which Mr. Hopson refused to give to the House committee when he was asked, "What is your salary?"? What difference would it make whether his salary were $50,000 or $250,000 or $500,000? What difference would it make, except to show to the members of the committee that he was getting more than the committee might think he ought to get?

Mr. BLACK. It would have this influence: We expect to show, when Mr. Hopson takes the stand, that he was directing, controlling, and mapping out the entire program of propaganda, of lobbying, and of activities on the part of his men all over the Nation.

Mr. HASTINGS. When the committee shall have gotten that much, what more do they want from him?

Mr. BLACK. I think it would be most interesting and necessary for the Congress, in connection with legislation concerning those who are directing lobbying activities, to find out how much financial reward they get for it, and at whose expense, and out of whose pocket it comes. Certainly when we show, as we will show, that Mr. Hopson was directing this entire immense lobby which was used to create the most tremendous impression that has ever been developed in the United States, he might be shown to be quite different from a man drawing $3,000 a year, especially if it were shown that he was not only drawing $200,000 a year salary, but was making, as has already been shown, $2,500,000 a year at the expense of his stockholders.

Mr. HASTINGS. But when the Senator has shown that this man has done as much as he could under any circumstances, what is the purpose of finding out his particular interest in the matter?

Mr. BLACK. Congress might wish to legislate with reference to various things in connection with lobbying activities, and the incentive for such lobbying activities, with a view to putting up the proper legislative obstacles to prevent them hereafter.

Mr. HASTINGS. May I inquire of the Senator whether he thinks the Congress would make a distinction between the right of a man to lobby who was getting $25,000 a year and the right of a man to lobby who was getting $100,000 a year from the corporation in which he was interested?

I am merely trying to get the point of view of the chairman of the committee.

Mr. BLACK. It might not make any distinction if the two men were shown to be engaged in exactly the same kind of lobbying activities, but, for instance, in the case of a man who is making $2,500 a year it has been my observation in the investigations we have had that he really is not very often engaged in lobbying at his own instance. Usually he is doing it, because somebody above him directs him to do it, and commands him to do it, and he is absolutely bound to lobby, whether or not he desires to do so. To a certain extent he becomes an automaton and a machine, to be directed by somebody far removed from him. On the other hand, when lobbying is done by a man who is annually extracting $100,000 or $200,000 or $300,000 from the pockets of the stockholders and the investors, the fact should be shown, so that the Congress may take steps to see that the stockholders and investors may be protected hereafter from the dissipation of their funds into the pockets of the individual who is reaping such as unconscionable reward.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Nebraska?

Mr. BLACK. I yield to the Senator.

Mr. HASTINGS. Just a moment; I am about through. I desire to thank the Senator from Alabama for replying to my questions, and to say that I am perfectly willing to yield to the unanimous opinion of the committee, although I express some doubt as to whether the committee ought to be authorized to do what is proposed.

The VICE PRESIDENT. Without objection, the resolution is agreed to.

INCOME AND INHERITANCE TAXATION

The Senate resumed the consideration of the bill (H. R. 8974) to provide revenue, equalize taxation, and for other purposes.

Mr. HARRISON. Mr. President, I shall not impose upon the Senate at length. I shall try to be as brief as possible, and content myself with a brief explanation of the changes made in the House bill by the Committee on Finance.

The President recommended three major tax policies:

First. An inheritance tax in addition to existing estate taxes, with a complementary gift tax.

Second. Increased surtaxes on large incomes.

Third. A graduated corporation tax in lieu of the present tax imposed at a uniform rate.

Substantial revenue will be brought in under either the House proposal or the Senate proposal. There are no substantial differences, so far as revenue is concerned, between the House bill and the Senate Finance Committee bill. The House bill will bring in revenue estimated at $255,000,000. The committee bill will bring in revenue estimated at $254,000,000.

To enumerate in detail, I may say that in the case of the surtax increases, for example, the House bill would raise $45,000,000 in revenue. The House bill starts raising the surtaxes at $50,000 and scales them on up to 75 percent. The Committee on Finance tried to follow the President's recommendation of putting an increase in surtaxes on very large incomes, and started at $1,000,000. That is where the graduation now stops. The basis of the present law is a surtax of 59 percent on $1,000,000 income and all over that amount. The Finance Committee proposal starts at $1,000,000 and graduates the tax until it reaches 75 percent on incomes of over $10,000,000.

It is quite interesting to note that according to the estimates of both the Treasury experts and the committee experts, by virtue of the increase in surtaxes in the Finance

Committee proposal only $4,000,000 will be derived from those very great increases. That answers some of the questions as to how much money we can get for the Government by drastic increase of rates on incomes in the higher brackets.

In the case of the graduated corporation tax, the House bill would have raised an additional revenue of $15,000,000, but under the Senate committee proposal $60,000,000 would be raised.

By its provisions respecting the capital-stock tax, the House bill would raise nothing in addition to the present tax. The tax would remain at $1 a thousand. The Senate committee increased the tax from $1 a thousand to $1.50 a thousand, and we should receive from that source an increase of $55,000,000 in taxes.

The excess-profits tax provisions of the House bill, it is estimated, should provide $100,000,000; but in the Senate committee bill we made the tax milder and more liberal, so that we propose to raise only $10,000,000 of increased revenue from excess profits.

From the inheritance tax $86,000,000 would be derived under the House bill, but nothing under the Senate bill, as it does not carry these provisions.

In lieu of the inheritance tax the Committee on Finance has recommended an increase of the rates in the present estate-tax structure. From that source there should be derived approximately the same amount which it is estimated would be obtained from the inheritance tax carried by the House bill; that is, the Senate committee proposal would raise $80,000,000 of increased revenue.

From the gift tax, which is a corollary to the increased inheritance tax of the House bill, or to the estate tax in the Senate committee proposal, we should receive $24,000,000 under the House bill from the increased rates on gift taxes, while under the Senate committee proposal the increase, it is estimated, would be $21,000,000.

Coming now to intercompany dividends—that is, dividends declared and paid by one corporation to another—the House bill did not include that feature of the President's message. The Committee on Finance has recommended to the Senate a proposal to tax such dividends. Under the present law there is a 100-percent deduction where dividends are paid by one corporation to another. The Finance Committee's proposal allows only an 85-percent deduction, which would amount to about a 2-percent intercompany dividend tax, and from that source $39,000,000 should be raised.

Both in the House bill and in the Senate committee proposal a provision is incorporated, similar in character in each measure, which permits deductions for charitable gifts by corporations which would entail a loss from the estimated yield in the amount of $15,000,000. Consequently, in the aggregate, as I have stated, from the House bill it is estimated that $255,000,000 of additional revenue would be raised, and from the Senate committee proposal $254,000,000.

The House bill provides increases in the surtax schedule in the case of surtax on net incomes of more than $50,000. The graduation reaches a maximum on surtax net incomes of over $5,000,000, in which case the rate is 75 percent. The Committee on Finance recommends increasing the surtax rates only in the case of net incomes over $1,000,000. Up to $1,000,000 we do not disturb any present surtax rates, but over that amount the surtax is carried, graduated up over $1,000,000, to a point where it reaches 75 percent on net incomes of over $10,000,000.

The committee believes the surtax changes which it proposes are more in conformity with the President's message than is the House bill in this respect. The President suggested restricting only vast personal incomes by very high taxes.

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

Mr. HARRISON. I yield to the Senator from Massachusetts.

Mr. WALSH. I was detained from the Chamber when the Senator began. Perhaps he would prefer not to be interrupted. If he does not object, I should like to ask him to state what the yield is from surtaxes under the present law, what the yield would be under the House bill, and what the yield would be under the Senate bill?

Mr. HARRISON. I will give those figures to the Senator if he desires. I gave only the increases by virtue of the changes in the rates.

Mr. WALSH. Am I correctly informed that there is an increase in the House bill over the present yield from surtaxes and an increase over present yields in the Senate bill, but a decrease in the Senate bill as compared with the House bill?

Mr. HARRISON. That is true. As I stated before the Senator came in, by virtue of the increased rate in the House bill, which starts at $50,000 and increases the tax on up to 75 percent, it is estimated that an increase of $45,000,000 in revenue would come into the Treasury. Under the Senate bill, which starts only at $1,000,000 and increases the tax up to 75 percent, there would be an increase of only $4,000,000 from that particular item.

Mr. NORRIS. Mr. President, is the Senator now speaking of income tax or estate tax?

Mr. HARRISON. I am speaking of surtaxes or income taxes as the case may be.

As to the graduated income tax on corporations, as Senators appreciate, the present tax on corporation profits is 13¾ percent. In the case of railroads, which are the only corporations now permitted to file consolidated returns, in the event they choose to file such returns, the tax is 15¾ percent.

The House made a gesture toward complying with the President's suggestion with reference to a graduated tax on corporations. They made the tax 13¼ percent up to $15,000 profit, and over that it was 14¼ percent. In other words, they made a graduation of only 1 percent, dropping it one-half percent from the present law of 13¾ percent in the case of profits under $15,000, and increasing it a half percent over the present law where the profits were more than $15,000.

The Committee on Finance in its bill has written a graduated income tax, as follows:

Twelve and one-half percent on the portion of net income in excess of $15,000.

Fourteen percent on the portion of net income in excess of $15,000 and not in excess of $40,000.

Fifteen percent on the portion of net income in excess of $40,000 and not in excess of $100,000.

Fifteen and one-half percent when it is over $100,000.

By this graduated tax on corporations, as I have stated, the rate fixed in the House bill would bring, in additional revenue, $15,000,000. Under the Finance Committee bill the Government would collect $60,000,000, according to the estimates.

Of course, because of its corporation income tax provisions, the House imposed a fairly heavy excess-profits tax. One of the major matters before the Committee on Finance was the criticism of the excess-profits tax because the House bill did not permit corporations to declare a new value for their capital stock.

It will be recalled that some 2 years ago, in one of the bills being considered at that time, we revived the old capital-stock tax, which had previously been eliminated from the law. We needed $80,000,000 in revenue, and we thought that was the best way to get it, so we gave to corporations, on the imposition of the $1-a-thousand capital-stock tax, the right to declare the value of their capital stock.

We wrote a provision into the law that if a corporation put the value of its capital stock down too low it would be penalized by having to pay an excess-profits tax of 5 percent on profits over 12½ percent. We thought those provisions would balance one another and compel the corporations to give a fair value to their capital stock, but in the event they should not do so, but should undervalue their capital stock, then they would have to pay the penalty.

The provision has worked magnificently. So far as the return is concerned, it has yielded just about the revenue that was estimated. I think during the last year the Gov-

ernment received about $91,000,000 from the capital-stock tax.

The committee bill allows corporations to make a new declaration of value, which they should be permitted to do. I make that statement, because some 2 years ago when we passed that law many corporations, especially out in the West, engaging in the mining business and other similar activities, had little value, but those values have considerably increased, in some corporations more than others, and some corporations would be penalized greatly if they were not permitted to declare a new value. Therefore, the committee bill, so far as the capital-stock tax and the excess-profits tax are concerned, permits the corporations to make a new declaration.

We have lowered the excess-profits figure from 12½ percent, where it would start in the present law. We recommend in the committee bill that there shall be no penalty, that is, that there shall be no excess-profits tax, until the corporations shall have made 10 percent. Then, on net incomes running from 10 percent to 15 percent, they pay 6-percent penalty, not the 5 percent as in the present law. If the profits amount to over 15 percent, then they pay 12-percent penalty. Under the House bill the rate starts at 5 percent on profits over 8 percent and is graduated up to 20 percent on profits over 25 percent.

We think, therefore, that so far as the capital stock and excess-profits structure is concerned, the Senate committee bill is an immense improvement over the House bill, and as a result of our permitting this new declaration of capital values, there should not be serious objection to it.

I have explained the proposal with reference to the dividends received by corporations from one another and what they would have to pay on them.

With respect to the objections to the provisions of the House bill affecting insurance companies, about which there has been much discussion and a great assault before the Committee on Finance, we have removed all that ground of objection; and so far as the insurance companies are concerned the present law is not changed by the Senate committee bill. It was changed by the House, but the Senate committee leaves the present law unchanged. Of course, insurance companies will pay the graduated income tax like other corporations filing separate returns.

Mr. NORRIS. How did the House change it?

Mr. HARRISON. The House changed it considerably because of the inheritance tax which was imposed; and since the Committee on Finance struck out the inheritance tax, it removed the insurance complication, and there was no need of changing the present law affecting insurance companies. I may say that if the inheritance feature should be restored as carried in the House text, in my opinion, there should be some change made in the House provision with reference to insurance companies.

As to the effective date of the provisions it is proposed that the increased surtax shall take effect with respect to taxable years beginning after December 11, 1935. In other words, they go into effect after the first of next year. This is the same effective date as that recommended by the House in connection with this provision.

The same thing is true in connection with the graduated income tax on corporations, and with the reduced deduction allowed on domestic dividends received by corporations.

The increased capital-stock tax will take effect on capital-stock returns filed after the year ending June 30, 1936. That is because the practice has been for them to compute incomes by fiscal years, and as the returns have already been made for the present fiscal year, it would complicate things if we did not date it from June 30, 1936.

We have inserted a provision with reference to China Trade Act corporations. About $75,000,000 of American capital is invested in China, in China trade corporations, which have been permitted by the State Department through the years. This matter was presented by the Department of Commerce and the State Department.

The Committee on Finance provides special relief for China Trade Act corporations in the case of both the capital-stock tax and the excess-profits tax. This credit is similar in principle to the credit now allowed such corporations for the purpose of computing the income tax. The reason for allowing such credits is the desire to put China Trade Act corporations on an equal competitive basis with corporations of foreign countries doing business in China.

As to personal holding companies, the committee proposes an amendment to section 351 (a) of the Revenue Act of 1934 relating to such companies. I may say, as a background, that some of the holding companies formerly allowed their profits to remain in their treasuries. They did not declare dividends, and the stockholders escaped surtaxes. So in the Revenue Act of 1934 we imposed a pretty heavy penalty on personal holding companies.

Mr. NORRIS. Mr. President, will the Senator at this point define a personal holding company, and distinguish such a company from any other holding company?

Mr. HARRISON. The personal holding company we were trying to reach was one a majority of whose stock is owned, say, by five persons. That is what we are trying to get at by this provision.

Mr. NORRIS. That would not constitute a holding company.

Mr. HARRISON. Their income comes from investments in operating concerns. Instead of paying out dividends and permitting individuals to get their dividends on the incomes, they just put the incomes into the holding company, and so they build up a tremendous surplus.

In the present law the rate of tax on personal holding companies is 30 percent of the amount of the undistributed adjusted net income not in excess of $100,000; plus 40 percent of the amount thereof in excess of $100,000. That is the present law.

Because we have increased the surtaxes, we felt that we ought also to increase the percentages on such holding companies, and to conform to those increases we have fixed the following rates:

Twenty percent of the amount of the undistributed adjusted net income not in excess of $2,000; plus

Thirty percent of the amount thereof in excess of $2,000 and not in excess of $100,000; plus

Forty percent of the amount thereof in excess of $100,000 and not in excess of $500,000; plus

Fifty percent of the amount thereof in excess of $500,000 and not in excess of $1,000,000; plus

Sixty percent of the amount thereof in excess of $1,000,000.

These increases were made simply because we increased the surtax rate.

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

Mr. HARRISON. I yield.

Mr. NORRIS. The Senator said the increases were made simply because the surtax rate had been increased. Does the Senator mean the surtax rate on personal income?

Mr. HARRISON. On personal income.

Mr. NORRIS. Not on inheritance taxes or estate taxes?

Mr. HARRISON. No. This was done in the case of holding companies because of the increase in surtaxes on personal incomes. As to the estate tax, we made a change in it because we had increased the maximum rate to 70 percent.

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

Mr. HARRISON. I yield.

Mr. WALSH. Is there any change in the yield from the personal holding companies by the proposal which the committee makes?

Mr. HARRISON. There is practically no change.

Mr. WALSH. I observe that it is not included among the items which would yield any increase in revenue.

Mr. HARRISON. There is no change. It is merely negative. It is done as a matter of protection. The tax forces distribution of dividends, and indirectly we gain by getting more revenue from surtaxes.

The existing estate-tax law is amended by a provision permitting the deduction of the shrinkage in value which may occur between the date of death and a date 1 year after death. This is quite important. If such shrinkage is allowed, it is confined to the shrinkage which can be shown

to exist by taking the difference between the aggregate value of all assets on the date of death and the aggregate value of all assets 1 year after death. If assets should be sold or exchanged by the executor between the date of death and 1 year after death, the value on the date of sale or exchange would be used in lieu of the value 1 year after death.

This provision is equitable in its effects, and in practically all cases will obviate the danger of complete confiscation of estates, due to a sudden decline in market values. In order to give an opportunity to take advantage of this provision, the due date of the tax is extended for a period of 3 months; that is, from 1 year after death to 15 months after death.

It will be recalled that there were many cases where, when persons died, their estates, because of the sharp decline which the country experienced in 1929, were practically wiped out. In some instances there was hardly enough of the estate left to pay the taxes, because the taxes dated from the time of the death of the individual.

The House bill contained a provision applicable to inheritances providing that the estate might have the option of having the tax fixed at the date of the death of the person or 1 year after death. Where some of the property is sold within the year, of course the sale price fixes the value of the property. We think it is fair to estates, especially large estates, that they should have the option of fixing the value either 1 year after death or at the time of the death of the individual.

Mr. WALSH. Mr. President, as I understand, the present law fixes the estate tax upon the basis of the value of the estate as reported at the time of the death. Am I correct?

Mr. HARRISON. That is correct. That is the basis under the old law.

Mr. WALSH. The result has been that where there has been depreciation in the value of the estate resulting from sales while the estate has been liquidating, there has been no provision of law to allow the taxpayer any credit for that depreciation. It is now proposed in the pending bill that 1 year after the death of the testator, where there have been actual bona fide sales showing depreciation in some of the assets of the estate, a new inventory may be made and allowance granted for the depreciation in assets, for the purpose of finally fixing the estate tax.

Mr. HARRISON. That is true, whether or not the property was sold. The executor of the estate may elect to take the value 1 year after death or at the date of death.

Mr. WALSH. I am pleased to have that information. I did not think the provision went so far as to have a complete revaluation of every item. I thought it was only with respect to those items where it was claimed there was a depreciation as the result of sales.

Mr. HARRISON. No; it is with respect to the whole estate.

Mr. WALSH. So it really is a permission for an entirely new inventory to be filed at the end of the year?

Mr. HARRISON. Yes. It would not really be fair to allow an election only in the case of certain items of the estate; so we felt it should be allowed in the aggregate; or, if some part of it should be sold within a year after the date of death, then the sale price should determine its value.

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

Mr. HARRISON. I yield.

Mr. GERRY. The purpose of this provision, as I understand, is to provide some sort of cushion if there should chance to be a panic such as we had in 1929, so that the depreciation would be somewhat taken up. Of course it would not operate if there were selling, in which case the depreciation feature would come into play. It does not entirely take out that feature. It merely betters the condition.

Mr. HARRISON. Of course, when we increased the estate taxes up to 70 percent, and all down the line, and also decreased the exemption—the exemption in the present law under the estate taxes is $50,000—it became necessary to prevent complete confiscation of estates. In this bill we fix the exemption at $40,000. We start the rate at 2 percent, and then graduate up to 70 percent. We had to buttress that. We had to protect the situation by increasing the gift taxes. So we have increased the gift taxes to three-fourths of whatever the rates are in the estate tax, and they run through the bill in that way.

In the House bill the gift tax applied to the donee as well as to the donor. We have eliminated that provision from the bill, and apply it now only in the case of the donor, not of the donee, because it became unnecessary when the Committee on Finance struck out the inheritance-tax feature.

There are some other minor features in the bill; and as we proceed with the discussion of the bill I shall be very glad to explain them if any one desires me to do so; but I have now covered the main points involved. If any Senator has any question he wishes to ask me, I shall be very glad to try to answer him.

Mr. VANDENBERG. Mr. President, I wish to discuss the pending bill and to submit a motion.

Mr. LONG. Mr. President, will the Senator yield? I shall not take over half a minute. I simply wish to put something into the RECORD.

Mr. VANDENBERG. I shall yield if it is for only half a minute. I wish to proceed with what I have to say, however, and should not like to yield for a longer period.

Mr. LONG. What I have to offer should not take more than a minute. I have been good to the Senator from Michigan on occasion, and I ask that he yield to me for a moment so I may put something into the RECORD.

Mr. VANDENBERG. I am glad to reciprocate the Senator's kindness.

Mr. LONG. Mr. President, I was informed this morning, through several persons, of a statement made by a Member of the Senate in private conversation with other Senators which I undertook to get the Senator in question to place in the RECORD, but he declined to affirm or deny the statement. However, on responsible authority, I have the statement from a well-known witness as to its truth, and I wish it to be placed in the RECORD, because I think it is an epigram which the future generations will desire to peruse.

The Senator from Idaho [Mr. BORAH] is quoted by another Member of this body, speaking to a friend of mine, as having said:

> The Constitution of the United States is a powerful enough document that, in my opinion, it will survive the attack of President Roosevelt and the defense of ex-President Hoover.

Mr. VANDENBERG. Mr. President, I wish to make a statement regarding the pending tax bill, and ultimately to make a motion. Inasmuch as the last thing I should want to do is to retard the speediest possible consideration of the matter, particularly if my effort is to be futile in respect to my subsequent motion, I am going to take the liberty of suggesting to the Senate that I be permitted to proceed without interruption, although, of course, I shall be happy to yield if any Senator asks me to.

Mr. President, discussion of the pending bill logically falls into two separate and distinct considerations.

First is it wise or safe or fair or prudent to attempt any tax bill whatever, in the absence of correlative Budget balancing, which will restore the Republic to solvency? Is it rational to write any tax legislation in the slap-dash snap judgments of the final days of a Congress consumed by an insistent purpose to adjourn?

For myself—and, I believe, for a substantial section of American public opinion—I answer this question without reservation in the negative.

If this also were the decision of the Senate, it would be unnecessary to go to the second general consideration. But since the administration program is at war with this conclusion and intends to force the issue, we must also face the merits—or demerits—of the thing proposed. Hence the other basic question.

Second, if we must have an ill-timed and ill-starred tax bill, should it be a tin-foil measure—and when I speak of it as a "tin-foil measure", I mean no disrespect to $270,000,000 as such. That still is an enormous sum of money to

take from the pockets of the American people, even in this new deal day of astronomical calculations. I speak of it as "tin foil", because in proportion to the deficit which we contemplate in respect to the operations of the Government it is nothing more than a tin-foil wrapping to hide what is inside the package.

I now repeat my second question.

Second, if we must have an ill-timed and ill-starred tax bill, should it be a tin-foil measure which snipes inconclusively at wealth, but which will neither produce revenue commensurate with our spendings nor achieve any useful social purpose; or shall we be honest with our problem and, pursuant to the temporary theory of the Senate Finance Committee's majority before it marched up the hill and down again, seek such schedules as do not wholly stifle economic progress but which clearly notify the American people that a painful pay day may be just around the corner, that prejudicial wealth taxes are but a drop in the bucket of our prodigal disbursements, and that our whole people may soon inescapably face the tax collector and the reckoning?

For myself, I answer the latter half of this question in the affirmative. It seems to me that it is the only possible service which can here and now be rendered. But having rendered it the wisdom of then withholding final action until next winter, when we shall be in the presence of all related considerations, is emphasized in exact proportion as we have demonstrated the all-pervading tax needs of the Government.

Mr. President, I wish now to enlarge upon these two separate considerations. In discussing them we must remember that the House bill continues to be just as much in issue as the Senate bill, because, regardless of our immediate Senate decisions, the legislation finally will be written in a conference between the House and Senate where both measures will be expediently compromised and resolved; a conference which either will deadlock over incompatible views or which will melt under the August sun into an agreement born of dictation, desperation, and exhaustion.

This leads to brief comment upon the first general question, Should there be any tax bill now?

Here is my first answer to this primary question:

The pending tax bill fails to serve any real fiscal purpose or any mythical social advantage because, among other reasons, it is hastily thrown together by weary and reluctant legislators in grudging response to an unexpected and unwelcome eleventh-hour Executive mandate which, for a time, perplexed and mystified even the administration's most faithful and best informed congressional adjutants. But the President knew exactly what he wanted and why he wanted it, which is more than the rest of us know even now. The result is a bill which, despite any possibility of rationalizing amendments, is born of pell-mell statesmanship which has had no adequate permit or chance to study the whole problem in all its implications. The variegated record of the bill in the Senate Finance Committee emphasizes these baffling and disconcerting contemplations. It is the exact antithesis of seriously plannel economy.

This is not merely my opinion, Mr. President; it is the well-nigh universal verdict of the American press. I do not mean to labor the Senate with quotations typical of the editorial verdicts to which I refer. I simply quote two sentences from the editorial columns of the independent Washington Star of last night:

> The real danger now is that Congress, in trying to make good a political bluff, will enact a crazily patched-up tax measure capable of great harm to recovery now under way and incapable of raising needed revenue. And the added danger is that fear of levying taxes directly affecting the people who must shoulder the cost of government—and that means most of them—will be as great a few months or a year or so hence as it is now. That will leave ruinous inflation as the alternative.

Mr. President, this is not only the general opinion of the American press respecting the spectacle which Congress makes of itself in attempting to pass a fundamental tax law under these circumstances and auspices, but I doubt whether there would be dissent from this same conclusion by any recognized economist who values his reputation.

I quote one famous commentator who, let it be remembered, has been among the most loyal and consistent devotees of this regime. Mr. Walter Lippmann says:

> Whether it is a revenue measure or a social reform, or both, the new tax bill is legislation in the dark.

By the phrase "in the dark", I am sure Mr. Lippmann has in mind no sinister references; none of us would, for a moment, impute anything of that character to the distinguished Senator from Mississippi and his colleagues upon the committee. "In the dark" means the absence of light thrown upon the subject in any adequate degree.

Now, I continue Mr. Lippmann's statement. These are Mr. Lippmann's words:

> Rarely has a measure of comparable importance been railroaded into law so casually, so carelessly, so hastily, so superficially.

Mr. President, I respectfully decline, sir, any part of such a responsibility—responsibility for what may become a complete upheavel in the American system. It is midsummer madness, and nothing else. The nature of the method irresistibly prophesies the character of the result. That is the horrible feature of it. Casually! Carelessly! Hastily! Superficially! In the dark! These are sinister and monitory words. Yet they spell the substantial truth. And there might well be added two other words—capricious and impetuous.

It is in this picnic spirit of irresponsibility that we are asked to deal with the desperately important matter of the public credit and the resources of all our taxpayers—not with just the little group of victims who are presumed to have been isolated for this specialized assault; they are but the primary targets. Inevitably the whole land gets the repercussion and pays the shot. I know of no finer, classic utterance upon this subject than the words of the present President of the United States, speaking back in the "horse and buggy" days of 1932 before Olympus had opened its new box of tricks. Mr. Roosevelt said:

> Taxes are paid in the sweat of every man who labors, because they are a burden on production. If excessive, they are reflected in idle factories, tax-sold farms, and hence in the hordes of the hungry tramping the streets and seeking jobs in vain.

This is the President of the United States speaking:

> Our workers may never see a tax bill, but they pay—

The present President of the United States, pretending to us that we now can wisely and exclusively make a few levies confined to the rich, disclosed only a few years previously the whole truth, namely, that though—

> Our workers may never see a tax bill, but they pay, in deductions from wages, in increased cost of what they buy, or in broad cessation of employment. There is not an unemployed man—there is not a struggling farmer—whose interest in this subject is not direct and vital.

These are the interests, Mr. President, with which we are commanded to deal—casually, carelessly, hastily, superficially—in the dark. And the crowning folly of the whole thing is that none of these taxes on incomes and corporations will be collected until the middle of next March anyway. Taxes voted now will be collected no sooner than taxes voted next winter. There is time to do a shipshape job. But time is denied us. At this hour—and at no other—we must strike. The reasons are as mystifying and inscrutable as is the task itself which we are ordered summarily to complete.

The distinguished President of the United States said another thing, upon ancient occasion, which was, and still is, the imperishable truth. I quote his first message of March 10, 1933:

> Most liberal governments are wrecked upon the rocks of loose fiscal policy; we must avoid this danger.

Mr. President, that was a magnificent, courageous aspiration; but, instead of an aspiration today, and particularly in the presence of the frenzied thing we are now asked summarily to do, it ceases to be an aspiration and becomes the epitaph of an administration which has forgotten and forsaken its own primary principles.

The sturdy warning of 1933 is ignored in these marching orders of 1935 when a sham revenue law is perpetrated "care-

lessly, casually, hastily, and superficially "upon the American people. There is no sound reason for present action. There are countless reasons otherwise. I do not speak in terms of mere personal inconvenience or personal distress of individual legislators who are physically exhausted. That is beside the point, although it bears upon the anemic type of deliberative thinking which may be devoted to this crucial problem. I speak in terms of the national welfare. This bill, under existing circumstances, is not an asset to this welfare. It is a pathetically needless liability.

Mr. President, I call your attention, furthermore, to the manner and fashion in which tax legislation is considered by the Senate Finance Committee and by the Senate itself in some other directions and when it is acting in an orderly way. For one whole year a select committee of the Senate dealt with the subject of a war-profits tax. At the end of the year it brought into the forum of the Senate and into the jurisdiction of its information all the witnesses who wanted to be heard and all the study and examination that could be made. At the end of a year's scrutiny we submitted, last April, a report which recommended a war-profits tax bill.

What happened? The war-profits tax bill was referred to the Senate Committee on Military Affairs, as it should have been. The Senate Committee on Military Affairs appointed a subcommittee to investigate it, as it should have done. The subcommittee took ample time. The subcommittee made its report to the full committee. The full committee acted in the presence of this complete information. The bill was reported back to the floor of the Senate 2 months later and then referred to the Senate Finance Committee for further inquiry and investigation.

Ah, Mr. President, when we had legislation in pursuit of war profits there was no hasty mandate to us to proceed summarily. The bill was then referred to the Senate Finance Committee. The Senate Finance Committee referred it to a subcommittee. That subcommittee is now engaged in its consideration and discussion. We are advised that because of the importance of the matter there will be no report at this session, but a postponement of the issue until the next session of Congress.

Mr. President, I have no quarrel in the world with what has happened to the war-profits tax bill, although I express my deep regret that we could not have brought it more quickly to the statutes of the Nation in view of the fact that the whole wide world seems to be on fire with incipient war. I make no complaint, however, that the Senate and the Senate Finance Committee propose to know precisely and exactly what the correct answer is before they will recommend any such legislation. I never complain when legislators look before they leap.

But I ask you, sir, to parallel that contemplation—that contemplation of legislation which already has 16 months of investigation behind it, yet which has not even yet been sufficiently investigated to warrant action at this session of Congress—with the fact that the tax bill now before us came to the Senate on August 5, was immediately referred to the Finance Committee, and was reported by the Finance Committee on August 12, 7 days later, with the order that it must be passed in a few hours before this Congress shall be permitted to adjourn. If the Senate committee's conservative procedure in respect to war-profits taxes is justified, then its precipitous procedure in respect to the pending tax bill is nothing short of insufferable scandal and outrage.

Mr. President, there is a second answer to the question I have asked as to why there should be no legislation at the present time and as to why this problem should be postponed to next January, as it will be if the Senate shall adopt the motion which I shall subsequently make. Here is my second answer.

This tax bill, Mr. President, is unrelated to the Budget. This is, perhaps, its paramount and incurable infirmity. Except as taxes are raised in direct relation to the Government's expenditures, one checking the other, the revenues are calculated to be largely wasted. The Republic today is in no position to fritter away a single resource.

Taxes buy a tangible achievement when they produce a balanced Budget. A balanced Budget is the key to popular confidence in governmental solvency and sanity; and confidence, in turn, is the key to dependable progress and recovery. An epidemic of dread—dread chiefly of an inflation which this bill in no degree assuages—is the country's chief handicap. A tax program, however painful, which tends to dissipate this dread will be worth all it costs—not the least advantage being that reckless expenditures will be less popular when we renew the solvent process of paying as we go.

But this tax bill is unrelated to a balanced Budget. It is not even in telescope reach of a balanced Budget. It has no relationship to the Budget, and can have none, because the Budget does not reach us until next January. When that time comes, we can search out essential economies, consistent with our unavoidable responsibilities. When that time comes, we can intelligently contemplate the problem of taxation to bridge the intervening gap. The two things, so far as possible, should go together in courageous plans for the next fiscal year.

It is sheer waste to raise a little patch of taxes that have no bearing on the budgetary problem. Such revenues accomplish relatively nothing. They resemble nothing quite so much as shooting an arrow into the night. It is like trying to fill a barrel with a dipper while the spigot runs wide open. It is like thrusting one's finger in the lake, withdrawing it, and looking for the hole.

Nor is it any mitigation to say apologetically, in behalf of this measure, that it at least brings us $200,000,000 nearer solvency. That begs the question. It brings us no nearer solvency unless and until we draw the dead-line in the Budget. This is what I mean. If one starts upon a thousand-mile journey with only 1 gallon of gasoline in his motor tank, he will not reach his destination; he will merely waste his gasoline. This bill is sheer, wanton waste.

It makes little difference, in the larger view, whether this year's deadly deficit is $3,800,000,000 or $3,600,000,000, the difference measured by the proceeds of this pending bill. But it will make all the difference in the world if next winter, or at latest, the following winter, Congress can curtail expenditures and then assess a tax which leaves no deficit at all. That is a destination. That is getting somewhere! And arrival in such a safety zone is worth whatever it may cost.

Mr. President, the distinguished Secretary of the Treasury, who presumably is the highest fiscal consultant and authority in the land, and with whom my distinguished friend the Senator from Mississippi [Mr. HARRISON] had what seemed to me to be a peculiarly painful and inconclusive colloquy when the Secretary appeared before the committee—the Secretary of the Treasury, who seems with commendable caution to have been scrupulously careful not to commit himself to any of the details of this bill, has said that the time has come to move in the Budget-balancing direction to which I have referred. He also has said that the time has come to segregate all new tax revenues for debt-retirement purposes. That is one piece of direct and specific advice we have had from the Secretary of the Treasury.

Can that be done under the pending scheme? It cannot. It is physically impossible, because you are still creating new debt infinitely faster than these tax proceeds should extinguish existing debt. Each time you creep forward an inch you will slip back a foot. You cannot fill the Secretary's prescription unless you tie adequate taxes to a balanced Budget. I submit that he confirms my thesis—namely, that taxes and budgets should travel together. There is no other rule of prudent political economy.

Let me again quote the present President of the United States. Again he is speaking in the premillennium of 1932 and speaking the unassailable truth:

> If the Nation is living within its income, its credit is good.

I may say to my friend from South Carolina [Mr. SMITH]—who has just entered the Chamber, and whose opinion I value most highly—that I am quoting from President Roosevelt 2 or 3 years back. I tell him because I am sure the Senator would not possibly recognize the quotation today, except as I gave him this ancient identification.

> If the Nation is living within its income, its credit is good. But if, like a spendthrift, it throws discretion to the winds, is

willing to make no sacrifices at all in spending, extends its taxing to the limit of the people's power to pay, and continues to pile up deficits, it is on the road to bankruptcy.

This bill does precisely what Mr. Roosevelt said 3 years ago marks the road to bankruptcy! It "extends taxes", yet "continues to pile up deficits." It miserably fails to relate the two. That is my basic complaint. In my view, and in the Roosevelt phrase of 1932, it "throws discretion to the winds."

I quote again from Mr. Lippmann, who, I repeat, has been an enthusiastic tribune for this administration and who, therefore, must be acquitted of any hostile bias when he now complains. Says Mr. Lippmann:

My own view is that no new taxes should be imposed until after the Budget is presented to Congress next winter. * * * What could be more dispiriting?

Mr. President, I emphasize the challenge, because the one thing that the American people should be saved from today is more dispiriting influences at a moment when they are undertaking, in spite of governmental discouragements, to galvanize themselves again into a courageous forward march.

I quote from Mr. Lippmann, continuing:

What could be more dispiriting than to be taxed drastically without making a dent on the deficit? Taxation of this sort is merely punitive. It hurts the taxpayer and helps no one.

It seems to me, Mr. President, that facts and logic argue irresistibly against the course which we here pursue.

Mr. President, so much for the first half of the general reasons I have submitted to the Senate as to why action should not be continued at the present session. I now take up briefly the second question which I submitted, and I ask the Senate to forgive me for a few observations bearing upon the second challenge.

Leaving the first general question, I come now to the second. If we must have tax legislation at this illogical and vagrant moment, despite the fact that no amount of amending can cure its inherent infirmities which are calculated to retard recovery, destroy values, cheat its own promises, and create more problems than they solve; if we must legislate, for some reason which must be more political than economic, should it be a sham bill or, in some degree, a real one? I have already answered that, if possible, it should be a real one, although I renew my doubts that any adequate legislation is possible under the circumstances.

This proposition is intended, by its authors, either to raise revenue or to distribute wealth. It will do neither, although it may force an ultimate remodeling of our social and economic system. I take it that the President had the latter objective largely in mind—to wit, the remodeling of our social system—when he stunned Congress with his unexpected message of June 19, because he practically dismissed the revenue phase in a single sentence, while lingering on the social phase through 2,000 words. What this must have meant to his own party leaders may be imagined from the following previous statement of the distinguished Senator from Arkansas [Mr. ROBINSON], the Democratic floor leader:

In my humble opinion, taxes should not be levied for the purpose of distributing wealth or reducing fortunes, but solely with the view of obtaining revenue. Taxation on any other principle approaches confiscation.

The Senator from Arkansas need never apologize for that statement. The single Presidential sentence on the subject of revenue, in the June message, was in part as follows:

These suggestions—

"These suggestions" being the President's idea of isolating the rich and then soaking them—

are based on the broad principle that if a government is to be prudent, its taxes must produce ample revenues without discouraging enterprise.

Apply that test to the Presidential proposals or to the House bill or the Senate bill. They do not produce ample revenues. They do discourage enterprise. Indeed, in some phases of the inheritance proposals, they kill enterprise completely.

Consider the revenue. Upon this score the bill is a fiscal fiasco. It produces little more than pocket change, relatively speaking, for some of the high treasoners who preside over the distribution of Federal funds at the rate of $2 out for every dollar coming in. In its normal expectancy, the House bill would produce $270,000,000. That scarcely pays the deficit for 20 working days. The Senate Finance Committee did considerably better until it changed its mind. In any event, we are not proposing to pay the deficit for a single month. Yet the revenue pretense of the legislation will be pleaded next January—and mark this well, my fellow Senators—the revenue pretense of this legislation will be pleaded next January as a convenient but transparent excuse for ignoring any further revenue pursuits for another year, which will take us past the next election. We chatter about revenue in millions while we confront deficits in billions.

This is sheer tax sophistry. It is a bungling budgetary burlesque. [Laughter.] It lacks any element of the prudence for which the President assumed to speak. But it does have one virtue. It does do this: It does prove to the average citizen of modest means that the heaviest possible taxes which may be accumulated from the rich, as proposed in the bill, even when augmented by increased burdens in the lower brackets, as originally proposed in the Senate bill, will not remotely pay the present bills for our gargantuan expenditures, if the latter shall continue.

This is not intended to suggest that all of this extra spending could be avoided. It started inevitably in 1929 and has progressively continued down to date. It is the byproduct of the depression. On the other hand, much of it can be curbed and must be curbed. But, in any event, and whatever the character of the spending, I repeat, it is useful for the average citizen to know that he, finally, must help settle the accounts. The Senate committee's original proposal had the virtue of more plainly and more courageously acknowledging and assessing this reality.

There are those who believe that if business is given a reasonable chance to continue natural recovery, it will produce the necessary revenues under existing tax laws to balance a subsequent budget which may be reasonably reduced by practical economies. Such an optimistic outcome would indeed be happy. This appears to be the view of business itself, speaking through the United States Chamber of Commerce. Frankly I do not believe it possible. But if it is possible—or in whatever degree it is possible—any such prospectus is entirely ruined by the present tax proposal, particularly because the present proposal will retard natural business recovery and the taxable resources incidental thereto. This is one more reason for postponing the entire decision until Congress shall be in the presence of conclusive facts and information.

But if we shall proceed now, we dodge realities if we do not concede that the proposed revenues are wholly inadequate and that adequate revenues can be reached only by broadening the tax base. If that is not a reason for broadening the tax base, then it is a conclusive reason for waiting to see what next year's budgetary needs will be.

It is not a pleasant thing to contemplate tax increases upon our mass citizenship, which already is struggling with just about all the load it can carry. It is not a popular or a politic thing. But, Mr. President, it is infinitely less pleasant, from my point of view, to contemplate an ultimate situation which may drive us into deliberate monetary inflation. If we ever confront those alternatives, I choose taxes, because I believe they will be far less burdensome and destructive than progressive inflation. Progressive inflation is the kiss of death.

These pyramiding Federal deficits may be stopped by economies upon the one hand and by increased revenue from existing tax laws on the other hand in time. But if they are not thus stopped, they have got to be met one of these days by hard cash out of all our taxpayers' pockets or we shall be forced to rely upon the treacherous and illusory magic of printing-press money.

There will soon be an end to financing our deficits by bond borrowings—and there ought to be, because it is a species of pillaging our children. There will be an end just as soon as the banks, already choked with Government bonds, can no longer assimilate these multiplying issues. Then we choose

between taxes and inflation. We cannot oppose both. For myself I choose taxes, because no tax burden could be as heavy, in the long run, as the burden of inflation.

On the basis of today's conditions—if you insist upon tax legislation today—I summarize this portion of my comment by asserting my belief that you need all of the revenue originally sanctioned by the Senate Finance Committee and all of the revenue proposed by the amendments proffered by the senior Senator from Wisconsin [Mr. LA FOLLETTE] and yet some more. If you legislate today, which you certainly should not do in common sense, it is a mere indecent flirtation with the problem to rely upon the flabby bill now before the Senate.

Mr. President, finally, my last answer to this second general question which I have submitted to the Senate in respect to this proposed legislation is in regard to the alleged social advantage to be gained by this summary adventure.

There remains, of course, this suggestion that this hasty and impatient tax bill serves a social purpose; and it makes for greater equity and larger opportunity for mass America. Any such objective is laudable. Any effort more scrupulously to assess taxes according to the ability to pay is socially worth while. I believe emphatically in taxes assessed according to the ability to pay. There is no doubt in the world that a real tax bill when passed—if it shall meet its budgetary obligations—must sharply increase taxes upon wealth. It is logical and inevitable. I do not oppose such a purpose.

But I maintain that it serves no social purpose—as distinguished from a socialistic purpose—to increase the taxes on wealth as a mere punitive proposition; or when the proceeds are dissipated through failure to make them count, along with other taxes, toward a balanced budget or toward their substitution for excise taxes; or when the rates violate the law of diminishing returns by driving wealth out of dynamic industrial investments and into static tax-exempt bonds.

In line with this argument it seems to me that the greatest social purpose which could be furthered at the present time in respect to taxes would be to initiate the long-discussed constitutional amendment which will end these tax exemptions and thus end the escape of wealth from any share of the tax burden which soon must be spread across the backs of our whole people if today's governmental deficits indefinitely prevail. Yet there is nothing whatever in the pending program which initiates any such protections.

So far as redistributing wealth is concerned—using the phrase in its familiar contemporary lexicon meaning—this bill, of course, redistributes nothing. As a sop to the real redistributors it is greeted with jeers. It raises about $2 per capita. That would be the "dividend" to each of our people if the proceeds were distributed. But, of course, they are not distributed. They are swallowed up in the yawning deficit of an empty Treasury. To this extent, however, the bill may be credited with unwittingly providing the proofs that there can be no redistribution of wealth short of a perfectly frank confiscation of major proportions in the form of a straight capital levy.

The social philosophy of this bill appears to be an arbitrary attack upon bigness because of its inherent size and without regard to its service in commerce or its useful influence upon American life. This is apparent both in the inheritance-tax section and in the President's proposal for a graduated corporation tax based on the physical size of the corporation rather than upon the relative size of its earnings. Here again, Mr. President, I emphatically dissent. It is not sound political economy. It is rank delusion. It may fool some of the people, in the first flush of soap-box emotions, but it will become in practice a prejudicial liability to commerce and the common good.

I turn to page 41 of the Senate committee hearings to read but a single quotation from one of the Senate committee's own authorities, quoting Prof. C. C. Plehn, of the University of California, former president of the American Economic Association, and known as one of the leading tax experts of the United States. I quote:

> A graduated Federal tax upon corporations will * * * be especially burdensome upon widows and retired persons living on invested savings. Since it is the rate of profits, not the mere absolute size, that signifies, the basis of graduation is absurd.

Mr. President, it seems to me that statement is irresistible, and it seems to me that the most casual consultation of the contemplation recommended to us by the Senate Committee on Finance demonstrates that this is not a measure based in equity but a measure based in utter inequity.

Let me indicate what I mean in respect to the graduated corporation tax. Here upon the one hand is a rich man with $10,000 invested in a small corporation earning $15,000. His investment faces only a 12½-percent tax before dividends, just because the earnings of the company are small.

On the other hand is a poor man with a thousand dollars invested in a big corporation earning $101,000. His investment faces a 15½-percent tax before any dividends can reach him.

The $15,000 earnings of the one corporation may represent 100-percent profit on invested capital, yet it is called upon to pay only 12½ percent, but the big corporation with earnings of $101,000, which may represent only one-tenth of 1 percent profit on invested capital, pays 15½ percent.

I submit it is an affront to equity, it is a violation of common sense, it is not a social purpose. The only rational way to deal with this phase of the problem would be through a graduated excess-profits tax.

Mr. President, we think superficially that we have here a measure which lacks a particularly dangerous repercussion because it is supposed to involve only a few of the superrich. There never was a sillier fallacy on the face of the earth. It involves the earnings of every corporation in the United States. These corporations involve, in turn, millions and millions of stockholders, not the stockholders of great wealth alone, but thousands and tens of thousands of the lesser stockholders.

Speaking in behalf of the women investors in America—and, after all, they do represent the greatest category, because they are the legatees, ordinarily, of the average inheritance—speaking for the women investors of America, seeking to retain for them some element of protection under this supposedly social quest for new equity upon which we are engaged, Miss Cathrine Curtis, representing Women Investors in America, Inc., testified before the Senate Committee on Finance, and I quote from the report of her testimony at page 149 as follows:

> Women are daily becoming more interested in national financial problems. This interest is based on the deep responsibilities that they have as guardians and trustees of a vast portion of the country's wealth—wealth of all kinds—insurance policies, savings bank accounts, trust funds, real estate—

And mark this—

> in addition to over 50 percent of the stock ownership of many of our larger corporations.

Make no mistake about it! You are not confining this tax poison to a few rich folks. All of the 50 percent of the stock ownership of many of our larger corporations, represented by these women's organizations, are within the jurisdiction of this contemplated law, and will pay and pay and pay.

How many stockholders are there in the corporations of America? I quote from a book published by the Twentieth Century Fund last year, entitled "Stock Market Control", and I read just two sentences:

> Only the roughest guesses can be made. It is probable, however, that between six and ten million individuals own bonds and between nine and eleven million individual men and women in the United States own stock. Even assuming that almost every one who owns bonds also owns some stock it is probably true that at least every ninth or tenth man, woman, and child in the United States has a direct stake in the Nation's security markets—which means at least 1 family out of every 3.

So, Mr. President, you are not dealing with a few rich men and their associates when you contemplate this legislation. In the final analysis you are dealing with a torch which carries its flame and throws its shadow into 1 out of every 3 homes in the United States. Although it might

be pleaded in some strange fashion that you are entitled summarily to pass a tax law in this cavalier fashion if it only affected a few rich folk, how can you make any such defense for this summary action when it involves the welfare, the living, the livelihood of 1 family out of 3 all through the United States.

However, it attacks bigness as such. That is the theory of the thing. When bigness graduates into monopoly it may, and frequently does, become antisocial. But the logical way to attack monopoly is through the antitrust laws—which, paradoxically were recently given an anaesthetic under N. R. A.—and not through a blunderbuss assault upon all bigness solely because of its size. Personally I greatly prefer decentralized commerce and decentralized community life for our America. But size is not automatically a sin. The test is the use of size. The rational means of restraint are not confiscatory tax laws but antimonopoly laws.

The question transcends the mere question of misfortune for a few rich individuals. I want them to carry their maximum share of the load, and I always so vote. They need no sympathy. They usually find a way to take care of themselves. In the present instance, for example, they will have the perfect excuse to drop out of the jeopardy and annoyance and burden of industrial investments and to quarantine themselves within the safe and easy sanctuaries of tax-exempt securities.

Why in God's name should an employer labor through the day and through the night in order to maintain employment for 10,000 other men when all that he can earn for his social effort as well as his economic effort—all that he can earn is to be set down as a menace to the Commonwealth by the legislative hypocrisy of the American Congress?

It is the same old question of the law of diminishing returns which no tax bill can escape, no matter what our zeals may be to pummel wealth into tax submission. I cannot escape the conviction that it serves no social advantage—quite the contrary—to ignore these facts.

Mr. President, I spoke the other day of the Ford situation. I did not volunteer the Ford exhibit. I did not bring up the Ford exhibit on my own volition. I spoke of the Ford exhibit only after all the tax proponents of the administration, evidently fearing the ultimate challenge of the Ford exhibit, had attempted to plead in advance that the thing which they contemplate would not ruin this great typical enterprise.

I repeat, I spoke the other day of the Ford situation and the possible effect of an inheritance levy which would require $270,000,000 to be raised and paid in taxes out of a $300,000,000 inheritance. It has been urged that any such formula would force a liquidation and then a disintegration which would jeopardize continued operations on anything but a banker basis. I do not want to labor the point. I realize this case is the exception rather than the rule, although, in lesser degree, the case is infinitely multiplied in American commercial life. I refer to it again only to illustrate what I am trying to say about the need of extreme care in using the taxing power as a punitive weapon. This is my point: There is no need to sympathize with the material welfare of Ford heirs if they have $30,000,000 left out of $300,000,000, and if they are fortunate enough and smart enough to get it out.

I am not worrying about the Ford heirs. But from the standpoint of social advantage—and this is our presumed objective—there is very great need for careful vigilance that we do not stifle a gigantic reservoir of values, which in its comparatively short lifetime—and I am speaking again of the Ford exhibit—has poured $3,450,000,000 of wages and salaries into the stream of American employment, and $7,698,000,000 into materials and services in every nook and corner of the land, and $569,263,000 into the tax coffers of government.

Mr. President, I decline to consent that when the ingenuity of a self-made man, starting from zero, can build that sort of a contribution to the lives and the livelihood and the welfare of hundreds and hundreds of thousands of human beings all across this land, I decline to consent to a governmental philosophy which undertakes to say that that is a disservice to America. I think it is distinctly otherwise. I repeat, that the situation involved in the Ford exhibit is repeated time and time again in the industrial economy in lesser degree. I deny that there would be any social advantage in deliberately creating a situation which would disturb or discourage or prevent continued enterprise of this character—not merely the Ford enterprise—that is only a case exhibit—but countless lesser enterprises of like import, the sum total of which spells American prosperity.

The power to tax is the power to destroy. I submit that the preparation of this bill has been entirely too casual and hasty to be sure that, in the name of social equities, we do not destroy more social values than we create.

So, Mr. President, let me summarize my viewpoint in a very brief conclusion. I have not tried to discuss detailed rates. That would be an expert's task—which, by the way, I fear no experts have yet had time adequately to do. I have dealt only with general considerations. But I submit they lay a challenge to the Senate. The challenge is twofold.

If we must have a tax bill at this hasty moment, it should be a tax bill which makes larger progress toward our present known deficits; and such a bill must include not only the rich—to the last practical degree which produces net advantages—but also many, many others who can ill afford the strain. Fundamentally, furthermore, it must initiate the necessary termination of tax-exempt securities.

But long before we reach the consideration of such details, I submit that the entire situation argues against any tax bill at all until next winter when, with due deliberation and adequate inquiry, we can rationally probe the whole fiscal problem, in the presence of the Budget, and meet the national need with that considered conclusiveness which we owe to the American people.

Mr. President, in order to bring this particular viewpoint to a focus, I desire to submit a motion. This particular viewpoint could not be covered by any direct ballot on the bill or any direct ballot upon amendments. I know of no way to test the sense of the Senate as to whether or not it is the course of wisdom to wait until next winter and do a real job when we are in the presence of all the essential facts. I know of no way to test that question except by a motion to recommit with instructions.

Therefore, for the purpose of ascertaining what the view of the Senate may be in connection with this fundamental contemplation in common sense, I move that the pending bill be recommitted to the Senate Finance Committee, with instructions to report at the next session of this Congress.

Mr. COPELAND. Mr. President, I have listened with great interest to the eloquent address of the Senator from Michigan. In view of the fact that I sit on the Democratic side of the aisle I feel there must be something wrong in my conclusions when I decide in my own mind that I am agreeing with the Senator. Of course, I must not always do that!

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

Mr. COPELAND. I yield.

Mr. VANDENBERG. I hope the Senator will acquit himself of any embarrassment and count this agreement as the biological result of his previous Michigan residence.

Mr. COPELAND. If there is any one thing in my biological existence of which I am proud, it is the fact that I was born in Michigan, where I lived until 40 years of age. A Senator remarks, "The best part of your life." It was, indeed, the best part of my life.

Mr. President, I am sorry that I must speak in opposition to this bill. I am opposed to this measure in its details; I am opposed to it in its purposes.

If we were now attempting to balance the Budget, if we were cutting down on expenditures, if we were striving, day and night, to lessen the cost of government—if under such conditions we found ourselves without sufficient revenue, I should join cheerfully, as I believe every other Senator here would, in the enactment of any measure of taxation which had for its purpose the raising of money to balance the Budget. But, Mr. President, to my mind it is grotesque—certainly little short of that—to think about this tablespoon-

ful of revenue having any relation to the balancing of the Budget or the wiping out of the national deficit.

In the first place, I oppose the provision of the bill which seeks to raise $80,000,000 by an increase in the estate tax. There is nothing more comforting to a man in public life than to be able to refer to the record and by it to prove to his constituents that he is at least consistent.

I am not sure that consistency, in any sense, is a mark of greatness. If I remember correctly, Emerson said, in effect: "Great men have nothing to do with consistency." But it is somewhat comforting for me to find that on the 28th of January 1926—almost 10 years ago—when there was pending before the Senate the question of the establishment of a Federal estate tax, the RECORD shows that I took some part in the debate. I am going to reinforce what I shall have to say today by a quotation from the RECORD of that particular date. I shall not undertake to make any extended or statistical attack upon the pending bill; but there are certain sentimental features attached to it which, to my mind, are worthy of our consideration now as I felt they were 10 years ago.

There was a debate in the Senate at that time, participated in by the then Senator from Wisconsin, Mr. Lenroot, and the then Senator from North Carolina, Mr. Simmons, and I find that the matter which I desire to quote begins as follows, being found on page 2889 of the CONGRESSIONAL RECORD, volume 67, part III, Sixty-ninth Congress. At that time I said:

Mr. President, I was surprised to hear from the Senator from Wisconsin and the Senator from North Carolina that the Federal estate tax is necessarily a just tax. I cannot see how anybody can argue that in every instance it is a just tax.

My impression is that those who argue longest and strongest for the estate tax, basing their argument on the ground that it is a just tax, do so because they have in mind men like Mr. Morgan, Mr. Rockefeller, Mr. George F. Baker—

Who since that time has died—

and other men who have accumulated great fortunes, not through their own efforts but through their interest in joint corporate enterprises reaching into every State in the Union. But the difficulty about the contentions of the advocates of an estate tax, as I see it, is that they do not differentiate and distinguish between an estate tax imposed upon the estate of a man of the type mentioned and the tax imposed upon the estate of a man who, by the aid of his wife and children, has accumulated something of a fortune.

All the time I have had in the back of my mind that idea in connection with an estate tax and an inheritance tax, the estate tax particularly.

A man is alive today; he owes the country nothing. He dies tonight, and then there is a tax laid upon his estate. It is my opinion that every worth-while man has had in his wife and frequently in his children partners in his business. The conferences that have taken place in the household, the advice that has been given by members of the family have in many instances, as I have known, had much to do with the prosperity and success of certain individuals.

I now continue the quotation from my own speech of a decade ago:

I recognize that, as has been said, the estate tax is easy to collect. All you have to do is to go in with a bludgeon and attack the mourning wife and take away from her a share of the estate which she had just as much to do in accumulating as the husband had. I do not admit, for myself, that the estate tax is a just tax. It may be just in some instances, but in thousands of cases happening every year in the United States it is a very unjust and unfair attack upon the estate.

If the estate of Mr. A owes to this Government a thousand dollars or a hundred thousand dollars, the minute Mr. A dies Mr. A must have owed this Government when he was still alive. I cannot see that the mere fact of his death makes his estate a proper prey of the Government and a proper place to go to collect money.

I do not believe we can consider an estate tax a just tax unless we differentiate between estates. So I do not wish to let go unchallenged and to be passed over the statement made in this Chamber that the estate tax is a just tax.

In my opinion, the estate tax is very frequently an unjust and a cruel and a wicked tax.

What I said 10 years ago, I repeat today; I feel as strongly now as I did then that the estate tax may be "a cruel and a wicked tax."

It takes money from persons who are just as much entitled to that money as was the man who died, because in many instances, and I believe in most instances, the wife and family of the man who died had just as much to do with the accumulation of the property as the man who has gone to that bourne from which no traveler returns.

At that point I was interrupted by the distinguished Senator from Nebraska [Mr. NORRIS].

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

The PRESIDING OFFICER (Mr. MURRAY in the chair). Does the Senator from New York yield to the Senator from Massachusetts?

Mr. COPELAND. I yield to the Senator from Massachusetts.

Mr. WALSH. I have not had the benefit of hearing all the Senator's statement; he is undoubtedly making an able argument; but I understand he is now stating his opposition to the principle of the estate tax?

Mr. COPELAND. I was not only stating my opposition to it, but was establishing my proud position by my own record of 10 years ago. I am quoting from myself in what I am reading.

Mr. WALSH. Showing the consistency of the Senator. It is very difficult for us to be consistent from year to year, perhaps, but it is commendable in this case.

Mr. COPELAND. If it is really confirmatory it is not only commendable but also desirable!

Mr. WALSH. I should like to ask the Senator if he believes in the principle of the inheritance tax?

Mr. COPELAND. I do not.

Mr. WALSH. So that the Senator from New York does not believe in any tax levied after death, either an estate tax or an inheritance tax?

Mr. COPELAND. No; but if I had to choose between an estate tax and an inheritance tax I would prefer the latter.

Mr. WALSH. Let me see if I correctly understand the Senator. He does not believe in either an estate or an inheritance tax?

Mr. COPELAND. I do not.

Mr. WALSH. If he had a choice which one would he take?

Mr. COPELAND. I would take the inheritance tax.

Mr. WALSH. I assume the Senator takes the position he does regardless of the value and volume of the estate or the amount of the inheritance?

Mr. COPELAND. I do.

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

Mr. COPELAND. I yield to the Senator from Rhode Island.

Mr. GERRY. The difficulty we have here, though, is that the House provided for an inheritance tax which was in addition to the present estate tax. The Finance Committee struck out that provision and inserted an increase in the estate tax. I take from the Senator's remarks that he would probably prefer what the Senate Finance Committee did rather than the polyglot arrangement which was adopted by the House?

Mr. COPELAND. Oh, yes; I would, because our committee is $6,000,000 better than the House committee. To that extent I commend the committee.

As I was saying when I was interrupted by the able Senators from Massachusetts and Rhode Island, at the time I was debating this matter in 1926, at the point where I just finished reading I was interrupted by the Senator from Nebraska [Mr. NORRIS], who disputed my doctrine that the wife and family had much to do with the accumulation of these large fortunes. I continue my quotation from my own remarks:

I admit the cogency of very much of the statement made by the able Senator from Nebraska. Yet, after all, when we come to consider those vast estates, even then we have to differentiate. I was not in the Chamber when the debate started; I happened to be attending the coal investigation hearing, and I do not know what the discussion has been during the afternoon, but an illustration of what I have in mind is the prospective estate of Henry Ford.

That apparently continues to be a favorite illustration in the present debate, but this is what I said 10 years ago:

Mr. Ford stands out unique in this country in that he has a fortune which he himself developed. He did not inherit anything. If I am correctly advised about his early life, he was a repairer of

bicycles—a poor man, anyhow; but by his genius and through his own efforts he has built up a tremendous fortune. I would not have a word to say about the disposition of that fortune if it were not so invested or so used as to be of benefit to mankind. But you have only to go to Michigan and drive out west of Detroit to see the great buildings which have been erected—

When I began my remarks this afternoon the Senator from Michigan [Mr. VANDENBERG] spoke about my origin, saying I was born in Michigan. As a matter of fact, I was born within about 30 miles of the Ford establishment, so when I speak about these buildings west of Detroit I speak of buildings in a territory very familiar to me. I continue quoting from myself:

But you have only to go to Michigan and drive out west of Detroit to see the great buildings which have been erected, one of them, as I recall it, a mile long, where Mr. Ford is making automobiles, tractors, airplanes, and automobile parts.

Mr. Ford has built up a great fortune, Mr. President, which he has used not alone for his own joy and for purchasing the Wayside Inn and some other establishments; he has not only used his money to encourage the old-fashioned fiddlers and old-fashioned dances, but he has used his money to help the people who work for him. I believe that the labor of America at the present time can thank Mr. Ford for a large part of the prosperity which they enjoy, because his example has been such that thousands of manufacturers and other employers of labor throughout this country have been shamed into giving larger wages than they gave before.

There is no question that Mr. Ford was the pioneer in establishing what we now call the "prevailing wage." He had much to do with the establishment of the high wages paid to labor in this country.

I might say in passing that while I have no personal acquaintance with Mr. Ford, we possess many mutual friends. I have time and time again heard from them about the ideals held by Mr. Ford. He feels that he is not only a great manufacturer, not only that he has been successful in the accumulation of wealth, but that he has been a contributor to the happiness and the welfare of the people of the world.

It so happens that I was born on a farm. I frequently see that farm. I can well picture in my mind, when I visit it, how my father and my grandfather toiled to cultivate that farm. Now, by the invention and development of the tractor, which is largely the work of Mr. Ford, farm work has become very much less toilsome and difficult than it was in pioneer days.

Likewise by the invention and development of the automobile truck, which can be purchased at a small price, the farmer is enabled to take his produce everywhere at much greater speed and greater profit than he could in the old days of oxen and horses.

More than that is the invention and development of the inexpensive automobile. I have no doubt that the inexpensive automobile has been the means of bringing happiness to many homes, not only on the farms of the country, but the homes of people everywhere throughout the country.

I resume my quotation:

Mr. Ford has built up a tremendous business, which depends to a large extent upon his personal supervision or, at least, a maintenance and continuance of policies which he has established.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair). Does the Senator from New York yield to the Senator from Massachusetts?

Mr. COPELAND. I yield.

Mr. WALSH. I agree with the Senator that Mr. Ford deserves the highest commendation for his ingenuity, industry, and business success; but I inquire of the Senator, in view of the volume and rapidity with which Mr. Ford acquired his large fortune, does he deserve special credit for the charities and philanthropies and gifts he has made?

Mr. COPELAND. I remember hearing Mark Twain make a speech one time, in which he said of Mr. Carnegie——

Mr. WALSH. I remind the Senator of Mr. Ford's moral obligations. To my thinking wealth imposes an obligation on its possessors, in part at least, to act as stewards of the poor and their less fortunate fellow beings.

Mr. COPELAND. Mark Twain said of Mr. Carnegie, "He does not deserve any credit for what he has done. I would have done it myself if I had had the money." I am sorry the Senator from Massachusetts has not all the wealth that Mr. Ford has. If he had, I know he would be generous with it. I am frank to say I think he would be even more generous than is Mr. Ford.

Regardless of what Mr. Ford may have done in the way of his individual gifts, the very fact that he is maintaining and operating a business which employs hundreds of thousands of persons and maintains hundreds of thousands of families makes it tremendously important that there should be no break-down in that industry, as there would be a break-down in it if by the imposition of tremendous estate taxes it were to be turned over to Wall Street.

His fortune lies not in cash or stocks and bonds, but in a good plant, in machines and equipment. It cannot be reached by the tax collector unless it is sold, dissipated, perhaps, and converted into money.

Mr. WALSH. The Senator has raised a question in connection with Mr. Ford's taxes upon which we may not be very far apart. I personally feel that Mr. Ford's immense fortune and other large fortunes should not have been permitted by our Government to accumulate to their present proportions. I am inclined rather to think the Senator agrees with me, in view of his opposition to inheritance and estate taxes, that one way, at least, with which to deal with the problem of preventing the accumulation of wealth in the hands of the few is by a limitation upon excessive profits or by limitation of the amount of money that may be possessed by any one individual.

Mr. COPELAND. I think there are many evils in the accumulation of wealth in the hands of a few persons.

Mr. WALSH. Assuming we cannot deal with it by taxation without confiscation, is it not the way to take care of this problem by placing a limitation upon the profits that may be made and the removal of those special privileges fostered by government that permit a few rapidly to acquire not wealth but immense fortunes?

Mr. COPELAND. I do not know how it could be dealt with, but I do know that on this 14th day of August, with the mercury at nearly 100, it cannot be solved by passing a bill coming to us only a day or two ago, if that long. I am satisfied that a great social problem, a problem so vital as that suggested by the Senator from Massachusetts, is not presented to us in considered form which entitles it to action at this moment.

Mr. WALSH. Of course, there is nothing in the bill dealing with the suggestion as to how to prevent the accumulation of wealth in this country. It is a different subject and should be dealt with entirely apart from a tax bill. Generally speaking, it is unethical and immoral for a government to take over, in whole or in part, the property of a citizen; but when the wealth of a nation concentrated in the hands of a few is found to be harmful to the common welfare, then the state may take part of that wealth under reasonable conditions.

The state is obligated to remove obstacles to its well-being and the well-being of its citizens. To remove the obstacles of excessive wealth when it is accumulated in the hands of a few it must be found to be an evil. And, also, provision must be made that the wealth seized by the Government is seized in a manner which will prevent recrudescence of the original evil and thereby again conflict with the general welfare.

Without discussing further this very interesting and important problem, let me conclude my brief colloquy by stating that the control of wealth by a few is, in my opinion, a real evil in this country. The way to solve the problem is not by confiscation but by carefully worked-out legislation to prevent vast fortunes in the future.

Mr. COPELAND. That is primarily my position. It is the only way to deal with this great problem.

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

Mr. COPELAND. I yield.

Mr. GERRY. It may interest the Senator from New York to know, as I am sure the Senator from Massachusetts knows, that the experts felt that they could not carefully work out the administrative features, particularly of the inheritance-tax provisions sent over by the House, so that they would not do grave injustice, inside of 3 weeks.

Mr. COPELAND. I have great sympathy for the committee. I realize that the committee worked under great pressure.

Mr. WALSH. That is, I understand the Senator from Rhode Island to say that the experts advising the Finance Committee stated that they could not correct the mistakes made and the injustices perpetrated in the House provisions dealing with the inheritance-tax without 3 weeks of sessions by the Finance Committee?

Mr. GERRY. Yes.

Mr. COPELAND. So, in view of the fact that there was that difficulty with the House provisions, the Senate committee decided to take a lesser evil?

Mr. GERRY. That is it.

Mr. COPELAND. That is the way I thought it was. There is no Senator in this Chamber who can stand on his feet and say that this is a well-worked-out, well-considered, and wise bill.

Mr. President, if we were engaged in a war, and needed money, or if there were some other emergency which demanded haste, it would be all right on the 14th of August, with a temperature of 100 degrees, to work out a bill to get the money. Here, however, is a bill which has to do with taxes which will be collected next March, 6 or 7 months from now. What is the hurry about it? I do not wish to impose upon the Senate committee any burdens which I myself am not willing to carry; but they could work out this bill through the rest of the year, and bring us in January a bill which perhaps would be a better bill; certainly it could not be a worse one.

Mr. President, I continue a quotation from my 10-year-old speech. I do not know that that was quite a tactful remark for my own sake; but, at any rate, it is a speech 10 years old, and I believe it is a little beyond the 10-year period of life, too:

If the operation of an inheritance tax—

Or an estate tax—

such as we are discussing were to be applied to the estate of Mr. Ford when he is taken away, as in the nature of things he must be eventually—and I hope the day may be far distant—if Mr. Ford were to die tomorrow and the prevailing estate tax were to be applied to his estate, it would make impossible, as I understand it, the continuance of the great enterprise which he built up. The effect of such taxation would be to destroy a great establishment, which employs thousands upon thousands of men in Detroit and which employs tens of thousands of men throughout the country, in every State of this Union, in the disposition of his products.

I may say now, after 10 years, that it is now hundreds of thousands.

If this tax were to be applied as proposed in this bill, there would not be enough money in the estate to pay the tax. If I were free to do it, I could speak of another great estate about which I know and which was practically ruined by the imposition of the estate tax. Certainly, there would not be enough cash money to take care of the estate tax on Mr. Ford's property.

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

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Rhode Island?

Mr. COPELAND. I yield.

Mr. GERRY. If the Senator will turn to page 306 of the hearings before the Finance Committee, he will find a statement by Mr. May, who is a public accountant of Price, Waterhouse & Co., and a well-known tax expert, showing exactly what the House bill would do to Mr. Ford's estate. I think it states the matter very clearly. Mr. May said:

Briefly summarizing this statement, the valuation of the estate is $350,000,000; estate and inheritance tax thereon, $312,900,000; the annual installment of the tax, one-tenth, $31,297,000; annual dividends, $35,000,000; surtaxes thereon, $26,000,000; leaves a balance for the estate and inheritance taxes of $8,900,000, which is 2.8 percent of the total charges, or 28 percent of the annual installment of the tax.

Senator KING. Did you take into consideration the taxes that might be imposed in the various States?

Mr. MAY. I have left out the State taxes, interest on deferred tax, and everything of that kind.

Senator KING. If they paid all of those, there would be nothing left.

Mr. MAY. When you get to 2.8 percent, it does not make very much difference about the rest. It amounts to practical confiscation.

Then, on the other hand, saying that the Ford estate was an unusual one, Mr. May, taking an estate of three and one-half million dollars, said:

The annual installment of tax would be $203,000, and the balance that would remain out of the dividends after paying the surtaxes would be $165,000. So you would be able to pay 80 percent of your annual installment, or 8 percent of the total taxes. Those are the figures in the case of a $3,500,000 corporation.

Senator KING. Supposing you had no dividends?

Mr. MAY. Then you would be out of luck.

Mr. May also said, referring to the case of the Ford estate, and to the statement by Mr. Jackson, who represented the Treasury—and, although I do not agree with him, he is a very able advocate, and made a fine statement of his side of the case:

Mr. Jackson also said that he thought this could be financed by a bond issue, and people would be glad to finance a bond issue. On $350,000,000, the taxes would be 89.5 percent.

Mr. Jackson's experience with underwriters may be more favorable, although I think it is probably less extensive than mine; but I have never found a bond house that was able to underwrite a bond issue for 90 percent of the value of the property, and I doubt if his hopes are well founded, and I doubt if anybody is going to try the experiment with a $350,000,000 issue.

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

Mr. GERRY. The Senator from New York has the floor.

Mr. COPELAND. I yield to the Senator from Iowa.

Mr. MURPHY. Assuming that a bond issue should be floated, the bonds would be bought by individuals who already have money to invest. The money would be realized from the sale of other securities and conversions. Under those circumstances, can the Senator describe wherein there would be any approach toward equality in the distribution of wealth?

Mr. GERRY. Of course, there would not be any such approach. All that would happen would be that the property would be taken out of the very efficient hands of Mr. Ford, and turned over to the stock market and the bankers for them to sell.

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

Mr. GERRY. I have not the floor. The Senator from New York has the floor.

Mr. COPELAND. I yield to the Senator from Texas.

Mr. CONNALLY. The property would not be taken out of the hands of Mr. Ford by the tax, because death is the only thing that would take it out of the hands of Mr. Ford.

Mr. GERRY. Well, it would be taken out of the hands of his heirs.

Mr. CONNALLY. The tax would not apply to Mr. Ford until his death, so that it would not be the tax that would be taking the property out of his hands.

Mr. GERRY. I should have stated that it would be taken out of the hands of Mr. Ford's heirs or executors.

Mr. COPELAND. Of course, what would happen then would be, so far as the doughnut is concerned, the Ford estate would have the hole.

Mr. GERRY. That is it.

Mr. COPELAND. The doughnut would have gone into Wall Street, and, as the Senator from Iowa has suggested, into the hands of other wealthy persons; so wealth would not be distributed. The hole in the doughnut would be left to the heirs.

Mr. MURPHY. There would be a new set of owners. Is not that all?

Mr. COPELAND. The ownership would be changed; but the genius of the Ford family—which, fortunately, is lodged not alone in Mr. Ford, but in his son, too—would have been extinguished, and the industry would have passed into other hands.

Mr. MURPHY. Mr. President, will the Senator further yield?

Mr. COPELAND. Yes; I yield.

Mr. MURPHY. The case assumes the issuance of bonds. The bonds would bear a fixed rate of interest. If the stock were sold and a very large return paid on the stock, there would then be some support for the theory that some of the wealth was distributed in distributing the larger earnings, but with a fixed return on the bonds, there would not be any more distribution of the earnings beyond the fixed return on

the bonds than would be had on any other issue the investor might acquire.

Mr. COPELAND. Mr. President, I am very much obliged to the Senators for what they have added to the value of the discussion. I wish to quote a few words more from my speech of January 1926:

Far be it from me to argue about the disposition of great estates. I am not worried about the ultimate disposition of mine.

I was not worried then, and I am less worried now.

I still insist, however, that to have an estate tax a just tax there must be a differentiation, and there must be a classification of estates. It is all very well to talk about Mr. Ford's business, and that after taking away from it 40 percent the executor could go on with it.

Of course, we know now that under present conditions it would be far more than 40 percent. It would be practically all of it, according to the statement in the record.

But if we took away that amount from the business in which he has invested his entire fortune, we would ruin the business. The very success of the enterprise depends upon gross production.

I am not worried that the condition spoken of by the Senator from Nebraska would ever come back to haunt us. We have the power to tax estates. Our experiences of the immediate past have demonstrated our power to do that. If any estate grows so great that it is "greater than the Government", as the Senator suggests—

Somewhat as was suggested by the Senator from Massachusetts a few moments ago.

If it becomes "a menace to society, there would be no trouble about enacting some law to correct that evil. But I insist that it is an unjust and unfair thing to say in general, because there is a great estate and the man who developed it with the aid of his family dies, that because he is dead and is not there to defend it the Government may move in and take possession."

Then my colleague, the then Senator WADSWORTH, said:

Mr. President, will my colleague yield?

Mr. COPELAND. With pleasure.

Mr. WADSWORTH. Suppose the widow dies within another year and again the estate is assessed, where is the justice there?

Mr. President, I can see no justice or fairness or wisdom in the taxation of these estates. It is natural for all of us to have a little resentment that the other fellow has the money. I suppose it is as natural as human nature itself to have a sort of a disagreeable feeling about a rich man.

I have known many rich men. I have known very few of them who were happy. I would rather have a home by the side of the road and live in the horse-and-buggy stage than to put up with all the trials and tribulations to which most of the rich men I have known have had to submit. The fact that they are rich does not mean that they have no troubles of any sort. There are demands upon them to keep their estates going, and I know Mr. Ford has had such demands.

Mr. President, I opposed the bill then pending because, among other reasons, of the provision in it about the taxation of estates. But my opposition to the pending bill today does not end there.

I find in the summary on the last page of the report, as to the sources of additional revenue, that the graduated corporation tax will bring in $60,000,000, that the capital-stock tax will bring in $55,000,000, that the excess-profits tax will bring in $10,000,000, a total of about $125,000,000.

I stated in the beginning that if this were a measure needed to balance the Budget and to afford funds with which to operate the Government, I would not hesitate about supporting a bill twice as severe as this; but we are seeking to restore business and restore confidence—and the restoration of confidence is primary and essential to the restoration of business—and at the same time are asked to strike business a blow between the eyes, making it still more difficult for an economic world already staggering in its attempts to recover its feet.

Let no Member of the Senate believe that there is any such restoration of business in the United States as now to justify an attack upon business. I was very much interested yesterday in the speech made by the Senator from Tennessee [Mr. MCKELLAR]. I tried hard to drink in everything he said and to be stimulated by his remarks. I ventured to ask him some questions about business. I asked him about carloadings, and he said they were increasing. But I happened to have in my hand the record of the carloadings, and gave them to him in a very brief colloquy in the debate yesterday.

I can conceive of no better or more accurate test of business than the movement of freight. There can be no more accurate test of the return of recovery than a comparison of carloadings of today with the carloadings of a year ago today, or even 2 years ago today. I realize that if we go back 5 years, we go back into a period entirely different. In 5 years there has been a great increase in the uses of busses and trucks, but there has not been a great increase in 1 year, there has been very little increase since 2 years ago.

I read every week a publication known as "Railroad Data." I read it in the first place because its editor happens to be a friend of mine, and afterward I read it because of the condensed and valuable material which I found in it. So every week I get this little sheet, and the one I hold in my hand is the last issue. I take the last one I received, put it in my pocket, and throw the preceding issue away. The one to which I now refer is the issue of August 2.

In the month of February of this year there was an increase in the number of carloadings of 10,000 over last year. With the exception of that one period, there has been a decline in the carloadings every month of 1935 as compared with 1934.

During the week of July 6 there was a decline of 50,000 cars under 1934 and of about 70,000 cars under 1933.

The week of July 13 there was a decline of 38,000 cars under 1934 and of 90,000 cars under 1933.

In the week of July 20 there was a falling off of 23,000 cars under 1934 and over 60,000 cars under 1933.

The total carloadings in the United States for the year 1935 amounted to 16,808,332, as against 17,177,596 in 1934.

Mr. President, I know there may be local conditions and local influences which might produce in a locality in Delaware increased prosperity. There might be an unusual crop of apples in Delaware.

I hope that this year the quantity of apples raised on the great plantation of my friend the Senator from Delaware [Mr. TOWNSEND] will be greater than last year. I have his assurance that there will be an increase. That is fine. That means that there will be more trucking of apples out of that territory and there will be more carloadings, I hope.

Of course, there may be local conditions which make for improvement. I am glad that in Florida prosperity is on the way and that there is a real boom there. However, when we take the country at large there is no more sure or more certain index of whether prosperity is returning or not than the carloadings, and the carloadings are declining, not increasing. Business is not on the upgrade. Then is this the time to impose new burdens of taxation upon business? Is this the time, when business is declining, to increase corporation taxes and capital-stock taxes and excess-profits taxes? Is not this the very time when business should be encouraged?

Mr. President, what we are discussing here is of interest to every man, woman, and child in the United States, whether or not his or her name is on the tax roll. When a rich man is assessed and has to pay a tax he does not go out into the apple orchard to the seventh tree and the thirteenth row and dig down and get a pot of gold out of which he pays his taxes. Every time a tax is levied it means that there is an increase in the price of the clothing which we wear and the food which we eat and the rent which we pay, and the burden of taxation falls upon all individuals in the United States, including the poorest family upon the dole.

Because a man is not rich, because he has not a bank account, because his name is not upon the assessment rolls, let him not, therefore, imagine for a minute that he is not paying the taxes. The cost of every hat and every pair of shoes will be increased by reason of taxes levied under any form by the Government.

My contention is, Mr. President, that this is not the time to increase the burden of taxation in America. It could be done if we were balancing the Budget. If we were making provision to take care of government and pay Government

expenses out of current revenue or income, then it would be all right. But there is no effort made to do that. There is no effort made to balance the Budget; no effort made to make both ends meet. So at this time, I think it is unwise, simply as a gesture—I cannot see what else it is—to attempt to bring in a few million dollars from business already staggering under the burden imposed upon it by these years of disaster. I think it is so unwise that no one of us can afford to go forward with the bill.

Mr. President, so far as I am concerned and so far as my knowledge goes I am in perfect health, ready to face all the weather and vicissitudes of service here through weeks to come. But what is the use of it? Why impose this physical burden, with the newspaper reports saying 100 Members of the other body are ill, and I know there are Members of this body who are? What is the use of staying here to try to pass a bill which, after we shall have passed it, will not be worth the powder to destroy it? It seems to me so unwise, so contrary to all the principles of statesmanship, so absolutely absurd from start to finish, that I can hardly believe the Senate is actually giving serious consideration to the passage of this measure.

Mr. President, with all the conviction of my soul I believe this is an unwise measure, and, so far as my small influence goes, I beg of Senators to reject it. Let it go back to the Finance Committee for further study, let it go back with a view to revision of our methods of procedure as a government in order that we may at the earliest possible moment balance the Budget, put our house in order, and be a going concern as a government.

Mr. HASTINGS obtained the floor.

REGULATION OF COMMERCE IN PETROLEUM

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield for just a moment without taking the chance of losing the floor?

Mr. HASTINGS. I yield.

Mr. THOMAS of Oklahoma. There is pending on the calendar Senate bill 2027, to regulate commerce in petroleum, and for other purposes. A similar bill was introduced in the last Congress; and the Committee on Mines and Mining, after hearings, reported it favorably. Of course, the bill did not pass Congress; in fact, it was not brought up for passage.

During the present session of Congress a similar bill was introduced, hearings were held, and the bill has been reported favorably. It is a rather lengthy bill, and at this late date there is no chance whatever, as I see it, of getting it before the Senate or the House for consideration.

Mr. McNARY. Mr. President, is the Senator referring to Senate bill 2027?

Mr. THOMAS of Oklahoma. I am referring to the original bill, Senate bill 2027.

Mr. McNARY. Is that the bill to ratify a compact between six States which produce oil?

Mr. THOMAS of Oklahoma. The original bill contained such a section, along with other sections; but I have just said that there is no chance now to have that bill passed. So I am asking unanimous consent to call up the bill with the understanding that if it may be considered the Senator from Texas [Mr. CONNALLY] will offer a substitute embracing but three sections. Section 1 is to approve the compact between six States of the West. Section 2 is to extend the provisions of the Connally law passed by this Congress, having to do with the transportation of illegally produced oil. Section 3 deals with the limitation of imports. Those three sections are the only ones I am asking to have considered by unanimous consent at this time.

Mr. McNARY. The substitute has not as yet been offered?

Mr. THOMAS of Oklahoma. No.

Mr. McNARY. Mr. President, the Senator from Texas [Mr. CONNALLY] spoke to me today about the proposal now being made by the Senator from Oklahoma, which involves the ratification of a compact between six oil-producing States. The Senator from Texas, I understand, is to offer a substitute for the bill proposed by the Senator from Oklahoma which is now on the calendar.

Mr. THOMAS of Oklahoma. That is correct.

Mr. McNARY. Will the Senator from Texas briefly explain the bill?

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

Mr. HASTINGS. I yield.

Mr. HARRISON. I understand that all the Senators from the six States affected are in agreement on this matter and that there will be no discussion of it. With that understanding, I shall not object if it shall be decided to take up the measure.

Mr. CONNALLY. Mr. President, will the Senator from Delaware yield in order that I may answer the interrogatory of the Senator from Oregon?

Mr. HASTINGS. I yield.

Mr. CONNALLY. Let me say to the Senator from Oregon that there is nothing in the proposed substitute to be offered by me which is not in the bill of the Senator from Oklahoma, so, in effect, my amendment has been passed upon by the committee and reported favorably. My proposed substitute simply deletes most of the bill of the Senator from Oklahoma.

Mr. McNARY. Mr. President, I have just been advised that one of the Senators on this side of the Chamber who wishes to be present when this matter is discussed is absent; and I ask that the request be deferred for a few moments.

Mr. THOMAS of Oklahoma. Very well.

SANITATION COMPACT BETWEEN NEW YORK, NEW JERSEY, AND CONNECTICUT

Mr. COPELAND. Mr. President, will the Senator from Delaware yield to me for a moment?

Mr. HASTINGS. I yield.

Mr. COPELAND. I ask unanimous consent that Senate Joint Resolution 159, being Calendar No. 1277, be acted on at this time. The joint resolution proposes to permit the three States of New York, New Jersey, and Connecticut to enter into a compact to prevent pollution of New York Harbor. It was introduced jointly by the six Senators from the three States and has been approved by the Committee on the Judiciary. The reason we are anxious to have action, I may say, is that the joint resolution must also be passed by the House of Representatives, and the commissions of the three States are ready to act.

Mr. HARRISON. Mr. President, will the Senator from Delaware yield to me?

Mr. HASTINGS. I yield.

Mr. HARRISON. With the understanding that the consideration of the joint resolution will not involve discussion, I will raise no objection to laying aside temporarily the unfinished business so that the joint resolution may be considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the joint resolution mentioned by him?

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 159) granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission, which had been reported from the Committee on the Judiciary with amendments to the preamble.

The joint resolution was read, as follows:

Resolved, etc., That the consent of Congress is hereby given to the States of New York, New Jersey, and Connecticut to enter into the compact hereinbefore recited, and to each and every part and article thereof: *Provided*, That nothing contained in such compact shall be construed as empowering or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of such compact.

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

Mr. ROBINSON. Mr. President, may I ask the Senator from New York if the joint resolution proposes to create a Federal commission?

Mr. COPELAND. No; under section 1 of the Constitution, a compact has been entered into by the three States, and

the legislatures of the three States have already agreed to the compact.

Mr. ROBINSON. The commission is to represent the States?

Mr. COPELAND. That is correct.

Mr. ROBINSON. The passage of the joint resolution will not involve a charge on the Federal Government?

Mr. COPELAND. It will not.

Mr. WALSH. Mr. President, I should like to inquire if the legislatures of the several States have approved the compact?

Mr. COPELAND. All three of them have done so.

Mr. WALSH. And it is a necessary requirement that the Congress approve the legislative action of the three States?

Mr. COPELAND. That is correct.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The amendment to the preamble will be stated.

The LEGISLATIVE CLERK. In article X of the compact as recited in the preamble, on page 11, after the name "New York", it is proposed to strike out "Harbor until and unless the said waters are found to be in compliance with the minimum standards of purity, as provided in this compact", and insert "Harbor: *Provided, however,* That said discharge shall be in accordance with the terms and provisions of the stipulation entered into on April 14, 1910, between the United States of America and Passaic Valley Sewerage Commissioners"; so as to read:

The provisions of this act shall not affect the discharge from the outfall pipes of the Passaic Valley sewerage system into the waters of New York Harbor: *Provided, however,* That said discharge shall be in accordance with the terms and provisions of the stipulation entered into on April 14, 1910, between the United States of America and Passaic Valley Sewerage Commissioners.

The amendment was agreed to.

The next amendment was in article XVI of the compact as recited in the preamble, on page 13, after the word "such", to strike out "States", and insert "State"; so as to read:

ARTICLE XVI

1. This compact shall become effective as to the State of New Jersey and the State of New York immediately upon the signing thereof by the representatives of such States, and thereafter it shall also become effective as to the State of Connecticut immediately upon the signing thereof by the representatives of such State:

The amendment was agreed to.

The next amendment was, in article XVI of the compact as recited in the preamble, on page 13, to strike out:

2. Nothing herein contained shall affect or abate any action now pending brought by any governmental board or body created by or existing under any of the signatory States.

3. The said agreement or compact when signed or sealed by the commissioners of each State, as hereinbefore provided, shall become binding upon the State of New Jersey and shall be filed in the office of the secretary of state of the State of New Jersey.

4. If by death, resignation, or otherwise a vacancy occurs among those appointed hereunder by the State of New Jersey, the Governor of the State of New Jersey is hereby authorized to fill the same.

5. The said commissioners, together with the commissioners appointed from the State of New York, shall have power to apply to the Congress of the United States for its consent or approval of the agreement or compact signed by them; but in the absence of such consent of Congress and until the same shall have been secured, the said agreement or compact shall be binding upon the State of New Jersey in all respects permitted by law of the two States of New Jersey and New York without the consent of Congress to cooperate, for the purposes enumerated in said agreement or compact and in the manner provided therein.

6. Until the compact shall have been signed by the representatives of the State of Connecticut, the district as set forth in article II of said compact shall not embrace any territory within the jurisdiction of the State of Connecticut nor shall the commission exercise any jurisdiction or perform any duties or acts affecting such territory and until the State of Connecticut shall through its duly designated representatives sign the said compact, the Interstate Sanitation Commission shall consist of 10 members.

7. This act shall take effect immediately.

The amendment was agreed to.

The preamble, as amended, was agreed to.

E. JEANMONOD

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1046) for the relief of E. Jeanmonod, which was, on page 1, line 11, after the name "France", to insert a colon and the following proviso:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. BAILEY. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CARRIE PRICE ROBERTS

The PRESIDING OFFICER laid before the Senate the amendments for the House of Representatives to the bill (S. 2993) for the relief of Carrie Price Roberts, which were, on page 1, line 6, to strike out "$7,500" and insert "$5,000", and on the same page, line 11, after the numerals "15", to insert a comma and "1934."

Mr. BAILEY. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HUDSON BROS.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 985) for the relief of Hudson Bros., of Norfolk, Va., which was, on page 1, line 6, after "$620.60", to insert "in full settlement of all claims against the United States."

Mr. BYRD. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PRESERVATION OF HISTORIC AMERICAN ANTIQUITIES

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2073) to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes, which were, on page 2, to strike out lines 12 to 20, inclusive, and insert:

(d) For the purpose of this act, acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest or estate therein, title to any real property to be satisfactory to the Secretary: *Provided,* That no such property which is owned by any religious or educational institution, or which is owned or administered for the benefit of the public shall be so acquired without the consent of the owner: *Provided further,* That no such property shall be acquired or contract or agreement for the acquisition thereof made which will obligate the general fund of the Treasury for the payment of such property, unless or until Congress has appropriated money which is available for that purpose.

(e) Contract and make cooperative agreements with States, municipal subdivisions, corporations, associations, or individuals, with proper bond where deemed advisable, to protect, preserve, maintain, or operate any historic or archeologic building, site, object, or property used in connection therewith for public use, regardless as to whether the title thereto is in the United States: *Provided,* That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

On page 2, line 21, to strike out "(e)" and insert "(f)"; on page 3, line 1, to strike out "(f)" and insert "(g)"; on page 3, line 4, to strike out "(g)" and insert "(h)"; on page 3, line 11, after "administration", to insert ": *Provided,* That such concessions, leases, or permits shall be let at competitive bidding, to the person making the highest and best bid"; on page 3, after line 11, to insert "(i) When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate, or maintain any particular historic or archeologic site, building, or property donated to the United States through the National Park Service, he may cause the same to be done by organizing a corporation

for that purpose under the laws of the District of Columbia or any State"; on page 3, line 12, to strike out "(h)" and insert "(j)"; and on page 3, line 18, to strike out "(i)" and insert "(k)."

Mr. BYRD. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

INCOME AND INHERITANCE TAXATION

The Senate resumed the consideration of the bill (H. R. 8974) to provide revenue, equalize taxation, and for other purposes.

Mr. HASTINGS. Mr. President, I desire to make a very brief statement in respect to the pending bill.

Mr. President, I doubt whether the Finance Committee has ever presented to the Senate a revenue measure which is so universally unsatisfactory as is the bill now under consideration. I have assumed always that every Member of Congress must dread to vote for the imposition of new taxes of any kind. Somebody has said that the imposition of new taxes or the increasing of old tax rates is a necessary evil which the American Congress ought to avoid as long as possible.

I doubt whether, up to this time, the suggestion has ever been made to levy a tax for the sole purpose of punishing certain classes of persons. I have no patience with a punitive tax. The levying of taxes, and the absence of fairness and equality in levying them have been the downfall of many nations.

That the normal expenses of the Government must be met by taxation is recognized by all patriotic citizens. Nobody pays such taxes willingly when he knows that the money he pays is to be spent extravagantly. Nobody pays them willingly when he thinks he is paying more than his share. No man certainly would pay willingly when he knew the only purpose of levying the tax was to punish him for his energy, thrift, and skill in gathering together what he has. No man will pay without complaining when an unreasonable tax is levied upon the fortune that his parents possessed. On the other hand, every patriotic citizen is willing to pay what is actually necessary in order that he may share his part of the burden of supporting the Government which protects him.

This particular bill was conceived in political intrigue. It is a cross between a spendthrift and a social revolutionist. It has for its principal object the Presidential election of 1936. It intends to drive out of the Democratic Party whatever is left of the wealthy class. It is a bid for the votes of those who have but little. It makes a pretense of meeting the demands of those who believe the salvation of the country is in the share-the-wealth proposal. It will not raise sufficient money to pay the deficit for 20 days. It will bring in no money until March 1937; and I think it is safe to say that it does not meet the actual desires of 10 percent of the Members of either House of Congress. The truth is that it has been drawn and is about to be passed because of the President's message of June 19, and because certain Members of the Senate "called the bluff" of the President in sending that message.

Mr. President, after that message was received and the smoke which followed it had cleared away, I proposed to the Senate that the Congress adjourn until November in order that a real tax bill might be written by the committees of the two Houses after careful and painstaking study. I have not changed my mind in regard to the desirability and necessity of proceeding in some such way as that, but after it had been determined that some kind of a face-saving revenue measure must be passed by the Congress, I sat with the Finance Committee and endeavored to assist in writing a bill which was agreeable to the majority of the committee.

I announced to the committee that I did not propose to support any bill written in any such manner as this one was being written, but that I was willing to do what I could in helping frame a bill to be reported to this body. I was assured that if we did not make some report, the committee would be discharged and an effort would be made to write a bill upon the floor of the Senate.

The committee struggled with the matter all day Friday, August 9, and by 3 o'clock on Saturday, August 10, had agreed on all the major problems involved in the House bill. It was distinctly agreed that the inheritance tax should be eliminated and that the estate tax should be increased. It was distinctly agreed that the House provision with respect to normal corporation taxes should be left in the bill. It was distinctly agreed that in the matter of excess-profit tax that corporations should be allowed to revalue their property each year. It was agreed that the exemption of single persons should be reduced to $800 and of married men to $2,000, and the exemption for children, now limited to 18 years, should be increased to 20 years. The income tax was increased in all of the lower brackets, and an entirely new schedule adopted. The exemption of the surtax was reduced to $3,000 instead of $4,000. The result of our work was that we were reporting a tax bill which would raise a sum not far less than $500,000,000 annually.

When I left the committee at 3 o'clock on Saturday, my understanding was that the bill in the form I have outlined was ready for the draftsmen, and I assumed that I knew what was to be reported to the Senate. The committee print was prepared by the draftsmen and presented to the committee members Monday morning. Unfortunately, I was away on Monday, being compelled to keep an engagement of long standing. An executive meeting was called for 2 o'clock on Monday, and at that meeting the committee practically rewrote the bill. The chairman succeeded in having the graduated income tax for corporations put in so that it would more nearly meet the desires of the President. The important La Follette amendment was reconsidered and stricken out. The Senator from Kentucky who had been spending the week-end with the President and who was not present on Saturday had returned to the committee. The objections of the Senator from Idaho [Mr. BORAH] and the Senator from Nebraska [Mr. NORRIS] to the La Follette amendment had been published in the press.

I mention these facts only for the purpose of showing what a "sloppy" job has been done. I make no individual criticism of the chairman of the committee or any of its members. I only point out how impossible it is to do a good job with such an important matter at the end of a long session of the Congress. One member of the committee had charge of a bill in the Senate all day Friday and all day Monday, and could not attend the session at all. Other members were interested in the bill then pending, and could not attend the committee meetings.

Under normal conditions the important matters would have been decided by the Finance Committee with the greatest of care and any member of the committee who could not be present would have had an opportunity to be polled and thus express his opinion. The Senate for these reasons cannot, therefore, give the same weight to the committee report that ordinarily attaches and ought to attach to a tax bill, or any other bill.

Mr. President, I do not propose to discuss the merits of this tax bill. The bill itself is without merit. It is intended to deceive the followers of the "share the wealth" movement; but what is more serious is that it is offered as a snare and delusion to the average taxpayer. The refusal to lower the exemptions and to increase income taxes in the lower brackets was intended to impress the Nation with the fact that so long as Mr. Roosevelt shall be retained in the Presidential office no such increase will be necessary; that the entire load may be carried by the large corporations and the more wealthy class. I repeat, this is a snare. Mr. Roosevelt may be right in this; he may make the delusion last until after the next election. I do not know about that, but I trust the people may not be deceived. I hope they may be wise enough to see that the Federal Government can only meet its obligations by taxation, direct or indirect; that if the Federal Government takes all the income from the wealthy it cannot obtain enough money to meet the extravagant demands of the present administration. I hope they may ultimately see that we are on the road to repudiation or inflation. I trust they

may see far enough ahead to realize that if these things shall occur the poor will be the greatest sufferers.

I wish it were possible to point out effectively how these things are holding back recovery and keeping millions of people on the relief rolls. I am sorry that when one tries to do this he is accused of having no more worthy object than the protection of the wealthy and the large corporations.

Yesterday the distinguished senior Senator from Tennessee [Mr. McKellar], in a long speech in the Senate defending the administration, referred to this tax bill and said:

> The critics dropped their complaints about not raising taxes with which to pay for extraordinary expenses, and at once began to shout their denunciation of President Roosevelt for a so-called "share-the-wealth" proposal. Of course, no such proposal as that has been recommended by the President. On the contrary, the tax proposals recommended by President Roosevelt are in direct line with the policy of the Government since 1914.

Again, he said:

> It is easy to see that this recommendation of the President is not a soak-the-rich plan, nor is it a divide-the-wealth plan. There is not a semblance of relationship between this plan and the plan to divide the wealth. This tax bill is nothing but an amendment to the policy we began in 1914.

Well, Mr. President, if that be true, certainly the President and those who follow him as closely as does the Senator from Tennessee are going to be disappointed because the President in his message said:

> The transmission from generation to generation of vast fortunes by will, inheritance, or gift is not consistent with the ideals and sentiments of the American people.
>
> In the last analysis such accumulations amount to the perpetuation of great and undesirable concentration of control in a relatively few individuals over the employment and welfare of many, many others.
>
> Such inherited economic power is as inconsistent with the ideals of this generation as inherited political power was inconsistent with the ideals of the generation which established our Government.
>
> The disturbing effects upon our national life that come from great inheritances of wealth and power can in the future be reduced, not only through the method I have just described but through a definite increase in the taxes now levied upon very great individual net incomes.

Certainly, if the distinguished Senator from Tennessee is correct, the President has changed his own mind since he sent this message to Congress.

I do not agree, Mr. President, with the statements contained in the President's message. Inherited political power was a thing against which our forefathers provided. Inherited economic power was encouraged. I think it is perfectly natural that there are wealthy people and large corporations in our country. In my judgment, they form an important part of the lifeblood of the Nation.

It is admitted by all that Congress in many instances must have some control over large corporations, and that control must be such as to meet the needs of the Nation, but we ought not to resort to the taxing power in order to exert such control. Taxes should never be laid except to raise necessary revenue.

I agree with the Senator from Tennessee that this is not a share-the-wealth movement. It is worse than that. It is a movement to destroy, to confiscate. We confiscate the property of the wealthy and thus destroy the capital upon which our income depends. We increase the taxes on large corporations so as to make it more difficult for them to find employment for the needy. I do not propose to be a party to killing the goose that lays the golden egg. Nay, I am not even willing to take a chance on killing the duck that may have laid a silver egg.

My defense of the wealthy and the large corporations against this outrageous tax bill grows out of my desire to protect that class of people that Mr. Roosevelt once described as "the forgotten man." I think this bill will in the end injure that class of people who are now so nearly helpless.

It is true, as the Senator from Tennessee says, the people of the Nation are indirectly paying a great tax, and that tax is bound to increase; but what I am anxious about is to give some encouragement in the one place to which we must look for the revival of business in this Nation, namely, the people who furnish employment. This cannot be done until a real honest effort is made to make both ends meet.

I do not propose to try to delay the passage of the pending bill. I do not propose to try to amend it. I want it to stand out as one of the Roosevelt accomplishments. I want those who agree with him to put their stamp of approval upon it. I hope those who disagree with him will have courage enough to vote against it. If Mr. Roosevelt thinks he has made political capital for himself and his party, let him make the most of it, but my prediction is that when the next campaign shall be over and before the time shall come for any of the income taxes levied in this bill to be paid, Mr. Roosevelt, if reelected, will be urging upon the Congress a real tax bill and one which will affect millions of people who are being deluded with this thing that is now before us.

Mr. LONG. Mr. President, I do not want to take much of the time of the Senate now, because I may want to submit some remarks on the bill a little later. Before the Senator from Delaware [Mr. Hastings] leaves the Chamber, if that is his purpose, I want to get one matter into the Record.

As I understood the remarks of the Senator from Delaware, a rendezvous on tax legislation was held by himself and the Senator from Wisconsin [Mr. La Follette] and the leadership of the Finance Committee. May I inquire of the Senator from Delaware if the Chairman of the Finance Committee went along to Saturday's happy meeting-ground on the tax bill?

Mr. HASTINGS. Mr. President, the amendment offered in the committee by the Senator from Wisconsin [Mr. La Follette] proposed to change the income-tax schedule, and to begin at the very lowest bracket and go to the very top. Among other things it proposed to provide for a reduction in exemptions from $1,000 to $800 for single men and from $2,500 to $2,000 for married men. In addition to that it provided that those supporting children between the ages of 18 and 20 might deduct $400 for each such child. The present age limit is 18 years.

The Senator from Wisconsin offered that amendment in the committee and pointed out how necessary it was, if we were undertaking to raise sufficient revenue to meet the expenses of the Government, to begin at that point and go along the line, with all of which I agreed.

The difference between the Senator from Wisconsin and myself was that I think it is unreasonable to begin to raise additional revenue at all until we have closed the gap at the other end. But since there was no effort to close that gap and since I was called upon to vote upon a single amendment and since that amendment agreed with my theory of what must be done when we ultimately reach the point of raising sufficient revenue to meet the needs of the Government, I voted for the amendment.

I cannot answer the question of the Senator further, because I do not desire to take the responsibility of answering for the chairman of the committee. My recollection is that he did not vote for the amendment, but I do not want to be held responsible for the chairman of the committee.

Mr. LONG. Mr. President, I am sorry the Senator from Mississippi [Mr. Harrison] and the Senator from Wisconsin [Mr. La Follette] are not in the Chamber. I want to have recorded indelibly in the Record for the future that this so-called "share the wealth" bill evidently got into the hands of a very bad set of friends, if they were friends at all, of the proposed legislation.

The next thing we knew was that the President's bill had the President's sponsors breaking bread with the Senator from Delaware [Mr. Hastings]. If it had not been for a few of us erstwhile characters on the outside, they would have all come in and made a loving cup out of the bill which they drew up last Saturday afternoon. It just so happens that a few of us on the outside are involved. My name happened to be mentioned among them by accident at that time.

The Senator from Nebraska [Mr. Norris], the Senator from Idaho [Mr. Borah], and myself, and perhaps one or two others, were quoted as looking upon the proposed

legislation as being a dig down into the pockets of the little people and robbing them in a legal way of the meager earnings and relief allowances they are presently granted. We made known our intention to oppose the proposed legislation on every ground and with every resource at our command. Whereupon the same army that had been up the hill and had come down a couple of times went back up the hill again and looked at the boiling furnaces and the smoke and flame of public indignation and then came back with something else, and we are now going to be informed as to what it is that we now have before us.

I desire to make a comment apropos of the peculiar kind of activity that is going on in this high legislative realm. As a leading Democrat of this country—one of the very leading Democrats of the country, still a Democrat, and still accepted as a Democrat in the Democratic councils of my State by the voters of the State, who are almost entirely Democrats—I desire to make this observation and pay this tribute:

I have before me the Evening Star of today, Wednesday, August 14. I read from page 1, columns 2 and 3:

Ohio test of new-deal favor again rejected by Governor Davey.

In other words, I read headline no. 1, which says that the Democratic Governor of Ohio is preventing an election to fill a vacancy which has occurred in the Ohio delegation in the House of Representatives. That headline, standing alone, would not give the full picture, however. After saying that the Democratic Governor of Ohio kept the Roosevelt policies from undergoing a test in the Buckeye State; after the headline "Ohio test of new-deal favor again rejected by Governor Davey" comes the next headline, which reads as follows:

Plans conference today at White House to talk relief projects.

In other words, it looks as though they might just as well say that the Governor of Ohio came and brought along the basket and said, "You do not want the Democratic Party new-deal test to occur in Ohio. On the one hand I announce that it will not occur and with my left hand I hold out the basket." [Laughter.]

A man like this from Ohio deserves compliment. A word of praise should be said for the Governor of Ohio; and having myself been the Governor of a State once upon a time, I feel that one who has occupied that important position should be credited with valiant service done for the party. Many people overlook the service that is rendered to the cause of the party by the Governors of the various States.

I was never even mentioned for the service I performed for the party while I was Governor of my State, whereas I think my service in that capacity was as valuable as it is in my present capacity to the cause of the democracy of the United States. However, I wish to make a comparison to show what effect this Governor's activity has on the party at this particular day and time, when one day we are going to tax the rich, and the next day the conservative reactionaries from Delaware and other States are writing a bill to tax the poor, and are presenting the capsule to be swallowed by 96 Members of the Senate, two-thirds of whom are Democrats.

Here is what the comparison will show:

In Rhode Island there was a vacancy in the representation of the State in the House of Representatives, caused by the resignation of a Democrat. A Democratic Representative resigned, creating a vacancy from a district in Rhode Island. What did the Democratic Governor of the State do? He called an election. Here at this time, when anybody with a thimbleful of discretion ought to have known that the new deal was in for a wholesale repudiation and annihilation, the Democratic Governor of the State called an election.

Who made that mistake for the Democratic Party. I wish to have it understood that this was not a Republican district. This was a Democratic district. It has been a Democratic district since the time Al Smith ran for President of the United States. Now it is written on the wall that this Democratic district, which had supported the party, repudiates it, lock, stock, and barrel.

Ah, Mr. President, but over in Ohio, when there was a State-wide vacancy, where the whole State would be called upon to say what it thought of the "new deal", or the "raw deal", or whatever other kind of a deal it is, from the bottom or the middle of the deck, or perhaps now and then a card off the top; when the whole State of Ohio had an opportunity to place itself on record and say what it thought of the "new deal", and the flimflamming going on here and in the Finance Committee and other executive councils controlled by the "new deal" or the "raw deal", one hero came to the rescue of the Democratic Party. Let all honor and all praise be given to Governor Davey, of Ohio. I am a man who believes that the laborer is worthy of his hire, and I hope his basket will be well filled from the $5,000,000,000 fund which we voted to reward the faithful and to punish the unfaithful in the executive councils of the party. [Laughter.]

REGULATION OF COMMERCE IN PETROLEUM

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield at this point?

Mr. LONG. I yield.

Mr. THOMAS of Oklahoma. Referring again to the request made earlier in the day, I ask unanimous consent that the unfinished business be temporarily laid aside so that Senate bill 2027 may be considered by the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. LONG. I should like to call for a quorum, if the Senator has no objection, after the request is agreed to.

The PRESIDING OFFICER. Is there objection to laying aside the unfinished business and considering Senate bill 2027 at this time?

Mr. GEORGE. Mr. President, I should like to inquire first just what Senate bill 2027 is, and whether it will provoke any discussion or lead to any debate.

Mr. THOMAS of Oklahoma. If it shall provoke discussion, the request will be withdrawn.

The original bill is the petroleum bill. We cannot get the bill through at this session. It is agreed by those interested in the oil States that two or three sections of the bill should be passed at the present session. One section approves the compacts between some six States in the West. Relative to this matter, the President has forwarded a message to the Congress.

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

Mr. LONG. I yield.

Mr. ROBINSON. I will say to the Senator from Georgia that I understand there has been a general agreement among Senators who are interested in the subject matter of the proposed legislation. I do not think it will take more than a few minutes to dispose of the measure.

Mr. McNARY. Mr. President, when the bill was brought to the attention of the Senate earlier in the day, I objected to the request for consideration because I desired to consult certain Members of the Senate. I am now advised that the bill is acceptable and that there is no objection to it on the part of those who are concerned.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

There being no objection, the Senate proceeded to consider the bill (S. 2027) to regulate commerce in petroleum, and for other purposes, which had been reported from the Committee on Mines and Mining with amendments.

Mr. CONNALLY. Mr. President, I send to the desk an amendment in the nature of a substitute, which I ask to have stated.

The PRESIDING OFFICER. The amendment, in the nature of a substitute, offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and to insert the following:

CONSENT OF CONGRESS TO STATE OIL AND GAS COMPACT OF FEBRUARY 16, 1935

SECTION 1. The consent of Congress is hereby given to an interstate compact to conserve oil and gas, executed in the city of Dallas, Tex., the 16th day of February 1935, by the representatives of the States of Oklahoma, Texas, California, and New Mexico, and there recommended for ratification by representatives of the

States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and since ratified by the States of New Mexico, Kansas, Oklahoma, Colorado, Illinois, and Texas, which compact has been deposited in the Department of State of the United States, and reads as follows:

"ARTICLE I

"This agreement may become effective within any compacting State at any time as prescribed by that State, and shall become effective within those States ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing State may become a party hereto as hereinafter provided.

"ARTICLE II

"The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

"ARTICLE III

"Each State bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

"(a) The operation of any oil well with an inefficient gas-oil ratio.

"(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas in paying quantities.

"(c) The avoidable escape into the open air or the wasteful burning of gas from a natural-gas well.

"(d) The creation of unnecessary fire hazards.

"(e) The drilling, equipping, locating, spacing, or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"(f) The inefficient, excessive, or improper use of the reservoir energy in producing any well.

"The enumeration of the forgoing subjects shall not limit the scope of the authority of any State.

"ARTICLE IV

"Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas-conservation statutes or any valid rule, order, or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

"ARTICLE V

"It is not the purpose of this compact to authorize the States joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

"ARTICLE VI

"Each State joining herein shall appoint one representative to a Commission hereby constituted and designated as 'The Interstate Oil Compact Commission', the duty of which said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said Commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

"The Commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said States, and to recommend measures for the maximum ultimate recovery of oil and gas Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

"No action shall be taken by the Commission except: (1) By the affirmative votes of the majority of the whole number of the compacting States, represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined, as follows: Such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

"ARTICLE VII

"No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

"ARTICLE VIII

"This compact shall expire September 1, 1937. But any State joining herein may, upon 60 days' notice, withdraw herefrom.

"The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

"This compact shall become effective when ratified and approved as provided in article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.

"Done in the city of Dallas, Tex., this 16th day of February 1935."

(b) The right to alter, amend, or repeal the provisions of subsection (a) is hereby expressly reserved.

AMENDMENT TO ACT OF FEBRUARY 22, 1935

SEC. 2. (a) The act of February 22, 1935, entitled "An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", is amended by striking out section 13 thereof.

IMPORTS

SEC. 3. The importation of petroleum and its products, including natural asphalt, is hereby limited so that whenever the President has reason to believe that petroleum and its products, including natural asphalt, are being imported or are likely to be imported into the United States under such conditions and in such quantities as materially to depress the petroleum industry of the United States by causing or contributing to a supply here in excess of reasonable market demand, as determined by the President, if such importations are at a ratio to domestic production greater than that which prevailed in the last 6 months of 1932, or if the effect is to render ineffective or materially interfere with any program or operation undertaken under this act under the interstate compact to which the consent of Congress is given by this act, hereinbefore referred to, the President shall cause the United States Tariff Commission to make an immediate investigation to be made to determine such facts. Such investigation shall be made after such notice and hearing, and subject to such regulations as the United States Tariff Commission shall specify. If, after such investigation, the said Commission finds the existence of such facts, it shall certify all records pertaining thereto to the President and if after such report, findings, and recommendations by the said Commission, the President finds the existence of such facts he shall by order direct that the entry into the United States of such petroleum and its products, including asphalt, shall for such time as may be specified by him, be permitted subject to (1) such terms and conditions, and (2) such limitations on the total quantities thereof, as may be necessary to prevent the occurrence or continuance of the conditions above referred to. Any decision of the President as to facts under this section shall be final. The decision of the President shall be certified to the Secretary of the Treasury and upon information of any such order of the President, the Secretary of the Treasury shall permit entry of any petroleum, or its products, including natural asphalt, specified therein only in conformity with such order. After investigation, report, and finding in the manner provided in the case of an original order, any order or provision thereof shall be suspended or revoked by the President whenever he finds the circumstances requiring the order or provision thereof no longer exist, or shall be modified by the President whenever he finds that changed circumstances require such modification to carry out the provisions of this section.

SEPARABILITY OF PROVISIONS

SEC. 4. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the act, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SHORT TITLE

SEC. 5. This act may be cited as the "Petroleum Compact Act of 1935".

The PRESIDING OFFICER. The question is on the amendment, in the nature of a substitute, offered by the Senator from Texas [Mr. CONNALLY].

Mr. O'MAHONEY. Mr. President, I offer the amendment which I send to the desk to the amendment just proposed as a substitute by the Senator from Texas.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming to the amendment in the nature of a substitute will be stated.

The LEGISLATIVE CLERK. On page 2, line 2, after the word "Texas", it is proposed to insert:

And such consent is likewise hereby given to the adherence to said compact by any oil-producing State which may hereafter become a party to the said compact as provided in article VIII thereof.

Mr. THOMAS of Oklahoma. Mr. President, this amendment provides that hereafter, if any State desires to adhere to the compact already adhered to by six States, it may have that privilege. I see no objection to the amendment.

Mr. CONNALLY. I see none. I accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] to the amendment, in the nature of a substitute, offered by the Senator from Texas [Mr. CONNALLY].

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment as amended.

The amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill consenting to an interstate oil compact to conserve oil and gas, for the regulation of imports of petroleum and its products, and for other purposes."

Mr. McADOO. Mr. President——

Mr. LONG. I had the floor, Mr. President. I yield to the Senator from California, though I shall occupy the floor only for a few minutes.

Mr. McADOO. I did not hear what the Chair said about the passage of the bill.

The PRESIDING OFFICER. The bill has been finally passed.

Mr. McADOO. I feel obliged to ask for a reconsideration, because I did not understand that the measure was under consideration, for what was said about it was not audible to me. I regret to state that I am advised by some of my constituents in California that they are opposed to the bill, and I should like to have an opportunity to inform myself about it.

Mr. LONG. Mr. President, will the Senator let me make a statement? When the Senator looks into the bill, I am satisfied he will find that there will be no objection to it. It is no more than practically an effort by the States concerned to give one another advice. That is about all there is to the bill. The board has been cut out.

Mr. McADOO. My constituents advise me that there is very serious objection to the section relating to importations. They say, "Why should we permit any importations into this country on the part of the big oil companies when we are limiting the production in our own country?"

Mr. CONNALLY. Mr. President, let me say to the Senator that his objection could not possibly be to this bill. The Senator's objection would be to existing law, which permits imports to come in on the payment of the tariff duty.

Insofar as this bill affects imports at all, it affects them favorably to the view of the Senator from California, because there is a section in the bill which provides that the President and the Tariff Commission shall undertake to so relate imports to domestic production as imports were related in 1932, and that was the period which was most favorable to the domestic-oil situation. So, while the bill will not do all the Senator wants done, it will do more than the present law does, because it will have a tendency to reduce the imports. We cannot introduce a bill in the Senate to stop imports altogether, of course; such a bill would have to come from the House, but this bill does not do that. The present law does what the Senator is complaining of, and this bill seeks to lessen the objection.

Mr. McADOO. Mr. President, I have been in a conference for days representing the Committee on Banking and Currency of the Senate, and have had no opportunity to communicate with my constituents. This is a very important matter to the State of California. Some of my constituents have just advised me by telephone that there is serious objection to the bill, and have said that they were mailing letters to me on the subject. So I feel, of course, that I should like to have an opportunity of knowing something about the bill before I could say that I would be disposed to support it.

Mr. CONNALLY. Let me say to the Senator that under the rules of the Senate he would have 2 days in which to move for reconsideration, and the bill could not possibly hurt the Senator's constituents. It would benefit them.

Mr. McADOO. They are familiar with the bill, they tell me, because it was telegraphed out to them, and they raise these objections, and have sent me by air mail their reasons for their objections. I might upon receipt of their communications decide that there is no objection to the bill.

Mr. CONNALLY. If the bill were killed the Senator's constituents would be in a worse fix than they are now in.

Mr. McADOO. They seem to feel otherwise.

Mr. CONNALLY. I hope the Senator will not move a reconsideration at this time, but will let the matter stand as it is, and if I cannot convince the Senator within 2 days' time that he is wrong, the action of the Senate may be reconsidered.

Mr. McADOO. The question is whether or not a motion to reconsider could be heard within the next 2 days, if I should so move.

Mr. GEORGE. Mr. President, I should like to make some inquiries about this matter. It appears now, from the discussion here, as I understand it, that the bill places a limitation upon imports on the basis of some past years, most favorable, of course, to the producers in the United States. If that is the import of the bill, it is a matter of too much importance to present here as a matter affecting only the oil States, because many other States are affected by it. There has been no more highly controversial question than the question of tariff rates upon petroleum products.

Mr. CONNALLY. Mr. President, if the Senator will bear with me——

Mr. GEORGE. I shall make a motion to reconsider, unless the vote may be reconsidered by unanimous consent, if that is one of the provisions of the bill.

Mr. CONNALLY. Mr. President, let me suggest, in answer to the Senator from Georgia, that I have the figures here as to importations. I was in error a while ago in stating that the 1932 imports were favorable to the oil industry. That is not true. The imports in 1932 were 74,000,000 barrels; in 1933, 45,000,000 barrels; in 1934, 50,000,000 barrels; and in 1931, 86,000,000. The reason why 1932 was selected was because that was a period before the code went into effect, and importations were not restricted, but they were free, and came in. In 1933 the oil code came into existence.

Mr. GEORGE. Mr. President, I shall be obliged to ask for the regular order, but before I do that, unless I may have unanimous consent, I shall enter a motion to reconsider the vote by which the bill was passed. I ask unanimous consent to reconsider the vote by which the bill was passed.

Mr. GORE. Mr. President, I shall feel obliged to object. I suggest to the Senator to give notice of his motion to reconsider, and that will halt the bill's further progress.

Mr. GEORGE. Yes, Mr. President; but from now on there will be no unanimous consent given in the case of important measures of this kind. When I ask unanimous consent that the vote by which the bill was passed be reconsidered, the Senator from Oklahoma may interpose his objection. I give notice of a motion to reconsider, and I ask for the regular order.

The PRESIDING OFFICER. Does the Senator from Oklahoma object to a reconsideration of the vote?

Mr. GEORGE. I understand the Senator from Oklahoma to object.

Mr. GORE. Mr. President, I think that is the best procedure, because——

Mr. GEORGE. Mr. President, I formally enter a motion to reconsider the vote by which the bill was passed, and I ask for the regular order.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. LONG. Mr. President, let me say just a word.

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

Mr. LONG. I yield.

Mr. McADOO. As I understand the parliamentary situation, a motion to reconsider has been entered, and it may be taken up at any time.

The PRESIDING OFFICER. That will keep the bill in the Senate for 2 days.

Mr. GEORGE. No, Mr. President.

Mr. McNARY. Mr. President, 2 days is given for the entry of the motion, but the motion remains on the Senate calendar until final disposition is made.

The PRESIDING OFFICER. The Senator from Oregon is correct.

Mr. McADOO. Mr. President, would it be possible to have an understanding that the motion to reconsider may be taken up at some convenient time within the next few days?

Mr. LONG. Mr. President, if I may resume the floor, I wish to say that when my friend the Senator from California gets through he will find that he let the Senator from Georgia come in here and scramble up our eggs a little bit. We oil people were getting something out of this bill.

Mr. GEORGE. I suspect that is true, Mr. President. My concept is that the country has some right to be heard upon an important matter of this kind, which is, in effect, probably a very drastic tariff regulation.

Mr. McADOO. Mr. President, if I may have a moment in which to say a word, I wish to thank the Senator from Louisiana for his courtesy in allowing me to make my statement, and to express my regret that I am obliged to take this course until I can secure the necessary information from California. The information is now in the mail and will be here shortly.

Mr. CONNALLY. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG. I yield.

Mr. CONNALLY. I wish to make it clear that the Senator from Texas is not trying to take snap judgment on either the Senator from California or the Senator from Georgia. These oil measures have been pending here for a considerable period; they have been favorably reported by the committee; all of them contain this particular provision; and the substitute which the Senator from Texas offered deleted and took out of the pending bill nearly everything in the world there was in it except the ratification of the compact and the retention of the import-control clause. That has been passed upon by the committee, and the bill which I offered was the least objectionable of all the bills.

I do not want the Senator from Georgia or the Senator from California to think I was trying to take snap judgment on them, and I am perfectly willing that a time be set to consider the motion of the Senator from Georgia. I shall be very glad to have a vote of the Senate on it, after such debate and consideration as may be proper under the circumstances.

Mr. LONG. Mr. President, I merely wish to say a word further about the oil bill. As I understand, it merely undertakes to prevent reckless overproduction in the United States, and in order to do that we have to prevent importations to some extent, for there is no need of prescribing any domestic limitation if we are to have no limit on the importations from foreign countries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 739) to provide for the establishment of a national monument on the site of Fort Stanwix in the State of New York.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8492) to amend the Agricultural Adjustment Act, and for other purposes; that the House had receded from its disagreement to the amendment of the Senate numbered 152 to the said bill and concurred therein; and that the House had receded from its disagreement to the amendments of the Senate numbered 128, 155, and 163 and concurred therein severally with an amendment, in in which it requested the concurrence of the Senate.

The message further announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 290) to amend an act entitled "An act providing for the ratification of Joint Resolution No. 59 of the Legislature of Puerto Rico, approved by the Governor May 5, 1930, imposing an import duty on coffee imported into Puerto Rico", approved June 18, 1934, and it was signed by the Vice President.

INCOME AND INHERITANCE TAXATION

The Senate resumed the consideration of the bill (H. R. 8974) to provide revenue, equalize taxation, and for other purposes.

Mr. LONG. Mr. President, I shall conclude in just a moment what I had started to say about the action of my friend the Governor of Ohio, Mr. Davey, whom I have never met. I conclude what I have to say about Mr. Davey by merely stating that I endorse Governor Davey's action in this matter, and, as one, I intend to wire him a telegram tonight, unless he receives notice of my remarks on the floor of the Senate by other processes, that I highly endorse his action in allowing no test to be made at this time in Ohio on the kind of legislative activity that has been endorsed and carried out by the present new-deal administration. I thank Governor Davey personally and as a party leader for having saved us from a repudiation and from such a debacle as unwise counsel brought on us as a result of an uncalled-for election held in Rhode Island. It certainly is due Governor Davey for me to say that if he was not received with open arms as he approached the White House today, if he needs my assistance to be properly introduced and escorted there, for one, as a national committeeman, I volunteer readily to go with him. [Laughter.]

One more word and I shall be through. We have one more important bill here which bears on this subject. It is a bill to prevent the appointed employees of the administration from sitting in and nominating a candidate for the Democratic Party or of any other party.

Mr. President, it is a rule of law that a juror has no right to sit in a case in which he is personally interested. If we were to summon a panel of petit jurors tomorrow, under the law prevailing in all States, and in the courts of the United States, and a juror should come in and say that if the case went one way he would get $100, or if it went another way he would get $1,000, the court would instantly bar him from sitting on the jury. Under the law a man who has a pecuniary, personal interest in the finding of the jury is not allowed to act as a juryman.

The Democratic National Convention is to meet next May or June or July in some State, where, of course, we hope there will have been no election shortly prior to the assemblying of the convention. I may also say that if we could keep Ohio from having an election to fill the present vacancy in the House of Representatives, it might be a good idea to hold the convention in Cleveland, but if an election should be held there in the meantime, we would not want the convention held in Cleveland.

The bill about which I am now talking, the Steiwer bill, would establish a system which is prevalent in all the courts of the land, under which a man who is pecuniarily interested in the finding of a body is not allowed to sit as a member of that body. Therefore, if we are to have sitting in a national convention postmasters and various and sundry other employees who are appointed by the prevailing administration of the present day, it is the same as saying that only those who have had a hand in the mismanagement, or, if you wish so to term it, the "good management", of the Government, as they believe, can sit there and select a candidate to present to 125,000,000 people.

This bill should long ago have been passed. When the Republicans were holding their post-office conventions I was criticizing the system in vogue, and the Democratic Party was criticizing it. Now, that the Democrats are in power, leading Democrats throughout the United States who have received no plunder whatever at the hands of this administration or any other administration, who have only the welfare of the party in mind, who wish to see someone nominated who can carry the party to success and maintain the principles of the Democratic Party which have prevailed since the days of Jefferson and Lincoln, ought to be permitted to nominate a candidate for the good of the party and for the good of the country, and not have their wishes and their votes vetoed by the pork-barrel politician who finds himself on the pay roll, or sitting somewhere at the pie counter drawing a fat sum, regardless of the welfare of the country.

Mr. President, the Steiwer bill ought to be passed. I understand it has been reported by the Judiciary Committee. I inquire of the Senator from Oregon if the bill has been favorably reported by the Judiciary Committee.

Mr. STEIWER. Yes; Mr. President. It has been on the calendar for some time.

Mr. LONG. Did not the committee report a similar bill last year?

Mr. STEIWER. Yes; and the Senate passed it.

Mr. LONG. A similar bill passed the Senate last year. I knew it was reported from the Judiciary Committee, and I think it was done by unanimous vote. There may have been a vote against it, but I do not remember one.

However, a Democratic Judiciary Committee, of which I had the honor to be a member, last year—I was not in attendance at the meeting when it was reported this year—a Democratic Judiciary Committee, having the welfare of the party and the country at heart, has twice reported this bill favorably, and it has once been passed by the Senate. Therefore the right thing for us to do is to make sure before final adjournment that these parties are kept from being amalgamated or confused with the fleshpot type of politician who has a pecuniary interest in having his employer nominated. We ought not to have an employees' convention to pass on the employer. We ought to have somebody other than that type sitting in the convention, and we ought not to have the convention dominated by that type.

No doubt if the old Republican Party were in power it would do just as it always has done. It probably would choke off the effort to have a convention which was not composed of those receiving plums and benefits by Executive appointment. I say that without intending to reflect on anyone on the other side of the aisle; but since the days of Taft and before the days of Taft national conventions of the party in power ought not to be called "National Democratic Conventions" or "National Republican Conventions." They ought to be called "national assemblies of employees in convention."

That is all the next Democratic convention will be unless Congress shall enact the Steiwer bill. If the Republicans were in power, that is all their convention would be unless the Steiwer bill should become a law. It would be an assembly, on the one hand, of the employees, and on the other side those who wish to be employed. That is all that will be had—two assemblies of that kind—until we shall pass this meritorious measure.

So this bill, while it comes from the Republican side of the Senate, nonetheless, is favorably reported by a Democratic committee, and a similar bill last year was sponsored by a Democratic Senate. If it can be passed in such nonpartisan atmosphere, all well and good. Let it be passed, and let us have a convention which will not be dominated by public employees.

Mr. President, I shall close in less than a minute.

Mr. BAILEY. Mr. President, will the Senator yield for a question?

Mr. LONG. I yield.

Mr. BAILEY. I should like to know if the Senator has such a law as he is speaking of in Louisiana.

Mr. LONG. We are putting it in this year.

Mr. BAILEY. Such a law is being passed in Louisiana this year?

Mr. LONG. Yes; such a law is being passed in Louisiana this year. We tried to pass such a law. I sponsored a bill of this kind and it failed to pass; but we are going to have our delegates in Louisiana elected by the people this year.

Mr. BAILEY. The Senator failed to get one of his bills through his legislature?

Mr. LONG. Sometimes. We all make mistakes and do not get all we want.

Mr. ROBINSON. Mr. President, may I ask the Senator if the bill to which he referred forbade State employees or officers from serving in the convention?

Mr. LONG. I beg the Senator's pardon, but I did not hear his question.

Mr. ROBINSON. Did the bill which the Senator from Louisiana so gallantly championed to prevent influence in conventions forbid employees of the State government from serving as delegates?

Mr. LONG. It would allow no one but an elected man to sit in the convention. He would have to be elected by the people by direct election.

Mr. ROBINSON. Does not the Senator feel that the State organizations are competent to choose their own delegates? Why does the Senator want the Federal Government to say who may or who may not be chosen as a delegate to a national convention? Is it not true that the Senator feels that unless some such rule as he suggests is adopted there may be chosen some delegates who might be unfriendly to his own candidacy?

Mr. LONG. Well, the Senator is announcing me, I presume, as a candidate.

Mr. ROBINSON. No; the Senator announces himself every time he gets an opportunity.

Mr. LONG. I see.

Mr. ROBINSON. Both in his speeches in the Senate and by radio and everywhere else he announces himself.

Mr. LONG. I will answer the Senator's question this way——

Mr. ROBINSON. The last thing I would ever do would be to announce the Senator from Louisiana as a candidate for President.

Mr. LONG. All right. Let me say this to the Senator in answer to his question, and then I will answer his declaration. I favor delegates to the national conventions being elected by the people. I have proposed that for many years. In 1928, when I was Governor of my State——

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. LONG. I yield.

Mr. ROBINSON. Does not the Senator recognize that that is a matter properly to be controlled by the State organizations?

Mr. LONG. No, no; I do not. I do not think so, for the reason that it means that State organizations, always looking out for plunder to maintain themselves, will naturally reward the plunder distributor with the delegation in order to help maintain the organization in office.

Mr. ROBINSON. The Senator does not mean that every Government employee, State or Federal, is a plunderer?

Mr. LONG. No, not exactly; but they are a whole lot nearer being plunderers than not.

Mr. ROBINSON. I do not think that implication or that insinuation is justified in any sense of the term. I think there are many people in private life who have axes to grind and more selfish purposes to accomplish in legislation and in national conventions and in State conventions than some in public positions.

Mr. LONG. The Senator is making a speech instead of asking me a question. I will undertake, if he will pardon me, to make this statement in my own time.

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

Mr. LONG. I yield.

Mr. STEIWER. I desire to refer to what was stated by the Senator from Arkansas [Mr. ROBINSON]. He asked some questions about the application of this bill to the State employees as distinguished from Federal employees. As a matter of fact, the bill has application only to the appointees of the Federal Government, and that is necessarily so, because under the Constitution the Federal Congress has no jurisdiction over the conventions of the political parties. We cannot, if we desire to, under the rule in the Newberry case, assert any authority with respect to the composition of those conventions. There is only one thing within the competence of the Congress, and that is to make a direction with respect to the employees of the Federal Government. So this bill, which I have sought to keep within the jurisdiction of the Congress, makes no pretense at all save to prohibit the appointed agents of our Government from sitting in those conventions.

If the Senator will indulge me further, I desire to say also that the proposed legislation is not based upon the theory of plunderbund. It is based more upon the idea that the appointees look to somebody for their positions. They look to some national chairman or somebody else for the places they hold and for their livelihood. I claim, and I do not believe the Senator from Arkansas will contradict me in that claim, that however high is the character of the Federal employee,

he always finds it difficult to contradict the political ambitions of those who make his livelihood possible. I think it is too much to expect that a Federal appointee will go against the appointing power, and thus, regardless of his character, he becomes in a political sense a mere puppet, and I agree with the Senator from Louisiana that he is in the same position as a juror who is interested in the trial of a case, and in these days he ought not to be in the convention, but we ought to find other citizens of the Republic who are free and independent men, beholden to no one politically, and free to do that which ought to be done in order to preserve the life of this country.

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

Mr. LONG. Certainly.

Mr. ROBINSON. May I ask the Senator from Louisiana how the delegates from Louisiana to the convention have been selected heretofore?

Mr. LONG. Just as they are in Arkansas.

Mr. ROBINSON. They are elected by the State central committee?

Mr. LONG. Yes.

Mr. ROBINSON. The Senator would like to exclude all Federal officers and employees and then leave the delegates from Louisiana to be selected by himself from among the State employees?

Mr. LONG. Oh, no; elected by the people. Let every delegate be elected.

Mr. ROBINSON. Yes; but the Senator has driven through the seven extra sessions of the legislature, held in the last year and a half, every measure which he has advanced, with the exception, I believe, of the one to which he is now referring.

Mr. LONG. It does not take a measure. It takes a rule of the committee. I have only recently been elected chairman of that committee.

Mr. ROBINSON. That is the suggestion I make, that the organization should control these matters.

Mr. LONG. I differ with the Senator for this reason: I do not believe the people ought to have to take a choice between two men, one of whom has been selected by the employees of one of the men and the other by former employees.

We are liable to have the Democratic Party with Roosevelt as a candidate. The Republican Party is apt to have Hoover as a candidate. The Republicans do not want Hoover, but he has the machine. The majority of the national committeemen and the men who will be sitting in the convention are men to whom Hoover gave jobs 4 years ago. They will go to the convention, notwithstanding the fact that Hoover is not the man to nominate, knowing that a majority of the Republicans do not want Hoover, and will nominate Hoover on their ticket because of the fact that there is a sense of loyalty which they feel they must respect.

I honor that feeling. I know how it is. Any man in politics, if he is the right kind of a man, is going to stand by the man who gave him a job. I have seen the time when I have gone down the line for a man whom I have begged not to offer himself as a candidate. I have begged him to let us put up somebody else, but he had done me favors, or he had helped some friends, and those friends would feel that we ought to stand by him and give him a chance, even though it meant slaughter to everybody on the inside of the breastworks.

There is the situation the Republican Party is facing with respect to Hoover as a candidate. There is no question, as between some Members of this body who are liberal in their tendencies, in their stand on Hoover and in their belief that the Republicans of the country would far prefer a man of another type than Hoover.

On the other hand, we have Mr. Roosevelt. I say this as a politician of practical experience. Some of my friends call me a politician. I am no more a politician than any other Senator sitting in this body, only I am a little more unsuccessful than the other politicians here. I went in with more and came out with less than most politicians. [Laughter.]

We have the candidacy of Mr. Roosevelt. What is the situation? The State organization is going to meet. They pick out the men who are to be members of the State central committee and the chairman of the State central committee, those who have the ordinary leanings of humanity, and they doctor them up with a few jobs and post offices to the point where, when the committee meets, the ordinary American citizen has not a ghost of a show against them. They are going to vote for their employer, for the man who has given them something, and the man who will give them something else if he can stay in office.

The two great parties go into the convention and, ordinarily, the people are given a choice between two sets of selfish, mercenary—and I say that charitably—political sets of employees, who afford the people a chance to take Hoover's employees' choice for President or Roosevelt's employees' choice for President of the United States.

In Louisiana we have gone according to what has been the custom of the party. I am a progressive. My leadership in some parts of that State for a short time has brought about certain progressive reforms. We have brought about a reform such as this in Louisiana: There were about 350,000 qualified voters in our State previously. We have changed the disqualifying provisions of law to the point where our voting strength today will be about 800,000 votes. We have made it possible for every man to vote whether or not he wants to pay for it or has property to qualify himself. That is one thing we did. I could cite many other things we have done to liberalize the election laws of Louisiana to give a genuinely popular candidate of the people a chance in the primaries.

But we have not yet in that State provided for the party to have its electors and to have its delegates in the national convention elected by direct vote of the people. That we propose to do by resolution of the party in the election which will occur next January. I apprehend there is a fair chance that some of my friends will be elected among those delegates. They might not be. I am hoping that some of those elected will be friends of mine. I have to take that chance.

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

Mr. LONG. Certainly.

Mr. ROBINSON. With the Senator in control of the election machinery and also in control of most of the offices of the State, I should think that would be a very fair prospect. [Laughter.]

Mr. LONG. I thank the Senator. I was getting discouraged a few weeks ago, but knowing that the Senator has a keen political eye, this is encouraging news indeed, and I thank him for it. [Laughter.]

I want to say further along that line that it is not as bad as the Senator may have been told. We have a law in Louisiana which creates an arbitration commission in every voting precinct. Regardless of who constitutes the election machinery there is a nonpartisan arbitration board which can take any step it wishes to preserve the purity of the ballot. The only way we could see to avoid dummy candidates was to try that plan.

I am not going to argue further for the bill because it is not the business before the Senate at this time, but I hope the Senate and the Congress will not adjourn without passing it. Let us not have a post-office convention.

Let me say one more word of tribute, because the Senator from Arkansas [Mr. ROBINSON] and the Senator from Oregon [Mr. STEIWER] are here now and were not here when I started. I close by paying tribute to the high integrity and good character and political sagacity of the Democratic Governor of the State of Ohio, Mr. Davey, who is saving the party from a debacle at this time by declining to allow an election to be held in that State. I only say in retrospect how much I regret that the Democratic Governor of Rhode Island did not have that kind of sagacity.

I follow that with a word of warning. Now that the Democratic Governor of Ohio has saved us from another public repudiation, let us change our course of conduct before we have to face another election, so we will not fear

to go before the people and have them pass upon our merits.

H. C. HOPSON AND W. A. HILL

Mr. BLACK. Mr. President, I submit a report and a privileged resolution. I ask to have the report read.

The VICE PRESIDENT. The report will be read.

The Chief Clerk read as follows:

SENATE REPORT 1272

Your committee appointed under Senate Resolution No. 165, Seventy-fourth Congress, herewith makes a partial report in connection with the performance of its duties under the said Senate Resolution No. 165.

(1) On the 13th day of August your committee issued a summons to H. C. Hopson, a copy of which is hereto attached, marked exhibit A.

(2) The committee duly designated Joseph P. McCarthy to serve such summons upon H. C. Hopson, and the said J. P. McCarthy undertook to serve the said summons on August 13 in the city of Washington.

(3) The said H. C. Hopson declined to accept such summons and the said J. P. McCarthy was prevented from serving such summons upon said H. C. Hopson, and by interference from one or more persons, who were with the said H. C. Hopson, and the said H. C. Hopson taking advantage of said interference left the said McCarthy in an elevator, and getting out of the elevator ran from the elevator to a taxicab and thus escaped from the said J. P. McCarthy.

(4) One W. A. Hill, an attorney, was with the said H. C. Hopson, and the evidence showed that the said W. A. Hill physically interfered with the said J. P. McCarthy in his effort to serve said subpena. The evidence before the committee on the part of the said W. A. Hill discloses that he is the attorney for the said H. C. Hopson and that he has been in conference with the said H. C. Hopson several times during the period while the said H. C. Hopson has been sought by the representatives of the committee in an effort to serve him with a subpena.

(5) While the said W. A. Hill has denied before the committee that he actually physically interfered with the service of the subpena, evidence of the other witnesses is that the said W. A. Hill did interfere with the service of the subpena, and in addition to this said W. A. Hill admits that he attempted to orally persuade the said J. P. McCarthy that summons could not be served on the said H. C. Hopson.

(6) On today, the 14th day of August, another summons was issued to the said H. C. Hopson, an exact copy of which is hereto attach, marked "Exhibit B", and the said summons was served upon the said H. C. Hopson at 11:20 a. m., August 14. Notwithstanding the service of said summons, the said H. C. Hopson has failed, declined, and refused to appear before your committee as directed in said summons, and has failed to give any reason to the committee or any excuse for his failure so to appear.

(7) For the convenience of the Senate, there is hereto attached, marked "Exhibit C", the sworn evidence of J. P. McCarthy before the committee, and also the sworn evidence of Mr. Paul W. Anderson, Mr. Richard L. Turner, Mr. Eugene D. Lambert, and Mr. Joseph W. Shimon.

(8) The evidence further shows that the said H. C. Hopson has known that his presence was desired by your committee to testify, for a number of weeks, and that it was known to his attorney, Mr. W. A. Hill, and the committee has reached the conclusion that plans have been conceived and executed to try to prevent a summons from being served upon the said H. S. Hopson, and that the escape of the said H. C. Hopson from the service of summons has been, as hereinbefore set forth, and was a part of this plan.

(9) On account of the matters and things hereinbefore set forth, your committee believes that this Senate should order the arrest of the said H. C. Hopson and W. A. Hill and cause them to be brought before the bar of this Senate, and that the said H. C. Hopson should be required to give testimony before this committee answering such pertinent inquiries as may be made, and that this committee should order the said H. C. Hopson and W. A. Hill to show cause, if any they have, why they should not be punished for contempt of this Senate, on account of the matters and things hereinbefore set forth.

HUGO L. BLACK.
LYNN J. FRAZIER.
ERNEST W. GIBSON.
SHERMAN MINTON.
L. B. SCHWELLENBACH.

EXHIBIT A

UNITED STATES OF AMERICA,
CONGRESS OF THE UNITED STATES.

To H. C. HOPSON, *greeting:*

Pursuant to lawful authority, you are hereby commanded to appear before the Special Committee to Investigate Lobbying Activities of the Senate of the United States, instanter, at their committee room, 357 Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Joseph P. McCarthy to serve and return.

Given under my hand, by order of the committee, this 13th day of August, in the year of our Lord one thousand nine hundred and thirty-five.

HUGO L. BLACK.
Chairman Committee to Investigate Lobbying Activities.

EXHIBIT B

UNITED STATES OF AMERICA,
CONGRESS OF THE UNITED STATES.

To HOWARD C. HOPSON, *greeting:*

Pursuant to lawful authority, you are hereby commanded to appear before the Special Committee to Investigate Lobbying Activities of the Senate of the United States, instanter, at their committee room, 357 Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Joseph P. McCarthy to serve and return.

Given under my hand, by order of the committee, this 14th day of August, A. D. 1935.

HUGO L. BLACK,
Chairman Committee to Investigate Lobbying Activities.

EXHIBIT C

STATEMENT OF JOSEPH P. M'CARTHY

(The witness was duly sworn by the Chairman.)

The CHAIRMAN. Mr. McCarthy, what are your initials?

Mr. MCCARTHY. Joseph P.

The CHAIRMAN. Did you have a subpena for H. C. Hopson given to you by this committee to serve on him?

Mr. MCCARTHY. Yes, sir.

The CHAIRMAN. See if that is the subpena [handing paper to witness].

Mr. MCCARTHY. That is the subpena.

The CHAIRMAN. That will be inserted in the record at this point.

(The subpena referred to is as follows:)

[True copy]

UNITED STATES OF AMERICA,
CONGRESS OF THE UNITED STATES.

To H. C. HOPSON, *greeting:*

Pursuant to lawful authority you are hereby commanded to appear before the Special Committee to Investigate Lobbying Activities of the Senate of the United States instanter at their committee room 357 Senate Office Building, Washington, D. C., and then and there to testify what you may know relative to the subject matters under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Joseph P. McCarthy to serve and return.

Given under my hand, by order of the committee, this 13th day of August in the year of our Lord 1935.

(Signed) HUGO L. BLACK,
Chairman Committee to Investigate Lobbying Activities.

The CHAIRMAN. Did you attempt to serve that subpena on Mr. H. C. Hopson today?

Mr. MCCARTHY. Yes; I did, at the completion of the House hearing today.

The CHAIRMAN. Where?

Mr. MCCARTHY. In the old House Office Building, just outside of the caucus room.

The CHAIRMAN. Was anyone with Mr. Hopson?

Mr. MCCARTHY. He was accompanied, I believe, at the time only by his attorney, Mr. W. A. Hill; but it later developed he was accompanied by others also.

The CHAIRMAN. You only saw Mr. Hill?

Mr. MCCARTHY. At that time.

The CHAIRMAN. Did you serve this subpena on him?

Mr. MCCARTHY. Would you like me to tell just what happened?

The CHAIRMAN. Yes.

Senator GIBSON. Is that the same Hill that appeared before this committee?

Mr. MCCARTHY. The same attorney that appeared before this committee; yes, sir. As the hearing was completed, I stepped over to the door and waited for Hopson and Hill to leave. As they approached the door from the inside I stepped in and took hold of Hopson's arm and leaned over and said, "Mr. Hopson, I am with the Senate investigating committee, and I have a subpena for you." He continued to move forward in the press of the group that was accompanying him, apparently muttering, "No, no", and waving his hands in a motion to rid himself of me; and at that time one of his party took hold of my arm and pulled me loose from Hopson.

The CHAIRMAN. Who was the party?

Mr. MCCARTHY. I do not know.

The CHAIRMAN. You do not know who the man was?

Mr. MCCARTHY. No; I did not recognize him. At the time I was stating this to Hopson, Hill leaned over across Hopson and spoke to me and stated, in effect, "You cannot serve a subpena on him." I went over to Hill and walked along with him with my arms on his and said, "Mr. Hill, are you going to refuse to permit Mr. Hopson to accept this subpena from the Senate committee?" He said, "You cannot serve a subpena. Hopson is already under

subpena from the House, and you cannot serve another subpena on him now."

I continued along and said, "Do you mean to state that you are going to refuse to permit him to accept the subpena?" And he said, "Yes." We then proceeded on through, the crowd getting larger, toward the elevator, and at the elevator a fellow, I believe, who is a clerk to O'CONNOR—

The CHAIRMAN. Do you know that?

Mr. McCARTHY. I believe I have been told that. I do not know. He was acting in the capacity of a clerk in the House hearing. He was rushing around as though he belonged there. At any rate, this individual preceded Hopson into the elevator and Hopson entered and this fellow whom I referred to as pulling me from Hopson before entered. Then he entered and then indicated that it was all right for him to enter, but I should not. At that time I partly got into the elevator and this fellow turned around and put his hand on my chest and pushed me out.

The CHAIRMAN. Which fellow—the clerk did?

Mr. McCARTHY. I do not know; the one who first pulled me from Hopson.

The CHAIRMAN. You do not know who he was?

Mr. McCARTHY. No, sir.

The CHAIRMAN. What did he say? Did he say anything?

Mr. McCARTHY. No, sir. All this time I was carrying the subpena in my hand. He may have said, "Get out."

The CHAIRMAN. You do not know what was said? As far as you know, he did not say anything?

Mr. McCARTHY. Nothing that I can recall.

The CHAIRMAN. But he pushed you out?

Mr. McCARTHY. Yes, sir.

The CHAIRMAN. And they shut the elevator?

Mr. McCARTHY. Shut the elevator immediately, and they descended with just those three in the elevator.

The CHAIRMAN. One was Hopson?

Mr. McCARTHY. One Hopson and one the bodyguard, I believe, and the other——

The CHAIRMAN. You do not know what the bodyguard's name was?

Mr. McCARTHY. No; I do not. He was accompanying Hopson. I watched Hopson and Hill enter the room, and apparently they were just alone. They did not have anyone accompanying them and I did not expect them to have anyone go out with them.

Senator MINTON. Were you present in the room when the man named Hopson was sworn?

Mr. McCARTHY. Yes, sir.

Senator MINTON. Did you hear him testify that his name was H. C. Hopson?

Mr. McCARTHY. Yes, sir.

The CHAIRMAN. Who was the third man in the elevator—the clerk?

Mr. McCARTHY. I do not know. I believe he is probably a clerk. He may be in O'CONNOR's office or just a general clerk around the House. He was apparently functioning as a clerk at that hearing. He did not appear to be a member of Hopson's group, although he took them out of the building and he came in——

Senator SCHWELLENBACH. Did you make any further attempt to serve the subpena?

Mr. McCARTHY. No, sir; they got in a taxicab and left, joined by two other fellows at the cab.

The CHAIRMAN. How did they go to the cab?

Mr. McCARTHY. Ran.

The CHAIRMAN. Ran?

Mr. McCARTHY. At least I had to take the stairway down, and when I got there Hopson and the first person I spoke of were at the car, and the three who had gone down the elevator were at the cab, and these two others in Hopson's group were running toward the cab as I got downstairs. As I got there they joined the group and left.

Senator MINTON. Did you attempt to read the subpena to him?

Mr. McCARTHY. No, sir; I could not.

Senator MINTON. Why not?

Mr. McCARTHY. As I told him I had a subpena for him, then I was pulled away from him.

The CHAIRMAN. Who pulled you away? Do you know?

Mr. McCARTHY. That is the fellow I told you about who went with him in the elevator.

The CHAIRMAN. The fellow who went with him in the elevator?

Mr. McCARTHY. Yes, sir.

Senator SCHWELLENBACH. As you went along talking to Hill, how close was Hopson to you?

Mr. McCARTHY. Hill was between me and Hopson, and possibly one other was between Hopson and Hill.

Senator SCHWELLENBACH. Could Hopson hear your conversation with Hill?

Mr. McCARTHY. I do not believe he could. This was just an adjournment and there were quite a number of people in the hall. But they moved in a solid group—this party. As I now construct it, there were five men. There must have been five men in Hopson's party that joined at the exit of the caucus room and went together to the elevator.

Senator GIBSON. Did Mr. Hill interfere with your service of the subpena?

Mr. McCARTHY. He did not physically interfere. He interfered by instructing him not to—that I could not serve it.

The CHAIRMAN. The only man who physically interfered, as far as pushing you, was this one man?

Mr. McCARTHY. Yes.

The CHAIRMAN. And some other man was in the elevator as the elevator went down?

Mr. McCARTHY. Yes; that is the idea.

The CHAIRMAN. Did you try to hand the subpena to Hopson?

Mr. McCARTHY. I had it in my hand, anticipating he would take it when I was pulled away, and, of course, I did not get anywhere close enough to Hopson again to hand it to him.

The CHAIRMAN. He did not take it?

Mr. McCARTHY. No, sir.

Senator MINTON. Did Hopson make any response?

Mr. McCARTHY. His response was entirely negative. It was not exactly words; they were gestures. You gathered that he responded in effect that he did not want it.

Senator MINTON. Well, did he say anything?

Mr. McCARTHY. No; except "no"—a series of noes. That was the impression.

Senator MINTON. No; a thousand times no. [Laughter.]

The CHAIRMAN. And they left?

Mr. McCARTHY. They left.

STATEMENT OF PAUL Y. ANDERSON

(Called as a witness but not sworn.)

The CHAIRMAN. Mr. Anderson, you saw this?

Mr. ANDERSON. Yes, sir.

The CHAIRMAN. Will you be sworn?

(The witness was thereupon sworn.)

The CHAIRMAN. The witness' name is Paul Y. Anderson. Do you know who these men were with Mr. Hopson?

Mr. ANDERSON. No; I do not, except Mr. Hill.

The CHAIRMAN. Mr. Hill?

Mr. ANDERSON. Yes, sir.

Senator SCHWELLENBACH. Was it the same Mr. Hill who testified before the committee?

Mr. ANDERSON. It was.

The CHAIRMAN. Did you see what occurred?

Mr. ANDERSON. I saw about the last half of it. I was following when they left the room, and I caught up with them about half way to the elevator. I saw Mr. McCarthy try to hand the subpena to Mr. Hopson, and Mr. Hill shouldered in between them. I think he is mistaken when he said he did not interfere physically. He certainly pushed his way in between them, and he said, "You cannot serve him." I heard him say that several times. Then the big fellow shouldered in and they got in the elevator, and the big chap pushed McCarthy out. I think he is mistaken again when he said he did not say anything. He said, "You get to hell out of here."

Senator GIBSON. Who said that?

Mr. ANDERSON. The big chap. McCarthy got out and a uniformed Capitol policeman came in and put his arm across the door and then the elevator went down and I said to the Capitol policeman, "Do you realize you interfered with the service of a Senate subpena?" He said, "All I know is I am carrying out the orders of the committee not to let anyone get around Mr. Hopson."

Senator GIBSON. What committee did he refer to?

Mr. ANDERSON. The Rules Committee.

Senator GIBSON. Of the House?

Mr. ANDERSON. That is right.

Senator SCHWELLENBACH. Do you know the name of the Capitol policeman?

Mr. ANDERSON. No; but I would know him if I saw him.

The CHAIRMAN. Did you see anything else?

Mr. ANDERSON. That is all.

The CHAIRMAN. That is the whole thing you saw?

Mr. ANDERSON. Yes, sir.

The CHAIRMAN. Did you hear Mr. Hopson say anything, or were you close enough to him?

Mr. ANDERSON. Just as Mr. McCarthy said: "No, no." I did not hear him say, "A thousand times no."

Senator MINTON. Could you hear anything McCarthy said?

Mr. ANDERSON. Well, I could not hear distinctly. I could hear him saying something to the general effect that he wanted to serve the subpena for the Senate committee, and I heard Hill say two or three times, "You cannot serve it", and also I heard him say, "He is under subpena by this committee and you cannot serve him."

Senator MINTON. Do you know where Mr. Hopson is now?

Mr. ANDERSON. I have not the remotest idea, nor have I had at any time. [Laughter.]

The CHAIRMAN. That will be the whole of the hearing at the present time. The committee will have an executive session and we will ask the reporter to sit in.

(Whereupon, the committee went into executive session, following which the doors were opened and the hearing was resumed as follows:)

STATEMENT OF EUGENE D. LAMBERT

(Witness was duly sworn by the chairman.)

The CHAIRMAN. What is your business?

Mr. LAMBERT. I am a member of the Metropolitan Police Force attach to the detective bureau headquarters.

The CHAIRMAN. Were you up today before the House Committee on Rules?

Mr. LAMBERT. I was over here this morning; yes, sir.

The CHAIRMAN. Under whose orders did you come?

Mr. LAMBERT. I came over through Mr. Congressman O'CONNOR.

The CHAIRMAN. Did he order you?

Mr. LAMBERT. He called for two men from headquarters and I was sent over.

The CHAIRMAN. Who ordered you to go?
Mr. LAMBERT. Well, the order came from Congressman O'CONNOR.
The CHAIRMAN. Who is your superior who ordered you to go?
Mr. LAMBERT. My superior is Inspector Burke.
The CHAIRMAN. Did Inspector Burke order you to go?
Mr. LAMBERT. No; my partner, who came over with me, said there was a call to be there today at 9 o'clock.
The CHAIRMAN. Is your partner here?
Mr. LAMBERT. Not yet. Captain Thompson is trying to locate him.
The CHAIRMAN. Is your partner the one from whom the order came?
Mr. LAMBERT. That is right.
The CHAIRMAN. Was it taken up with the chief of police?
Mr. LAMBERT. I really do not know. I am unable to answer that question.
The CHAIRMAN. Is Mr. Shimon your superior?
Mr. LAMBERT. No, sir.
The CHAIRMAN. Did you receive any order from your superior?
Mr. LAMBERT. Directly, no sir; not today.
The CHAIRMAN. Had you received any order before about this?
Mr. LAMBERT. Yes; I received an order before to go to the Shoreham Hotel several days ago—to be exact, last Tuesday.
The CHAIRMAN. What for?
Mr. LAMBERT. Well, I was to assist two men from the Capitol who were officers here, I suppose, or presume. I think one was named Spiven. Is that right?
The CHAIRMAN. I do not know.
Mr. LAMBERT. Over at the House.
The CHAIRMAN. What time did you get over here?
Mr. LAMBERT. Nine o'clock this morning—maybe 2 or 3 minutes after.
The CHAIRMAN. Did you prevent the gentleman here from serving the subpena on Mr. Hopson?
Mr. LAMBERT. No, sir.
The CHAIRMAN. Were you in the elevator at the time Mr. Hopson went down?
Mr. LAMBERT. No, sir.
The CHAIRMAN. Who was in the elevator?
Mr. LAMBERT. I think Detective Shimon and there is another gentleman that came with Mr. Hopson.
The CHAIRMAN. Where is Detective Shimon?
Mr. LAMBERT. I told you Captain Thompson has ordered him over, or as soon as he can get in touch with him.
The CHAIRMAN. He is the man who came down the elevator with him?
Mr. LAMBERT. Yes, sir. I was on the outside when Mr. Hopson came down.
The CHAIRMAN. Did you have anything whatever to do with the prevention of the summons being served?
Mr. LAMBERT. No, sir; nothing at all.
The CHAIRMAN. Were you given any instructions about that by anyone?
Mr. LAMBERT. No, sir.
The CHAIRMAN. Were you working with Mr. Shimon?
Mr. LAMBERT. I was working with him; yes, sir.
The CHAIRMAN. Was he given any instructions?
Mr. LAMBERT. I did not hear any instructions given in reference to any summons being served at all.
The CHAIRMAN. Where were you when this gentleman was trying to serve the summons?
Mr. LAMBERT. I do not know. If he was in the elevator, I was not there, because I was outside when Mr. Hopson came out, and for several minutes before he came out.
The CHAIRMAN. Were you on the outside when Mr. McCarthy came up to Mr. Hopson to serve the summons?
Mr. LAMBERT. I do not recall seeing this gentleman, but I was on the outside when Mr. Hopson——
The CHAIRMAN. Outside the building?
Mr. LAMBERT. Yes, sir; outside of the building.
The CHAIRMAN. Down close to the car?
Mr. LAMBERT. Yes, sir; down close to the cab.
The CHAIRMAN. Who supplied the cab?
Mr. LAMBERT. Well, he cab was ordered.
The CHAIRMAN. Who ordered it?
Mr. LAMBERT. I did.
The CHAIRMAN. At whose direction?
Mr. LAMBERT. At the direction of Mr. O'CONNOR's man.
The CHAIRMAN. What is his name?
Mr. LAMBERT. I do not know. I could identify the man if I saw him again.
The CHAIRMAN. He told you to order a cab for Mr. Hopson?
Mr. LAMBERT. Yes, sir; to have a cab at the same entrance of the House Office Building that was used when Mr. Hopson went in.
The CHAIRMAN. Were you there when Mr. Hopson came in?
Mr. LAMBERT. Yes, sir.
The CHAIRMAN. Were you there to protect Mr. Hopson? What was your object in being there? What instructions were you given about it?
Mr. LAMBERT. Well, we were told to be there when Mr. Hopson went in.
The CHAIRMAN. Who told you that?
Mr. LAMBERT. Congressman O'CONNOR.
The CHAIRMAN. What did he tell you?
Mr. LAMBERT. To go and have an elevator ready when Mr. Hopson came up.
The CHAIRMAN. To do what?
Mr. LAMBERT. To take him upstairs to the caucus room.
The CHAIRMAN. Were you given any instructions about anyone serving any paper on him?
Mr. LAMBERT. No, sir; none at all.
The CHAIRMAN. Was anyone with Mr. Hopson? Did he tell you Mr. Hopson was dangerous; that that was the reason he had to be protected by two policemen?
Mr. LAMBERT. I do not know.
The CHAIRMAN. You did not get any instructions as to why he had to have two policemen guard him?
Mr. LAMBERT. No, sir; I did not inquire into that.
The CHAIRMAN. What did you understand you were there for?
Mr. LAMBERT. I did exactly what he said—to be there and have the elevator down and see that he got on it all right; that they would not be crowded.
The CHAIRMAN. Would not be crowded? In other words, you were to see that he had an elevator where he would not be crowded?
(No response.)
The CHAIRMAN. Those were your instructions?
Mr. LAMBERT. The instructions were to be there for any disorder—in case there was any.
The CHAIRMAN. What disorder were you told to anticipate?
Mr. LAMBERT. I do not know of any. That is usually our business.
The CHAIRMAN. That is what I thought. I was wondering what was disorderly that you anticipated?
Mr. LAMBERT. I did not anticipate any trouble and there was no trouble.
The CHAIRMAN. You met him at the machine? How did you recognize him? Had you even seen him before?
Mr. LAMBERT. Never had.
The CHAIRMAN. Who told you this was Hopson?
Mr. LAMBERT. I knew he was coming there. I was told he would be at that entrance.
The CHAIRMAN. Were you told what time he would be at the entrance?
Mr. LAMBERT. No, sir; no specific time.
The CHAIRMAN. How long did you wait before he arrived?
Mr. LAMBERT. Two or three minutes.
The CHAIRMAN. You knew he was on his way right then?
Mr. LAMBERT. Yes, sir; I was told that.
Senator SCHWELLENBACH. By whom?
Mr. LAMBERT. The gentleman who came from Mr. O'CONNOR's office.
The CHAIRMAN. Where were you when he told you that?
Mr. LAMBERT. Standing on the House side of the Capitol.
The CHAIRMAN. Were you told not to let anybody ride on the elevator with him?
Mr. LAMBERT. I do not recall any instructions of that kind; but in the elevator were Mr. Hopson, his attorney, and another gentleman whom I did not know.
The CHAIRMAN. Did you know his name?
Mr. LAMBERT. No, sir; I think the attorney gave his name before the committee this morning—he went by the name of Gill.
Senator SCHWELLENBACH. Did he say where he was from?
Mr. LAMBERT. No, sir. I have never seen any of the gentlemen before. I had only seen Mr. Hopson's picture in the paper.
Senator SCHWELLENBACH. You took him up in an orderly way—you did not have any disorder, and you protected him?
Mr. LAMBERT. I went along with him; that is all.
The CHAIRMAN. Then, with you carefully guarding and protecting Mr. Hopson and his sacred privileges from the public, you got him up to the elevator. Now, did you have any trouble after you got him on the elevator?
Mr. LAMBERT. No, sir; no trouble at all.
The CHAIRMAN. Did you have to protect him from the elevator man?
Mr. LAMBERT. No.
The CHAIRMAN. The elevator man let him alone?
Mr. LAMBERT. Yes, sir.
The CHAIRMAN. When you got off the elevator, was any one after him?
Mr. LAMBERT. No, sir.
The CHAIRMAN. Nobody attempted to create any disorder there and you two policemen—you had two policemen?
Mr. LAMBERT. There were two of us; yes.
The CHAIRMAN. And you gentlemen then took Mr. Hopson on in, in due and ancient form——
Mr. LAMBERT. I walked in the rear.
The CHAIRMAN. Who had the privilege of walking by his side?
Mr. LAMBERT. I think his attorney was on one side, as well as I can remember, and this other gentleman who came along with him.
The CHAIRMAN. You were behind?
Mr. LAMBERT. I was in the back.
The CHAIRMAN. And the other policeman in front?
Mr. LAMBERT. No; I think he was in the rear.
The CHAIRMAN. Both of you were in the rear?
Mr. LAMBERT. Yes, sir; both.
The CHAIRMAN. And you marched him up. Where did you march him to?
Mr. LAMBERT. I did not march him. He was directed to go to the caucus room.
The CHAIRMAN. Who directed him?
Mr. LAMBERT. Some gentleman from Mr. O'CONNOR's office.
The CHAIRMAN. They were there at that time?
Mr. LAMBERT. Yes, sir.
The CHAIRMAN. Oh, they met him, too?
Mr. LAMBERT. Yes, sir.
The CHAIRMAN. How many of them were there?

Mr. LAMBERT. Two.

The CHAIRMAN. They were in front?

Mr. LAMBERT. They were there; yes, sir.

The CHAIRMAN. I see. As they marched up these two gentlemen were in front of Mr. Hopson and flanked on the right by his lawyer and on the left by Mr. Gill, protected from a rear assault by you two policemen? Is that the form of battle array?

Mr. LAMBERT. That is the form in which we marched.

The CHAIRMAN. Then you landed him safely up at the caucus room?

Mr. LAMBERT. Yes, sir.

The CHAIRMAN. Did you stay in the room to protect him also, in there from anything that might occur?

Mr. LAMBERT. I sat in there until I had further orders.

The CHAIRMAN. Did you have any signs of disorder or discontent——

Mr. LAMBERT. None whatever.

The CHAIRMAN. Or warfare in there?

Mr. LAMBERT. No, sir; nothing at all.

The CHAIRMAN. And then when the procedure had been completed up to that moment he was excused, was he?

Mr. LAMBERT. I was not there when he was excused.

The CHAIRMAN. Did you leave the room?

Mr. LAMBERT. I did.

The CHAIRMAN. How long did you stay away?

Mr. LAMBERT. I was out some minutes. As I told you in the beginning, I was told to call a cab, which I did.

Senator MINTON. Who told you to call the cab?

Mr. LAMBERT. I do not know the gentleman's name. He is from Mr. O'CONNOR's office.

Senator MINTON. Where were you when he directed you to call the cab?

Mr. LAMBERT. Sitting in the caucus room.

Senator MINTON. You had a cab ready when Hopson came out?

Mr. LAMBERT. Yes, sir.

Senator MINTON. And when you got down there you kept anyone from contacting Mr. Hopson?

Mr. LAMBERT. There was no one there.

Senator MINTON. Did you not prevent anyone from coming to Mr. Hopson when he got to the cab?

Mr. LAMBERT. No, sir; there was no one there.

The CHAIRMAN. I see from the papers that not only you were there but a dozen Capitol policemen. Did you see any?

Mr. LAMBERT. Quite a few.

The CHAIRMAN. Sitting all around the room?

Mr. LAMBERT. Yes, sir.

The CHAIRMAN. As Mr. Hopson marched, he had his cane?

Mr. LAMBERT. Yes, sir; he had his cane.

The CHAIRMAN. And these Capitol policemen were seated all around the room in various parts. Did you people succeed in keeping order?

Mr. LAMBERT. I did not try to keep any order. I had no authority in there at all.

The CHAIRMAN. After he left did you march behind him or in front of him?

Mr. LAMBERT. As he came out——

The CHAIRMAN. Oh, you did not go out with him?

Mr. LAMBERT. I did not go out with him.

The CHAIRMAN. You were still under orders?

Mr. LAMBERT. Yes, sir.

The CHAIRMAN. What were your orders when he left?

Mr. LAMBERT. He said, "That is all, gentlemen."

The CHAIRMAN. Before he got in the car, what was your order—what was your duty?

Mr. LAMBERT. My duty was to call a cab and have it at the entrance.

The CHAIRMAN. Ready for the departure of the guests?

Mr. LAMBERT. Yes, sir.

The CHAIRMAN. And when the guests came down and got in the car——

Mr. LAMBERT. That is right.

The CHAIRMAN. You were through as soon as you saw he was safely away. It was your duty to see that he was safely away?

Mr. LAMBERT. They said that is all after he left and we returned to headquarters.

The CHAIRMAN. And he and his men left and everything was all right?

Mr. LAMBERT. Yes, sir.

Senator MINTON. Who said that that was all?

Mr. LAMBERT. This same gentleman who is over in Mr. O'CONNOR's office now.

Senator MINTON. Did Hopson say anything to you?

Mr. LAMBERT. He did ask me, I think, when I was in the caucus room, when I was sitting there, who I was.

Senator MINTON. Did you tell him?

Mr. LAMBERT. I did.

Senator MINTON. Did he say anything more?

Mr. LAMBERT. Nothing more.

Senator MINTON. He was probably afraid of all you policemen in there.

The CHAIRMAN. You were not in the elevator?

Mr. LAMBERT. No, sir.

The CHAIRMAN. You do not know what happened there?

Mr. LAMBERT. No, sir; I do not.

Senator MINTON. You did not follow Mr. Hopson as he drove away?

Mr. LAMBERT. No, sir; we remained and went to headquarters together.

The CHAIRMAN. You do not know where he went?

Mr. LAMBERT. I have no idea.

Senator SCHWELLENBACH. You said something about going to the Shoreham recently?

Mr. LAMBERT. Yes, sir.

Senator SCHWELLENBACH. Tell us about that.

Mr. LAMBERT. Well, I was out there on Tuesday, Wednesday, and Thursday. I spent 13 hours Tuesday, 8 hours on Wednesday, and 8 hours on Thursday.

Senator SCHWELLENBACH. What doing?

Mr. LAMBERT. Watching a particular room to see if anyone went in or out.

Senator SCHWELLENBACH. Did anyone go in?

Mr. LAMBERT. No, sir; they did not.

Senator MINTON. Whose room was it?

Mr. LAMBERT. I do not know.

Senator MINTON. Whose was it supposed to be?

Mr. LAMBERT. It was supposed to have been some of Mr. Hopson's party.

Senator MINTON. Whom did you have instructions to pick up or apprehend?

Mr. LAMBERT. Nobody. I did not have any authority to pick up anyone.

Senator MINTON. If you had seen anybody go into that room, whom would you have notified?

Mr. LAMBERT. I would have notified Congressman O'CONNOR.

Senator MINTON. Did he tell you whom to look for?

Mr. LAMBERT. Yes; he suspected Hopson would be there. That was what we were looking for or any of his party; in other words, he wanted to know if anybody went into that room, but they did not go in.

Senator GIBSON. What room was it?

Mr. LAMBERT. Room 405-E.

Senator MINTON. You had no subpena?

Mr. LAMBERT. No, sir.

Senator MINTON. You were to notify O'CONNOR if anyone did go into the room?

Mr. LAMBERT. That is right.

Senator SCHWELLENBACH. Did you talk to Mr. O'CONNOR this morning?

Mr. LAMBERT. Yes, sir.

Senator SCHWELLENBACH. Where?

Mr. LAMBERT. Up in the Rules Committee.

Senator SCHWELLENBACH. When?

Mr. LAMBERT. Around 9 o'clock or a few minutes after.

Senator SCHWELLENBACH. What did he say to you?

Mr. LAMBERT. He told me, just as I told you before, to go to that particular entrance in the House Office Building, or he told me to go down with the gentleman in his office, and he did point out this particular entrance, and he wanted me to be there, but when we got downstairs the gentleman I went down from his office with told me to have an elevator at that point.

Senator SCHWELLENBACH. You stayed inside and kept the elevator ready?

Mr. LAMBERT. Just a matter of a few minutes before I got to the spot I was supposed to go to, a cab drove up with Mr. Hopson.

Senator SCHWELLENBACH. Did Mr. O'CONNOR give you any instructions as to what you would do after Mr. Hopson arrived?

Mr. LAMBERT. No; no instructions at all.

Senator SCHWELLENBACH. Did he give you any instructions as to what you were to do if anybody attempted to interfere with Mr. Hopson?

Mr. LAMBERT. No; naturally, if there had been any disorder on the outside, we would have had to take action.

The CHAIRMAN. Suppose anybody had been disorderly enough to come up and serve some paper on him?

Mr. LAMBERT. We had nothing to do with that.

The CHAIRMAN. Your partner had nothing to do with that?

Mr. LAMBERT. No, sir.

The CHAIRMAN. May I ask you if you remember when Mr. Hopson was leaving——

Mr. LAMBERT. Yes, sir.

The CHAIRMAN (continuing). If anyone gave you orders to keep the reporters and crowd and the photographers away from him?

Mr. LAMBERT. Yes, sir.

The CHAIRMAN. Who gave you that order?

Mr. LAMBERT. That was the gentleman who was with Mr. Hopson—said, "Keep the crowd back." There was no crowd. There were about three people.

The CHAIRMAN. Did you keep all of them back?

Mr. LAMBERT. Shimon had the door covered at that time.

The CHAIRMAN. Had it fully covered?

Mr. LAMBERT. Yes, sir; and they rushed and got to the cab.

The CHAIRMAN. How did he cover the door?

Mr. LAMBERT. Just put his hand across it.

The CHAIRMAN. In other words, he was to protect Mr. Hopson from that part——

Mr. LAMBERT. To let him get away.

The CHAIRMAN. Did anyone tell you why it was of such supreme importance that he should get away and not come to the Senate committee? Did anyone tell you why that was of such supreme importance?

Mr. LAMBERT. No, sir.

The CHAIRMAN. Who was it, besides this man with Mr. Hopson, that told you to keep this crowd of reporters and photographers away from him?

Mr. LAMBERT. There was only Mr. Gill and the lawyer with him. I think he gave his name——

The CHAIRMAN. He was the lawyer who flanked him on the left?
Mr. LAMBERT. He sat on his right in the Caucus room.
The CHAIRMAN. I mean as he marched in battle array down to the car.
Mr. LAMBERT. I do not remember which side.
The CHAIRMAN. He was flanked on the other side by Mr. Hill? At any rate one was on one side and one on the other?
Mr. LAMBERT. There were two with him.
The CHAIRMAN. And did not someone else tell you to keep the crowd away from him?
Mr. LAMBERT. Only when he was leaving. I was almost to the curb and they hollered as they went by me, to keep that crowd back and there were about three men coming out of the door.
The CHAIRMAN. And your partner had the crowd fully covered?
Mr. LAMBERT. Yes.
The CHAIRMAN. And you covered the retreat back toward the car?
Mr. LAMBERT. I went back toward him.
The CHAIRMAN. You covered the retreat toward the car—you were closest to the car?
Mr. LAMBERT. That is right.
The CHAIRMAN. And your partner covered the crowd at the door where the large crowd of three were surging toward the car?
Mr. LAMBERT. Yes, sir.
The CHAIRMAN. And having fully covered everybody, he got in the car. Did both lawyers get in with him?
Mr. LAMBERT. No, sir; I think only one.
The CHAIRMAN. Only one?
Mr. LAMBERT. I am not positive of that. I think only one.
The CHAIRMAN. They went away very slowly?
Mr. LAMBERT. I do not think they went exceptionally fast.
The CHAIRMAN. Did any of them run to the car?
Mr. LAMBERT. They ran when they went out.
The CHAIRMAN. Well, you had them covered and your partner had them covered, and yet they ran away?
Mr. LAMBERT. Yes, sir; they did not lose any time getting to the car.
The CHAIRMAN. What did Mr. Hopson do with his cane when he was running?
Mr. LAMBERT. I think he had that with him [laughter].
Senator SCHWELLEBACH. You got to O'CONNOR's office about 9 o'clock?
Mr. LAMBERT. Yes, sir.
Senator SCHWELLEBACH. What time was it when Hopson came?
Mr. LAMBERT. I think—I would say around quarter past 9 or maybe 20 minutes past. I am not so sure of the time, but between 9 and 9:30.
Senator SCHWELLENBACH. You got down outside downstairs within 2 or 3 minutes?
Mr. LAMBERT. Yes——
Senator SCHWELLENBACH. From the time he testified and left?
Mr. LAMBERT. Yes, sir; in fact, while I was on the steps talking to this gentleman from Mr. O'CONNOR's office the cab drove up.
Senator SCHWELLENBACH. Did Mr. O'CONNOR tell you that Mr. Hopson was going to be there at that exact time?
Mr. LAMBERT. No, sir; but the man from his office said that he would be there.
Senator SCHWELLENBACH. You mean the place?
Mr. LAMBERT. He said he would be there, and they wanted to enter from that door, and I should go there and have an elevator down.
Senator SCHWELLENBACH. This man from O'CONNOR's office knew exactly when Hopson would arrive?
Mr. LAMBERT. Yes, sir; because he was there in a very few minutes.
The CHAIRMAN. Is that your first experience in escorting people and protecting them from a summons?
Mr. LAMBERT. The very first time I ever came up here. This is my first experience.
The CHAIRMAN. Ordinarily, when you go out that way, it is to serve some paper or arrest someone who has done something, or prevent any disorder?
Mr. LAMBERT. That is right.
The CHAIRMAN. Do you recall going out before on a call to protect someone from the service of a paper?
Mr. LAMBERT. I did not have a call this time to protect him from being served with a paper. We do not have anything to do with that.
The CHAIRMAN. What were you told you had to protect him from?
Mr. LAMBERT. I told you everything I did. I had no order in reference to a subpena at all.
The CHAIRMAN. Were you not instructed to let nobody come anywhere near about him when he was coming from the car?
Mr. LAMBERT. When he came out I was instructed not to let that crowd, that they thought were reporters and photographers——
The CHAIRMAN. Reporters and other outlaws, you mean. Before that, you were out there to protect him from something. What was it?
Mr. LAMBERT. If there had been any disorder, that would have been our duty to prevent it if possible, but we had orders to keep hands off of this paper business from headquarters, from our captain there.
The CHAIRMAN. Who ordered you?
Mr. LAMBERT. Captain Thompson.
The CHAIRMAN. What did he tell you?
Mr. LAMBERT. That we did not have anything to do with serving subpenas and could not serve them.
The CHAIRMAN. Why did he tell you that?
Mr. LAMBERT. He always puts you right——
The CHAIRMAN. Why would he say you had nothing to do with the serving of a paper?
Mr. LAMBERT. He said that if anyone suggested we serve a paper, that we would not have anything to do with it; that they had men here to do that.
The CHAIRMAN. That you should not serve any paper on him?
Mr. LAMBERT. That is right.
The CHAIRMAN. Did he tell you who would serve the paper on him?
Mr. LAMBERT. No, sir.
The CHAIRMAN. What did you gather he meant by that?
Mr. LAMBERT. I suppose he meant we were to go there, on our first detail——
The CHAIRMAN. Oh, that is out at Wardman Park. I am talking about the other place.
Mr. LAMBERT. I had no instructions other than what I have told you.
Senator GIBSON. Did you know that Mr. Hopson was wanted by the Senate committee?
Mr. LAMBERT. Only what little I had read of it; that is all.
Senator GIBSON. From what you did read, you were convinced that the Senate committee was looking for him?
Mr. LAMBERT. I understood everyone was looking for him. [Laughter.]
The CHAIRMAN. Why did you understand anybody else was looking for him?
Mr. LAMBERT. Well, from what you read and hear.
Senator GIBSON. You understood, in fact, the Senate committee was looking for him?
Mr. LAMBERT. Yes; I had read that.
Senator GIBSON. And wanted to serve that subpena?
Mr. LAMBERT. Yes, sir.
Senator GIBSON. And when you went to the Shoreham, were you told to keep people away from that room?
Mr. LAMBERT. No, sir.
Senator GIBSON. Just to watch who went in?
Mr. LAMBERT. Yes, sir.
Senator GIBSON. When you received your orders over here at the House Office Building, you were told to keep everybody away from Mr. Hopson?
Mr. LAMBERT. No; only the one time when the crowd was—that is, when the crowd of three were coming to the door, and they said, "Keep them back."
Senator GIBSON. Keep people away from him, and you would have attempted to keep a process server away from him?
Mr. LAMBERT. No, sir; not if I knew it.
Senator GIBSON. Did you see anyone there trying to serve a process?
Mr. LAMBERT. No, sir.
Senator MINTON. Where were you when you got your detail to come out here this morning?
Mr. LAMBERT. Shimon told me of this yesterday evening; that we were to be here.
Senator MINTON. You reported directly to the Hill this morning?
Mr. LAMBERT. No, sir; I reported to headquarters. This is my office duty. Every 21 days we do office duty.
Senator MINTON. You came out with Shimon?
Mr. LAMBERT. Yes, sir; in the headquarters car.
Senator MINTON. Did anybody call you when you came out this morning?
Mr. LAMBERT. No, sir.
Senator MINTON. When Shimon spoke to you yesterday afternoon about it, what did he say to you?
Mr. LAMBERT. He said Mr. Collins called and said Mr. O'CONNOR wanted us over to room 326 of the old House Office Building and we reported to that room and we were directed by Mr. Collins, or I, myself, to go over and see Mr. O'CONNOR.
Senator MINTON. When you got to room 326, you saw Mr. Collins and he sent you to Mr. O'CONNOR?
Mr. LAMBERT. Yes, sir.
Senator MINTON. And Mr. O'CONNOR told you what you were to do?
Mr. LAMBERT. He pointed this particular entrance out, which you can see from his window in the Rules Committee room, and I proceeded downstairs with a man from his office and I was told to have the elevator down there.
Senator MINTON. Where did Shimon go?
Mr. LAMBERT. He had to go to court. He is on the fugitive squad [laughter]. We had a case up in court.
The CHAIRMAN. Is it his duty to catch fugitives or aid fugitives? Which one is it?
Mr. LAMBERT. Well, we did not have any orders to catch anyone.
Senator MINTON. Did Shimon come down to the Hill with you this morning?
Mr. LAMBERT. Yes, sir; and returned and went to court.
Senator MINTON. Did he go to O'CONNOR's office with you?
Mr. LAMBERT. No, sir.
Senator MINTON. He went to Collins' office?
Mr. LAMBERT. Yes, sir.
Senator MINTON. And there left you?
Mr. LAMBERT. Yes, sir; and went to police court at Sixth and D Streets.
Senator MINTON. Did you see him at the caucus room afterward?
Mr. LAMBERT. Yes, sir; I seen him when I was leaving the front of the Capitol.

Senator MINTON. Did Mr. Shimon give you any instructions as to what you were supposed to do?

Mr. LAMBERT. No, sir.

Senator MINTON. Other than that you were to report to Mr. O'CONNOR?

Mr. LAMBERT. Yes, sir.

Senator MINTON. And he gave you your instructions?

Mr. LAMBERT. That is right.

The CHAIRMAN. You and Mr. Shimon had exactly the same instructions as to your duties?

Mr. LAMBERT. Yes, sir; of course, Shimon did not go to Mr. O'CONNOR's office with me this morning.

Senator SCHWELLENBACH. Shimon was there when you left?

Mr. LAMBERT. Yes, sir.

Senator SCHWELLENBACH. He came down on the elevator with Mr. Hopson?

Mr. LAMBERT. Oh, yes.

The CHAIRMAN. You policemen, of course, were both armed?

Mr. LAMBERT. He was there when Mr. Hopson went into the House Office Building.

The CHAIRMAN. Both of you were armed and had pistols?

Mr. LAMBERT. Yes, sir.

The CHAIRMAN. And do you know whether the Capitol policemen had pistols?

Mr. LAMBERT. They had their coats off with their side arms showing.

The CHAIRMAN. How many of them would you say you saw?

Mr. LAMBERT. I would say 8 or 10. That is a rough estimate. [Laughter.]

Senator GIBSON. You think, on the whole, you rendered some assistance to Mr. Hopson in making his exit?

Mr. LAMBERT. We were not assisting him in getting away or anything of that kind. I did not interpret the order to assist in getting him away from anyone.

Senator GIBSON. But to keep people away from him?

Mr. LAMBERT. More as a protection if there was any trouble there.

The CHAIRMAN. Trouble between whom?

Mr. LAMBERT. What is that?

The CHAIRMAN. Trouble between whom?

Mr. LAMBERT. I do not know. You never can tell.

Senator GIBSON. But you were told sometime not to aid in the service of any subpena?

Mr. LAMBERT. Yes, sir.

Senator GIBSON. Your instructions were a protection to him to that extent?

Mr. LAMBERT. No, sir; there is nothing connected with the subpena——

Senator GIBSON. You were told not to help in the service of a subpena?

Mr. LAMBERT. I never heard anything about helping in the serving of a subpena.

Senator GIBSON. You were told——

Mr. LAMBERT. We were told we had no authority to serve any paper on him.

Senator GIBSON. Did you have any authority on the Hill at all?

Mr. LAMBERT. No, sir.

Senator GIBSON. Now, you think it is proper for the Metropolitan Police force, without authority, to come up and assist as you assisted?

Mr. LAMBERT. Sir, I was only acting on orders. I was just one given an order, and I have to carry it out.

Senator MINTON. If a Congressman or Senator calls you up and asks you to report to his office, do you have to do it?

Mr. LAMBERT. Yes, sir; if any of you down here call up there, I am sure someone will report.

Senator MINTON. I did not know we had so much power.

The CHAIRMAN. You saw the picture of Hopson on the front page the other day with a $50 reward?

Mr. LAMBERT. Yes, sir; but I did not see the reward.

The CHAIRMAN. You did not catch him?

Mr. LAMBERT. No, sir.

The CHAIRMAN. You helped him get away.

Mr. LAMBERT. Not knowingly.

The CHAIRMAN. What did you understand you were doing when you were protecting him from the crowd?

Mr. LAMBERT. Only from any disorder, the same as any other person.

Senator SCHWELLENBACH. What did Mr. O' CONNOR tell you his purpose was in having you there?

Mr. LAMBERT. He did not say the purpose of it.

Senator SCHWELLENBACH. When you went in, did he give you any word as to what he wanted you to do outside of——

Mr. LAMBERT. To go to that entrance and the man that left his office and went downstairs and took me down—he said he would give me the orders down there. I went down and he said to have an elevator down when this car drives up, and by the time I could go from the Capitol across the street the car was there.

Senator SCHWELLENBACH. When Mr. Hopson got out, did he have any officer of any kind with him?

Mr. LAMBERT. No, sir; not that I know of.

Senator SCHWELLENBACH. In other words, he came up there by prearrangement without any officer of any kind with him?

Mr. LAMBERT. I do not know about that.

Senator SCHWELLENBACH. There was no officer with him?

Mr. LAMBERT. No, sir; there was no officer with him.

Senator SCHWELLENBACH. And you knew he was to be there because you were told?

Mr. LAMBERT. Yes, sir.

Senator SCHWELLENBACH. He came up without an officer and left without an officer?

Mr. LAMBERT. Yes, sir.

Senator SCHWELLENBACH. He came up in a car and you knew, at that time, that he was under summons from the Senate committee? You had seen it in the papers?

Mr. LAMBERT. No; I did not know he was under summons.

Senator SCHWELLENBACH. You know he came up there with no officer? He was not brought there with an officer?

Mr. LAMBERT. No, sir.

Senator SCHWELLENBACH. You knew in advance he was to come?

Mr. LAMBERT. There was this gentleman that came from Mr. O'CONNOR's office that got in the cab with him.

Senator SCHWELLENBACH. Where?

Mr. LAMBERT. In front of the Capitol.

Senator SCHWELLENBACH. That is, after he got there?

Mr. LAMBERT. After he was here, on this side (indicating).

Senator SCHWELLENBACH. Got in there before he came to the entrance?

Mr. LAMBERT. Yes; he got in here.

Senator SCHWELLENBACH. Where did he meet him?

Mr. LAMBERT. In front of the House Office Building.

The CHAIRMAN. But at that time Mr. Hopson did not have any officer—Federal, State, city, county, or any other kind—who brought him here?

Mr. LAMBERT. Not to my knowledge.

The CHAIRMAN. And he could not be under arrest unless he had an officer with him?

Mr. LAMBERT. Not very well.

The CHAIRMAN. Do you know where Mr. Hopson is now?

Mr. LAMBERT. No, sir; I do not, and I am glad of it.

STATEMENT OF RICHARD L. TURNER

(Witness was duly sworn by the chairman.)

The CHAIRMAN. Mr. Turner, were you over at the House when this Mr. McCarthy attempted to serve this paper on Mr. Hopson?

Mr. TURNER. Yes, sir.

The CHAIRMAN. Did you see the transaction?

Mr. TURNER. I was just behind a group, consisting of Mr. Hopson and several others whom I could not identify definitely because their backs were turned to me. Mr. McCarthy was at one side trying to get to Mr. Hopson and the gentleman to Mr. Hopson's right was holding him off with his arm.

The CHAIRMAN. Mr. Hill?

Mr. TURNER. I could not say definitely, but Mr. McCarthy was asking him—I overheard a question to the effect, "Do you object to his appearing before the Senate committee?" Possibly that would identify the man in Mr. McCarthy's mind.

The CHAIRMAN. You could identify him?

Mr. TURNER. Possibly; yes, sir.

The CHAIRMAN. How did he push him away?

Mr. TURNER. Warding him off with his forearm.

The CHAIRMAN. Did you see anyone else push him?

Mr. TURNER. Things got rather hectic about that time and I could not say positively.

STATEMENT OF JOSEPH W. SHIMON

(The witness was duly sworn by the chairman.)

The CHAIRMAN. Your name is Joseph W. Shimon?

Mr. SHIMON. Yes, sir.

The CHAIRMAN. Are you a member of the Metropolitan Police force?

Mr. SHIMON. Yes, sir.

The CHAIRMAN. Did you come directly up here from down there?

Mr. SHIMON. Yes, sir.

The CHAIRMAN. Did they give you the message at 4 o'clock?

Mr. SHIMON. The captain started to tell me and he was called to the phone, and maybe it was a little after 4.

The CHAIRMAN. How long did he take at the phone?

Mr. SHIMON. There was some difficulty about five chauffeurs in a garage, and I stood by and I talked to someone——

The CHAIRMAN. You came directly up here?

Mr. SHIMON. Yes, sir.

The CHAIRMAN. You did not stop anywhere?

Mr. SHIMON. No, sir.

The CHAIRMAN. Are you the one who came in the elevator with Mr. Hopson?

Mr. SHIMON. I am one of them.

The CHAIRMAN. Who else came down with him?

Mr. SHIMON. I believe Detective Sergeant Lambert.

The CHAIRMAN. Sergeant Lambert?

Mr. SHIMON. And there were two other men.

The CHAIRMAN. The man whom we talked to—was he in there?

Mr. SHIMON. I think so.

The CHAIRMAN. Sergeant Lambert was in there, too?

Mr. SHIMON. Yes, sir.

The CHAIRMAN. And he came down in the elevator with Mr. Hopson?

Mr. SHIMON. He and two others besides Mr. Hopson.

The CHAIRMAN. Who were they?

Mr. SHIMON. I do not know. One man was sitting alongside of me at the caucus room this morning during the hearing. He is a tall man, about 6 feet, with a dark suit. Apparently he was with Mr. Hopson. The other fellow, I believe, was in and around the House Office Building. I have seen him before.

The CHAIRMAN. In the Rules Committee?

Mr. SHIMON. Yes, sir; I believe so.

The CHAIRMAN. Do you know his name?

Mr. SHIMON. No, sir; I do not.

The CHAIRMAN. Were you in the elevator when Mr. McCarthy here [indicating] tried to get in it?

Mr. SHIMON. I do not recall. I cannot place him.

The CHAIRMAN. Do you remember a man trying to get in there?

Mr. SHIMON. Well, I told you——

The CHAIRMAN. And someone told him to get to hell out?

Mr. SHIMON. I had difficulty in getting in there myself.

The CHAIRMAN. Who told him to get out?

Mr. SHIMON. I was the last of the group I mentioned to get in and that tall man with the dark suit had his arm up against the elevator and I had to identify myself.

The CHAIRMAN. Who did you tell him you were?

Mr. SHIMON. I told him I was from police headquarters, and he let me in.

The CHAIRMAN. Who was he?

Mr. SHIMON. He was a tall man with a blue suit and dark hair.

The CHAIRMAN. Do you not know who that was?

Mr. SHIMON. I have not heard his name. It was the first time I ever saw him.

The CHAIRMAN. You went in the elevator then?

Mr. SHIMON. I went in there.

The CHAIRMAN. What did you go in there for?

Mr. SHIMON. To ride down. [Laughter.]

The CHAIRMAN. What for?

Mr. SHIMON. I understood I was to ride down with Mr. Hopson.

The CHAIRMAN. What for?

Mr. SHIMON. I do not know.

The CHAIRMAN. You did not know what you were riding with him for?

Mr. SHIMON. I imagine to keep him from——

The CHAIRMAN. A little louder.

Mr. SHIMON. I imagine it was—it is one of those details we get. We get so many of them——

The CHAIRMAN. What was your object in riding down there?

Mr. SHIMON. I was told to be there.

The CHAIRMAN. For what?

Mr. SHIMON. I do not know. They did not tell me what to do. They said, "You go along with Mr. Hopson and go and take him as far as the street."

The CHAIRMAN. Sergeant Lambert was in control?

Mr. SHIMON. Yes, sir.

The CHAIRMAN. He is the one who was in control?

Mr. SHIMON. I do not think so.

The CHAIRMAN. Who was in control?

Mr. SHIMON. Apparently this other——

The CHAIRMAN. You state that Sergeant Lambert was in the elevator?

Mr. SHIMON. The man who seemed to have charge of affairs was the other chap—I think he is connected with the committee over there in some manner. He seemed to be in charge, in telling us where to go and what to do.

The CHAIRMAN. What did he tell you to do?

Mr. SHIMON. He came before the hearing broke up and said, "When Mr. Hopson starts out you and I"—I believe Sergeant Lambert went out to get a cab. He said, "We want to take him to the side elevator, down to the sidewalk."

The CHAIRMAN. Did he say what for?

Mr. SHIMON. He did not say what for.

The CHAIRMAN. What time did you get up there?

Mr. SHIMON. Shortly after 9 o'clock, and then went back to police court.

The CHAIRMAN. Had Mr. Hopson arrived when you got there?

Mr. SHIMON. He arrived several minutes later. I was at the main gate, and I saw all the lights flash and knew he had arrived at the room upstairs.

The CHAIRMAN. You had lights to notify you when he arrived?

Mr. SHIMON. Those were the photographers' flashes upstairs.

The CHAIRMAN. Did you see him drive up?

Mr. SHIMON. No, sir.

The CHAIRMAN. Where were you when he drove up?

Mr. SHIMON. Just at the main entrance.

The CHAIRMAN. You did not receive him?

Mr. SHIMON. No, sir.

The CHAIRMAN. That was Sergeant Lambert?

Mr. SHIMON. I guess it was.

The CHAIRMAN. You went up, and when you got there whom did you report to?

Mr. SHIMON. I went up there and got in the caucus room, and this same man I referred to brought me a chair and said, "Sit here until the hearing is over."

The CHAIRMAN. That was Mr. Clauffen?

Mr. SHIMON. Is that his name?

The CHAIRMAN. Did you hear his name—Clauffen? Did you hear his name?

Mr. LAMBERT. The one from Congressman O'CONNOR's office?

The CHAIRMAN. Yes.

Mr. LAMBERT. I do not recall. He had a rather peculiar speech.

The CHAIRMAN. He told you to sit down?

Mr. SHIMON. He said, "Sit here and I will tell you what to do later."

The CHAIRMAN. He told you to sit there and he would tell you what to do later?

Mr. SHIMON. And I sat through the hearing.

The CHAIRMAN. You saw all the other policemen?

Mr. SHIMON. There were quite a few—I say quite a few.

The CHAIRMAN. You, of course, were yourself armed, ready to protect against anything that happened?

Mr. SHIMON. I have to carry my equipment even when I am off duty.

The CHAIRMAN. You had your gun there?

Mr. SHIMON. Yes.

The CHAIRMAN. You sat there through the hearing. Did anybody tell you anything during the hearing?

Mr. SHIMON. Nothing. Nobody talked during the hearing.

The CHAIRMAN. All right; when the hearing was over, what instructions did you have?

Mr. SHIMON. This man came along a few minutes before the hearing was over and said, "When we take Mr. Hopson out you walk along with him. We are going to take him out to the elevator and through the side door to a cab." That is all.

The CHAIRMAN. Didn't tell you what to do?

Mr. SHIMON. No.

The CHAIRMAN. Weren't you supposed to protect him?

Mr. SHIMON. I imagine that is what we were there for, but he didn't tell me so.

The CHAIRMAN. Didn't tell you?

Mr. SHIMON. I don't know what he wanted to be protected from.

The CHAIRMAN. Well, you walked right in there with him, didn't you?

Mr. SHIMON. I did.

The CHAIRMAN. And you saw a man come up and try to give him a paper, didn't you?

Mr. SHIMON. No; I didn't.

The CHAIRMAN. You didn't see—where is McCarthy? You didn't see that gentleman there come up when you were standing right there with him, the gentleman right over there next to Sergeant Lambert?

Mr. SHIMON. I tell you, there were so many faces there.

The CHAIRMAN. You didn't see a man come up and take him by the arm and hand him a paper?

Mr. SHIMON. No; I didn't.

The CHAIRMAN. Didn't see anybody push anybody away?

Mr. SHIMON. I did not.

The CHAIRMAN. Didn't hear Mr. Hopson say anything?

Mr. SHIMON. No; I did not.

The CHAIRMAN. Didn't hear him say anything?

Mr. SHIMON. There was quite a few people milling around, and they were going through the crowd in such a hurry.

The CHAIRMAN. But you were there with him?

Mr. SHIMON. I was, I will say, maybe alongside of him or 2 or 3 feet to the left of him. I was walking to the left of him.

The CHAIRMAN. Was anybody else walking to the left of him?

Mr. SHIMON. I guess there was quite a few people there.

The CHAIRMAN. I mean how many came out with him to protect him?

Mr. SHIMON. With him?

The CHAIRMAN. Yes.

Mr. SHIMON. Well, I saw uniformed men around him, and I believe there was a lieutenant from the Capitol Police. He was around.

The CHAIRMAN. He was around too?

Mr. SHIMON. He was around us; and other officers. There were so many around him.

The CHAIRMAN. Had him fully surrounded, didn't they?

Mr. SHIMON. I wouldn't say fully surrounded, because there was so many photographers in and out snapping pictures.

The CHAIRMAN. They told you then to keep the photographers away from him?

Mr. SHIMON. Didn't tell me to keep the photographers away.

The CHAIRMAN. Who did they tell to keep them away?

Mr. SHIMON. I didn't hear them tell anybody to keep them away.

The CHAIRMAN. Didn't they tell you to keep anybody away?

Mr. SHIMON. Well, that is it. They just told me they were taking him out the side entrance out to a cab, and didn't tell me what to do.

The CHAIRMAN. And when they got down to the bottom of the elevator then you and he got out?

Mr. SHIMON. Yes; everybody got out.

The CHAIRMAN. And all of you ran to the cab?

Mr. SHIMON. Well, we didn't all run to the cab.

The CHAIRMAN. He did, didn't he?

Mr. SHIMON. He ran to the cab. I stopped at the door.

The CHAIRMAN. But you were guarding him yourself?

Mr. SHIMON. Yes. We stopped at the door.

The CHAIRMAN (addressing Mr. McCarthy). Is this the one you said was covering the side door?

Mr. MCCARTHY. Yes, sir.

The CHAIRMAN. You were holding the crowd back there at the door, weren't you?

Mr. SHIMON. There was only one man came to the door. He was a photographer, running with a camera.

The CHAIRMAN. What did you do to him?

Mr. SHIMON. I said, "I don't think they want you out there."

The CHAIRMAN. Why did you say that?

Mr. SHIMON. When he stopped at the door this same man—I don't know what—what did you say his name was? He told me not to let anybody come after him through the door.

The CHAIRMAN. Oh, I see.

Mr. SHIMON. That is the only time.

The CHAIRMAN. Now, we have found out about what is happening. What was it he told you?

Mr. SHIMON. Not to let anybody come through that door.

The CHAIRMAN. Told you not to let anybody chase him through that door, didn't he?

Mr. SHIMON. Yes. I assume there was photographers——

The CHAIRMAN. I am not talking about photographers. What was it he told you?

Mr. SHIMON. Told us not to let anybody through the door.

The CHAIRMAN. Told you not to let anybody through the door. And you didn't let anybody through the door, did you?

Mr. SHIMON. Well, only one man tried to get through, and I told him they didn't want him out there.

The CHAIRMAN. May I ask you a question there, Sergeant: Was that the place where you said there was three men?

Mr. LAMBERT. I thought there was about three.

The CHAIRMAN. Looked to you about three.

Which one was the fugitive squad?

Mr. SHIMON. I am.

The CHAIRMAN. You are connected with the fugitive squad? When this particular fugitive that you were guarding there left the elevator there he ran to a car, didn't he?

Mr. SHIMON. Yes, sir.

The CHAIRMAN. And you guarded him to keep anybody from chasing him, didn't you?

Mr. SHIMON. Well, I assume that was what I was to do. I was not told to by him.

The CHAIRMAN. Was not told to? You just say you were told——

Mr. SHIMON. I was told to keep the crowd from coming out that door. I wasn't told a thing about guarding him.

The CHAIRMAN. You had seen in the paper and you knew that this was the man Hopson?

Mr. SHIMON. I heard a lot about him.

The CHAIRMAN. You knew and you had seen in the paper and knew that he was the one the Senate committee was after, didn't you? And you knew that you were to keep him from being summoned?

Mr. SHIMON. I didn't know who was after him. I didn't know who wanted him, whether it was a Senate committee or House committee. I didn't know who was after him. I know I read in the paper he was badly wanted.

The CHAIRMAN. You read in the paper that he was wanted by the Senate committee, and then you saw in the paper where the House committee wanted him, didn't you?

Mr. SHIMON. Well, I suppose so.

The CHAIRMAN. Who was this photographer you kept back; do you know?

Mr. SHIMON. I don't know. There was quite a few people there.

The CHAIRMAN. How many were in this elevator when you say you got in?

Mr. SHIMON. Mr. Hopson.

The CHAIRMAN. All right.

Mr. SHIMON. Lambert; this chap I referred to I said I think he is connected with the Rules Committee; this tall man, blue suit, dark hair—I don't know his name, myself.

The CHAIRMAN. All right now, when you got out, let them out—how many got out of the elevator and ran to the cab?

Mr. SHIMON. Well, we all got out of the elevator, walked to the door. There was nobody down there then.

The CHAIRMAN. All right then, how many ran to the cab?

Mr. SHIMON. Mr. Hopson and the tall man, and I think this other chap ran to the cab.

The CHAIRMAN. You mean the man from the Rules Committee?

Mr. SHIMON. Yes. I think I ran to the cab and came right back.

The CHAIRMAN. In other words, Mr. Hopson and the Rules Committee man and another man all ran to the cab?

Mr. SHIMON. That is it.

The CHAIRMAN. And the Rules Committee man then came back after they got in the cab and went off—that is what happened, isn't it?

Mr. SHIMON. Well, he came back. He ran to the cab or halfway to the cab and then came—we were standing at the door and he came back and says, "Don't let anybody through that door." Then he ran back to the cab, the cab drove away, and then he just went back in the building.

The CHAIRMAN. He went back to the cab and then he came back?

Mr. SHIMON. Yes.

The CHAIRMAN. And then the guests departed in the cab?

Mr. SHIMON. They did.

The CHAIRMAN. Then your detail was over?

Mr. SHIMON. I walked away. I assumed it was over.

The CHAIRMAN. You assumed it was over when the fugitive left?

Mr. SHIMON. Yes; the excitement was all over. I didn't stick around any longer.

The CHAIRMAN. Who told you to come up here and do that?

Mr. SHIMON. I got a call yesterday; Mr. Collins. I think he is a counsel.

The CHAIRMAN. Called you?

Mr. SHIMON. Called me. I called him. I called him and he told Mr. Lambert and myself to report to his office at 9 o'clock.

The CHAIRMAN. What for?

Mr. SHIMON. Said he wanted to see us.

The CHAIRMAN. Where is his office?

Mr. SHIMON. Room 336 in the old House Office Building.

The CHAIRMAN. You went up there yesterday afternoon?

Mr. SHIMON. No. He told us to be there this morning.

The CHAIRMAN. What time?

Mr. SHIMON. At 9 o'clock.

The CHAIRMAN. And how long was it after 9 o'clock when Mr. Hopson arrived?

Mr. SHIMON. I can't give you the exact time. I imagine it was after 10. But I went to Mr. Collins' office. I went directly back to the police court.

The CHAIRMAN. When you got there did he tell you what time to be back to meet Mr. Hopson?

Mr. SHIMON. He didn't. I told Mr. Collins I had a case being heard in police court and if he wanted me I would return. He said, "Well, when we do", he said, "I will leave word here where you can find me."

The CHAIRMAN. Did you have any superiors tell you to come up here?

Mr. SHIMON. Why, when we got there and he asked us to stay, we had asked Dr.—I call him Dr. Collins; it was Mr. Collins—we had him call either the inspector or captain to explain to him that he wanted two men there. We can't go there without an order from some superior. I believe he talked to Lieutenant Cooling and explained that Congressman O'CONNOR wanted us there.

Senator SCHWELLENBACH. What did he tell you that he wanted you there for?

Mr. SHIMON. He just said that Congressman O'CONNOR wanted myself and Lambert there this morning. Because we can't go on any detail without reporting back to the superior officer.

Senator GIBSON. Mr. Collins is former assistant to the district attorney of the District of Columbia?

Mr. SHIMON. Yes, sir.

Senator MINTON. He is this lawyer over there that is investigating it.

Senator GIBSON. Yes.

Mr. SHIMON. He is the same man that questioned Mr. Hopson for Congressman O'CONNOR.

Senator MINTON. Then it was Mr. Collins that called you yesterday afternoon?

Mr. SHIMON. Yes, sir.

Senator MINTON. And he didn't call your superiors but called you directly. Did you report it to your superior?

Mr. SHIMON. No, I did not; not at that particular time. He just wanted to see us at 9 o'clock in the morning. We get so many calls——

Senator MINTON. You came out at his request to be there at 9 o'clock?

Mr. SHIMON. Yes, sir.

Senator MINTON. And when you found out what he wanted you to do you had him get the O. K. from your superior?

Mr. SHIMON. Yes, sir.

Senator MINTON. And what did he tell you he wanted you to do?

Mr. SHIMON. He told us that Congressman O'CONNOR wanted us to stick around. I told him that I was going back to police court, and I left, and I didn't see—I saw Mr. Collins, told me to go down to the main entrance.

Senator MINTON. Where did he want you to stick around?

Mr. SHIMON. We were supposed to go to Congressman O'CONNOR'S and receive instructions, I believe; but I haven't seen Congressman O'CONNOR. I went back to police court and he was in the caucus room.

Senator MINTON. After you got back to police court where did you go?

Mr. SHIMON. I called to Mr. Collins' office. They told me to hang around the main entrance. About the time I got back there everybody was upstairs. Mr. Hopson had arrived. So I walked up there and he handed me a chair and I sat down.

The CHAIRMAN. Mr. Shimon, you are a policeman. How long have you been a policeman?

Mr. SHIMON. Seven years.

The CHAIRMAN. You know what you were there for, don't you?

Mr. SHIMON. Well, I assume—without getting any specific orders, I assumed if there was any trouble. Of course——

The CHAIRMAN. You know that you were down there to keep anybody from getting to him as he got away, don't you? When he went out why were you keeping people away from him? What was your object?

Mr. SHIMON. I didn't keep anybody away from him.

The CHAIRMAN. Oh, well; you just said they told you not to let anybody go out and keep them from trying to get to him as he was getting away.

Mr. SHIMON. Well, I assume he didn't want the photographers out.

The CHAIRMAN. You were not up there as a policeman to protect them from photographers, were you?

Mr. SHIMON. We have such details.

The CHAIRMAN. Your judgment is that your sole object up there was to protect Mr. Hopson and his cane from photographers?

Mr. SHIMON. Not photographers. Anybody—a crowd, you know, milling around.

The CHAIRMAN. Oh, I see; you just had to protect this citizen from the crowds. That is what it was, was it?

Mr. SHIMON. I assume that is the detail.

The CHAIRMAN. Just such an important personage that you considered that this important personage simply had to be protected from the people?

Mr. SHIMON. It is just another detail.

The CHAIRMAN. I know it is another detail, but where were you trying to protect him from?

Mr. SHIMON. I assume to keep the crowd away from him, that is all. We have those details. Different people will visit and you have to keep the crowds from getting around—a detail to keep the crowds away from them. We get a lot of them.

The CHAIRMAN. See if you recognize that picture.
Mr. SHIMON. Yes. This is——
The CHAIRMAN. Who is that?
Mr. SHIMON. Right here?
The CHAIRMAN. Yes.
Mr. SHIMON. You mean this one?
The CHAIRMAN. Who is that with his back turned?
Mr. SHIMON. That is me.
The CHAIRMAN. All right; who is the other one?
Mr. SHIMON. Right here?
The CHAIRMAN. Yes.
Mr. SHIMON. I never saw him before.
The CHAIRMAN. Look at this gentleman. Where is Mr. McCarthy? Look at this gentleman right here.
Mr. SHIMON. Oh, that is McCarthy right there.
The CHAIRMAN. All right; and who is the other one?
Mr. SHIMON. Right here? That is a police officer with a cap, and this one is the tall man I told you about.
The CHAIRMAN. All right.
Mr. SHIMON. Now, here is the point I explained to you: I had to explain to him who I was. You see his hand right there. He was keeping me from getting into the elevator, and I was explaining to him who I was. I told him I was from police headquarters, and he let me go in.
The CHAIRMAN. But you saw Mr. McCarthy there, didn't you?
Mr. SHIMON. Yes.
The CHAIRMAN. And you know that you didn't let him get in?
Mr. SHIMON. I really didn't pay any attention. He might have done that.
The CHAIRMAN. Mr. Shimon, weren't you all instructed not to let him in?
Mr. SHIMON. No, no. Really, that is not so. I never heard of Mr. McCarthy. First time I ever saw him.
The CHAIRMAN. Why didn't you let him in?
Mr. SHIMON. He kept me out there until I told him who I was. You can see right there. I am explaining to him who I am, "I have orders to ride down with him."
The CHAIRMAN. Who is that man he is with?
Mr. SHIMON. Hopson.
The CHAIRMAN. With Mr. Hopson?
Mr. SHIMON. Yes. He was there. He sat there alongside of me this morning, and I walked out with him.
The CHAIRMAN. And the other man was already in the elevator at that time, wasn't he?
Mr. SHIMON. I believe so.
The CHAIRMAN. He was already in there?
Mr. SHIMON. I was the last one in. They were closing the door on me before I got in there.
The CHAIRMAN. Who is this one right here?
Mr. SHIMON. Who is that? Here? That looks like Hopson.
The CHAIRMAN. That is Hopson.
Mr. SHIMON. There was so many there I really didn't recognize anybody around except the tall man.
The CHAIRMAN. That one there is Mr. Hill, isn't it?
Mr. SHIMON. Who is that?
The CHAIRMAN. Did you meet Mr. Hill?
Mr. SHIMON. No; I never saw him before.
The CHAIRMAN. Didn't meet Mr. Hill. Look in there and see what Mr. McCarthy had in his hand.
Mr. SHIMON. It looks like a paper.
The CHAIRMAN. Like a paper, doesn't it?
Senator SCHWELLENBACH. You walked all the way down the hall to the point of the elevator that close to Mr. Hopson?
Mr. SHIMON. No; not that close. I was trying to get in there then.
Senator SCHWELLENBACH. No; but I mean all the way down the hall.
Mr. SHIMON. I had to get through 2 or 3 people around there. I think one was a uniform policeman who blocked my entrance. I told him who I was, and I got past somebody else, and about that time they were getting ready to close the door and this man stopped me and wanted to know where I was going.
Senator SCHWELLENBACH. How far was the elevator from the caucus room?
Mr. SHIMON. Not very far.
Mr. SCHWELLENBACH. Well, how far?
Mr. SHIMON. I would say about 50 feet.
Senator SCHWELLENBACH. Did you see Mr. McCarthy going down that hall with you?
Mr. SHIMON. I did not.
Senator SCHWELLENBACH. You did not?
Mr. SHIMON. No; I cannot say that I did.
Senator SCHWELLENBACH. Did you hear any conversation going on between Hopson and anybody?
Mr. SHIMON. I didn't hear the conversation. I didn't get close to hear any conversation.
The CHAIRMAN. Can't hear you.
Mr. SHIMON. I was not up close to hear any conversation that they were carrying on—this man walking alongside of him.
Senator MINTON. Were you behind Hopson when you were walking down the hall?
Mr. SHIMON. I was either 2 or 3 or 4 or 5 feet behind him. There was this line-up on both sides, and I had to try to keep up with him. I was jostling along with the crowd. That was about the size of it. And then there was a crowd around the elevator, and they were on the elevator before I got there. That is how I lost track of him.
The CHAIRMAN. Have you talked to anybody about this since?
Mr. SHIMON. I have not. I have been out on an assignment. I just reported back to the office. I haven't talked with anybody.
The CHAIRMAN. And you didn't know what your business was in walking down there with him?
Mr. SHIMON. I assumed it was to keep him away from the crowd, keep the crowds away from him.
The CHAIRMAN. Did somebody tell you that Hopson was the man you were to keep the crowds away from?
Mr. SHIMON. Oh, yes.
The CHAIRMAN. Who told you that?
Mr. SHIMON. Why, Hopson was the man who goes down the elevator when this chap said, "Now, when he gets up you keep the crowd—walk to the elevator and out to the street with him." And I assumed——
The CHAIRMAN. Wait a second. Read what he said he was told there.
Mr. RANDOLPH. "Why, Hopson was the man who goes down the elevator when this chap said, 'Now, when he gets up you keep the crowd—walk to the elevator and out to the street with him.'"
The CHAIRMAN. What was it he told you to do?
Mr. SHIMON. The best I can remember my instructions were to go to the elevator with Hopson.
Senator MINTON. Keep the crowd back?
Mr. SHIMON. He might have said, "Keep the crowd back", but everything happened so fast.
The CHAIRMAN. Go to the elevator with him?
Mr. SHIMON. That is it.
The CHAIRMAN. Did he tell you to go down the elevator with him?
Mr. SHIMON. Well, I assumed he wanted me to go to the elevator with him. I tried to get on all right. Oh, yes; I assumed he did, because he says, "We are going to take him down the side elevator and out the side door to a taxicab."
The CHAIRMAN. Oh, yes. He said, "We are going to take him down the side elevator"?
Mr. SHIMON. Yes.
The CHAIRMAN. "Out through the side door"?
Mr. SHIMON. Yes.
The CHAIRMAN. "Into the taxicab"?
Mr. SHIMON. Yes.
The CHAIRMAN. And then what did he tell you he wanted you to do in connection with that taking?
Mr. SHIMON. Well, his specific order was at the door to keep anybody from coming out the door.
The CHAIRMAN. Keep anyone from coming in that door?
Mr. SHIMON. That is all.
The CHAIRMAN. Ordinarily your duties require you to apprehend people that are wanted in some case, do they not? Those are your usual duties?
Mr. SHIMON. Our duties are to apprehend people wanted in other jurisdictions than Washington.
The CHAIRMAN. Have you ever served on a detail before where it was your duty to keep somebody away from a man that was wanted?
Mr. SHIMON. Why, no.
The CHAIRMAN. That is rather a new detail, isn't it?
Mr. SHIMON. Well, Hopson was here. I didn't know they wanted him any further than they had him.
The CHAIRMAN. Oh, you didn't?
Mr. SHIMON. I didn't know he was wanted any further. I know they were quite upset here about a week ago. The papers had him in town and out of town.
The CHAIRMAN. How fast did he run?
Mr. SHIMON. He is not so fast.
The CHAIRMAN. He was running about the best he could?
Mr. SHIMON. Well, I——
The CHAIRMAN. Did he throw his cane down, or did he carry it with him?
Mr. SHIMON. I believe he carried it with him. I didn't see it fall.
The CHAIRMAN. Didn't see it fall?
Mr. SHIMON. No.
The CHAIRMAN. Did Mr. Hill, his lawyer, run, too?
Mr. SHIMON. Oh, his lawyer didn't go with him.
The CHAIRMAN. Who did go with him in the taxicab?
Mr. SHIMON. This tall fellow. Oh, that is right; there was another one in the elevator—his lawyer. The fellow that sat with him, he left us on the main floor.
The CHAIRMAN. I see.
Mr. SHIMON. That is right.
The CHAIRMAN. And these two ran to a car as fast as they could run and beat it right then, didn't they?
Mr. SHIMON. Yes.
The CHAIRMAN. As fast as they could go, then, didn't they—that is correct, isn't it?
Mr. SHIMON. Oh, yes; they got off in a hurry.
The CHAIRMAN. They what?
Mr. SHIMON. They got off in a big hurry.
The CHAIRMAN. And then this gentleman from the Rules Committee told you it was all over and you left, didn't you?
Mr. SHIMON. That is correct.
The CHAIRMAN. That is correct?
Mr. SHIMON. That is correct.
The CHAIRMAN. Thanked you for your services in aiding to get Mr. Hopson away, and everything was good?
Mr. SHIMON. Said, "It is all over."
The CHAIRMAN. Said what?

Mr. SHIMON. Said, "It is all over."

The CHAIRMAN. Said, "It is all over"—after they left.

Senator SCHWELLENBACH. What did Hill say when he got off cn the main floor?

Mr. SHIMON. I didn't hear what Hill said. He said something to Mr. Hopson, and I didn't quite catch it, and then Hill walked away. This other fellow had Hopson by the arm kind of hurrying him along. They were in a hurry about getting out of there.

The CHAIRMAN. Was hurrying to get out?

Mr. SHIMON. Yes.

The CHAIRMAN. There isn't any question about that. There is no doubt about that.

Mr. SHIMON. There is no doubt about that.

Senator GIBSON. I suppose you have had quite an experience with fugitives?

Mr. SHIMON. I have, sir.

Senator GIBSON. Arresting them, picking them up?

Mr. SHIMON. Yes, sir.

Senator GIBSON. Quite often they run?

Mr. SHIMON. Oh, yes; if you give a chance to them.

Senator GIBSON. Usually, if they have the opportunity?

Mr. SHIMON. Well, we try not to give them an opportunity. I have never had one run from me.

Senator GIBSON. If you give them an opportunity, they would run?

Mr. SHIMON. I guess they would; but I never had one run.

Senator GIBSON. Mr. Hopson ran.

Senator MINTON. He had an opportunity.

The CHAIRMAN. Those fugitives that you have been after heretofore were not so fortunate as Mr. Hopson to have police protection?

Mr. SHIMON. No.

The CHAIRMAN. Usually the police are after them.

Senator GIBSON. Did you have orders to go back tomorrow?

Mr. SHIMON. No, sir.

Senator GIBSON. Not any further orders in regard to the Rules Committee?

Mr. SHIMON. No; no further orders.

Senator GIBSON. Did you go out to the Shoreham?

Mr. SHIMON. I was out there, I think, last week or week before last.

Senator GIBSON. How many times?

Mr. SHIMON. Once.

Senator GIBSON. How long did you stay?

Mr. SHIMON. I stayed 13 hours.

Senator GIBSON. What did you do?

Mr. SHIMON. Told me to watch a room, and I stayed out in the hallway.

Senator GIBSON. What did you do?

Mr. SHIMON. I just sat there and watched the room.

The CHAIRMAN. Did it leave?

Mr. SHIMON. No.

Senator GIBSON. Did anybody go into the room?

Mr. SHIMON. No. We were to sit there or stand there the best we could, and, if anybody came to the particular room, to notify Congressman O'CONNOR. That was all.

Senator GIBSON. And no one came?

Mr. SHIMON. No one came.

Senator GIBSON. Whose room was it?

Mr. SHIMON. I haven't found that out.

Senator GIBSON. Well, wasn't it rather a peculiar assignment to be sent to watch a room and you didn't know whose room it was?

Mr. SHIMON. Well, it was supposed to have been—Hopson was supposed to stay there.

Senator GIBSON. Do you think he was in there?

Mr. SHIMON. I don't know. He was not there for 13 hours that I was there.

Senator GIBSON. Was anybody in the room?

Mr. SHIMON. I don't think so.

Senator GIBSON. You think Hopson was expected for that room?

Mr. SHIMON. Well, from what they told us, he had occupied the room the night before and they expected him back.

Senator GIBSON. Did you check up with the room clerk?

Mr. SHIMON. I didn't check up.

Senator GIBSON. Did anyone check with the room clerk?

Mr. SHIMON. I think it was checked by Mr. Lambert.

Senator GIBSON. Mr. Lambert?

Mr. SHIMON. Yes.

Senator GIBSON. To see if he did actually occupy the room?

Mr. SHIMON. To the best of my knowledge, there was nobody by the name of Hopson checked into that room.

Senator GIBSON. Did you check to see if the room was in fact occupied?

Mr. SHIMON. I had no way of getting in there.

Senator GIBSON. I mean with the room clerk.

Mr. SHIMON. No; I didn't.

Senator GIBSON. Did Sergeant Lambert?

Mr. SHIMON. I don't know. I don't think that was expected of us. We were just told to watch.

Senator GIBSON. You were just told to watch by your superior officer?

Mr. SHIMON. I was told by my superior officer to report to the Shoreham Hotel and see a Mr. Tavener.

Senator GIBSON. Mr. who?

Mr. SHIMON. Tavener, I think his name is.

Senator GIBSON. Did you see Mr. Kavanaugh?

Mr. SHIMON. Tavener.

Senator GIBSON. Oh, Tavener?

Mr. SHIMON. Yes.

Senator GIBSON. Did you see him?

Mr. SHIMON. I did.

Senator GIBSON. Where did you see him?

Mr. SHIMON. He was in the lobby of the Shoreham Hotel.

Senator GIBSON. Who is he?

Mr. SHIMON. Mr. Tavener.

Senator GIBSON. Yes; but I mean what was his business?

Mr. SHIMON. Well, he said he was there trying to locate a Mr. Hopson, supposed to be in the hotel at the time, and he had a subpena from the House committee.

Senator GIBSON. He was a process server for the House committee?

Mr. SHIMON. Yes; and this other man was with him I referred to from that committee over there that was in the elevator with him.

The CHAIRMAN. Oh, this other man that was protecting him over there this morning?

Mr. SHIMON. Yes. They were together.

Senator GIBSON. The process server and the man who was protecting him went together?

Mr. SHIMON. And they seemed to be in charge, and we were told to report to them. So we were to watch room 405.

The CHAIRMAN. You didn't stand up all that 13 hours?

Mr. SHIMON. Oh, we stood up and sat down.

The CHAIRMAN. Did they bring you a chair?

Mr. SHIMON. They did after a few hours.

The CHAIRMAN. You had a chair out in front of this room in the hall?

Mr. SHIMON. Later in the evening I was shifted up to the eighth floor and was told to watch Mr. B. B. Robinson's room.

Senator GIBSON. Who was he?

Mr. SHIMON. That is all I know, B. B. Robinson.

The CHAIRMAN. Did you have a chair up there also?

Mr. SHIMON. Well, I sent for one after the first couple of hours.

The CHAIRMAN. You just sat there in the hallway on a chair?

Mr. SHIMON. That is all.

The CHAIRMAN. Out in front of the door?

Mr. SHIMON. Not in front of the door. Around the corner.

The CHAIRMAN. But could you see?

Mr. SHIMON. Oh, you couldn't see the door.

The CHAIRMAN. And if they couldn't see you how could you see them?

Mr. SHIMON. Well, you could hear anybody getting off the elevator. You could look around the corner.

The CHAIRMAN. Oh, you just sat there and waited 13 hours?

Mr. SHIMON. Yes.

The CHAIRMAN. The committee will adjourn until in the morning at 10 o'clock in room 357.

(Accordingly, at 4:55 p. m., a recess was taken until 10 a. m. the following day, Wednesday, Aug. 14, 1935.)

Mr. McNARY. Mr. President, is it the request and the desire of the Senator to have immediate consideration of this matter?

Mr. BLACK. I will state to the Senator that I personally see no reason why it should not be considered at this time. However, the Senator from Mississippi [Mr. HARRISON] states that he desires to have a vote on a motion to table the motion of the Senator from Michigan [Mr. VANDENBERG].

Mr. McNARY. I have no present objection to the immediate consideration of the resolution; but I think it would be fair to give notice to the absent Members of what is proposed to be done, and I was about to suggest the absence of a quorum.

Mr. BLACK. I think the Senator is correct in the suggestion that there should be a quorum call. The Senator from Mississippi thought he could secure a vote on the motion to table at this time, however.

Mr. HARRISON. Mr. President, I had hoped the Senator from Alabama would withhold this matter until we could have a vote on the motion made by the Senator from Michigan [Mr. VANDENBERG].

Mr. McNARY. I think it is the desire of my colleague [Mr. STEIWER] to speak upon the pending motion.

Mr. HARRISON. If that is the case, of course we cannot have a vote at once.

The VICE PRESIDENT. Let the Chair state the parliamentary situation, if the Senate desires to have that done.

The Senate had under consideration the tax bill. The Senator from Michigan [Mr. VANDENBERG] made a motion to recommit the bill. The Senator from Alabama [Mr. BLACK] secured the floor, and submitted a privileged resolution, which is subject to debate. The Senator from Oregon has the floor.

Mr. McNARY. Mr. President, this is a Democratic responsibility all down the line. I am not going to make any suggestion, other than that if a privileged question is to be taken up, I desire to have a quorum present.

Mr. HARRISON. If the Senator will yield, we do not think it is by any means merely a Democratic question; but, if the Senator and his colleague [Mr. STEIWER] will permit me to do so, I was about to make a motion to lay on the table the motion to recommit, so that we might get that question out of the way this afternoon.

Mr. McNARY. I hope the Senator from Mississippi will not do that. It would foreclose discussion by my colleague.

Mr. HARRISON. I shall not do it, of course, if the Senator from Oregon desires to speak first. That is why I have not made the motion.

Mr. STEIWER. Mr. President, I desire to be heard on the motion to recommit.

Mr. McNARY. Let it be understood that my colleague will address the Senate, and then later we will dispose of this matter.

The VICE PRESIDENT. Does the Senator from Oregon suggest the absence of a quorum?

Mr. McNARY. No; it is not the desire of my colleague to have that done. I merely wish in some fashion to notify Senators who are absent if we are about to take up the privileged question presented by the Senator from Alabama.

The VICE PRESIDENT. The Senator from Oregon has the floor; but the Chair feels that he should recognize the Senator from Alabama, who has a privileged matter.

Mr. ROBINSON. Mr. President, with the approval of the Senator from Alabama, I ask unanimous consent that the privileged question now before the Senate go over until tomorrow.

The VICE PRESIDENT. Is there objection?

Mr. FLETCHER. Why not read the resolution? If it is not to be read, I ask that it be printed in the RECORD.

The VICE PRESIDENT. The Senator from Florida requests that the resolution be printed in the RECORD. Is there objection? The Chair hears none.

The resolution (S. Res. 186) this day presented by Mr. BLACK is as follows:

Resolved, That the President of the Senate issue a citation directing H. C. Hopson and W. A. Hill to show cause, if any they have, why they should not be punished for contempt of the Senate on account of their efforts to prevent the service of process of the special Senate committee under Senate Resolution No. 165 upon H. C. Hopson, and by reason of the failure and refusal of the said H. C. Hopson to appear before the said special Senate committee to give testimony in accordance with the summons served upon him on August 14.

Mr. BLACK. Mr. President, I understood the unanimous-consent request of the Senator from Arkansas to be that we now proceed with this matter.

Mr. ROBINSON. No; my request was that the resolution go over. The Senator from Alabama has indicated, however, that that course is not acceptable to him.

Mr. BLACK. I suggest to the Senator that he and I discuss the matter, and meanwhile that it be laid aside for the purpose of enabling the Senator from Oregon [Mr. STEIWER] to discuss the pending motion. Then I can discuss this privileged matter with the Senator from Arkansas, and probably we can arrive at a conclusion which will be mutually satisfactory.

Mr. ROBINSON. I ask, then, that the privileged matter be temporarily laid aside.

The VICE PRESIDENT. Is there objection? The Chair hears none.

INCOME AND INHERITANCE TAXATION

The Senate resumed the consideration of the bill (H. R. 8974) to provide revenue, equalize taxation, and for other purposes.

Mr. STEIWER. Mr. President, much that I had thought ought to have been said in behalf of the motion to recommit has already been said by other Senators. I shall endeavor, therefore, to avoid a repetition of arguments heretofore made, and to summarize in a reasonably brief compass the views which I wish to present.

I am one of those who regard the pending tax bill as inadequate, both as a producer of revenue and as a proposal in behalf of social justice. It is inadequate on the first score because the amount proposed to be raised by the bill is pathetically disproportionate to the necessities of the day.

It is inadequate on the second score because it does so little in a substantial way toward the redistribution of wealth or toward the leveling off of the great fortunes of the country.

In my humble opinion the bill falls so far short of the proposal made by the Chief Executive of this country that it may well be regarded as repudiation of the President's theory.

I ask the indulgence of Senators while I read brief excerpts from the President's message to the Congress on June 19, 1935. In that message the President made these statements:

I am able to make a number of suggestions of important changes in our policy of taxation. These are based on the broad principle that if a government is to be prudent its taxes must produce ample revenues without discouraging enterprise; and if it is to be just it must distribute the burden of taxes equitably.

It is most obvious from the discussion already had that the pending tax bill does neither of these things.

The President also said, with respect to the subject of taxation of great wealth:

The transmission from generation to generation of vast fortunes by will, inheritance, or gift is not consistent with the ideals and sentiments of the American people.

The desire to provide security for one's self and one's family is natural and wholesome, but it is adequately served by a reasonable inheritance. Great accumulations of wealth cannot be justified on the basis of personal and family security. In the last analysis such accumulations amount to the perpetuation of great and undesirable concentration of control in a relatively few individuals over the employment and welfare of many, many others.

The most perfunctory examination of the pending bill will disclose that the haste with which it has been drawn has resulted in a betrayal of the purpose which the President included in his message and, moreover, that the report of the committee in a very practical way admits that it did not have time to give to the message adequate consideration. I quote from page 8 of the report of the Senate Committee on Finance as follows:

While it is recognized that the inheritance tax in a number of respects is more equitable than the estate tax, nevertheless the difficulties encountered in designing an inheritance tax even reasonably free from serious administrative difficulties are very numerous. Your committee believes, therefore, that, in view of the short time available for the study of an inheritance tax, it is safer to accomplish the same general purposes by an increase in estate-tax rates.

Mr. GORE. Mr. President, I have just entered the Chamber. What is the Senator quoting?

Mr. STEIWER. I am quoting from the report of the committee.

The House had included in its draft of the bill a provision for a high rate of tax upon inheritances. The Committee on Finance in its wisdom has stricken that provision from the bill, and has substituted for it a schedule of estate taxes, phrased in the main upon existing law, but decreasing the exemption from $50,000 to $40,000, and increasing the rates.

I invite the attention of the Senate to the accomplishment of the committee with respect to the increases in this rate. Upon page 8 of the committee report we find the estate-tax rates upon certain net estates after deduction of the exemptions as provided by law. An examination of the table, to which I now refer, shows that upon a net estate up to $10,000 the rate has been made 2 percent, against the rate in existing law of 1 percent. In other words, whereas the tax now would be $100, the bill pending before the Senate would make it $200.

On a net estate of between $10,000 and $20,000 the rate has been raised from 2 percent to 4 percent, and so in the schedules just above those to which I have just now called attention. We find in all the brackets, up to a net estate of $50,000, that the rate has been doubled.

I think it would be impossible to place too much emphasis upon the fact that upon all the net estates from $50,000 down the tax rate has been doubled.

Mr. President, let me invite attention now to the changes in rates with respect to estates where the net estate is greater than those to which I have just now referred. If the net estate is $1,000,000 and up to a million and a half, we find that the

rate in the existing law is 28 percent, and the rate in the bill now pending before the Senate is 32 percent. Thus the tax rate has been raised 4 percent.

If we take a much larger estate—we will say one of $5,000,000 up to $6,000,000 in net amount—we find that the existing rate is 50 percent, and the rate proposed by the Finance Committee is 56 percent. So in the very highest brackets we find that the rate has been increased something like 5 or 6 or 7 percent.

I bring this to the attention of the Members of the Senate because I do not want to employ my personal opinion, but wish the facts stated in the report of the committee to emphasize that the bill raises the tax upon the lowest estates 100 percent and upon the great estates somewhere from 7 up to 8 or 9 or 10 percent.

I submit that there has been a betrayal of the purpose and theory of the President. The philosophy upon which his message proceeded has been abandoned entirely by the committee, so far as this part of the bill is concerned.

I do not criticize the committee; I do not know that they were in error, but I do know that we are confronted with confusion, one theory from the White House, another theory from our Committee on Finance, and still another theory which has come to us embodied in the bill from the House of Representatives.

I have no doubt that if adequate consideration could be given to this subject these various conflicts might be reconciled and that the Members of this body and the great Finance Committee would be able to bring about some rational understanding of the problems which are before us, but that reconcilement has not yet been had, and the case is now before us upon this confused basis of a Presidential recommendation in one direction, a Finance Committee recommendation in another direction, with the House of Representatives acting in still another.

I shall not detain the Senate to go into further detail with respect to the specific provisions of the bill. On several scores criticism might be made much in keeping with the criticism which I have just made with respect to the estate taxes. In this condition of confusion, when we are confronted with a bill of discordant purposes, and at the same time know that as a Budget-balancing bill it is admittedly a failure, and when we know, Mr. President, that the whole country is confused, just as the Congress is confused, it seems to me it would be well for us to halt, and to analyze very carefully the economic consequences of legislation of this kind before we enact it.

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

Mr. STEIWER. I yield.

Mr. WALSH. Does the Senator contemplate pressing his motion at this stage?

Mr. STEIWER. I do not know the motion to which the Senator from Massachusetts refers. I am addressing myself to the motion of the Senator from Michigan [Mr. VANDENBERG], who has moved to recommit the bill to the Committee on Finance. There is no other motion pending.

Mr. WALSH. I thought the Senator from Oregon made the motion.

Mr. VANDENBERG. Will the Senator yield?

Mr. STEIWER. I yield.

Mr. VANDENBERG. It is my view that if the motion to reconsider, with instructions to report at the next session, shall be carried, it will preclude the necessity for any further debate, and therefore the logical thing is to take a vote now on the motion to recommit.

Mr. WALSH. Mr. President, it seems to me it would be helpful to the Committee on Finance, assuming it to be desirable to recommit the bill, to have the measure discussed on the floor in order to get the views of the Members of the Senate. I hope the Senator will not press his motion until after the bill shall have been further discussed in the Senate.

Mr. STEIWER. I think there is much in the suggestion which was made by the Senator from Massachusetts that it would be well, on account of the great importance of the subject, and also on account of the importance of the motion made by my colleague the Senator from Michigan, that the motion be very thoroughly debated and considered. However, I do not know that there is any large number of Senators interested in the further presentation of this matter.

Now I wish, as I had started to do, to call attention to another phase of the tax subject which, to my mind, is very important. June 12, 1934, Congress passed a tariff treaty law, and under it our State Department has been carrying on negotiations with a number of the countries of the world. Four treaties have already been negotiated, others are under negotiation, still others are in contemplation. It is beginning to be quite evident that if the State Department shall be permitted to proceed unampered before a great while it will have revised a great part of the tariff law of this country.

I make no reference at this time to the economic aspects of that transformation, much less to the theory of protection, or the political questions which are involved. I refer to the subject only to say that this readjustment in the tariff structure has a very pronounced and immediate effect upon the revenues of our country. It is said with respect to the Cuban tariff agreement that the decreases in duties upon sugar and upon tobacco—upon two items alone—will reduce our revenues in an amount approximating $50,000,000 a year. I have been told by those who are students of the revenues derived by our Government from the customs duties that if the various treaties which are now under contemplation are actually entered into, almost immediately our Treasury will suffer a loss in customs duties which will amount to something near $250,000,000 per year. I call attention to this figure at this time because it happens to approximate the figure which is estimated as the yield under the pending bill, and because I wish to suggest to those who are listening to me that the real question involved here is not so much the taxation of the rich nor the taxation of the poor. The real question involved here is a question of governmental powers.

Congress delegated to an executive department the authority to carry on treaty negotiations, and to give away or forego the revenues which may amount to a quarter of a billion dollars per year. Now if Congress shall pass the pending bill, and we delegate to the administrative agencies further authority to make the appraisal which the Federal agents put upon the estate at the time of the collection of the tax from the taxpayer Congress will have delegated still greater authority to the administrative agencies. First we substitute for one revenue of approximately $250,000,000 another revenue estimated at $250,000,000, and then we leave the matter at least 50 percent in the hands of those who are collecting the taxes.

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

Mr. STEIWER. I yield.

Mr. GORE. I desire to ask the Senator if he thinks the estimate can be well founded or reliable that these trade agreements would reduce our receipts from the customs duties as much as $250,000,000. As I recall the total receipts from customs are slightly above $300,000,000.

Mr. STEIWER. No; they are more than that, Mr. President.

Mr. GORE. They are not much more.

Mr. STEIWER. At times they have been as much as $600,000,000.

Mr. GORE. I know they have been at times, but that was when we were doing a great deal of trading.

Mr. STEIWER. And even in these times it is quite possible that the wholesale basis upon which the State Department proposes to make these reductions in duties will result in the loss to the Treasury of customs duties approximating $250,000,000, or some other sum nearly as great.

Mr. GORE. I will say to the Senator that I find the receipts from customs duties for the fiscal year 1934 amounted to $313,000,000 and for the fiscal year ending June 30, 1935, to $343,000,000, and I could not conceive it possible that there would be a loss of five-sixths of that amount.

Mr. STEIWER. I tested that estimate with respect to the Cuban duties, and I found that in the Cuban duties the rate

upon sugar, which was formerly 2 cents per pound, had been cut down to something under 1 cent, and that that loss in the Cuban duties was estimated on sugar alone at about $44,000,000 per year.

Mr. GORE. I know sugar brings in a large percentage of our total revenues from customs.

Mr. STEIWER. The tobacco duty in respect to Cuba, I think has been reduced enough to bring the total to $50,000,000, and there will be some additional losses in the Cuban duties which have not been taken into calculation.

Mr. GORE. I should think that the reduction might approximate $50,000,000 on sugar, but I feel certain that it could not be five-sixths of the total amount collected from customs duties.

Mr. STEIWER. The figure which I have used may be too high, but it is not as much too high as the Senator from Oklahoma may assume. The estimate made for me was made by two persons—one an economist who spends a good deal of his time in consideration of tariff matters, and the other by a former member of the Tariff Commission.

Mr. LEWIS. Mr. President, will the Senator yield for a question?

Mr. STEIWER. I yield.

Mr. LEWIS. I am very much interested in this phase of the discussion. Does the Senator mean to intimate his belief that the treaties which are already executed or those which he understands have been proposed and may be executed carry the possibility of a loss of $250,000,000 in customs revenue?

Mr. STEIWER. In making the computation those who furnished me the figure took into consideration the four treaties already executed, plus those which are now under negotiation, and which it is assumed may be executed at some time in the near future.

Mr. President, I refer to this subject not because it is controlling with respect to a tax bill presently pending before the Senate, but because I desire to emphasize the confusion of mind and purpose which permits an administration of our Government by the process of delegation of power and by hastily considered tax legislation to substitute one sort of taxes for another to an extent which may conceivably be $250,000,000, but which if only $150,000,000 would use up 60 percent of the estimated yield of the pending bill. It is this sort of situation against which I wish to protest. I cannot believe that there will be one step taken in the direction of recovery if the tax policy of our Government is to remain as loose, immature, and as poorly digested as is indicated by this bill.

I now refer briefly to the theory upon which our tax policy might proceed. I shall content myself to make just one or two brief observations about it.

In the first place, the situation produced by delegated power, with dwindling revenues at the customhouse, and the creation of new taxes born in moments of uncertainty, administered by agents who may be generous in their appraisals or who may not be generous in their appraisals, all tends to bring about a condition of aimless uncertainty. It all tends to bring about a situation where recovery is retarded, first, by the higher tax upon industry and enterprise, and, second, by the degree of uncertainty in which the country finds itself.

I call attention in this connection to a fact which every Senator knows and which every member of the Finance Committee particularly knows, and that is that the rate of tax does not determine the yield. The rate of tax taken in connection with the condition of business in the country is what determines the net yield.

Let me call attention to some very interesting figures. The income taxes of our Government for the fiscal year ending June 30, 1926, according to the reports in my possession, amounted to $1,982,000,000 plus. The same for the fiscal year ending June 30, 1934, amounted to $818,000,000. I take the year 1926 because some like to refer to that as a year of normal business conditions. That is the year to which some of our economists would like to return. It is not the highest in business turnover and profits, nor is it the lowest. Whether it be the precise year that ought to be taken or not, it is fairly near the standard of what a prosperous condition ought to produce in the country.

To me it is an eloquent fact that in that year lower rates produced nearly $2,000,000,000, whereas in the year 1934 increased rates produced less than $1,000,000,000. I insist that it is not the rate which makes the revenue. It is the rate plus the activity and the condition of business. The proposed taxes, poorly considered as they are, brought hastily before the country, at least in part in violation of the President's theory, in contradiction of the idea of the House of Representatives, born of 5 or 6 days of consideration, and then heralded forth as the solution of the tax question of this country, will do more to retard recovery than most anything else the Congress could do at this time.

The net result, with the higher rates applied under a lower standard of business conditions, where recovery is retarded, will bring, not additional revenue to the Treasury but less revenue than our Treasury is receiving at this time.

I am almost ready to say that the estimate of the experts of the committee that the bill will yield $254,000,000 per year is a more hazardous estimate than the estimates of customs losses to which I made reference a little while ago. The bill will not yield $254,000,000 a year if it discourages enterprise and prevents recovery at this crucial time in our history.

The tax bill, without definite plan, brings burdens without benefit. It is a sort of expression of futility without any compensating net gain to our people. To my mind, there is no argument against the recommitment of the bill. There is no one fair argument against further consideration by the Finance Committee of the Senate.

It has been pointed out already that no taxes will be collected under the bill between now and the beginning of the next session of Congress. There is nothing at all before us at this moment save a frenzied effort to dispose of a poorly drawn piece of legislation. The taxes could be collected later under a law enacted next January or February. Our country would have an opportunity to express itself, our business people an opportunity to ascertain the effect of the tax upon them, our economists an opportunity to make their study, our committee an opportunity to give further time to the question, and then to bring back to the Senate a bill for which we will not be obliged to apologize at some future day.

To my mind, to all this there is only one fair answer, and that is to vote in behalf of the motion to recommit the bill and to get a good bill at an eventual date to supersede this hastily considered measure which is pending before us at this time.

Mr. HARRISON. Mr. President, I hope we may now have a vote on the motion to recommit the bill. I suggest the absence of a quorum.

Mr. McNARY. Yes; let there be a quorum call.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Copeland	Lonergan	Schall
Ashurst	Costigan	McGill	Schwellenbach
Austin	Davis	McKellar	Sheppard
Bachman	Dieterich	McNary	Shipstead
Bailey	Fletcher	Maloney	Smith
Bankhead	Frazier	Metcalf	Steiwer
Barbour	George	Minton	Thomas, Okla.
Barkley	Gerry	Moore	Thomas, Utah
Bilbo	Gibson	Murphy	Townsend
Black	Glass	Murray	Trammell
Bone	Gore	Neely	Truman
Borah	Guffey	Norbeck	Tydings
Brown	Hale	Norris	Vandenberg
Bulkley	Harrison	Nye	Van Nuys
Bulow	Hastings	O'Mahoney	Wagner
Burke	Hatch	Overton	Walsh
Byrd	Hayden	Pittman	Wheeler
Byrnes	Johnson	Radcliffe	White
Carey	King	Reynolds	
Chavez	La Follette	Robinson	
Connally	Lewis	Russell	

Mr. LEWIS. Mr. President, I rise to reannounce the absence of certain Senators and the causes therefor as stated by me on a previous roll call.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

Mr. HARRISON. Mr. President, may we now have a vote on the motion of the Senator from Michigan?

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). The question is on the motion of the Senator from Michigan [Mr. VANDENBERG] to recommit the bill to the Committee on Finance, with instructions.

Mr. McNARY. On that motion I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). On this question I have a pair with the senior Senator from New Hampshire [Mr. KEYES]. I transfer that pair to the Senator from Idaho [Mr. POPE], and will vote. I vote "nay."

The roll call was concluded.

Mr. BARKLEY. I announce the unavoidable absence of my colleague [Mr. LOGAN], and that, if present, he would vote "nay."

Mr. AUSTIN. I announce the following pairs:

The Senator from Iowa [Mr. DICKINSON] with the Senator from Mississippi [Mr. BILBO]; and

The Senator from Delaware [Mr. HASTINGS] with the Senator from Wisconsin [Mr. DUFFY].

The Senator from Delaware [Mr. HASTINGS] is necessarily absent. If present, he would vote "yea", and the Senator from Wisconsin would vote "nay."

The Senator from New Hampshire [Mr. KEYES] also is necessarily absent. If present, he would vote "yea."

Mr. BULKLEY. I have a general pair with the senior Senator from Wyoming [Mr. CAREY], who is absent. Not knowing how he would vote, I withhold my vote.

Mr. DAVIS (after having voted in the affirmative). Has the junior Senator from Kentucky [Mr. LOGAN] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. DAVIS. I have a general pair with the Senator from Kentucky. Not knowing how he would vote, I withdraw my vote.

Mr. LEWIS. I announce that the Senator from Arkansas [Mrs. CARAWAY], the Senator from Missouri [Mr. CLARK], the Senator from Massachusetts [Mr. COOLIDGE], the Senator from Ohio [Mr. DONAHEY], the Senator from Wisconsin [Mr. DUFFY], the Senator from Oklahoma [Mr. GORE], the Senator from Louisiana [Mr. LONG], the Senator from California [Mr. McADOO], the Senator from Nevada [Mr. McCARRAN], the Senator from Idaho [Mr. POPE], the Senator from Indiana [Mr. VAN NUYS] are necessarily detained from the Senate.

The Senator from West Virginia [Mr. HOLT] is detained by illness.

The Senator from New York [Mr. WAGNER] is detained at a conference at the White House. I am advised that if present and voting he would vote "yea."

The Senator from Rhode Island [Mr. GERRY] is also unavoidably detained. If present, he would vote "yea."

Mr. BILBO (after having voted in the negative). I note the absence of my pair, the Senator from Iowa [Mr. DICKINSON]. Not knowing how he would vote, I transfer my pair with him to the Senator from Indiana [Mr. VAN NUYS], and will let my vote stand.

The result was announced—yeas 19, nays 55, as follows:

YEAS—19

Austin	Gibson	Metcalf	Tydings
Barbour	Glass	Moore	Vandenberg
Burke	Hale	Schall	Walsh
Byrd	Lonergan	Steiwer	White
Copeland	McNary	Townsend	

NAYS—55

Adams	Chavez	Lewis	Radcliffe
Ashurst	Connally	McGill	Reynolds
Bachman	Costigan	McKellar	Robinson
Bailey	Dieterich	Maloney	Russell
Bankhead	Fletcher	Minton	Schwellenbach
Barkley	Frazier	Murphy	Sheppard
Bilbo	George	Murray	Shipstead
Black	Guffey	Neely	Smith
Bone	Harrison	Norbeck	Thomas, Okla.
Borah	Hatch	Norris	Thomas, Utah
Brown	Hayden	Nye	Trammell
Bulow	Johnson	O'Mahoney	Truman
Byrnes	King	Overton	Wheeler
Capper	La Follette	Pittman	

NOT VOTING—22

Bulkley	Davis	Hastings	McCarran
Caraway	Dickinson	Holt	Pope
Carey	Donahey	Keyes	Van Nuys
Clark	Duffy	Logan	Wagner
Coolidge	Gerry	Long	
Couzens	Gore	McAdoo	

So Mr. VANDENBERG's motion to recommit was rejected.

H. C. HOPSON AND W. A. HILL

Mr. BLACK. Mr. President, on behalf of myself and the entire committee acting under Senate Resolution No. 165, I send to the desk a resolution for which I ask immediate consideration.

The VICE PRESIDENT. The Senator from Alabama submits a resolution which will be read.

The resolution (S. Res. 186) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the President of the Senate issue a citation directing H. C. Hopson and W. A. Hill to show cause, if any they have, why they should not be punished for contempt of the Senate on account of their efforts to prevent the service of process of the special Senate committee under Senate Resolution No. 165 upon H. C. Hopson and by reason of the failure and refusal of the said H. C. Hopson to appear before the said special Senate committee to give testimony in accordance with the summons served upon him on August 14.

Mr. BLACK subsequently said: Mr. President, I ask unanimous consent that the President of the Senate be given the right to sign the citation which has been ordered by the Senate in connection with the proceedings against Mr. Hopson and Mr. Hill.

The VICE PRESIDENT. When the Senate is not in session?

Mr. BLACK. Yes; when the Senate is not in session.

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

INCOME AND INHERITANCE TAXATION

The Senate resumed the consideration of the bill (H. R. 8974) to provide revenue, equalize taxation, and for other purposes.

The VICE PRESIDENT. The clerk will state the first amendment of the committee.

Mr. McNARY. Mr. President, is not the Senator from Mississippi satisfied to have the Senate now take a recess?

Mr. HARRISON. I had hoped that we might finish with the first amendment.

Mr. LA FOLLETTE. Mr. President, I am sure it is not necessary for me to state to the Senator from Mississippi that I am very anxious to make progress with the bill, but it so happens that the amendments which I desire to offer all have to come in the nature of a substitute for the first committee amendment to the individual income-tax schedule, and unless it were contemplated to hold the Senate in session for some considerable time I should prefer not to take up the amendments now and to have their consideration interrupted by a recess.

Mr. HARRISON. Mr. President, would it be satisfactory then if we should pass over the first amendment and proceed with some of the other amendments to which there is no objection?

Mr. LA FOLLETTE. That will be perfectly agreeable to me.

Mr. HARRISON. Would that be agreeable to the Senator from Oregon? I would not ask the Senate to proceed beyond 5:30 o'clock, say.

Mr. McNARY. I think we have made wonderful progress, and I am equally anxious to get through with the bill, but it is 5 o'clock, and there is much to be done in our offices, and I think the Senate should now take a recess.

Mr. HARRISON. The Senate, of course, is showing a fine inclination to speed along the consideration of the bill, and I hope that it will be possible to conclude the consideration of the bill by Friday.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

EXECUTIVE REPORTS OF COMMITTEES

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably the following nominations:

Hugh H. Watson, of Vermont, now a Foreign Service officer of class 3 and a consul, to be a consul general; and

Findley B. Howard, of Nebraska, to be Envoy Extraordinary and Minister Plenipotentiary to Paraguay.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

He also, from the same committee, reported adversely the nomination of Columbus C. Goza to be postmaster at Magnolia, Miss., in place of S. W. Pendarvis.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar.

ARMY PROMOTIONS UNDER PROMOTION ACT

Mr. SHEPPARD. Mr. President, from the Committee on Military Affairs I report quite a number of nominations, representing promotions brought about automatically as a result of the Army Promotion Act. In view of the fact that it would be quite expensive to publish all these names in the Executive Calendar, and in view of the fact that they are of a routine nature, I ask unanimous consent that the nominations of those officers whose names are not marked with the symbol (x) be confirmed subject to physical examination; that the nominations of the others be confirmed without condition; and that the President be notified of all the confirmations.

The VICE PRESIDENT. Is there objection? The Chair hears none; the nominations are confirmed as requested by the Senator from Texas, and the President will be notified.

DEFERRED POST-OFFICE NOMINATIONS

Mr. McKELLAR. Mr. President, we are approaching the close of the session, I hope, and I desire to call attention to the fact that there are about 200 post-office nominations which have been held in the committee at the request of various Senators. I hope the Senators will examine these nominations, and act on them as soon as possible.

THE CALENDAR

The VICE PRESIDENT. If there be no further reports of committees, the calendar is in order.

RESETTLEMENT ADMINISTRATION

The legislative clerk read the nomination of J. H. Jenkins, of Colorado, to be regional director.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. ROBINSON. I ask that the nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

LEGISLATIVE SESSION

Mr. ROBINSON. I move that the Senate resume legislative session.

The motion was agreed to; and the Senate resumed legislative session.

SIGNING OF THE SOCIAL-SECURITY BILL

Mr. HARRISON. Mr. President, it has just been my pleasure to be present when the President of the United States attached his signature to the social-security bill. In my opinion, this will prove one of the most beneficial pieces of legislation enacted by this administration. I am happy to have had a part in its enactment, and I am sure that other Senators who participated are happy to have had a part in it.

There was published in the New York Times on Saturday, August 10, a very fine analysis of the social-security bill, in this connection I ask to have it inserted in the RECORD.

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

[From the New York Times of Aug. 10, 1935]

SUMMARY OF BENEFITS PROVIDED IN SOCIAL-SECURITY BILL

WASHINGTON, August 9.—The social-security bill which went to President Roosevelt today is divided in its essential provisions into two parts, one dealing with the long-range plan of President Roosevelt for insuring Americans against "major hazards of our economic mechanism", and the other carrying special and immediate aid to the States in caring for dependent unemployables.

In the former group are provisions for old-age pensions and unemployment insurance, and in the latter are the sections dealing with assistance to needy aged, dependent children, mothers, crippled children, the indigent disabled, and the blind.

OLD-AGE ASSISTANCE

The bill authorizes an appropriation of $49,750,000 for the current fiscal year and so much as may be needed thereafter to assist the States in caring for the aged, persons over 65 years of age. Grants are authorized on a 50-50 basis, with the stipulation that the Federal Government's share shall in no case exceed $15 a month.

CONTRIBUTORY OLD-AGE PENSIONS

The bill provides a long-range old-age pension system, to be financed by an income tax on employees and a pay-roll tax on employers, starting in each case at 1 percent in 1937 and rising each 3 years until 1949, when each contribution is to be 3 percent.

Under the operation of the system each qualified worker who retires at the age of 65 years, but not prior to January 1, 1942, will receive a monthly pension until his death. The rate of payment will vary from $10 to $85 a month, depending upon the total amount of wages earned by the beneficiary after December 31, 1936, and before he reaches the retirable age. Lump-sum settlements are to be made to estates of qualified beneficiaries who die before reaching the age of 65.

UNEMPLOYMENT INSURANCE

The bill provides a Federal-State system of unemployment compensation, based upon a pay-roll excise tax upon employers. It provides that on and after January 1, 1936, employers of eight or more persons, or less if determined by the States, will be assessed excise taxes on their pay rolls of 1 percent in 1936, 2 percent in 1937, 3 percent in 1938 and subsequent years.

The funds so collected to be paid to employees on period of unemployment, according to laws and rules adopted by the States.

The bill allows the States the widest discretion in setting up laws suited to their own requirements, allows a credit up to 90 percent to employers on account of taxes paid into strictly State unemployment funds, and grants a Federal subsidy, $4,000,000 in 1936 and $49,000,000 annually thereafter, to assist the States in administering their laws.

AID TO DEPENDENT CHILDREN

The bill authorizes $24,750,000 for the current fiscal year and such amounts as may be needed in future years to assist the States in providing aid to dependent children. Grants are to be made on the basis of one-third by the Federal Government and two-thirds by the States, with the Federal allowance limited to $6 a month for a single child and $4 a month for any other child in the same household.

AID TO MOTHERS AND CHILDREN

The bill authorizes an appropriation of $3,800,000 a year to aid the States in promoting the health of mothers and children, "especially in rural areas and in areas suffering from severe economic distress."

MEDICAL CARE OF CRIPPLED CHILDREN

It authorizes $2,850,000 a year for assistance in the States in providing surgical, corrective, and other services and facilities for crippled children.

AID TO HOMELESS AND NEGLECTED CHILDREN

An appropriation of $1,500,000 is authorized by the bill to aid State welfare agencies in caring for homeless and neglected children.

REHABILITATION OF DISABLED

The bill authorizes Federal expenditures of $841,000 for the fiscal years 1936 and 1937, $1,938,000 a year thereafter to supplement State programs for vocational rehabilitation of the physically disabled.

PUBLIC HEALTH

An annual appropriation of $8,000,000 is authorized for assistance to the States and their political subdivisions in maintaining public health service.

AID TO THE BLIND

The bill authorizes $3,000,000 to aid the States on a 50-50 basis in pensioning the needy blind.

Administration of these provisions will be lodged in an independent bureau to be known as the "Social Security Board." The most immediately popular section of the entire bill is that dealing with immediate grants to the States of old-age assistance incorporated as title I of the bill.

It provides for the payment of old-age assistance to persons over 65, grants to be made on equal matching basis, the Federal

Government furnishing 50 percent and the States matching these grants with another 50 percent, except that in no individual case shall the Federal Government's share exceed $15 a month.

The Federal grants will be extended only to those States whose old-age assistance plans have been approved by the Social Security Board as complying with the requirements of the act.

To be approved, a State plan must be State-wide in operation, an individual to whom is denied old-age assistance must have the right to a fair hearing before a State agency, and some requirements are made as to reports, accounting, etc. The applicant for assistance under this title must be at least 65, although the State is empowered to make the limit as high as 70 until 1940.

Assistance shall not be denied to a person on the ground that he has not been resident long enough, if he has lived in the State for 1 year immediately preceding application, or for any 5 years out of the 9 immediately preceding.

PENSION PROVIDED AT 65

The old-age pension plan carried in title II provides for the payments of cash benefits to every individual who has attained the age of 65 and has fulfilled certain requirements. The benefits are to be paid to him monthly as long as he lives, in an amount proportionate to the total amount of wages received by him for employment before he attained the retirable age.

For the purpose of building up sufficient moneys to pay the benefits provided in this title, there is created in the Federal Treasury a fund to which an annual appropriation beginning with the fiscal year 1937 is authorized.

The amount of such appropriations will vary from year to year, but the amount appropriated for any one year shall be determined in accordance with accepted actuarial principles and on the basis of such mortality tables as the Secretary of the Treasury shall from time to time adopt and which, at 3 percent interest compounded annually, shall be sufficient to build up the required reserve.

To reimburse the Treasury for these appropriations, the bill imposes a tax upon both the employer and the employee, based upon the payments in wages to the latter. The tax on the employee is called an income tax, and the tax upon the employer is known as an excise tax. The rate on each is the same, beginning with 1 percent for the calendar years 1937, 1938, and 1939; 1½ percent for the calendar years 1940, 1941, and 1942; 2 percent for 1943, 1944, and 1945; 2½ percent during 1946, 1947, and 1948; and 3 percent thereafter.

The bill requires that all of these taxes be collected from the employer, but permits him to deduct the employee's part from his wages. To insure collection of the tax, the employer is made personally liable for it.

The tax on the employee is to be assessed against only that part of his wages less than $3,000 a year. Benefits are to be paid, under the bill, in cash. The following table illustrates how the plan will operate:

Average monthly salary	Pension based on years of employment—			
	10	20	30	40
$50	$17.50	$22.50	$27.50	$32.50
$100	22.50	32.50	42.50	51.25
$150	27.50	42.50	53.75	61.25
$200	32.50	51.25	61.25	71.25
$250	37.50	56.25	68.75	81.25

TAX FOR JOB INSURANCE

The unemployment insurance carried in title IX levies on employers an excise tax payable annually, measured by the total wages paid to his employees, and allows each taxpayer to credit against the amount of his tax 90 percent of what he pays under State laws. The tax is imposed ostensibly for the privilege of having more than eight individuals in his employ.

The rate of tax is specified at 1 percent for 1936, 2 percent for 1937, and 3 percent thereafter. No restrictions are laid on the States as to the amount of unemployment insurance they may pay or the classes of workers who may be eligible.

The money so collected is to be held in trust by the Federal Treasury, with the respective State agencies administering State unemployment-compensation laws as beneficiaries. Disbursements are to be made out of the fund under the authority of State laws, as approved by the Social Security Board, for the benefit of the unemployed during periods of stress.

All money withdrawn from the unemployment trust fund by the State authorities shall be used for the purpose of compensation, and none of it for administrative costs. The Government appropriates, under the terms of the bill, a sum to carry on the administrative expenses, beginning with $4,000,000 for the year 1936 and granting $49,000,000 for subsequent years.

STATES' LATITUDE IS WIDE

The States have the widest possible latitude to set up their own unemployment compensation systems, with the following general specific limitations:

That compensation shall be paid through public unemployment officers of the State.

That no compensation shall be paid until after the expiration of 2 years from the time contributions start.

That all money paid into the State unemployment fund shall be paid into the unemployment trust fund in the Federal Treasury.

That no person otherwise eligible shall be denied compensation on the ground that he refused to take a job when his denial is due to the fact that the position offered him is vacant due directly to a strike, lockout, or labor dispute, or to the fact that wages, hours, and other working conditions are less favorable than those prevailing in the locality, or that as a condition of employment he must join a company union or refrain from joining any other organization.

That the State law must contain a provision indicating that any rights, privileges, or immunities conferred under it may be taken away by the subsequent amendment or repeal of the law.

Sections relating to the other benefits are simple in their terms and merely provide the conditions under which the Government may grant money to be used to supplement State funds in caring for such dependent unemployables as is specified.

The Social Security Board will be composed of three members, no more than two of whom shall belong to the same political party. They are to be appointed by the President, by and with the advice and consent of the Senate, each receiving a salary of $10,000 a year.

The terms of office will be for 6 years, except that of the first three members appointed, one will hold office for 2 years, another for 4 years, and the third for 6 years. The President is to designate the chairman of the Board.

FEDERAL CONTROL OF ALCOHOLIC LIQUORS—APPOINTMENT OF CONFEREE

Mr. McNARY. Mr. President, is it the desire of the Chair at this time to appoint the conferees on the alcohol control bill?

The VICE PRESIDENT. The Chair understands that one of those appointed as a conferee is absent from the city.

Mr. HARRISON. Mr. President, I was about to call attention to the fact that I have been informed that the Senator from New Hampshire [Mr. KEYES] is not in the city, and that some other Senator should be appointed in his absence to take his place, because the conferees will meet tomorrow morning at 10.30 o'clock.

The VICE PRESIDENT. If there is no objection, the Chair will appoint, in place of the Senator from New Hampshire [Mr. KEYES], the Senator from Rhode Island [Mr. METCALF].

PENSIONS FOR NEEDY BLIND PERSONS

Mr. KING. Mr. President, sometime ago the House of Representatives passed what is called the "blind bill"; it came to the Senate and was referred to the Senate Committee on the District of Columbia, and was unanimously reported by that committee to the Senate.

A number of errors in phraseology and one or two other defects were discovered. This morning the Senate committee considered the measure and unanimously instructed me to report the bill with an amendment, which is practically the same as the House bill now on the calendar. I ask unanimous consent for the immediate consideration of the bill.

Mr. McNARY. Mr. President, may I ask the Senator whether the bill was reported by the full committee today?

Mr. KING. It was.

The VICE PRESIDENT. The Chair does not exactly understand the request of the Senator from Utah. Is he asking for the reconsideration of a bill?

Mr. KING. No; the bill is on the calendar. The Committee on the District of Columbia believed that a few amendments should be made, and today the full committee went over the bill and made the amendments, and instructed me to report a substitute for the bill now on the calendar.

The VICE PRESIDENT. Without objection, the bill, as reported today, will be placed on the calendar. The Chair hears no objection.

Mr. KING. Mr. President, I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill (H. R. 5711) to provide pensions for needy blind persons of the District of Columbia, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and to insert the following:

That the Board of Commissioners of the District of Columbia (hereinafter called the "Board") is hereby authorized and directed to enforce the provisions of this act for the purpose of maintaining, supporting, and caring for needy blind persons who

are residents of the said District of Columbia, citizens of the United States, and not inmates of any institution supported in whole or in part by the Federal or District Governments, and said Board shall have the power to make and enforce all proper rules and regulations therefor, including the definitions of "blindness" and of "needy individuals" and the power to make and require any reports required by the Federal Social Security Board or otherwise authorized or required by law. The said Board may intrust the carrying out of the provisions of this act, or any of them, to any agency of the government of the District of Columbia which said Board may designate.

SEC. 2. As used in this act, the term "needy blind person" shall be construed to mean any person who by reason of the loss or impairment of eyesight is of such condition that he cannot be rehabilitated for self-support through the facilities offered by the Vocational Rehabilitation Service for the District of Columbia, United States Office of Education, and who is unable to provide himself with the necessities of life and who has not sufficient means of his own to maintain himself and who is otherwise qualified as further set forth in this act, and nothing in this act shall prevent any blind person in sound mental and physical condition who is an inmate of an institution for the care of the indigent from applying for the benefits under this act on the condition that they leave such institution upon the granting of such relief.

SEC. 3. In order that any person who shall have become blind while a resident of the District of Columbia may be entitled to aid under the provisions of this act such person must be at least 16 years of age and a resident of the District of Columbia for 1 year next preceding his application for aid hereunder: *Provided*, That in order that any person whose blindness originated while he was not a resident of the District of Columbia may be entitled to aid hereunder, such person must be at least 21 years of age and must have been a bona fide resident of the District of Columbia for a period of 5 years during the 9 years immediately preceding the filing of his application for aid hereunder and must have resided in the District of Columbia continuously for at least 1 year immediately preceding the date of the application: *And provided further*, That nothing in this act shall be construed to repeal or render void, so far as blind persons are concerned, any existing statutes which create or define a liability on the part of certain persons to support and provide for poor relatives.

SEC. 4. To receive aid under this act the applicant shall file his application with the Board or its designated agency, accompanied by an affidavit signed by himself stating his age, sex, places of residence during the period stipulated in the District of Columbia, his financial resources, and incomes, the name and address of his next of kin, degree of blindness, how long blind, what employment he has had, his general physical condition, and such other information as the Board or its designated agency may designate.

SEC. 5. No aid shall be granted hereunder until the Board or its designated agency is satisfied from the evidence of at least two reputable citizens of the District of Columbia that they know the applicant has the residential qualifications to entitle him to the aid asked for, and from the evidence of a duly licensed and practicing oculist whose duty it shall be to describe the condition of the applicant's eyes and to testify to his blindness, which evidence shall be in writing subscribed to by such witnesses, subject to the right of cross-examination by either the Board or its designated agency; and if the Board or its designated agency is satisfied by such testimony that the applicant is entitled to aid hereunder, it shall, without delay, allow such sum as it finds needed: *Provided*, That no aid shall be furnished any individual with respect to any period with respect to which he is receiving old-age assistance: *Provided further*, That in the case of a blind dependent child living with its parents or parent such aid shall not exceed $30 per month: *And provided further*, That any agency designated by the Board hereunder shall transmit to the Board a record of its actions in granting or refusing to grant aid to each blind applicant, and any blind applicant who is dissatisfied with the finding of such agency regarding his application for aid may appeal to the Board, who shall grant such applicant a full hearing, after reasonable notice, and shall then consider the application; and if a majority of the Board in attendance at a meeting at which a quorum is present shall find that the applicant is entitled to aid under the provisions of this act, they shall then and there award such aid as they deem proper.

SEC. 6. The Board or its designated agency shall investigate annually, or oftener, the qualifications of blind persons who receive aid hereunder, and may increase or decrease the allowance within the limits prescribed by this act; or if said designated agency is satisfied that any person receiving aid under this act is not entitled to such aid, it shall discontinue such aid and shall forthwith notify such person and the Board of such action: *Provided, however*, That the person receiving such aid may take an appeal to the Board from such action as if it were an original application for aid: *And provided further*, That such an appeal must be filed within 60 days from the notification by the designated agency to the beneficiary hereunder of the intended reduction or discontinuance of aid. If any such appeal be filed, the said aid shall be restored pending the findings of the Board on said appeal.

SEC. 7. No person shall be eligible to receive aid under the provisions of this act who, after receiving said aid publicly solicits alms in any manner, either by wearing, carrying, or exhibiting sign denoting blindness for the securing of alms, or by any signs calling attention to blindness exhibited on wares and merchandise, or the carrying of receptacles for the purpose of securing alms, or the doing of the same by proxy, or by stationary or house-to-house begging, or any other means of publicly securing aid.

SEC. 8. Any person qualifying for and receiving aid hereunder who removes himself from the jurisdiction of the District of Columbia and thereby ceases to be a resident, shall no longer be entitled to the benefits and aid under the provisions of this act. Absence for a reasonable length of time, as designated by the Board, shall not work a forfeiture hereunder.

SEC. 9. The benefits hereof shall not be granted to any person between the ages of 16 and 55 years who, having no occupation and being both physically and mentally capable of some useful occupation, or of receiving vocational or other training, refuses for any reason to engage in such useful occupation, or refuses to avail himself of such vocational or other training: *Provided*, That no person shall be entitled to the benefits of this act who shall refuse to submit to any treatment or operation for blindness when such treatment or operation is recommended by three examining oculists and approved by the Board or its designated agency.

SEC. 10. No person shall be eligible to the benefits of this act who shall hereafter either intentionally deprive himself of his eyesight or assist in the destruction thereof by others; or hereafter shall lose his eyesight during the perpetration of a criminal offense; or shall hereafter lose his eyesight by reason of vicious habits.

SEC. 11. The kindred of any persons otherwise entitled to aid under the provisions of this act, in line and degree of spouse, father, child, or grandchild living in the District of Columbia and of sufficient ability so to do shall be bound to support such person, in the order above named and in proportion to their respective ability. If at any time during the continuance of aid the Board of Commissioners or its designated agency has reason to believe that a spouse, father, child, or grandchild is reasonably able to assist him, it shall be empowered to bring suit, after notifying such person of the amount of such aid, against such spouse, father, child, or grandchild to recover the amount of such aid provided under this act, or such part thereof as such spouse, father, child, or grandchild was reasonably able to pay.

SEC. 12. At the death of a recipient of aid under this act, or of the last survivor of a married couple, either one of whom have received aid, the total amount of aid since the first grant, together with simple interest at the rate of 3 percent per annum, shall be deducted and allowed by the proper courts out of the proceeds of his property as a preferred claim against the estate of the person so assisted, and refunded to the Treasurer of the United States to the credit of the District of Columbia, leaving the balance for distribution among the lawful heirs in accordance with law: *Provided*, That upon sufficient cause, such as mismanagement, failure to keep in repair, or the inability of any recipient of aid properly to manage his property, the designated agency of the Board may demand the assignment or transfer of such property, or a proper part thereof, upon the first grant of such aid, or at any time thereafter that it deems advisable for the purpose of safeguarding the interest of an applicant or for the protection of the funds of the District of Columbia. Such agency shall establish such rules and regulations regarding the care, management, transfer, and sale of such property as it deems advisable and shall provide for the return of the balance of the claimant's property into his hands whenever the assistance is withdrawn or the claimant ceases to request it.

SEC. 13. Any person who attempts to obtain, or obtains, by false representation, fraud, or deceit, any allowance under this act, or who receives any allowance, knowing it to have been fraudulently obtained, or who aids or assists any person in obtaining or attempting to obtain an allowance by fraud, shall upon conviction in the police court of the District of Columbia be punished by a fine of not more than $500 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

SEC. 14. In order to carry out the provisions of this act there is authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $75,000, payable from the revenues of the District of Columbia, and for the fiscal year ending June 30, 1937, and annually thereafter, the Commissioners of the District of Columbia shall include in the estimate of appropriations for said District of Columbia, such an amount as may be necessary for this purpose; and the Board shall assign such personnel in the employ of the District of Columbia as may be necessary to administer this act; and said Board or its designated agency shall keep and render separate account of the funds expended and separate statistical reports of the persons aided, under the provisions of this act: *Provided*, That whenever necessary said Board shall appoint an acceptable member of the personnel to stand in loco parentis to any minor qualifying for aid hereunder.

SEC. 15. The Board of Commissioners or its designated agency is hereby authorized and directed to cooperate in all necessary respects with the Social Security Board of the United States Government in the administration of this act, and to accept any sums allotted or apportioned by such Board as are available under the provisions of the Social Security Act.

SEC. 16. The provisions of this act are to be liberally construed to effect its objects and purposes, and if any section, subsection, or subdivision of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to provide for needy blind persons of the District of Columbia and authorizing appropriations therefor."

RECESS

Mr. ROBINSON. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Thursday, August 15, 1935, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 14 (legislative day of July 29), 1935

FEDERAL BOARD FOR VOCATIONAL EDUCATION

The following-named persons to be members of the Federal Board for Vocational Education:

A. Lincoln Filene, of Massachusetts, for the unexpired term of 3 years from July 17, 1933, vice Edward T. Franks, term empired.

Clarence Poe, of North Carolina, for the unexpired term of 3 years from July 17, 1934, vice W. Harry King, term expired.

Henry Ohl, of Wisconsin, for the unexpired term of 3 years from July 17, 1935, vice Perry W. Reeves, term expired.

REGISTER OF LAND OFFICE

George A. Lingo, of Alaska, to be register of the Land Office at Anchorage, Alaska, vice George J. Love, deceased.

PROMOTIONS IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, to rank from August 1, 1935. Those officers whose names are preceded by a symbol (x) have been examined and found qualified for promotion, all others are subject to the examination required by law.

To be colonels

Lt. Col. Gordon Rives Catts, Infantry.
Lt. Col. Henry Conger Pratt, Air Corps.
Lt. Col. Donald Cameron Cubbison, Field Artillery.
Lt. Col. Edwin Butcher, Infantry.
Lt. Col. Russell Vernon Venable, Infantry.
Lt. Col. Kinzie Bates Edmunds, Cavalry.
Lt. Col. Andrew Jackson White, Adjutant General's Department.
Lt. Col. Walter Scott Drysdale, Infantry.
Lt. Col. Matthew Henry Thomlinson, Infantry.
Lt. Col. Joseph Alexander Atkins, Infantry.
Lt. Col. Charles Fullington Thompson, Infantry.
Lt. Col. Thomas Leslie Crystal, Infantry.
Lt. Col. Ralph Rigby Glass, Infantry.
Lt. Col. Erle Martin Wilson, Infantry.
Lt. Col. Merrill Ellicott Spalding, Infantry.
Lt. Col. Joseph James Grace, Signal Corps.
Lt. Col. Joseph Alexander McAndrew, Infantry.
Lt. Col. Richard Rembert Pickering, Adjutant General's Department.
Lt. Col. Gerald Clark Brant, Air Corps.
Lt. Col. Clement Hale Wright, Infantry.
Lt. Col. William Ross Scott, Infantry.
Lt. Col. Napoleon William Riley, Quartermaster Corps.
x Lt. Col. Otto Louis Brunzell, Field Artillery.
Lt. Col. George Carson Lawrason, Infantry.
xLt. Col. James Barton Woolnough, Infantry.
Lt. Col. Innis Palmer Swift, Cavalry.
Lt. Col. Arthur Harrison Wilson, Cavalry.
Lt. Col. Walter Scott Fulton, Infantry.
Lt. Col. Sherburne Whipple, Adjutant General's Department.
Lt. Col. Harry Hawley, Infantry.
Lt. Col. Thomas Norton Gimperling, Infantry.
xLt. Col. Hugh Lawson Walthall, Adjutant General's Department.
xLt. Col. John Buchanan Richardson, Adjutant General's Department.
Lt. Col. Anton Caesar Cron, Infantry.
xLt. Col. John Clark Moore, Signal Corps.
Lt. Col. William Frederick Pearson, Adjutant General's Department.
Lt. Col. James Alexander Ulio, Adjutant General's Department.
Lt. Col. Charles Bernadou Elliott, Infantry.
Lt. Col. John Bunyan Corbly, Infantry.
Lt. Col. Charles Lewis Sampson, Infantry.
Lt. Col. John Walter Downer, Field Artillery.
Lt. Col. James Hatch Van Horn, Signal Corps.
xLt. Col. Cassius McClellan Dowell, Infantry.
Lt. Col. Albert Benjamin Kaempfer, Infantry.
Lt. Col. Forrest Elmer Overholser, Infantry.
Lt. Col. Charles Winder Mason, Infantry.
Lt. Col. Edmund Louis Gruber, Field Artillery.
xLt. Col. William Thomas Carpenter, Coast Artillery Corps.
Lt. Col. Benjamin Mart Bailey, Field Artillery.
Lt. Col. Ambrose Robert Emery, Infantry.
Lt. Col. Edmund Clivious Waddill, Infantry.
xLt. Col. DeWitt Clinton Jones, Corps of Engineers.
Lt. Col. Francis Bowditch Wilby, Corps of Engineers.
Lt. Col. Clarence Self Ridley, Corps of Engineers.
Lt. Col. Jarvis Johnson Bain, Corps of Engineers.
Lt. Col. Robert Spencer Thomas, Corps of Engineers.
Lt. Col. Roger Garfield Powell, Corps of Engineers.
Lt. Col. John Neal Hodges, Corps of Engineers.
xLt. Col. Thomas Marshall Spaulding, Adjutant General's Department.
xLt. Col. Rolland Webster Case, Ordnance Department.
xLt. Col. Norman Foster Ramsey, Ordnance Department.
Lt. Col. Benjamin Henderson Lorne Williams, Coast Artillery Corps.
Lt. Col. Thomas Dewey Osborne, Field Artillery.
xLt. Col. William Henry Dodds, Jr., Field Artillery.
Lt. Col. George Dillman, Cavalry.
Lt. Col. Philip John Radcliffe Kiehl, Ordnance Department.
Lt. Col. Adelno Gibson, Chemical Warfare Service.
Lt. Col. John Lee Holcombe, Coast Artillery Corps.
xLt. Col. Charles Lewis Scott, Cavalry.
Lt. Col. James Saye Dusenbury, Coast Artillery Corps.
Lt. Col. Lloyd Burns Magruder, Coast Artillery Corps.
Lt. Col. Robert Henry Lewis, Field Artillery.
Lt. Col. Ralph Talbot, Jr., Field Artillery.
xLt. Col. Arthur Willis Lane, Infantry.
Lt. Col. Walter Evans Prosser, Signal Corps.
xLt. Col. Henry Tacitus Burgin, Coast Artillery Corps.
xLt. Col. Bernard Lentz, Infantry.
xLt. Col. Clifford Lee Corbin, Quartermaster Corps.
Lt. Col. Frederick Coleman Test, Infantry.
Lt. Col. Owen Stedman Albright, Signal Corps.
Lt. Col. Hugh Hunt Broadhurst, Cavalry.
Lt. Col. Clifford Cabell Early, Infantry.
Lt. Col. Arthur William Holderness, Cavalry.
Lt. Col. Allan Rutherford, Infantry.
xLt. Col. Joseph Ray Davis, Field Artillery.
xLt. Col. Sherman Miles, Field Artillery.
Lt. Col. Charles Smith Caffery, Infantry.
Lt. Col. Allen Wyant Gullion, Judge Advocate General's Department.
Lt. Col. Louis Albert Kunzig, Infantry.
Lt. Col. John Pearson Bubb, Infantry.
Lt. Col. Clarence Andrew Mitchell, Adjutant General's Department.
Lt. Col. John Roy Starkey, Field Artillery.
Lt. Col. Joseph Edward Barzynski, Quartermaster Corps.
Lt. Col. Thomas Hixon Lowe, Adjutant General's Department.
Lt. Col. Torrey Borden Maghee, Infantry.
Lt. Col. William Whitehead West, Cavalry.
xLt. Col. Frederick Willis Manley, Infantry.
Lt. Col. Edward Joseph Cullen, Coast Artillery Corps.
Lt. Col. Henry Roland Smalley, Quartermaster Corps.
Lt. Col. Ira Longanecker, Air Corps.
Lt. Col. Robert Blaine, Cavalry.
Lt. Col. William James Connolly, Infantry.
Lt. Col. Felix Emmanuelli, Infantry.
Lt. Col. William Albert Johnson, Corps of Engineers.
Lt. Col. James Josephus Loving, Corps of Engineers.
Lt. Col. Edmund Leo Daley, Corps of Engineers.
Lt. Col. Henry Abercrombie Finch, Corps of Engineers.

Lt. Col. Edward Dahl Ardery, Corps of Engineers.
xLt. Col. Richard Coke Burleson, Field Artillery.
Lt. Col. Lloyd Patzlaff Horsfall, Coast Artillery Corps.
Lt. Col. Charles Gearhart Mettler, Ordnance Department.
Lt. Col. Forrest Estey Williford, Coast Artillery Corps.
xLt. Col. Earl McFarland, Ordnance Department.
Lt. Col. Joseph Andrew Green, Coast Artillery Corps.
Lt. Col. Jonathan Mayhew Wainwright, Cavalry.
xLt. Col. Walter Stephen Sturgill, Field Artillery.
Lt. Col. Charles Alexander Lewis, Infantry.
Lt. Col. Harold Wood Huntley, Field Artillery.
Lt. Col. Adna Romanza Chaffee, Cavalry.
Lt. Col. Edward White Wildrick, Field Artillery.
Lt. Col. Alexander Garfield Gillespie, Ordnance Department.
xLt. Col. Dawson Olmstead, Signal Corps.
xLt. Col. George Williamson DeArmond, Field Artillery.
Lt. Col. Frank Maxwell Andrews, Air Corps.
Lt. Col. Oscar Westover, Air Corps (Brigadier General, Assistant to the Chief of the Air Corps).
Lt. Col. Cortlandt Parker, Field Artillery.
xLt. Col. John Sedgwick Pratt, Coast Artillery Corps.
Lt. Col. Joseph Choate King, Cavalry.
xLt. Col. Martyn Hall Shute, Infantry.
Lt. Col. Ralph McTyeire Pennell, Field Artillery.
xLt. Col. Henry Black Clagett, Air Corps.
Lt. Col. Clyde Rush Abraham, Infantry.
Lt. Col. Pierre Victor Kieffer, Field Artillery.
Lt. Col. George Harris Paine, Field Artillery.
xLt. Col. Donald Allister Robinson, Cavalry.
Lt. Col. Rene Edward DeRussy Hoyle, Field Artillery.
Lt. Col. Ralph Allen Jones, Infantry.
Lt. Col. Horace Fletcher Spurgin, Coast Artillery Corps.
Lt. Col. Hugo Daniel Selton, Infantry.
xLt. Col. Max Akin Elser, Quartermaster Corps.
xLt. Col. William Torbert MacMillan, Adjutant General's Department.
Lt. Col. Jacob Earl Fickel, Air Corps.
Lt. Col. Bruce LaMar Burch, Cavalry.
xLt. Col. Rush Blodgett Lincoln, Air Corps.
Lt. Col. William Fletcher Sharp, Field Artillery.
Lt. Col. Bruce Magruder, Infantry.
Lt. Col. George Herman Huddleson, Quartermaster Corps.
Lt. Col. Henry Welles Baird, Cavalry.

To be lieutenant colonels

Maj. Joseph Benjamin Pate, Infantry.
Maj. Louis Clarence Wilson, Quartermaster Corps.
Maj. Charles Edwards Perry, Corps of Engineers.
xMaj. Henry Roy Bitzing, Judge Advocate General's Department.
Maj. Harry Anton Auer, Judge Advocate General's Department.
Maj. John Donaldson Easton, Infantry.
Maj. Charles Emmet McCarthy, Infantry.
Maj. Charles Henry Traeger, Ordnance Department.
Maj. William Mellard Connor, Judge Advocate General's Department.
Maj. Sam Inman McCants, Infantry.
Maj. John William Foos, Infantry.
Maj. Charles William Dyer, Infantry.
Maj. Laurence Stephen O'Toole, Infantry.
Maj. Roger Taylor, Ordnance Department.
Maj. Henry Lincoln Green, Quartermaster Corps.
Maj. George Blair, Infantry.
Maj. Elbert Johnston Lyman, Infantry.
Maj. Tom Kennan Price Stilwell, Infantry.
xMaj. Robert Kerr Alcott, Infantry.
xMaj. Lucius Meriwether Smith, Judge Advocate General's Department.
Maj. Mark Emmet Guerin, Judge Advocate General's Department.
Maj. Fred Warde Llewellyn, Judge Advocate General's Department.
Maj. Laurence Woodville Young, Infantry.
Maj. Ralph Waldo Wilson, Coast Artillery Corps.
Maj. Fred Mortimer Green, Coast Artillery Corps.
Maj. Delmar Samuel Lenzmer, Coast Artillery Corps.
Maj. Roland Wilbur Pinger, Ordnance Department.
Maj. Donald Armstrong, Ordnance Department.
Maj. Franklin Babcock, Coast Artillery Corps.
Maj. Hermann Heinrich Zornig, Ordnance Department.
xMaj. Gladeon Marcus Barnes, Ordnance Department.
Maj. Harvey Clark Allen, Coast Artillery Corps.
Maj. Edward Bennett Dennis, Coast Artillery Corps.
Maj. Leon Moffat Logan, Quartermaster Corps.
xMaj. Roger Baldwin Colton, Signal Corps.
Maj. Enrique Urrutia, jr., Infantry.
Maj. Arturo Moreno, Infantry.
Maj. Oliver Loving Spiller, Coast Artillery Corps.
Maj. James Madison White, Infantry.
Maj. Henry Bailey Barry, Quartermaster Corps.
Maj. James Warren Bagley, Corps of Engineers.
Maj. John Kay Clement, Ordnance Department.
Maj. Lawrence Hyskell Hedrick, Judge Advocate General's Department.
Maj. Robert John Halpin, Infantry.
Maj. Allen Fletcher, Infantry.
Maj. Bowyer Brockenbrough Browne, Corps of Engineers.
xMaj. Arthur Milton Heritage, Chemical Warfare Service.
Maj. Malcolm Elliott, Corps of Engineers.
Maj. Millard Fillmore Waltz, jr., Infantry.
Maj. Woodell Abner Pickering, Infantry.
Maj. Lee Sumner, Infantry.
xMaj. Myron Cady Cramer, Judge Advocate General's Department.
Maj. John Abdiel Smith, Judge Advocate General's Department.
Maj. George Wellington Graham, Ordnance Department.
Maj. John Henry Mellom, Quartermaster Corps.
Maj. Herbert Edward Pace, Finance Department.
Maj. John Emmitt Sloan, Field Artillery.
Maj. Alexander Wilson, Chemical Warfare Service.
Maj. Xavier Francis Blauvelt, Infantry.
Maj. Frank Dorwin Lackland, Air Corps.
Maj. Joseph Andrews, Field Artillery.
xMaj. Albert Samuel Peake, Infantry.
xMaj. Floyd D. Carlock, Infantry.
Maj. Arthur Boettcher, Infantry.
Maj. Horace Thurber Aplington, Cavalry.
Maj. Fred Livingood Walker, Infantry.
Maj. Alvan Cullom Gillem, Jr., Infantry.
xMaj. Rapp Brush, Infantry.
xMaj. Edward George McCormick, Infantry.
Maj. Philip Bracken Fleming, Corps of Engineers.
Maj. Joseph Cowles Mehaffey, Corps of Engineers.
Maj. Paul Sorg Reinecke, Corps of Engineers.
Maj. Raymond Albert Wheeler, Corps of Engineers.
Maj. William Benjamin Hardigg, Ordnance Department.
Maj. Harry Russell Kutz, Ordnance Department.
Maj. Thompson Lawrence, Infantry.
Maj. Freeman Wate Bowley, Field Artillery.
Maj. Charles Reuben Baxter, Ordnance Department.
Maj. Gustav Henry Franke, Field Artillery.
Maj. John Everard Hatch, Field Artillery.
Maj. Charles Anderson Walker, Jr., Ordnance Department.
xMaj. Bethel Wood Simpson, Ordnance Department.
Maj. Harold Floyd Nichols, Coast Artillery Corps.
Maj. Harry James Keeley, Infantry.
Maj. Charles Philip Hall, Infantry.
Maj. Alexander Day Surles, Cavalry.
Maj. William Edmund Larned, Ordnance Department.
xMaj. Franklin Kemble, Coast Artillery Corps.
Maj. Alfred John Betcher, Field Artillery.
Maj. Karl Slaughter Bradford, Cavalry.
Maj. Herbert Arthur Dargue, Air Corps.
xMaj. John Griffeth Booton, Ordnance Department.
Maj. Frederick Gilbreath, Cavalry.
Maj. George Richmond Hicks, Infantry.
Maj. James Blanchard Crawford, Coast Artillery Corps.
Maj. Haig Shekerjian, Chemical Warfare Service.
Maj. Benjamin Curtis Lockwood, Jr., Infantry.
Maj. Harrison Henry Cocke Richards, Air Corps.

Maj. Carroll Armstrong Bagby, Infantry.
Maj. Arthur Bayard Conard, Cavalry.
Maj. Gregory Hoisington, Infantry.
Maj. Ziba Drollinger, Infantry.
Maj. Jesse Amos Ladd, Infantry.
Maj. Paul William Baade, Infantry.
Maj. James Roy Newman Weaver, Infantry.
xMaj. John Porter Lucas, Field Artillery.
Maj. William Henry Harrison Morris, Jr., Infantry.
Maj. Carl Fish McKinney, Infantry.
Maj. Roscoe Conkling Batson, Field Artillery.
Maj. Allen Russell Kimball, Quartermaster Corps.
xMaj. Wilfrid Mason Blunt, Cavalry.
Maj. Ira Adelbert Rader, Air Corps.
Maj. Alvan Crosby Sandeford, Field Artillery.
Maj. William Jay Calvert, Quartermaster Corps.
Maj. David Hamilton Cowles, Infantry.
Maj. Ira Thomas Wyche, Field Artillery.
Maj. James Craig Riddle Schwenck, Cavalry.
Maj. John Louis Homer, Coast Artillery Corps.
Maj. Thomas Jonathan Jackson Christian, Field Artillery.
xMaj. Howell Marion Estes, Cavalry.
Maj. John Furman Wall, Cavalry.
Maj. Edwin Noel Hardy, Cavalry.
Maj. Thomas Gibbes Morgan Oliphant, Field Artillery.
Maj. Douglas Blakeshaw Netherwood, Air Corps.
Maj. Mert Proctor, Field Artillery.
Maj. Joseph Dorst Patch, Infantry.
Maj. Archibald Delos Cowley, Infantry.
Maj. Felix Englebert Gross, Coast Artillery Corps.
Maj. George Ralph Meyer, Coast Artillery Corps.
Maj. Lewis Hyde Brereton, Air Corps.
Maj. Cherubusco Newton, Jr., Finance Department.
Maj. Edward Lincoln Hoffman, Air Corps.
Maj. Casper Ball Rucker, Infantry.
Maj. Robert Currier Brady, Quartermaster Corps.
Maj. Hugh Johnston Knerr, Air Corps.
Maj. George Frederick Humbert, Coast Artillery Corps.
Maj. Arthur Woodfin Ford, Ordnance Department.
Maj. Reuben Noel Perley, Coast Artillery Corps.
Maj. Vincent Meyer, Field Artillery.
Maj. Herbert Elliott Taylor, Cavalry.
Maj. Lindsay McDonald Silvester, Infantry.
Maj. William Middleton Grimes, Cavalry.
Maj. Herbert Marshall Pool, Infantry.
Maj. Leonard Townsend Gerow, Infantry.
Maj. Henry Joseph Moody Smith, Cavalry.
Maj. George Derry Murphey, Quartermaster Corps.
Maj. William Clayton Rose, Adjutant General's Department.
Maj. Wesley Frost Ayer, Infantry.
Maj. Norman Potter Morrow, Field Artillery.
Maj. Lloyd Edmonstone Jones, Field Artillery.
Maj. George Abel Sanford, Infantry.
Maj. Alexander LeRoy Padwinetz Johnson, Infantry.
Maj. Walter Ferrell Winton, Field Artillery.
Maj. Maxon Spafford Lough, Infantry.
Maj. Newton Napoleon Polk, Field Artillery.
Maj. Ford Richardson, Infantry.
Maj. Henry Lawrence Cullen Jones, Field Artillery.
Maj. Lester Maple Wheeler, Infantry.
Maj. Edwin O'Connor, Cavalry.
Maj. Eugene Alexander Lohman, Air Corps.
Maj. Kenneth Prince Lord, Field Artillery.
Maj. Eugene Warren Fales, Infantry.
Maj. John Taylor Rhett, Infantry.
Maj. Livingston Watrous, Adjutant General's Department.
Maj. Herbert Alonzo Wadsworth, Infantry.
Maj. John Moore Thompson, Cavalry.
Maj. George Matthew Halloran, Infantry.
Maj. William Edward Brougher, Infantry.
Maj. Medorem Crawford, Jr., Infantry.
Maj. Sumner Waite, Infantry.
Maj. Albert Monmouth Jones, Infantry.
Maj. John Edward Creed, Infantry.
Maj. Harrison McAlpine, Infantry.
Maj. James Raymond Alfonte, Quartermaster Corps.
Maj. Andrew Goolsby Gardner, Infantry.
Maj. Albert Simon Kuegle, Infantry.
Maj. Claude Killian Rhinehart, Field Artillery.
Maj. Levin Hicks Campbell, Jr., Ordnance Department.
Maj. Follett Bradley, Air Corps.
Maj. Jonathan Waverly Anderson, Field Artillery.
Maj. Serafin Manuel Montesinos, Infantry.
Maj. John Absalom Baird, Chemical Warfare Service.
Maj. Philip Guillou Blackmore, Ordnance Department.
Maj. Henry Clarence Davis, Jr., Coast Artillery Corps.
Maj. Benjamin Noble Booth, Coast Artillery Corps.
Maj. Octave DeCarré, Coast Artillery Corps.
Maj. Claude Martin Thiele, Coast Artillery Corps.
Maj. Cedric Malcolm Stanley Skene, Coast Artillery Corps.
Maj. Avery Johnson French, Coast Artillery Corps.
Maj. Edward Montgomery, Chemical Warfare Service.
Maj. Shepler Ward FitzGerald, Air Corps.
Maj. Leigh Francis Joseph Zerbee, Chemical Warfare Service.
Maj. Randolph Tucker Pendleton, Coast Artillery Corps.
Maj. Stewart Woods Stanley, Signal Corps.
Maj. Kenneth Thompson Blood, Coast Artillery Corps.
Maj. Roy Silas Atwood, Coast Artillery Corps.
Maj. Samuel Franklin Hawkins, Coast Artillery Corps.
Maj. Jesse Lowry Sinclair, Coast Artillery Corps.
Maj. Oscar Krupp, Ordnance Department.
xMaj. Charles Thomas-Stahle, Coast Artillery Corps.
xMaj. Edwin Joseph O'Hara, Finance Department.
Maj. Alden George Strong, Coast Artillery Corps.
Maj. Rudolf William Riefkohl, Quartermaster Corps.
Maj. Alexander Camman Sullivan, Field Artillery.
Maj. Joseph Peter Vachon, Infantry.
Maj. Lloyd Baxter Bennett, Infantry.
Maj. Edward James Oliver, Infantry.
Maj. Albert Tucker, Infantry.
Maj. Frederic Waldo Whitney, Cavalry.
Maj. Clifford Mitchell Tuteur, Field Artillery.
Maj. Arthur Eugene Rowland, Coast Artillery Corps.
Maj. Leon R. Cole, Field Artillery.
Maj. Lee Roland Watrous, Jr., Finance Department.
Maj. Joseph Dowd Brown, Coast Artillery Corps.
Maj. Leslie MacDill, Air Corps.
Maj. Charles Augustus French, Coast Artillery Corps.
Maj. John Albert Hoag, Field Artillery.
Maj. Oscar Andrew Eastwold, Chemical Warfare Service.
xMaj. Earl Herbert Metzger, Coast Artillery Corps.
Maj. Max Stanley Murray, Infantry.
xMaj. Matthew John Gunner, Infantry.
Maj. Julian Francis Barnes, Field Artillery.
Maj. Robert Scott Lytle, Infantry.
Maj. Harold Cornelius Vanderveer, Field Artillery.
Maj. Kenna Granville Eastham, Cavalry.
Maj. Henry Terrell, Jr., Infantry.
Maj. Clift Andrus, Field Artillery.
xMaj. Frank Cadle Mahin, Infantry.
Maj. Lawrence Sprague Churchill, Air Corps.
Maj. George Elmer Arneman, Field Artillery.
Maj. Dale Francis McDonald, Infantry.
Maj. Raymond Eugene McQuillin, Cavalry.
Maj. Edward Hiltner Bertram, Infantry.
Maj. Hayes Adlai Kroner, Infantry.
Maj. Allan Stuart Boyd, Jr., Infantry.
xMaj. Francis Clinton Vincent Crowley, Cavalry.
Maj. Harry Lewis Twaddle, Infantry.
Maj. Clarence Leonard Tinker, Air Corps.
Maj. William Robert White, Quartermaster Corps.
Maj. Donald Bridgman Sanger, Signal Corps.
Maj. Martin Francis Scanlon, Air Corps.
Maj. William Hanson Gill, Infantry.
Maj. Edward Cornelius Hanford, Field Artillery.
Maj. Merrill Dole Wheeler, Quartermaster Corps.
Maj. Henry Hubert Stickney, Corps of Engineers.
Maj. Lester Seneca Hill, Jr., Judge Advocate General's Department.
Maj. Archibald King, Judge Advocate General's Department.

Maj. Frederic Granville Munson, Judge Advocate General's Department.
Maj. Carl Herndon Seals, Adjutant General's Department.
Maj. James Arthur Watson, Infantry.
Maj. Gordon Handy McCoy, Field Artillery.
Maj. Robert Boyd Cole, Infantry.
Maj. Milton Hager Taulbee, Field Artillery.
Maj. William Henry Lanagan, Corps of Engineers.
Maj. Sidney Glenn Brown, Infantry.
Maj. George Clinton Donaldson, Infantry.
Maj. Joseph Hamilton Davidson, Infantry.
xMaj. Russell Henry Brennan, Judge Advocate General's Department.
Maj. Benjamin Almond Brackenbury, Chemical Warfare Service.
Maj. John Putman Dinsmore, Judge Advocate General's Department.
Maj. Charles Wilbur Thomas, Jr., Infantry.
Maj. Roscoe Campbell Crawford, Corps of Engineers.
Maj. Milo Pitcher Fox, Corps of Engineers.
Maj. Lewis Andrews Nickerson, Ordnance Department.
Maj. Philip Ries Faymonville, Ordnance Department.
Maj. Russell Lamonte Maxwell, Ordnance Department.
Maj. John Shirley Wood, Field Artillery.
Maj. Robert Henry Lee, Ordnance Department.
Maj. William Henry Walmsley Youngs, Cavalry.
Maj. David McLean Crawford, Signal Corps.
xMaj. Oscar James Gatchell, Ordnance Department.
Maj. John Nathaniel Hauser, Field Artillery.
Maj. Karl Chris Greenwald, Field Artillery.
Maj. Thomas Jay Hayes, Ordnance Department.
Maj. Raymond Vincent Cramer, Coast Artillery Corps.
Maj. William Hale Wilbur, Infantry.
Maj. Sidney Parker Spalding, Ordnance Department.
Maj. Byron Quinby Jones, Air Corps.
Maj. Stephen Harrison MacGregor, Ordnance Department.
Maj. James Albert Gillespie, Field Artillery.
Maj. Basil Duke Edwards, Infantry.
Maj. Davenport Johnson, Air Corps.
xMaj. James Kirk, Ordnance Department.
Maj. Robert McGowan Littlejohn, Quartermaster Corps.
Maj. Wade Hampton Haislip, Infantry.
Maj. Robert Nall Bodine, Ordnance Department.
Maj. James Harve Johnson, Quartermaster Corps.
Maj. Harry Albert Flint, Cavalry.
xMaj. Walter Melville Robertson, Infantry.
Maj. John Henry Lindt, Coast Artillery Corps.
Maj. Pearl Lee Thomas, Cavalry.
Maj. Sidney Vincent Bingham, Cavalry.
Maj. Bird Spencer DuBois, Coast Artillery Corps.
Maj. Isaac Spalding, Field Artillery.
Maj. Harry James Malony, Field Artillery.
Maj. John Hartwell Hinemon, Jr., Signal Corps.
Maj. Henry Lytton Flynn, Cavalry.
Maj. Robert Fee Hyatt, Field Artillery.
Maj. Harold Marvin Rayner, Cavalry.
Maj. Charles Nathaniel Sawyer, Signal Corps.
Maj. Gilbert Richard Cook, Infantry.
Maj. Max Weston Sullivan, Infantry.
Maj. Franklin Cummings Sibert, Infantry.
Maj. Archibald Vincent Arnold, Field Artillery.
Maj. Stephen J. Chamberlin, Infantry.
Maj. John Traylor McLane, Cavalry.
Maj. William Horace Hobson, Infantry.
Maj. Walter Glenn Kilner, Air Corps.
Maj. Raymond Oscar Barton, Infantry.
Maj. Henry William Harms, Air Corps.
Maj. John Earl Lewis, Field Artillery.
Maj. Walton Harris Walker, Infantry.
Maj. Millard Fillmore Harmon, Jr., Air Corps.
Maj. John Duncan Kelly, Cavalry.
Maj. Edward Chamberlin Rose, Infantry.
Maj. Albert Eger Brown, Infantry.
Maj. William Nalle, Cavalry.
Maj. Ralph Cadot Holliday, Infantry.
Maj. Charles Chisholm Drake, Quartermaster Corps.
Maj. William Joseph Morrissey, Infantry.
xMaj. Robert Theodore Snow, Infantry.
Maj. Henry Charles McLean, Infantry.
xMaj. Frank Victor Schneider, Infantry.
Maj. Frank Joseph Riley, Quartermaster Corps.
Maj. Benjamin Franklin Delamater, Jr., Infantry.
Maj. Ralph Samuel Kimball, Adjutant General's Department.
Maj. Francis Bernard Mallon, Infantry.
Maj. Lathrop Boyd Clapham, Adjutant General's Department.
Maj. John Dilworth von Holtzendorff, Field Artillery.
Maj. Carl James Adler, Infantry.
Maj. Otto Godfrey Pitz, Coast Artillery Corps.
Maj. Burton Young Read, Adjutant General's Department.
Maj. Harry William Stark, Coast Artillery Corps.
Maj. Duncan Grant Richart, Cavalry.
Maj. Fred Hughes Coleman, Air Corps.
Maj. Archie Stanton Buyers, Ordnance Department.
Maj. William Ayres Borden, Ordnance Department.
Maj. Francis Tuttle Armstrong, Field Artillery.
Maj. Cecil George Young, Ordnance Department.
Maj. Carl Andrew Waldmann, Ordnance Department.
Maj. Paul Wesley Evans, Signal Corps.
Maj. Henry Armstrong Wingate, Quartermaster Corps.
Maj. William Claude Washington, Coast Artillery Corps.
Maj. Alfred Bixby Quinton, Jr., Ordnance Department.
Maj. Hamilton Templeton, Field Artillery.
xMaj. Bertram Frankenberger, Field Artillery.
Maj. John Keith Boles, Field Artillery.
Maj. Edward Fuller Witsell, Adjutant General's Department.
Maj. Alfred Loveday Rockwood, Chemical Warfare Service.
Maj. Edwin Pearson Parker, Jr., Field Artillery.
Maj. John Macaulay Eager, Field Artillery.
Maj. Carl Adolphus Hardigg, Quartermaster Corps.
Maj. Terry de la Mesa Allen, Cavalry.
Maj. John Chilton McDonnell, Air Corps.
Maj. Carl Lewis Caphton, Infantry.
Maj. William Rudolph Gruber, Field Artillery.
Maj. Otto Wagner, Cavalry.
Maj. Russell Brown Patterson, Cavalry.
Maj. Herbert Joseph Lawes, Quartermaster Corps.
Maj. Robert Crayton Williams, Corps of Engineers.
Maj. Clyde Vincent Simpson, Signal Corps.
Maj. Paul Xavier English, Chemical Warfare Service.
Maj. Estil Virgil Smith, Infantry.
Maj. Joseph Frank Richmond, Cavalry.
Maj. Troy Houston Middleton, Infantry.
Maj. Roland Francis Walsh, Quartermaster Corps.
Maj. Paul Murray, Infantry.
Maj. Roy Messick Jones, Air Corps.
Maj. Percy Edgar VanNostrand, Air Corps.
Maj. Frederic Vinton Hemenway, Adjutant General's Department.
Maj. John Bernard Brooks, Air Corps.
Maj. James Merriam Moore, Infantry.
Maj. John Breitling Coulter, Cavalry.
Maj. Welton Mathew Modisette, Cavalry.
Maj. John Parsons Wheeler, Cavalry.
Maj. Harold Aron Strauss, Air Corps.
Maj. Cyril Arthur Winton Dawson, Coast Artillery Corps.
Maj. Sherman Leo Kiser, Field Artillery.
Maj. Bradford G. Chynoweth, Infantry.
Maj. Howard Eager, Field Artillery.
Maj. John Charles Palmer Bartholf, Infantry.
Maj. Harold Thompson, Cavalry.
Maj. Robert Harwood Barrett, Infantry.
Maj. Ernest Joseph Carr, Infantry.
Maj. Patrick James Hurley, Infantry.
Maj. Hugh Broadus Keen, Infantry.
Maj. Walter Owen Rawls, Adjutant General's Department.
Maj. Francis Kosier Newcomer, Corps of Engineers.
Maj. William Gaulbert Weaver, Infantry.
Maj. Charles Francis Williams, Corps of Engineers.
Maj. Gordon Russell Young, Corps of Engineers.

Maj. Richard Ulysses Nicholas, Corps of Engineers.
Maj. Lewis King Underhill, Judge Advocate General's Department.
Maj. James Archer Dorst, Corps of Engineers.
Maj. Lunsford Errett Oliver, Corps of Engineers.
Maj. William Chalmers Young, Ordnance Department.
Maj. William Carey Crane, Field Artillery.
Maj. Carlos Brewer, Field Artillery.
Maj. David Edward Cain, Field Artillery.
Maj. John Eugene McMahon, Jr., Field Artillery.
Maj. Francis Augustus Englehart, Ordnance Department.
Maj. William Ashley Copthorne, Chemical Warfare Service.
Maj. George Wessely Sliney, Field Artillery.
Maj. Selby Harney Frank, Ordnance Department.
Maj. Eugene Tritle Spencer, Field Artillery.
Maj. Willis Dale Crittenberger, Cavalry.
Maj. Robert Heber VanVolkenburgh, Coast Artillery Corps.
Maj. Alfred Bainbridge Johnson, Ordnance Department.
Maj. Falkner Heard, Field Artillery.
Maj. Roland Louis Gaugler, Ordnance Department.
Maj. Samuel John Heidner, Infantry.
Maj. Junius Wallace Jones, Air Corps.
Maj. Thoburn Kaye Brown, Cavalry.
Maj. Manning Marius Kimmel, Jr., Coast Artillery Corps.
Maj. John Huff VanVliet, Infantry.
Maj. Leland Swarts Devore, Infantry.
Maj. Geoffrey Keyes, Cavalry.
Maj. Douglass Taft Greene, Infantry.
Maj. Robert Meredith Perkins, Coast Artillery Corps.
Maj. Lawrence Babbitt Weeks, Coast Artillery Corps.
Maj. Clarence Hagbart Danielson, Adjutant General's Department.
Maj. James Nixon Peale, Infantry.
Maj. John Arthur Considine, Cavalry.
Maj. David Beauregard Falk, Jr., Infantry.
Maj. William Cooper Foote, Coast Artillery Corps.
Maj. Francis Reuel Fuller, Infantry.
Maj. Clinton Warden Russell, Air Corps.
Maj. William Richard Schmidt, Infantry.
Maj. Louis Aleck Craig, Field Artillery.
Maj. George Edward Lovell, Jr., Air Corps.
Maj. Otis Keilholtz Sadtler, Signal Corps.
Maj. William Henry Jones, Jr., Infantry.
Maj. John Erskine Ardrey, Infantry.
Maj. Carlyle Hilton Wash, Air Corps.
Maj. Henry Pratt Perrine, Jr., Infantry.
Maj. Dennis Edward McCunniff, Infantry.
Maj. Henry Balding Lewis, Adjutant General's Department.
Maj. Henry Barlow Cheadle, Infantry.
Maj. Stewart Shepherd Giffin, Coast Artillery Corps.
Maj. Samuel Alexander Gibson, Infantry.
Maj. Paul Woolever Newgarden, Infantry.
Maj. Charles Andrew King, Jr., Infantry.
Maj. Alexander McCarrell Patch, Jr., Infantry.
Maj. Charles Bishop Lyman, Infantry.
Maj. Robert Lily Spragins, Infantry.
Maj. Ward Elverson Duvall, Coast Artillery Corps.
Maj. James Brown Gillespie, Ordnance Department.
Maj. Hans Robert Wheat Herwig, Quartermaster Corps.
Maj. Howard Calhoun Davidson, Air Corps.
Maj. William Lynn Roberts, Infantry.
Maj. William Alexander McCulloch, Infantry.
Maj. Lathe Burton Row, Infantry.
Maj. George Washington Price, Infantry.
Maj. Herbert Slayden Clarkson, Field Artillery.
Maj. Charles Gardiner Helmick, Field Artillery.
Maj. Madison Pearson, Adjutant General's Department.
Maj. Robert Duncan Brown, Coast Artillery Corps.
Maj. Ray Wehnes Barker, Field Artillery.
Maj. Mack Garr, Cavalry.
Maj. Edward Oliver Halbert, Coast Artillery Corps.
Maj. Frank Bonne Jordan, Field Artillery.
Maj. Alfred Eugene Sawkins, Infantry.
Maj. Robert Emmet Carmody, Cavalry.
Maj. Harry Lee King, Coast Artillery Corps.
Maj. Thomas James Camp, Infantry.
Maj. Robert Ogden Annin, Cavalry.
Maj. Augustin Mitchell Prentiss, Chemical Warfare Service.
Maj. Ralph Hospital, Field Artillery.
Maj. Theodore Barnes, Chemical Warfare Service.
Maj. Casey Hewitt Hayes, Field Artillery.
Maj. Harvey Steele Burwell, Air Corps.
Maj. Charles Bellows Hazeltine, Cavalry.
Maj. Russell Alger Osmun, Quartermaster Corps.
Maj. Joseph Olden Daly, Field Artillery.
Maj. Sidney Erickson, Infantry.
Maj. Elmer Yeager, Field Artillery.
Maj. Keith Frazee Adamson, Ordnance Department.
Maj. Frank Earl Bonney, Infantry.
Maj. Harry Foute Hazlett, Infantry.
Maj. George Lamberton Smith, Infantry.
Maj. Mahlen Augustus Joyce, Infantry.
Maj. Paul R. Davison, Cavalry.
Maj. William Henry Holcombe, Corps of Engineers.
Maj. Charles Philip Gross, Corps of Engineers.
Maj. Peter Cleary Bullard, Corps of Engineers.
Maj. Brehon Burke Somervell, Corps of Engineers.
Maj. Xenophon Herbert Price, Corps of Engineers.
Maj. Robert Walter Crawford, Corps of Engineers.
Maj. Dabney Otey Elliott, Corps of Engineers.
Maj. Frederick William Herman, Corps of Engineers.
Maj. John Hill Carruth, Corps of Engineers.
Maj. Philip Loomis Thurber, Field Artillery.
Maj. John Churchill Wyeth, Field Artillery.
xMaj. Arthur Ringland Harris, Field Artillery.
Maj. LaRhett Livingston Stuart, Coast Artillery Corps.
Maj. John Adams Brooks, Jr., Ordnance Department.
Maj. Cleveland Hill Bandholtz, Ordnance Department.
Maj. John Green Burr, Field Artillery.
Maj. Frank Lawrence Hoskins, Coast Artillery Corps.
Maj. John Benjamin Anderson, Field Artillery.
Maj. Cedric Watterson Lewis, Signal Corps.
xMaj. Joseph DeMoss McCain, Coast Artillery Corps.
Maj. Harry Clyde Ingles, Signal Corps.
Maj. James Lester Bradley, Infantry.

To be majors

Capt. Harry Winchester Benson, Cavalry.
Capt. John Hume Lucas, Infantry.
Capt. James William Howder, Quartermaster Corps.
Capt. Charles Cramer, Cavalry.
Capt. George Prentice Cummings, Cavalry.
Capt. John McBride, Infantry.
Capt. Charles Winston Burkett, Cavalry.
Capt. George Munteanu, Infantry.
Capt. Louis Bronson Gerow, Quartermaster Corps.
Capt. Clyde Eugene Austin, Quartermaster Corps.
Capt. Raymond Oscar Miller, Infantry.
Capt. Herman Christopher Kliber, Quartermaster Corps.
Capt. Victor Geoffrey Huskea, Infantry.
Capt. Fred Blackburn Rogers, Infantry.
Capt. Sexton Berg, Cavalry.
xCapt. Cornelius Francis O'Keefe, Cavalry.
Capt. Samuel Israel Zeidner, Quartermaster Corps.
Capt. Raymond Dresden Willis, Infantry.
Capt. Elliot Duncan Cooke, Infantry.
Capt. James Philip Lyons, Infantry.
Capt. Lloyd Leon Harvey, Air Corps.
Capt. Ernest Samusson, Infantry.
xCapt. Alfred Steere Knight, Infantry.
xCapt. Thomas Watson Hastey, Air Corps.
Capt. Alexander Calhoun Doyle, Quartermaster Corps.
Capt. Floyd Hubert Bain, Infantry.
Capt. Louis de Jussewicz, Quartermaster Corps.
Capt. Chester John Hirschfelder, Infantry.
Capt. Morris Berman, Air Corps.
Capt. Richard Fayette Fairchild, Infantry.
Capt. Donald John Myers, Infantry.
Capt. Charles Allen Easterbrook, Adjutant General's Department.
Capt. Herbert Allyn Myers, Cavalry.
Capt. Harold Witter Churchill, Ordnance Department.

Capt. Herbert Foster Wilkinson, Quartermaster Corps.
Capt. Marion Fred Shepherd, Infantry.
Capt. Rhey Thoburn Hellett, Cavalry.
Capt. George Fridfhof Bloomquist, Infantry.
Capt. Frank Emil Stoner, Signal Corps.
Capt. Roy Francis Lynd, Infantry.
Capt. Ernest Clifford Ayer, Infantry.
Capt. James Lester Ballard, Infantry.
Capt. John Patrick Ferriter, Signal Corps.
Capt. Harold William Webbe, Signal Corps.
Capt. Edward Henry Taliaferro, Jr., Coast Artillery Corps.
Capt. Walter Hitzfeldt, Field Artillery.
Capt. Walter Bender, Air Corps.
Capt. Aubrey Haines Baldwin, Quartermaster Corps.
Capt. Fred George Miller, Signal Corps.
Capt. Price Walter Beebe, Infantry.
Capt. James Jacob Firestone, Quartermaster Corps.
Capt. George Corbett Pilkington, Infantry.
Capt. James Kirker Campbell, Infantry.
Capt. Robert Lee Wright, Infantry.
Capt. Joseph Louis Bachus, Infantry.
Capt. Clyde Clarkson Way, Infantry.
Capt. Valentine Pearsall Foster, Coast Artillery Corps.
Capt. Richard Ernest Dupuy, Field Artillery.
Capt. Robert Neville Mackin, Jr., Coast Artillery Corps.
Capt. Harold Dean Woolley, Infantry.
Capt. John Henry Ball, Field Artillery.
Capt. Alfred Goodrich Braden, Jr., Judge Advocate General's Department.
Capt. Russell Baker, Infantry.
Capt. Everett Ernest Brown, Infantry.
Capt. Fay Ross, Infantry.
Capt. Harry LeRoy Branson, Cavalry.
Capt. Nels Louis Soderholm, Infantry.
Capt. Cyril Branston Spicer, Infantry.
Capt. Frank Gilson Chaddock, Field Artillery.
Capt. Carl Marcus Ulsaker, Infantry.
xCapt. Arthur Henry Rogers, Infantry.
Capt. Clinton William Ball, Corps of Engineers.
Capt. Harry Allen Austin, Infantry.
Capt. Kenneth George Althaus, Infantry.
Capt. Malcolm Byrne, Cavalry.
Capt. William Alexander Ellis, Infantry.
Capt. Sydney Clyde Fergason, Infantry.
Capt. Severne Spence MacLaughlin, Infantry.
Capt. Burton Francis Hood, Infantry.
Capt. Josiah Ara Wallace, Field Artillery.
Capt. Patrick Eugene Shea, Field Artillery.
Capt. William Daniel Candler, Quartermaster Corps.
Capt. Robert Baxter Field, Quartermaster Corps.
Capt. Charles Perfect, Quartermaster Corps.
Capt. James Truman Menzie, Cavalry.
Capt. Eugene Martin Foster, Finance Department.
Capt. Glenn Alonzo Ross, Quartermaster Corps.
Capt. Albert Michael Guidera, Air Corps.
Capt. Mark Vinton Brunson, Quartermaster Corps.
Capt. Elbridge Gerry Chapman, Jr., Infantry.
Capt. John James Harvey, Infantry.
Capt. Norman Doud Finley, Infantry.
Capt. Lincoln Martin, Quartermaster Corps.
Capt. Philip Theodore Fry, Infantry.
Capt. Edwin Owen Baker, Signal Corps.
Capt. Fred Guy Borden, Signal Corps.
Capt. Calvin Halcombe Burkhead, Signal Corps.
Capt. James Francis Doherty, Air Corps.
Capt. Wilmer Micajah Flinn, Quartermaster Corps.
Capt. Fred Page Andrews, Signal Corps.
Capt. Samuel Robert Kimble, Ordnance Department.
Capt. George Walter Whybark, Coast Artillery Corps.
Capt. John Gardiner Drinkwater, Corps of Engineers.
Capt. Bernard Smith, Corps of Engineers.
Capt. Donald Buckingham Greenwood, Coast Artillery Corps.
Capt. Lewis Charles Beebe, Infantry.
Capt. Alexander Seymour Ackerman, Corps of Engineers.
Capt. Howard McClymonds Yost, Corps of Engineers.
Capt. William Van Dyke Ochs, Cavalry.
Capt. Coburn Lee Berry, Coast Artillery Corps.
Capt. Edward Henry Besse, Quartermaster Corps.
Capt. Rufo McAmis Fitzpatrick, Infantry.
Capt. Lynwood Benjamin Jacobs, Air Corps.
Capt. George Roscoe Hedge, Infantry.
Capt. Ernest Russ Barrows, Coast Artillery Corps.
Capt. Vernon Webster Hall, Coast Artillery Corps.
Capt. Burritt Havilah Hinman, Judge Advocate General Department.
Capt. William Moore Carter, Infantry.
Capt. Rolla Valentine Ladd, Coast Artillery Corps.
Capt. Walter James Gilbert, Coast Artillery Corps.
xCapt. Frederic Webster Cook, Coast Artillery Corps.
Capt. Harold Street Wilkins, Ordnance Department.
Capt. Albert Leon Tuttle, Infantry.
Capt. Franklin Eugene Edgecomb, Coast Artillery Corps.
Capt. Harry Lee Hagan, Infantry.
Capt. Patrick Joseph Dodd, Infantry.
xCapt. Louis James Bowler, Coast Artillery Corps.
Capt. Dan Maynard Ellis, Infantry.
Capt. Frank Wilbur Wright, Air Corps.
Capt. George Blaney, Coast Artillery Corps.
Capt. Elmer Theodore Foss, Quartermaster Corps.
Capt. George David Condren, Infantry.
Capt. Douglass Newman McMillin, Infantry.
Capt. Thomas Raymond Parker, Coast Artillery Corps.
Capt. Elmer G. Lindroth, Infantry.
Capt. Gersum Cronander, Cavalry.
Capt. Harry Burgie Smith, Quartermaster Corps.
Capt. Jewett DeWitt Matthews, Field Artillery.
Capt. Harold Borden Bliss, Coast Artillery Corps.
Capt. Andrew Jackson Powell, Infantry.
Capt. Don Richman Norris, Coast Artillery Corps.
Capt. Stuart McLeod, Field Artillery.
Capt. Nathaniel Ernest Callen, Infantry.
Capt. Ernest Collidge Goding, Infantry.
Capt. Lawrence Stanley Woods, Quartermaster Corps.
Capt. Edward Joseph Glynn, Quartermaster Corps.
Capt. George Irvin Smith, Cavalry.
Capt. Joseph Vincent Coughlin, Infantry.
Capt. Macey Lillard Dill, Infantry.
Capt. Edgar Peter Sorensen, Air Corps.
xCapt. Edward Julius Renth, Infantry.
Capt. James Richard Townsend, Coast Artillery Corps.
Capt. George Head Duff, Field Artillery.
Capt. John Henry Harrington, Coast Artillery Corps.
Capt. Francis Firmin Fainter, Infantry.
Capt. Peter Girardeau Marshall, Jr., Infantry.
Capt. Robert Olds, Air Corps.
Capt. Eugene John Heller, Quartermaster Corps.
Capt. Thomas Harry Chambers, Finance Department.
Capt. Daniel O'Connell, Quartermaster Corps.
xCapt. Arthur Louis Koch, Quartermaster Corps.
Capt. Floyd Duren Jones, Quartermaster Corps.
Capt. Raymond Charles Blatt, Cavalry.
Capt. Franklin Miller Cochran, Infantry.
Capt. Fred William Fallin, Quartermaster Corps.
Capt. Elmer Conrad Goebert, Ordnance Department.
Capt. Edward Brigham McKinley, Quartermaster Corps.
Capt. Gilbert Livingston Thompson, Signal Corps.
Capt. William Arthur Worley, Quartermaster Corps.
Capt. Joseph Pemberton Glandon, Quartermaster Corps.
Capt. Claude Mitchell Adams, Infantry.
Capt. Walter Patrick O'Brien, Infantry.
Capt. Byron Tully Ipock, Coast Artillery Corps.
Capt. Carl Hugo Jabelonsky, Quartermaster Corps.
Capt. Lester Levi Boggs, Field Artillery.
Capt. Calvin Sutton Richards, Field Artillery.
Capt. Alexander Mitchell Owens, Quartermaster Corps.
Capt. Clifford Debray Cuny, Signal Corps.
Capt. Ira Harry Treest, Signal Corps.
Capt. Philip Boswell Taliaferro, Coast Artillery Corps.
Capt. Frank Brevard Hayne, Infantry.
Capt. Thomas Reed Bartlett, Coast Artillery Corps.
Capt. Lloyd Chandler Parsons, Signal Corps.

Capt. Theodore Edward Thomas Haley, Field Artillery.
Capt. Frederick Van Antwerp Berger, Quartermaster Corps.
Capt. Ralph Richard Guthrie, Signal Corps.
Capt. Archie Keefer Rupert, Infantry.
Capt. Thomas Castleman Harry, Field Artillery.
Capt. Harry Bernard Allen, Field Artillery.
xCapt. Arthur Pickens, Infantry.
Capt. Martin Clinton Walton, Jr., Field Artillery.
Capt. Samuel Charles Harrison, Infantry.
Capt. Charles Robert Hall, Field Artillery.
Capt. Daniel Floyd Jones, Field Artillery.
Capt. Walter Mulford Mann, Infantry.
Capt. Lewis Evans Reigner, Field Artillery.
Capt. Oscar Nelson Schjerven, Field Artillery.
Capt. William Leslie Brown, Infantry.
Capt. William Archibald Campbell, Field Artillery.
Capt. James Clark Hughes, Field Artillery.
Capt. Fred Ordway Wickham, Infantry.
Capt. William Gregory Brey, Coast Artillery Corps.
Capt. William Henry Sadler, Quartermaster Corps.
Capt. Ben Butler Blair, Coast Artillery Corps.
Capt. Frederick Sidney Doll, Infantry.
Capt. Lawrence Gibson Forsythe, Cavalry.
xCapt. Humphrey Swygart Evans, Quartermaster Corps.
Capt. Robert Edwards Hannay, Jr., Judge Advocate General's Department.
Capt. Lewis Frederick Kosch, Field Artillery.
Capt. Allender Swift, Infantry.
xCapt. William Richard Maris, Coast Artillery Corps.
Capt. Marion Lyman Young, Field Artillery.
Capt. Earle Howard Malone, Infantry.
Capt. Roy Samuel Gibson, Infantry.
Capt. John Gerak Cook, Field Artillery.
Capt. Everard Franklin Olsen, Coast Artillery Corps.
Capt. Irving Devance Offer, Field Artillery.
Capt. Arthur Francis Doran, Field Artillery.
Capt. Melvin Earl Gillette, Signal Corps.
Capt. Tom Christopher Rives, Signal Corps.
Capt. Andrew Raymond Reeves, Field Artillery.
Capt. Lewis Blaine Hershey, Field Artillery.
xCapt. William Frederic Marquat, Coast Artillery Corps.
Capt. Willis Aubrey Hedden, Infantry.
Capt. Allison Ware Jones, Coast Artillery Corps.
xCapt. Howard Herndon Davis, Infantry.
Capt. George Eitle Hartman, Quartermaster Corps.
xCapt. Philip Frederick Biehl, Coast Artillery Corps.
Capt. James Gasper Devine, Coast Artillery Corps.
Capt. Richard Bocock Willis, Field Artillery.
Capt. Howard Nathaniel Frissell, Infantry.
Capt. Henry Vaughn Dexter, Infantry.
Capt. Hans Ernest Kloepfer, Cavalry.
Capt. Edward Allen Everitt, Jr., Cavalry.
Capt. Ted Harold Cawthorne, Infantry.
Capt. Henry Barton Dawson, Field Artillery.
Capt. Robert Hughes Lord, Infantry.
Capt. Archibald Ross MacKechnie, Infantry.
Capt. John Paul Ratay, Field Artillery.
Capt. Mose Kent Pigman, Infantry.
Capt. Harry William Maas, Cavalry.
Capt. Fenton Gay Epling, Coast Artillery Corps.
Capt. Herbert Gray Esden, Infantry.
Capt. Francis Henry Boucher, Field Artillery.
Capt. William Henry Sweet, Coast Artillery Corps.
Capt. Louis Cansler, Signal Corps.
Capt. Ross Gordon Hoyt, Air Corps.
Capt. William Bentley Mayer, Air Corps.
Capt. Harold Kernan, Field Artillery.
Capt. Hubert Augustine McMorrow, Coast Artillery Corps.
Capt. George Albert Jackson, Infantry.
Capt. Dwight Hughes, Jr., Cavalry.
Capt. William Robert Stickman, Cavalry.
Capt. Maximilian Clay, Infantry.
Capt. Calvert Hinton Arnold, Signal Corps.
Capt. Lloyd William Biggs, Cavalry.
Capt. Wilkie Collins Burt, Cavalry.
Capt. Ralph Emerson Bower, Infantry.
Capt. George Leland Eberle, Infantry.
Capt. Rufus Stanley Ramey, Cavalry.
Capt. Marcus Brenneman Bell, Infantry.
Capt. Louis Joseph Fortier, Field Artillery.
Capt. James Bentley Taylor, Cavalry.
Capt. Remington Orsinger, Infantry.
Capt. William Stewart Morris, Infantry.
Capt. Richard Henry Ballard, Air Corps.
Capt. Leon Chapman Dennis, Coast Artillery Corps.
Capt. Charles William Chalker, Infantry.
Capt. James Clay Short, Cavalry.
Capt. Roy Crawford Moore, Quartermaster Corps.
Capt. William Fred Lafrenz, Coast Artillery Corps.
Capt. John Deane Forsythe, Infantry.
Capt. John Franklin Hepner, Field Artillery.
Capt. Lawrence Byron Wyant, Cavalry.
Capt. Leslie T. Lathrop, Infantry.
Capt. James Black Muir, Jr., Coast Artillery Corps.
Capt. Edmund Hathaway Stillman, Coast Artillery Corps.
Capt. Robert Chapman Snidow, Coast Artillery Corps.
Capt. Ralph Hudson Wooten, Air Corps.
Capt. Kenneth Burman Bush, Adjutant General's Department.
Capt. Charles Henry Keck, Ordnance Department.
Capt. James Thomas Duke, Cavalry.
Capt. Thomas Watkins Ligon, Cavalry.
xCapt. Edward Hale Brooks, Field Artillery.
Capt. James David Brown, Coast Artillery Corps.
Capt. Wayland Bixby Augur, Cavalry.
Capt. Harold Mark McClelland, Air Corps.
Capt. William Brooks Bradford, Cavalry.
Capt. Edmund Waring McLarren, Finance Department.
Capt. Arnold Wilkinson Shutter, Field Artillery.
Capt. Abram Franklin Kibler, Field Artillery.
Capt. Cecil Ray Moore, Corps of Engineers.
Capt. Francis Sylvester Conaty, Field Artillery.
xCapt. Norman Lee Baldwin, Signal Corps.
xCapt. Grafton Sherwood Kennedy, Ordnance Department.
Capt. William Caldwell Dunckel, Field Artillery.
Capt. Harold Clarkson Mabbott, Coast Artillery Corps.
Capt. John Waller Faulconer, Jr., Field Artillery.
Capt. Gennad Alban Greaves, Field Artillery.
Capt. Francis Murry Crist, Field Artillery.
Capt. Lucas Elmendorf Schoonmaker, Coast Artillery Corps.
Capt. William Fergus Kernan, Field Artillery.
Capt. Gordon Marshall Wells, Ordnance Department.
Capt. Don Carlos Faith, Infantry.
Capt. Raymond Orr, Infantry.
Capt. Hermon French Safford, Ordnance Department.
Capt. Clifford Dean Hindle, Coast Artillery Corps.
Capt. Thomas Adam Austin, Jr., Infantry.
Capt. Morrill Ross, Field Artillery.
Capt. Vernon McTyeire Shell, Cavalry.
Capt. John Averill Steere, Field Artillery.
Capt. Leslie Edwards Babcock, Field Artillery.
Capt. Francis Howard Wilson, Infantry.
Capt. James Charles Longino, Quartermaster Corps.
Capt. Maxton Hale Flint, Finance Department.
Capt. Eugene Peter Henry Gempel, Chemical Warfare Service.
Capt. Charles Swett Pettee, Infantry.
Capt. John Melville Sanderson, Field Artillery.
Capt. Sidney Hamlet Negrotto, Infantry.
Capt. Gustav Joseph Braun, Infantry.
Capt. William Henry Egle Holmes, Field Artillery.
Capt. John Lindley Gammell, Field Artillery.
Capt. Charles William Walton, Chemical Warfare Service.
Capt. Douglas Meriwether Griggs, Coast Artillery Corps.
Capt. Ward Hale Maris, Field Artillery.
Capt. Hugh John FitzGerald, Cavalry.
Capt. Everett Langdon Upson, Infantry.
Capt. James Paul Jacobs, Coast Artillery Corps.
Capt. Paul Joseph Matte, Cavalry.
Capt. Don Forrester Pratt, Infantry.

Capt. Ernest Ransome Percy, Coast Artillery Corps.
Capt. Murray Henry Ellis, Cavalry.
Capt. Wolcott Paige Hayes, Air Corps.
Capt. Ernest Cleveland Bomar, Ordnance Department.
Capt. Donovan Paul Yeuell, Infantry.
Capt. Charles Edward Atkinson, Coast Artillery Corps.
Capt. Gustav Bismark Guenther, Cavalry.
Capt. Edward Benedict McCarthy, Coast Artillery Corps.
Capt. Leslie Frederick Lawrence, Cavalry.
Capt. Horace Waldo Forster, Cavalry.
Capt. Edwin Hubert Randle, Infantry.
Capt. Simpson Ridley Stribling, Ordnance Department.
Capt. Francis Marion Rich, Infantry.
Capt. Waldemar Adolph Falck, Cavalry.
Capt. Carl John Rohsenberger, Cavalry.
Capt. James Veto McDowell, Cavalry.
Capt. James Thomas Campbell, Coast Artillery Corps.
Capt. Howard Spencer MacKirdy, Coast Artillery Corps.
Capt. Harry Lee Hart, Quartermaster Corps.
Capt. John Henry Gibson, Infantry.
Capt. James Henry Beals Bogman, Signal Corps.
Capt. Percy Stuart Haydon, Cavalry.
Capt. Edwin Ernest Aldridge, Infantry.
Capt. Edwin Blake Crabill, Infantry.
Capt. Edmund Walton Hill, Air Corps.
xCapt. Albert Edward McIntosh, Cavalry.
Capt. Alfred Marston Shearer, Signal Corps.
Capt. Halbert Hale Neilson, Cavalry.
Capt. James Obadiah Tarbox, Infantry.
Capt. Truman Everett Boudinot, Cavalry.
Capt. Raymond Frank Edwards, Infantry.
Capt. Maurice Eugene Barker, Chemical Warfare Service.
Capt. Oren Anelen Mulkey, Infantry.
Capt. Stephen Boon, Jr., Cavalry.
Capt. Harold Glaucus Holt, Cavalry.
Capt. Robert Alexis McClure, Infantry.
Capt. Graham Roscoe Schweickert, Infantry.
Capt. Charles Gordon Hutchinson, Cavalry.
Capt. George Davis Wiltshire, Cavalry.
Capt. Arthur John Wehr, Signal Corps.
Capt. Wannie Lee Bartley, Quartermaster Corps.
Capt. Norman John McMahon, Field Artillery.
Capt. Donald Morris Bartow, Infantry.
Capt. Paul Louis Singer, Infantry.
Capt. Joseph Louis Ready, Infantry.
Capt. Earl Coulson Flegel, Infantry.
Capt. Herbert Blish Wheeler, Infantry.
Capt. Wilbur Stern Elliott, Quartermaster Corps.
xCapt. Kirke Brooks Lawton, Signal Corps.
Capt. Neil Smith Edmond, Infantry.
Capt. Harold Haney, Infantry.
Capt. Martin DeWitt McAllister, Infantry.
Capt. William Henry Colbern, Field Artillery.
Capt. Marcel Alfred Gillis, Infantry.
Capt. John William Carroll, Cavalry.
Capt. Charles Lewis, Finance Department.
Capt. Floyd Merritt Hyndman, Cavalry.
Capt. Ira Claude Nicholas, Infantry.
Capt. Clarence Walter Richmond, Quartermaster Corps.
Capt. George Edward Kraul, Infantry.
Capt. Arthur Wilson Waldron, Coast Artillery Corps.
Capt. George Foster Hobson, Quartermaster Corps.
Capt. John Bryce Casseday, Quartermaster Corps.
Capt. John Francis Hanley, Infantry.
Capt. William Herbert Murphy, Signal Corps.
Capt. Ben Stafford, Infantry.
Capt. Dover Bell, Quartermaster Corps.
Capt. Harold Lester Egan, Infantry.
Capt. Charles Adolph Kraus, Quartermaster Corps.
Capt. John Kasper, Quartermaster Corps.
Capt. George Ernest Kelsch, Infantry.
Capt. John Lynch, Infantry.
Capt. Arthur Randolph Whitner, Infantry.
Capt. Edward Joseph Maloy, Quartermaster Corps.
Capt. Carmi Luzerne Williams, Infantry.
Capt. Elmer John Armstrong, Infantry.
Capt. Sumner Morris Smith, Field Artillery.
Capt. Herbert Baldwin, Finance Department.
Capt. William Fisk, Infantry.
Capt. Albert Barnett Jones, Corps of Engineers.
Capt. Hamilton Thorn, Infantry.
Capt. John Wade McCormick, Infantry.
Capt. Charles Edwin Knickerbocker, Infantry.
Capt. James Roger Kennedy, Infantry.
Capt. Robert Edward Jones, Infantry.
Capt. Clarence Howard Kells, Infantry.
Capt. Harold Ragan Priest, Infantry.
Capt. David Cleveland Kelly, Ordnance Department.
Capt. Frank Henry Hollingsworth, Field Artillery.
Capt. Randolph Russell, Cavalry.
Capt. Brock Putnam, Cavalry.
Capt. James Aloysius Hasson, Infantry.
Capt. Edwin Miles Sumner, Cavalry.
Capt. Thomas Henry Green, Judge Advocate General's Department.
Capt. Harold de Beaumont Bruck, Cavalry.
Capt. Donald Anderson Young, Cavalry.
Capt. Hans Charles Minuth, Cavalry.
Capt. Christian Allen Schwarzwaelder, Quartermaster Corps.
Capt. Edwin Clarence Gere, Quartermaster Corps.
Capt. Howard Nichols Merrill, Infantry.
Capt. Harold Putnam Detwiler, Coast Artillery Corps.
Capt. Clarence Francis Hofstetter, Ordnance Department.
Capt. Charles Lawrence Bolté, Infantry.
Capt. Theodore Francis Wessels, Infantry.
Capt. Arthur John McChrystal, Adjutant General's Department.
Capt. Malcolm Fraser Lindsey, Infantry.
Capt. Horace Oscar Cushman, Infantry.
Capt. Harley Latson, Corps of Engineers.
Capt. William Maine Hutson, Infantry.
Capt. David Henry Finley, Infantry.
Capt. Clifford Arthur Eastwood, Cavalry.
Capt. Vinton Lee James, Jr., Infantry.
Capt. William Franklin Campbell, Quartermaster Corps.
Capt. Stuart Cutler, Infantry.
Capt. John Reuben Boatwright, Infantry.
xCapt. Lester Nelson Allyn, Infantry.
Capt. Henry Lester Barrett, Infantry.
Capt. Archibald Donald Fisken, Coast Artillery Corps.
Capt. Fenton Stratton Jacobs, Cavalry.
xCapt. Raymond Rolland Tourtillott, Infantry.
Capt. George Albert Hadd, Infantry.
Capt. Joseph Purnell Cromwell, Adjutant General's Department.
Capt. Lawrence Locke Clayton, Signal Corps.
Capt. Catesby ap Catesby Jones, Cavalry.
Capt. William Mayer, Chemical Warfare Service.
Capt. James Laird Craig, Coast Artillery Corps.
Capt. Ray Maxey Hare, Quartermaster Corps.
Capt. Walter Francis Zullins, Infantry.
Capt. Henry Lord Page King, Signal Corps.
Capt. Charles Ernest Loucks, Chemical Warfare Service.
Capt. Herbert Vaughan Scanlan, Cavalry.
Capt. George Philip Seneff, Field Artillery.
Capt. Russell Gordon Ayers, Infantry.
Capt. William Allen Wappenstein, Infantry.
xCapt. Charles Hayden Owens, Infantry.
Capt. Joseph William Loef, Field Artillery.
Capt. Carter Collins, Infantry.
Capt. Hugh McCauley Cochran, 3d, Coast Artillery Corps.
Capt. George Edwin Abrams, Infantry.
Capt. Albert Dickinson Foster, Infantry.
Capt. Donald Parker Spalding, Infantry.
xCapt. Ercil Dale Porter, Infantry.
Capt. Harold Jack Adams, Signal Corps.
Capt. Claude Alfred White, Field Artillery.
Capt. John Franklin Farnsworth, Infantry.
xCapt. William Booth Van Auken, Cavalry.
Capt. Archer Lynn Lerch, Infantry.
Capt. Wendell Lapsley Clemenson, Infantry.

Capt. Moses William Pettigrew, Field Artillery.
Capt. Walter Francis Kraus, Air Corps.
Capt. Charles James Deahl, Jr., Infantry.
Capt. Arcadi Gluckman, Infantry.
Capt. Dale Milton Hoagland, Field Artillery.
xCapt. Roy Thomas Rouse, Infantry.
Capt. Lester Martin Kilgarif, Field Artillery.
Capt. James Wilson Rice, Chemical Warfare Service.
Capt. James Polk Gammon, Infantry.
Capt. James Irving Gibbon, Cavalry.
Capt. Burton Curtis Andrus, Cavalry.
Capt. Arthur Lafayette Warren, Field Artillery.
Capt. Irwin Lytle Lummis, Infantry.
Capt. David Lewis Ruffner, Field Artillery.
Capt. Mark Milton Serrem, Ordnance Department.
Capt. Arthur William Gower, Coast Artillery Corps.
Capt. John Taylor Lewis, Coast Artillery Corps.
Capt. Ross Breckon Warren, Field Artillery.
Capt. Walter David Luplow, Corps of Engineers.
Capt. Samuel Lusker McCroskey, Coast Artillery Corps.
Capt. Arvid Paul Croonquist, Infantry.
Capt. Oliver Boone Bucher, Coast Artillery Corps.
Capt. Clarence Ames Martin, Infantry.
Capt. Francis Stuart Swett, Coast Artillery Corps.
Capt. Henning Linden, Infantry.
Capt. George Read, Jr., Infantry.
Capt. Harold Taylor Brotherton, Field Artillery.
Capt. Miles Whitney Kresge, Ordnance Department.
Capt. Ralph de Poix Terrell, Field Artillery.
Capt. Walter Alexander Dumas, Infantry.
Capt. Edwin Emerson Keatley, Infantry.
Capt. George Worcester Ricker, Coast Artillery Corps.
Capt. George Comfort Parkhurst, Infantry.
Capt. Don Magruder Scott, Infantry.
Capt. Robert Edward Wysor, Jr., Infantry.
Capt. James Edward Wharton, Infantry.
Capt. Edgar Allen O'Hair, Field Artillery.
Capt. Martin Dunlap Barndollar, Jr., Infantry.
Capt. Lewis Simons, Infantry.
Capt. James Harold Day, Infantry.
Capt. George William Outland, Ordnance Department.
Capt. John Mead Silkman, Corps of Engineers.
Capt. Loren Archibald Wetherby, Infantry.
Capt. James Joseph Coghlan, Infantry.
Capt. Bernard Butler McMahon, Infantry.
Capt. George Edwin Fingarson, Infantry.
Capt. Stanley Raymond Mickelsen, Coast Artillery Corps.
Capt. Ernest Albert Rudelius, Infantry.
Capt. William Lee Blanton, Infantry.
Capt. Carl Beecher Byrd, Cavalry.
Capt. Thomas Brady, Jr., Quartermaster Corps.
Capt. Porter Pise Wiggins, Infantry.
Capt. Gilbert Xavier Cheves, Cavalry.
Capt. William Edward Corkill, Field Artillery.
Capt. John Thomas Zellars, Infantry.
xCapt. Richard Alfred McClure, Infantry.
Capt. Carroll Gowen Riggs, Coast Artillery Corps.
Capt. John Adams Ballard, Signal Corps.
Capt. Emons Bert Whisner, Infantry.
Capt. George Wesley Griner, Jr., Infantry.
Capt. Douglas Lee Crane, Field Artillery.
Capt. Hugh Tullock Mayberry, Infantry.
Capt. Wade Carpenter Gatchell, Cavalry.
Capt. Frederic Harris Timmerman, Field Artillery.
xCapt. Harry Staples Robertson, Infantry.
Capt. Philip Edward Brown, Infantry.
Capt. Andrew Jackson Wynne, Cavalry.
Capt. Olaf Phillips Winningstad, Ordnance Department.
Capt. Winfred Charles Green, Field Artillery.
Capt. Marion Irwin Voorhes, Cavalry.
Capt. George Arthur Davis, Infantry.
Capt. George VanWyck Pope, Infantry.
Capt. George Ellsworth Butler, Infantry.
Capt. Edgar Lewis Clewell, Signal Corps.
xCapt. Herbert Fritz Ernst Bultman, Coast Artillery Corps
Capt. Joel Rankin Burney, Infantry.
Capt. Wilton Burton Persons, Signal Corps.
Capt. Campbell Nelson Jackson, Infantry.
xCapt. Homer Case, Coast Artillery Corps.
Capt. John Henry Gardner, Jr., Signal Corps.
Capt. Earl Cranston Ewert, Field Artillery.
xCapt. Bird Little, Infantry.
Capt. Lucian King Truscott, Jr., Cavalry.
Capt. Guy Cummins McKinley, Jr., Infantry.
Capt. Gordon Prescott Savage, Infantry.
xCapt. Harold Hugh McClune, Infantry.
Capt. Lester Earl MacGregor, Infantry.
Capt. Harold Pearson Gibson, Infantry.
Capt. Lloyd Ross Besse, Infantry.
Capt. Charles Fearn Sutherland, Infantry.
Capt. Gilbert Everhard Parker, Infantry.
Capt. Francis Beeston Laurenson Myer, Quartermaster Corps.
Capt. Arthur Seymour Nevins, Infantry.
Capt. John George Murphy, Coast Artillery Corps.
Capt. Gustave Villaret, Jr., Infantry.
Capt. Edwin Sanders Van Deusen, Quartermaster Corps.
Capt. Joe Jens Miller, Signal Corps.
Capt. George Alfred Hunt, Infantry.
Capt. Frank Johnson McSherry, Coast Artillery Corps.
Capt. John Ernest Dahlquist, Infantry.
Capt. William Eugene Farthing, Air Corps.
Capt. Tom Sherman Brand, Infantry.
Capt. Charles Morris Ankcorn, Infantry.
Capt. James Robinson Urquhart, Infantry.
Capt. Morrill Watson Marston, Infantry.
Capt. William Edward Bergin, Adjutant General's Department.
Capt. John Calvin Butner, Jr., Field Artillery.
Capt. Benjamin Wilson Venable, Infantry.
Capt. John Lawrence Murphy, Infantry.
Capt. Edward Stanley Ott, Field Artillery.
Capt. Melvin Leslie McCreary, Field Artillery.
Capt. Herman Hollie Felix Gossett, Field Artillery.
Capt. Murray Matthews Montgomery, Field Artillery.
Capt. Lester Johnson Whitlock, Field Artillery.
Capt. A. Pledger Sullivan, Adjutant General's Department.
Capt. Harry Lee Campbell, Ordnance Department.
Capt. John Kay Christmas, Ordnance Department.
Capt. Harvey Edward, Quartermaster Corps.
Capt. Leo James McCarthy, Infantry.
Capt. Earl Franklyn Paynter, Infantry.
xCapt. Ernest Arthur Williams, Cavalry.
Capt. George Price Hays, Field Artillery.
Capt. George Harrison Millholland, Cavalry.
Capt. Herbert Daskum Gibson, Infantry.
Capt. Harry Squire Wilbur, Infantry.
Capt. Ralph Julian Canine, Field Artillery.
Capt. Paul Blassengame Robinson, Infantry.
Capt. William Lamont Coulter, Infantry.
Capt. Joseph Henry Hinwood, Infantry.
Capt. Russell Fleming Walthour, Jr., Infantry.
Capt. Timothy Asbury Pedley, Jr., Infantry.
Capt. Donald Ross Dunkle, Cavalry.
Capt. Chester Earl Davis, Cavalry.
Capt. Edwin Turner Bowden, Infantry.
Capt. Holmes Gill Paullin, Cavalry.
Capt. Ray Edison Porter, Infantry.
Capt. Frank Exley Barber, Infantry.
Capt. John Earl Brannan, Infantry.
Capt. John Hamilton Irving, Cavalry.
Capt. Oliver Ferguson Marston, Field Artillery.
Capt. Evan Dhu Cameron, Jr., Signal Corps.
Capt. Clarence Clemons Park, Field Artillery.
Capt. Glenn Smith Finley, Cavalry.
Capt. William Volney Rattan, Infantry.
Capt. Rosswell Eric Hardy, Ordnance Department.
Capt. Manly Foster Meador, Cavalry.
Capt. Zim E. Lawhon, Field Artillery.
Capt. Lloyd Zuppann, Infantry.
Capt. John Kirkland Rice, Infantry.
Capt. Hammond Davies Birks, Infantry.
Capt. James Holden Hagan, Infantry.
Capt. Lester Smith Ostrander, Infantry.

Capt. Charles Spurgeon Johnson, Infantry.
xCapt. Manly Broadus Gibson, Coast Artillery Corps.
Capt. Charles Hayes Henry, Infantry.
Capt. John Harold Keatinge, Field Artillery.
Capt. Hugh Andrew Wear, Infantry.
Capt. George Allan Miller, Infantry.
Capt. Stockbridge Carleton Hilton, Field Artillery.
Capt. William Russell Philp, Field Artillery.
Capt. George Anthony Horkan, Quartermaster Corps.
Capt. Charles Herman Unger, Cavalry.
Capt. Walter Harold Soderholm, Ordnance Department.
Capt. Samuel Cranmer Thompson, Infantry.
Capt. Harry Winant Caygill, Infantry.
Capt. James Elson Jeffres, Infantry.
Capt. Vennard Wilson, Ordnance Department.
Capt. Orlo Harry Quinn, Air Corps.
Capt. Lewis Anderson Page, Infantry.
Capt. Alexander Oscar Gorder, Infantry.
Capt. Geoffrey Marshall, Chemical Warfare Service.
Capt. Percy Custer Fleming, Field Artillery.
Capt. Edward Maynard Fickett, Cavalry.
Capt. John Francis Roehm, Field Artillery.
Capt. Milo Victor Buchanan, Infantry.
Capt. Kearie Lee Berry, Infantry.
xCapt. William Elbridge Chickering, Adjutant General's Department.
Capt. Wilbur Reece McReynolds, Infantry.
Capt. Howell Redd Hanson, Field Artillery.
Capt. George Robert Hayman, Field Artillery.
Capt. Howard Everett Camp, Field Artillery.
Capt. James Couzens Van Ingen, Signal Corps.
Capt. Fred Currie Milner, Infantry.
Capt. Charles Frost Craig, Infantry.
Capt. Lloyd Smith Partridge, Field Artillery.
Capt. Callie Hammond Palmer, Cavalry.
Capt. Karl Eugene Henion, Infantry.
Capt. Harold Whittle Blakeley, Field Artillery.
Capt. George Orial Clark, Infantry.
Capt. Lewis Allison Hudgins, Coast Artillery Corps.
Capt. Russell J. Potts, Infantry.
Capt. William Hoover Craig, Infantry.
Capt. Ollie William Reed, Infantry.
Capt. William Lawrence Phillips, Infantry.
Capt. Levi Monroe Bricker, Ordnance Department.
Capt. Louis Wilson Maddox, Infantry.
Capt. James Gaulding Watkins, Field Artillery.
Capt. Christopher Columbus Strawn, Cavalry.
Capt. William Fulton Magill, Jr., Infantry.
Capt. Robert John Wagoner, Quartermaster Corps.
Capt. Sam Williams Anderson, Coast Artillery Corps.
Capt. Alfred Joseph de Lorimier, Cavalry.
Capt. Everett Busch, Field Artillery.
Capt. James Taylor, Infantry.
Capt. Stewart Darden Hervey, Infantry.
Capt. Frank Joyce Pearson, Infantry.
Capt. Lester Thomas Miller, Air Corps.
Capt. Leo Donovan, Infantry.
Capt. Arthur Bee McDaniel, Air Corps.
Capt. Percy McCay Vernon, Infantry.
xCapt. Richard Earl Tallant, Cavalry.
Capt. Peter J. Lloyd, Infantry.
Capt. Henry Hale Cheshire, Cavalry.
Capt. Theodore Morton Cornell, Infantry.
Capt. Paul Vincent Kellogg, Infantry.
Capt. Herbert Ludwell Earnest, Cavalry.
Capt. Charles Spurgeon Harris, Coast Artillery Corps.
Capt. John Reed Hodge, Infantry.
Capt. Arthur Richard Walk, Infantry.
Capt. Leslie Egner Toole, Infantry.
Capt. Francis Murray Brady, Air Corps.
Capt. Paul Wolcott Rutledge, Coast Artillery Corps.
Capt. Eubert Harrison Malone, Infantry.
Capt. Ray Tyson Maddocks, Cavalry.
Capt. James Footville Butler, Infantry.
Capt. Richard Nelson Atwell, Cavalry.
Capt. Truman Morris Martin, Infantry.
Capt. Morris Simpson Daniels, Jr., Cavalry.
Capt. Cecil Leland Rutledge, Infantry.
Capt. Theodore Christian Gerber, Ordnance Department.
Capt. Lawrence Leonard William Meinzen, Infantry.
Capt. John Orland Lawrence, Cavalry.
Capt. George LeConte Ramsey, Infantry.
Capt. John Johnson Albright, Infantry.
Capt. Charles Williamson Glover, Field Artillery.
Capt. Alexander Adair, Infantry.
Capt. Grant Alexander Schlieker, Infantry.
Capt. William Grant Hilliard, Jr., Infantry.
Capt. Leslie Marshall Skerry, Field Artillery.
Capt. Walter Carper Phillips, Infantry.
Capt. Anthony Joseph Touart, Infantry.
Capt. Arthur Edmund Easterbrook, Air Corps.
Capt. Harry John Collins, Infantry.
Capt. James Van Valkenburgh Shufelt, Cavalry.
Capt. Henry Paul Hallowell, Infantry.
Capt. Hobart Raymond Gay, Quartermaster Corps.
Capt. Oscar Dubois McNeely, Coast Artillery Corps.
Capt. Parker Gillespie Tenney, Field Artillery.
Capt. Thomas Jeffries Betts, Coast Artillery Corps.
Capt. Buhl Moore, Field Artillery.
Capt. Mordaunt Verne Turner, Cavalry.
Capt. Norman E. Waldron, Quartermaster Corps.
Capt. Adrian Robert Brian, Infantry.
Capt. Burton Loren Lucas, Infantry.
Capt. Morris Clinton Handwerk, Coast Artillery Corps.
Capt. George Stephen Wear, Infantry.
Capt. Leo Lawrence Gocker, Cavalry.
Capt. Benjamin Franklin Harmon, Coast Artillery Corps.
Capt. Walter Throckmorton Scott, Infantry.
Capt. Edwin Wilds Godbold, Cavalry.
Capt. John Wilson O'Daniel, Infantry.
Capt. John Gilbert White, Field Artillery.
Capt. Harry Frank Thompson, Infantry.
Capt. Raymond Carmichael Gibbs, Cavalry.
Capt. Carl McKee Innis, Infantry.
Capt. Stanley Joseph Grogan, Infantry.
Capt. Rohland Andrew Isker, Cavalry.
Capt. Leonard Roscoe Crews, Coast Artillery Corps.
Capt. Charles Arthur Horger, Cavalry.
xCapt. Stonewall Jackson, Infantry.
Capt. Warner Beardsley Gates, Air Corps.
Capt. Oscar Joseph Neundorfer, Jr., Infantry.
Capt. Webster Hamlin Warren, Coast Artillery Corps.
Capt. Ross Berry Smith, Infantry.
Capt. Thomas Bennett Woodburn, Infantry.
Capt. Charles William Higgins, Coast Artillery Corps.
xCapt. Hugh Nathan Herrick, Coast Artillery Corps.
Capt. Stanley French Griswold, Infantry.
Capt. John Thomas Dibrell, Infantry.
Capt. Edmund Jones Lilly, Jr., Infantry.
Capt. Charles Edward Dissinger, Cavalry.
Capt. Cornelius Edward Ryan, Infantry.
Capt. John Edwin Hull, Infantry.
Capt. Thomas Francis Bresnahan, Infantry.
Capt. Koger Marion Still, Infantry.
xCapt. Samuel White, Field Artillery.
Capt. Gilman Kimball Crockett, Infantry.
Capt. William Warren Wertz, Coast Artillery Corps.
Capt. Thomas Edison Roderick, Infantry.
Capt. Wallace Alan Mead, Infantry.
Capt. Ray Winfield Harris, Infantry.
Capt. Evans Read Crowell, Coast Artillery Corps.
Capt. Robinson Earl Duff, Infantry.
Capt. Raymond Godfrey Lehman, Infantry.
Capt. Irvine Callander Scudder, Infantry.
Capt. James Chester Bates, Coast Artillery Corps.
Capt. Harry Edmund Pendleton, Coast Artillery Corps.
xCapt. Paul Samuel Beard, Finance Department.
Capt. Edwin Allan Smith, Infantry.
Capt. Gyles Merrill, Cavalry.
Capt. Floyd C. Harding, Infantry.
Capt. James Montague Adamson, Jr., Cavalry.
Capt. Percy Lee Sadler, Infantry.
Capt. George Luther Morrow, Infantry.
Capt. Frederick Wilhelm Hoorn, Signal Corps.

xCapt. Joe Carroll Rogers, Cavalry.
Capt. Frank Albert Allen, Jr., Cavalry.
Capt. Joseph Carson Stephens, Coast Artillery Corps.
Capt. Bernard Franklin Hurless, Infantry.
Capt. Guy Orth Kurtz, Field Artillery.
Capt. Louis Joseph Compton, Field Artillery.
Capt. John Henry Hilldring, Infantry.
Capt. Arthur Breckinridge Wade, Field Artillery.
Capt. John Hurst Rodman, Infantry.
xCapt. William Dan Powell, Infantry.
Capt. Ceylon Otto Griffin, Cavalry.
Capt. William Charles Louisell, Infantry.
Capt. Thomas Wade Herren, Cavalry.
Capt. Alden Humphrey Seabury, Cavalry.
Capt. William Emanuel Goe, Quartermaster Corps.
Capt. Donald Brooks Hilton, Infantry.
Capt. Alexander Bull MacNabb, Cavalry.
Capt. William Leonard Ritter, Infantry.
Capt. Ralph Edwin Hill, Coast Artillery Corps.
Capt. Francis Lancaster Christian, Coast Artillery Corps.
Capt. Walton Whittingham Cox, Cavalry.
Capt. Druid Emmet Wheeler, Infantry.
Capt. Maitland Bottoms, Coast Artillery Corps.
Capt. Ross Ernest Larson, Cavalry.
Capt. Stewart Elvin Reimel, Ordnance Department.
Capt. Kendall Jordan Fielder, Infantry.
Capt. William Curtis DeWare, Infantry.
Capt. Hugh Donald Adair, Infantry.
Capt. Joseph Robbins Bibb, Field Artillery.
Capt. Reginald Reuben Bacon, Infantry.
Capt. Russell Conwell Snyder, Field Artillery.
Capt. George Eddy Cook, Field Artillery.
xCapt. James Tolmie Watson, Jr., Signal Corps.
Capt. Eugene Hill Mitchell, Infantry.
Capt. John Wesley Russey, Field Artillery.
Capt. James Dennett McIntyre, Ordnance Department.
Capt. Allan James Kennedy, Infantry.
Capt. Bryan Lee Milburn, Coast Artillery Corps.
Capt. Nyal L. Adams, Coast Artillery Corps.
Capt. Virgil Norberto Cordero, Infantry.
xCapt. Leo Joseph Farrell, Infantry.
Capt. Walter Shea Wood, Infantry.
Capt. William Henry Quarterman, Jr., Field Artillery.
Capt. Benjamin Brandon Bain, Infantry.
Capt. Ira Clarence Eaker, Air Corps.
Capt. Stanton Louis Bertschey, Field Artillery.
Capt. Romeyn Beck Hough, Jr., Air Corps.
Capt. Cheney Litton Bertholf, Adjutant General's Department.
Capt. Ellsworth Young, Coast Artillery Corps.
Capt. Edward Reese Roberts, Field Artillery.
Capt. Walter Ernst Lauer, Infantry.
Capt. Frank Hitch Pritchard, Air Corps.
Capt. Albert Hugh Dumas, Infantry.
Capt. Paul Shober Jones, Judge Advocate General's Department.
Capt. Paul Thompson Baker, Infantry.
Capt. Robert Porter Bell, Infantry.
Capt. Edwin William Piburn, Infantry.
Capt. Kenneth Stoddard Whittemore, Infantry.
Capt. Jerry Vrchlicky Matejka, Signal Corps.
xCapt. Frank Huber Partridge, Adjutant General's Department.
Capt. Derril de Saussure Trenholm, Field Artillery.
Capt. Michael Edmond Halloran, Infantry.
Capt. Idwal Hubert Edwards, Air Corps.
Capt. Paul James Vevia, Infantry.
Capt. Carl Julian Dockler, Cavalry.
Capt. Milton Heilfron, Coast Artillery Corps.
Capt. Olin Coke Newell, Cavalry.
Capt. Paul Steele, Infantry.
Capt. Robert Emmett Cummings, Infantry.
Capt. Harry Fayette Schoonover, Field Artillery.
Capt. Louis Simmons Stickney, Signal Corps.
xCapt. William Hesketh, Coast Artillery Corps.
Capt. Ben Curtis McComas, Quartermaster Corps.

Capt. Maurice Garver Stubbs, Infantry.
Capt. Archibald Andrew Fall, Infantry.
Capt. Frank Romaine Schucker, Infantry.
Capt. George Stewart Warren, Air Corps.
Capt. Mario Cordero, Coast Artillery Corps.
Capt. Henry Oscar Swindler, Infantry.
Capt. Haskell Allison, Signal Corps.
Capt. Davis Jones, Infantry.
Capt. Russell Skinner, Infantry.
Capt. George Warren Dunn, Jr., Coast Artillery Corps.
Capt. John Alexander Klein, Adjutant General's Department.
Capt. Arthur Harold Luse, Ordnance Department.
Capt. William Arthur Swift, Infantry.
Capt. John Edwin Grose, Infantry.
Capt. Robert Creighton Wright, Infantry.
Capt. Lawrence Archie Kurtz, Field Artillery.
Capt. Daniel Webster Hickey, Jr., Coast Artillery Corps.
Capt. Martin Stevenson Chester, Infantry.
Capt. Harry Reichelderfer, Signal Corps.
Capt. Alexander Russell Bolling, Infantry.
Capt. Duncan Thomas Boisseau, Field Artillery.
Capt. James Leonard Garza, Infantry.
xCapt. John Dunbar Chambliss, Infantry.
Capt. Elvin Leon Barr, Coast Artillery Corps.
Capt. Douglas Eaton Morrison, Coast Artillery Corps.
Capt. Thomas Eugene Jeffords, Coast Artillery Corps.
Capt. Frank Hendricks Hastings, Coast Artillery Corps.
xCapt. Joseph Hiram Gilbreth, Coast Artillery Corps.
Capt. Harold Gilbert Archibald, Coast Artillery Corps.
Capt. Daniel Howe Hoge, Coast Artillery Corps.
Capt. Reamer Walker Argo, Coast Artillery Corps.
Capt. Eugene Thomas Conway, Coast Artillery Corps.
Capt. Ralph Hirsch, Field Artillery.
Capt. William Joseph Egan, Field Artillery.
xCapt. Talley Dozier Joiner, Infantry.
Capt. Robert Victor Maraist, Field Artillery.
Capt. Lawrence Patterson, Cavalry.
Capt. Lester Hardee Barnhill, Infantry.
Capt. Sterner St. Paul Meek, Ordnance Department.
Capt. Melvin Lewis Craig, Field Artillery.
Capt. Elbert Arcularius Nostrand, Infantry.
Capt. Hervey Aldrich Tribolet, Infantry.
Capt. Robert Brooks Ennis, Infantry.
Capt. Levie Wilson Foy, Infantry.
Capt. John Cord Blizzard, Jr., Infantry.
Capt. Warren Henry McNaught, Field Artillery.
Capt. Howard Clark, 2d, Infantry.
Capt. Roy Edson Craig, Cavalry.
Capt. Robert Ignatius Stack, Infantry.
xCapt. John Huling, Jr., Ordnance Department.
Capt. Early Edward Walters Duncan, Air Corps.
Capt. Edward Marple Daniels, Quartermaster Corps.
Capt. Philip Richard Upton, Cavalry.
Capt. Horace Kelita Heath, Infantry.
Capt. Harry Russell Evans, Field Artillery.
Capt. Bartholomew Robins DeGraff, Infantry.
xCapt. Harold Napoleon Gilbert, Adjutant General's Department.
Capt. William Albert Collier, Infantry.
Capt. Leonard Harrison Frasier, Field Artillery.
Capt. Archibald Miles Mixson, Infantry.
Capt. Clifford Bert Cole, Field Artillery.
Capt. Albert Gresham Wing, Infantry.
Capt. William Fred Rehm, Infantry.
Capt. Edward Nicholson Fay, Infantry.
Capt. Donald Thomas Nelson, Finance Department.
Capt. Richardson Lester Greene, Field Artillery.
Capt. George Clarence Nielsen, Infantry.
Capt. Earl Campbell Horan, Infantry.
Capt. William John Henry Ryan, Infantry.
Capt. Wallace William Millard, Infantry.
Capt. Arthur Grady Hutchinson, Infantry.
Capt. Norman Marcus Nelsen, Infantry.
Capt. Roy Nathan Hagerty, Infantry.
Capt. Ronald Lowe Ring, Infantry.

Capt. Alfred Timothy Wright, Infantry.
Capt. John Ainsworth Andrews, Infantry.
Capt. George Andrew Lockhart, Infantry.
xCapt. James Julian Pirtle, Infantry.
Capt. Alfred Edward Dedicke, Infantry.
Capt. George Frederick Macdonald, Infantry.
Capt. Wilbur Ellsworth Bashore, Infantry.
Capt. Harold Head, Infantry.
Capt. Walter William Boon, Cavalry.
Capt. Hugh McCord Evans, Infantry.
Capt. Michael Joseph Mulcahy, Infantry.
Capt. Harold Stokely Wright, Quartermaster Corps.
Capt. Lois Chester Dill, Infantry.
Capt. Edward James Maloney, Infantry.
Capt. Richard Abram Jones, Infantry.
Capt. Nelson Macy Walker, Infantry.
Capt. Milton Brandt Goodyear, Infantry.
Capt. William Ewart Gladstone Graham, Infantry.
Capt. Jesse Ralston Lippincott, Infantry.
Capt. Francis Russel Lyons, Corps of Engineers.
Capt. William Norman Thomas, Jr., Corps of Engineers.
Capt. Lee Sommerville Dillon, Corps of Engineers.
Capt. Ralph Millis, Corps of Engineers.
Capt. Peter Edward Bermel, Corps of Engineers.
Capt. Carl Raymond Shaw, Corps of Engineers.
Capt. Theron DeWitt Weaver, Corps of Engineers.
Capt. Frederic Franklyn Frech, Corps of Engineers.
xCapt. John Elliott Wood, Corps of Engineers.
Capt. Charles Isidor Bazire, Quartermaster Corps.
Capt. James Stewart Clarke, Quartermaster Corps.
Capt. Ira J. Wharton, Quartermaster Corps.
Capt. Eugene Hiram Sleeper, Quartermaster Corps.
Capt. Joseph M. Cole, Coast Artillery Corps.
Capt. Thomas Caffin Beck, Infantry.
Capt. Edward Augustus Mechling, Quartermaster Corps.
xCapt. Michael Joseph Gilmore, Quartermaster Corps.
Capt. Selim Woodworth Myers, Infantry.
Capt. Edward North Chisolm, Jr., Corps of Engineers.
Capt. Charles Gilpin Dobbins, Finance Department.
Capt. James Sproule, Quartermaster Corps.
Capt. Harry Ray Springer, Quartermaster Corps.
Capt. James Madison DeWeese, Field Artillery.
Capt. Joseph John Schmidt, Infantry.
Capt. Arthur Bothwell Proctor, Quartermaster Corps.
Capt. John Harris Elson, Infantry.
Capt. George Augustine Frazer, Judge Advocate General's Department.
Capt. Royden Williamson, Cavalry.
Capt. Charles Clement Quigley, Adjutant General's Department.
Capt. Reginald Johnston Imperatori, Coast Artillery Corps.
Capt. Raymond Greenleaf Sherman, Infantry.
Capt. Sherman Potter Walker, Infantry.
Capt. William Cone Mahoney, Quartermaster Corps.
Capt. Alpha Brumage, Field Artillery.
Capt. Sherman I. Strong, Quartermaster Corps.
Capt. Lee W. Card, Quartermaster Corps.
Capt. Leighton E. Worthley, Infantry.
Capt. Gilbert Sylvester Woolworth, Judge Advocate General's Department.
xCapt. Henry Mahoney Denning, Finance Department.
Capt. John Albert Shaw, Infantry.
Capt. Wesley Wright Price, Quartermaster Corps.
Capt. James Paul Lloyd, Infantry.
Capt. Thomas Asbuary Harris, Infantry.
Capt. Charles Clarke Loughlin, Infantry.
Capt. Lawrence Peter Worrall, Finance Department.
Capt. Milton Humes Patton, Cavalry.
Capt. Brom Ridley Whitthorne, Quartermaster Corps.
Capt. Gilbert Rieman, Cavalry.
Capt. Wallace Edwin Durst, Quartermaster Corps.
Capt. Hiram Edwin Tuttle, Quartermaster Corps.
Capt. John Walter Campbell, Infantry.
Capt. Samuel Alexander Greenwell, Adjutant General's Department.
Capt. Howard Kirkbride Dilts, Infantry.
Capt. John William Thompson, Quartermaster Corps.
Capt. George Cook Hollingsworth, Infantry.
Capt. Thomas Tidball Trapnell, Judge Advocate General's Department.
Capt. Charles Otis Ashton, Infantry.
Capt. Joel Franklin Watson, Judge Advocate General's Department.
Capt. Reyburn Engles, Quartermaster Corps.
Capt. John Conrad Hutcheson, Quartermaster Corps.
Capt. Austin Triplett, Infantry.
Capt. William Downing Wheeler, Air Corps.
Capt. David Ransom Wolverton, Quartermaster Corps.
Capt. William Eldon Harris, Corps of Engineers.
Capt. Gregory Sumner Lavin, Ordnance Department.
Capt. Arthur Freeman Bowen, Infantry.
Capt. Herbert Horton Lewis, Infantry.
Capt. George Ray Ford, Quartermaster Corps.
Capt. Newton Harrell Strickland, Ordnance Department.
Capt. John Vincent Rowan, Quartermaster Corps.
Capt. William Henry Beers, Infantry.
Capt. Francis James Fitzpatrick, Corps of Engineers.
Capt. Willis Dodge Cronkhite, Infantry.
Capt. Raymond Parker Cook, Infantry.
Capt. John Alexander Russell, Quartermaster Corps.
xCapt. Theodore Tyler Barnett, Quartermaster Corps.
Capt. William Addison Ray, Field Artillery.
Capt. Lloyd Spencer Spooner, Infantry.
Capt. Leon Ewart Savage, Field Artillery.
Capt. Henry Mills Shoemaker, Cavalry.
Capt. Philip William Hardie, Coast Artillery Corps.
Capt. Eugene Erwin Morrow, Infantry.
Capt. Kinsley Wilcox Slauson, Quartermaster Corps.
Capt. Fred Tenderholm Neville, Quartermaster Corps.
Capt. Louis Duzzett Farnsworth, Coast Artillery Corps.
Capt. Harry Martel Gwynn, Infantry.
Capt. Lemuel Paul Crim, Ordnance Department.
xCapt. John Fulton Reynolds Scott, Judge Advocate General's Department.
Capt. Newton Withington Speece, Infantry.
Capt. Frank Glenn Potts, Infantry.
Capt. Norbert Cecil Manley, Field Artillery.
Capt. John Henry Baxter, Infantry.
Capt. Ridgway Pancoast Smith, Infantry.
Capt. Wallace Earle Hackett, Infantry.
Capt. William Lane Tydings, Infantry.
Capt. Ernest Klein White, Quartermaster Corps.
Capt. Thomas Dorrington Wadelton, Cavalry.
Capt. B. Conn Anderson, Field Artillery.
Capt. William James Henry, Ordnance Department.
Capt. Clyde Deans Parmelee, Field Artillery.
Capt. Walter Gregory, Infantry.
Capt. Stanley George Backman, Infantry.
Capt. Ray Calhoun Montgomery, Field Artillery.
Capt. Grattan Herbert McCafferty, Infantry.
Capt. William Henry Crosson, Corps of Engineers.
Capt. George William West, Quartermaster Corps.
Capt. James Edward Morrisette, Judge Advocate General's Department.
Capt. Augustus Spencer Harrison, Quartermaster Corps.
Capt. William Francis Dalton, Infantry.
xCapt. Harry Coleman Snyder, Quartermaster Corps.
Capt. Franklin B. Lees, Quartermaster Corps.
Capt. William Robert Buckley, Quartermaster Corps.
Capt. Archie Ellsworth Phinney, Infantry.
Capt. Paul Daniel Connor, Infantry.
Capt. George Byron Norris, Infantry.
Capt. Frederic Von Mohl Dyer, Infantry.
Capt. John Nettleton Johnson, Jr., Infantry.
Capt. Ralph Reynolds Seger, Quartermaster Corps.
Capt. Malcolm Robert Cox, Field Artillery.
Capt. Arthur James Perry, Finance Department.
Capt. Arthur Floyd, Infantry.
Capt. Ingomar Marcus Oseth, Infantry.
Capt. Taylor Worcester Foreman, Infantry.
Capt. William Alexander Cunningham, Infantry.
Capt. George Leroy King, Infantry.
Capt. Rumsey Campbell, Field Artillery.

Capt. Arthur Pierson McGee, Infantry.
Capt. Frank Bishop Lammons, Infantry.
Capt. Floyd William Ferree, Infantry.
Capt. John Rice Eden, Infantry.
Capt. Henry Harmeling, Judge Advocate General's Department.
Capt. Paul DuPont Strong, Infantry.
Capt. Chester Price Haycock, Infantry.
Capt. Charles Orval Thrasher, Quartermaster Corps.
Capt. Orryl Samuel Robles, Infantry.
xCapt. Frank M. Moore, Infantry.
Capt. Earl Alva Hyde, Field Artillery.
Capt. James David Andrews, Jr., Corps of Engineers.
Capt. Thomas Arthur Reiner, Infantry.
Capt. John Nash, Field Artillery.
Capt. Horatio Gano Fairbanks, Corps of Engineers.
Capt. Bernard Joseph Finan, Quartermaster Corps.
Capt. Caesar Rodney Roberts, Coast Artillery Corps.
Capt. William Aloysius Rounds, Judge Advocate General's Department.
Capt. William B. Weston, Field Artillery.
Capt. Claire Elwood Hutchin, Infantry.
Capt. Delbert Ausmus, Coast Artillery Corps.
Capt. Frank Eugene Shaw, Judge Advocate General's Department.
Capt. Frank Elijah Linnell, Infantry.
Capt. John Summerfield Vincent, Quartermaster Corps.
Capt. George Nicholl Randolph, Infantry.
Capt. Benjamin Bussey Lattimore, Field Artillery.
Capt. Charles Simonton Brice, Judge Advocate General's Department.
Capt. Herbert William Schmid, Infantry.
Capt. Elliott Vandevanter, Corps of Engineers.
Capt. Lloyd Leslie Hamilton, Infantry.
xCapt. Eustace Maduro Peixotto, Infantry.
Capt. Watson Longan McMorris, Coast Artillery Corps.
Capt. Arthur Walter Penrose, Infantry.
Capt. Julian Hurlburt Gist, Infantry.
Capt. Armin Ferdinand Herold, Air Corps.
Capt. Joseph Church, Infantry.
Capt. Lewis Coleman Gordon, Corps of Engineers.
Capt. French Cameron Simpson, Quartermaster Corps.
Capt. Clinton Enos Fenters, Infantry.
xCapt. Robert Trisch Willkie, Quartermaster Corps.
Capt. Hubert Don Hoover, Judge Advocate General's Department.
Capt. Theodore Wyman, Jr., Corps of Engineers.
Capt. John Russel Fountain, Infantry.
Capt. Elmer Royal Block, Field Artillery.
Capt. William John Niederpruem, Infantry.
xCapt. Nels Gustaf Sandelin, Quartermaster Corps.
Capt. Elmer Sharpe Van Benschoten, Field Artillery.
Capt. Charles Waldemar Seifert, Infantry.
Capt. Ralph Pollock, Jr., Quartermaster Corps.
Capt. Otto Harwood, Quartermaster Corps.
Capt. Eugene Vincent Behan, Infantry.
Capt. Carl Christian Andersen, Infantry.
Capt. Hubbard Errette Dooley, Infantry.
Capt. Herbert Francis Teate, Infantry.
Capt. Robert Charles Hunter, Corps of Engineers.
Capt. Roye Pannebecker Gerfen, Cavalry.
Capt. Thomas Everett May, Infantry.
Capt. James Jarlath Kelly, Infantry.
Capt. George Harrison Stuts, Field Artillery.
Capt. Gordon Cushing Day, Corps of Engineers.
Capt. Robert Scott Miller, Infantry.
Capt. Harry Briggs Vaughan, Jr., Corps of Engineers.
Capt. Frederick William Adams, Infantry.
Capt. Ernest August Guillemet, Quartermaster Corps.
Capt. John Frank Zajicek, Corps of Engineers.
Capt. John Albion Chase, Field Artillery.
Capt. Henry Edward Tisdale, Field Artillery.
Capt. Walter Gilbert Layman, Infantry.
Capt. Paul Gerhardt Rutten, Quartermaster Corps.
Capt. Herman Goodwin Halverson, Quartermaster Corps.
Capt. William Carrick Braly, Coast Artillery Corps.
Capt. James Washington Curtis, Infantry.
xCapt. Forrest Edward Ambrose, Infantry.
Capt. John Hopkins, Infantry.
Capt. Thomas Morris Jervey, Ordnance Department.
Capt. Howard Farlowe Kent Cahill, Infantry.
Capt. Frank Packard Coffin, Infantry.
Capt. John Russell Young, Field Artillery.
Capt. Earl Newell Hackney, Infantry.
Capt. Morris Easton Conable, Coast Artillery Corps.
Capt. Jack Wesley Howard, Infantry.
Capt. Alston Pringle Rhett, Field Artillery.
Capt. John Halpin Burns, Infantry.
Capt. Samuel Francis Howard, Infantry.
Capt. Asa Herman Skinner, Ordnance Department.
Capt. David McDougald Shearer, Corps of Engineers.
Capt. Edward Avery Austin, Infantry.
Capt. Charles Dayton Carle, Infantry.
Capt. Fred Anthony McMahon, Ordnance Department.
Capt. Hartwell Newton Williams, Quartermaster Corps.
Capt. James Leslie McIlhenny, Field Artillery.
Capt. Leslie Rudisill Forney, Infantry.
Capt. Thornton Chase, Infantry.
Capt. Harry Wright Hill, Corps of Engineers.
Capt. Joseph Leo Connolly, Infantry.
Capt. Robert Wilkin McBride, Coast Artillery Corps.
Capt. Charles Addison Pursley, Air Corps.
Capt. Bert S. Wampler, Infantry.
Capt. Henry Tureman Allen, Cavalry.
Capt. Marvel Harold Parsons, Coast Artillery Corps.
Capt. Charles Franklin Johnson, Infantry.
Capt. Carl Herbert Odeen, Quartermaster Corps.
Capt. Tryon Mason Shepherd, Infantry.
Capt. Adam Richmond, Judge Advocate General's Department.
Capt. Winfield Orval Shrum, Infantry.
Capt. Paul Roy Guthrie, Quartermaster Corps.
xCapt. Arthur Musser Sheets, Field Artillery.
Capt. Ernest Franklin Dukes, Cavalry.
Capt. Thomas Willis Jones, Quartermaster Corps.
Capt. Senius John Raymond, Quartermaster Corps.
Capt. Ira Edgar Ryder, Infantry.
Capt. Herbert Randolph Roberts, Infantry.
Capt. Neal Willard Richmond, Infantry.
Capt. Charles Francis Frost Cooper, Infantry.
Capt. Frank Ward, Infantry.
Capt. Charles Conrad Brown, Field Artillery.
Capt. Harold Edward Potter, Infantry.
Capt. Rufus Boylan, Infantry.
Capt. Warren Crouse Hurst, Quartermaster Corps.
Capt. Charles Clinton Griffin, Infantry.
Capt. Willard Lapham Smith, Infantry.
Capt. Clarence Charles Fenn, Judge Advocate General's Department.
Capt. George Luke Usher, Air Corps.
Capt. George H. Cushman, Jr., Field Artillery.
xCapt. Andrew Thomas Knight, Infantry.
Capt. William Lackey Mays, Infantry.
Capt. John Patrick Welch, Quartermaster Corps.
Capt. Stanley Gifford Blanton, Infantry.
Capt. Robert Morris Copeland, Corps of Engineers.
Capt. Harold Sidney Johnson, Coast Artillery Corps.
Capt. Daniel Bernard Cullinane, Cavalry.
Capt. Llewellyn deWaele Tharp, Infantry.
Capt. Owen Summers, Infantry.
Capt. John Robin Davis Cleland, Adjutant General's Department.
Capt. Edward Chambers Betts, Judge Advocate General's Department.
Capt. George Randall Wells, Infantry.
Capt. Thomas Ernest Campbell, Infantry.
Capt. William George Walker, Infantry.
Capt. Peyton Winlock, Field Artillery.
Capt. George Mortimer Couper, Infantry.
Capt. Abraham Max Lawrence, Coast Artillery Corps.
Capt. Frank Thornton Addington, Infantry.
Capt. Paul Ernest Leiber, Infantry.
xCapt. William Bernard Lowery, Infantry.
Capt. James Francis Strain, Infantry.

Capt. Francis Norton Neville, Quartermaster Corps.
Capt. Harry Lynn Henkle, Infantry.
Capt. Merrifield Graham Martling, Corps of Engineers.
xCapt. Ralph Brundidge Lovett, Infantry.
Capt. Fred Stevens Byerly, Infantry.
Capt. Austin Webb Lee, Quartermaster Corps.
Capt. Robert Emory Swab, Infantry.
Capt. Lewis Andrew Pick, Corps of Engineers.
Capt. Oscar Stanley Smith, Infantry.
Capt. Joseph Henry Davidson, Air Corps.
xCapt. John McDowall, Field Artillery.
Capt. Walter Cox Rathbone, Infantry.
Capt. Harry Watson Bolan, Infantry.
Capt. George Bagby Campbell, Judge Advocate General's Department.
Capt. Harry Martin Andrews, Quartermaster Corps.
Capt. Chauncey McCullough Lyons, Infantry.
Capt. Edward Phillip Wadden, Infantry.
Capt. Paul Miller Ellman, Corps of Engineers.
xCapt. John Edward Doyle, Infantry.
Capt. Paul Jones Mathis, Air Corps.
Capt. George Edward Jacobs, Infantry.
Capt. Frank Ellsworth Brokaw, Infantry.
Capt. Beverly Allison Shipp, Infantry.
Capt. Walter Kendall Wheeler, Jr., Infantry.
Capt. Charles Sherwood Gilbert, Infantry.
Capt. Eugene Nelson Frakes, Infantry.
Capt. Robert Oliver Shoe, Infantry.
Capt. Charles Crisp Morgan, Infantry.
Capt. Ellis Edward Haring, Corps of Engineers.
Capt. Malcolm Everett Craig, Infantry.
Capt. Roland Thorpe Fenton, Quartermaster Corps.
Capt. Albert Brengle Helsley, Infantry.
Capt. Milton Orme Boone, Quartermaster Corps.
Capt. Perry Edward Taylor, Cavalry.
Capt. Walter Daugherty McCord, Infantry.
Capt. Matthew Hall Jones, Quartermaster Corps.
Capt. James Esmond Matthews, Infantry.
Capt. William Richard Bent, Infantry.
xCapt. Harry Jefferson Farner, Infantry.
Capt. Lawrence Slade, Quartermaster Corps.
Capt. Samuel Lynn Dunlop, Infantry.
Capt. Joseph Wheeler Starkey, Infantry.
Capt. Harrington Willson Cochran, Coast Artillery Corps.
Capt. Leo Joseph Dillon, Ordnance Department.
Capt. Alberto Eugene Merrill, Cavalry.
Capt. John Merle Weir, Judge Advocate General's Department.
Capt. Samuel Clifton Cratch, Quartermaster Corps.
Capt. Hubert Ward Beyette, Quartermaster Corps.
Capt. James Monroe Morris, Infantry.
xCapt. Elbridge Colby, Infantry.
Capt. Herbert Hatchett Blackwell, Coast Artillery Corps.
Capt. Richard Adams Knight, Field Artillery.
Capt. Roy Victor Rickard, Infantry.
Capt. Alfred Volckman Ednie, Infantry.
Capt. Lee Vernado Hunnicutt, Infantry.
Capt. Charles Jackson Sullivan, Infantry.
Capt. Otto Gresham Trunk, Air Corps.
Capt. William Russell Frost, Field Artillery.
Capt. Earl Le Verne Lyons, Infantry.
Capt. Franklin Prague Shaw, Judge Advocate General's Department.
Capt. Lawrence Lee Simpson, Quartermaster Corps.
Capt. Howard Haines Cloud, Quartermaster Corps.
Capt. Louis William Eggers, Infantry.
Capt. Charlie Anthony Valverde, Infantry.
Capt. Francis Egan, Quartermaster Corps.
Capt. Fred Ivan Gilbert, Ordnance Department.
Capt. Charles William Mays, Field Artillery.
Capt. William Pinckney Bledsoe, Field Artillery.
Capt. James Carlisle Patterson, Field Artillery.
Capt. John Joseph Nealon, Infantry.
Capt. Maurice Vernon Patton, Field Artillery.
Capt. Walter Thomas Gorton, Ordnance Department.
Capt. Arthur Vanderpool Winton, Coast Artillery Corps.
Capt. Alexander Hill Cummings, Infantry.
Capt. Blaisdell Cain Kennon, Infantry.
Capt. Walter Carroll Ellis, Signal Corps.
Capt. Leslie Johnathan Cartwright, Infantry.
Capt. Harland Fisher Seeley, Infantry.
Capt. Wallace Chace Steiger, Cavalry.
xCapt. John Huston Church, Infantry.
Capt. John Robert Dinsmore, Judge Advocate General's Department.
Capt. Frank Leslie Thompson, Field Artillery.
Capt. Harold Baxter Crowell, Infantry.
Capt. Harold Eugene Eastwood, Cavalry.
Capt. Gilbert Taylor Collar, Air Corps.
Capt. Chester Carlton Westfall, Infantry.
Capt. William Langley Wharton, Infantry.
Capt. Henry Herbert Cameron, Cavalry.
Capt. William Otis Poindexter, Infantry.
Capt. Anthony Power Lagorio, Infantry.
Capt. Lamar Weaver, Infantry.
Capt. Benjamin Franklin Giles, Air Corps.
Capt. Ernest Clifton Adkins, Infantry.
Capt. Lee Huber, Infantry.
Capt. Alexander Leggitt Morris, Infantry.
Capt. Arthur Hurd Lee, Field Artillery.
Capt. Keith Kenneth Jones, Field Artillery.
Capt. Thomas Green Poland, Infantry.
Capt. Caspar Ray Crim, Infantry.
Capt. Robert Henry Crosby, Field Artillery.
Capt. Thomas Deweese Davis, Infantry.
Capt. John Liggat Tunstall, Finance Department.
Capt. George Lyman Prindle, Infantry.
Capt. Leslie Walter Brown, Infantry.
Capt. Tobin Cornelius Rote, Infantry.
Capt. Owen Meredith Marshburn, Field Artillery.
Capt. Reading Wilkinson, Corps of Engineers.
Capt. Nicholas Hamner Cobbs, Finance Department.
Capt. William Allen Hale, Infantry.
Capt. Pierre Mallett, Field Artillery.
Capt. David Eugene Barnett, Infantry.
Capt. Earle Albie Johnson, Infantry.
Capt. Edgar Harland Keltner, Infantry.
Capt. Jesse Andrew Rogers, Jr., Ordnance Department.
Capt. Furman Walker Hardee, Infantry.
Capt. Ben Haw Lowry, Quartermaster Corps.
Capt. Charles Peter Lynch, Infantry.
Capt. Edward Crews Black, Air Corps.
Capt. William Burbridge Yancey, Infantry.
Capt. Raymond Leroy Shoemaker, Infantry.
Capt. Shirley Wiggins McIlwain, Quartermaster Corps.
xCapt. John Phillip Scott, Cavalry.
Capt. Charles August Ross, Quartermaster Corps.
Capt. Andrew Christian Tychsen, Infantry.
Capt. George James Burns Fisher, Chemical Warfare Service.
Capt. Laurence Mickel, Infantry.
Capt. Robert John Wallace, Infantry.
Capt. John Swan Moore, Infantry.
Capt. Henry Earl Minton, Ordnance Department.
Capt. Lovic Pierce Hodnette, Infantry.
Capt. Arthur S. Champeny, Infantry.
Capt. John Hamilton Cochran, Infantry.
xCapt. Lloyd William Goeppert, Coast Artillery Corps.
Capt. William Michener, Field Artillery.
xCapt. Don Norris Holmes, Infantry.
Capt. Letcher Ogle Grice, Quartermaster Corps.
Capt. Alexander Jesse MacNab, Infantry.
Capt. Walter Hibbard, Infantry.
Capt. Ralph Leroy Ware, Infantry.
Capt. Chauncey Aubrey Bennett, Field Artillery.
Capt. Brisbane Hanks Brown, Infantry.
Capt. Charles Andrew Robinson, Infantry.
Capt. John Peter Neu, Quartermaster Corps.
Capt. Joe Shurlock Underwood, Quartermaster Corps.
Capt. Henry William Robinson, Infantry.
Capt. Clarence John Blake, Quartermaster Corps.
Capt. Harry Dennis Furey, Infantry.
Capt. Charles Henry Wilson, Infantry.
Capt. Richard Mathews Sandusky, Infantry.

Capt. Ernest Francis Boruski, Infantry.
Capt. Harold Mays Tague, Infantry.
Capt. John Walker Henson, Infantry.
Capt. Eugene Arthur Regnier, Cavalry.
Capt. William Grove Murphy, Infantry.
Capt. Joseph James Canella, Infantry.
Capt. Walter Alexander Wood, Jr., Corps of Engineers.
Capt. Charles McKinley Kemp, Infantry.
Capt. Raymond Cecil Hamilton, Infantry.
Capt. Charles Herbert Karlstad, Infantry.
Capt. Jasper Morris Groves, Infantry.
Capt. Norris Adron Wimberley, Infantry.
Capt. Orlen Nelson Thompson, Infantry.
Capt. Curtis Loyd Stafford, Cavalry.
Capt. Joseph Aloysius St. Louis, Infantry.
Capt. Joseph Saddler Dougherty, Infantry.
Capt. Clarence Ronald Peck, Infantry.
Capt. Clarence Harvey Bragg, Infantry.
Capt. Paul Rutherford Knight, Infantry.
Capt. DeWitt Clinton Smith, Jr., Infantry.

To be captains

First Lt. Augustine Francis Shea, Air Corps.
First Lt. Carlisle Visscher Allen, Infantry.
First Lt. Marion Patton Echols, Field Artillery.
First Lt. Francis Otis Wood, Field Artillery.
First Lt. Hobart Hewett, Coast Artillery Corps.
First Lt. Waldemar Sven Broberg, Ordnance Department.
First Lt. James Holden Phillips, Cavalry.
First Lt. Frederick Weed Drury, Cavalry.
First Lt. Leander Dunbar Syme, Infantry.
First Lt. Ellis Vern Williamson, Field Artillery.
First Lt. Leroy Clark Wilson, Infantry.
First Lt. Nathaniel Alanson Burnell, 2d, Coast Artillery Corps.
First Lt. John Bartlett Murphy, Field Artillery.
First Lt. James Lowe Harbaugh, Jr., Coast Artillery Corps.
First Lt. Virgil Farrar Shaw, Cavalry.
First Lt. Michael Gibson Smith, Field Artillery.
First Lt. Syril Emerson Faine, Infantry.
First Lt. Arthur Maxon Parsons, Infantry.
First Lt. Harry Welling Barrick, Infantry.
First Lt. Howard Rand Perry, Jr., Infantry.
First Lt. Edward Hamilton Young, Infantry.
First Lt. Nathan Arthur Smith, Infantry.
First Lt. Gerald St. Claire Nickle, Infantry.
First Lt. Benjamin Randolph Farrar, Infantry.
First Lt. Henry Ellis Sanderson, Field Artillery.
First Lt. Hugh French Thomason Hoffman, Cavalry.
First Lt. Walter Scott Winn, Jr., Infantry.
First Lt. Willard Gordon Wyman, Cavalry.
First Lt. John Leonard Whitelaw, Infantry.
First Lt. Edward Henry Bowes, Infantry.
First Lt. Edwin Malcolm Sutherland, Infantry.
First Lt. Joseph Andrew Holly, Infantry.
First Lt. William Douglas McNair, Field Artillery.
First Lt. Charles Forrest Wilson, Coast Artillery Corps.
First Lt. Robert Francis Carter, Quartermaster Corps.
First Lt. Hugh Garnett Elliott, Field Artillery.
First Lt. Nathan Farragut Twining, Air Corps.
First Lt. William John Crowe, Ordnance Department.
First Lt. L. Hoyt Rockafellow, Infantry.
First Lt. Percy Emery Hunt, Infantry.
First Lt. Roland William McNamee, Infantry.
First Lt. John Carpenter Raaen, Ordnance Department.
First Lt. Winfred George Skelton, Infantry.
First Lt. Lambert Benel Cain, Infantry.
First Lt. Edmund Bower Sebree, Infantry.
First Lt. Merritt Brandon Booth, Infantry.
First Lt. Raymond Clegg Barlow, Infantry.
First Lt. Frank Greene Davis, Infantry.
First Lt. Emmett James Bean, Infantry.
First Lt. Donald Allen Fay, Infantry.
First Lt. Charles Henry Noble, Cavalry.
First Lt. Walter Towle O'Reilly, Field Artillery.
First Lt. Kenneth Pierce, Infantry.
First Lt. Charles Henry Bryan, Cavalry.
First Lt. John Howell Collier, Cavalry.
First Lt. Dean Luce, Coast Artillery Corps.
First Lt. George Gordon Elms, Cavalry.
First Lt. John Dimmick Armstrong, Infantry.
First Lt. Ralph Francis Stearley, Air Corps.
First Lt. Donald Handley Nelson, Cavalry.
First Lt. Edward Ora Hopkins, Field Artillery.
First Lt. James Verne Cole, Infantry.
First Lt. Clarence Archibald Frank, Finance Department.
First Lt. Frederick Bradstreet Dodge, Jr., Coast Artillery Corps.
First Lt. Clarkson Deweese McNary, Infantry.
First Lt. Bernard Abert Byrne, Jr., Infantry.
First Lt. Warren Wilson Christian, Infantry.
First Lt. Robert Barrett Hutchins, Infantry.
First Lt. Joseph William Kullman, Infantry.
First Lt. George Dewey Rogers, Ordnance Department.
First Lt. Robert Jones Merrick, Cavalry.
First Lt. William Henry John Dunham, Coast Artillery Corps.
First Lt. Irvin Alexander, Infantry.
First Lt. John Harvey Madison, Coast Artillery Corps.
First Lt. George Edward Bruner, Infantry.
First Lt. Thomas Llewellyn Waters, Coast Artillery Corps.
First Lt. Urban Niblo, Ordnance Department.
First Lt. Kenneth Sharp Olson, Infantry.
First Lt. William Leighton McEnery, Signal Corps.
First Lt. Robert Montgomery Springer, Infantry.
First Lt. Russell John Nelson, Infantry.
First Lt. Charles Maine Wolff, Coast Artillery Corps.
First Lt. Simon Foss, Infantry.
First Lt. Edward Melvin Starr, Infantry.
First Lt. Joseph Sladen Bradley, Infantry.
First Lt. Arthur Launcelot Moore, Infantry.
First Lt. Robert William Crichlow, Jr., Coast Artillery Corps.
First Lt. Martin Anthony Fennell, Cavalry.
First Lt. Ralph Harris Bassett, Ordnance Department.
First Lt. Harold Allen Brown, Infantry.
First Lt. Albert Sidney Johnston Stovall, Jr., Cavalry.
First Lt. Donald Carson Hardin, Infantry.
First Lt. Wayne Cliffton Zimmerman, Infantry.
First Lt. John Thomas Keeley, Infantry.
First Lt. Joseph Conrad Odell, Infantry.
First Lt. Josiah Toney Dalbey, Infantry.
First Lt. Logan Osburn Shutt, Coast Artillery Corps.
First Lt. Hilton Edward Heineke, Infantry.
First Lt. Galen Magnus Taylor, Ordnance Department.
First Lt. Daniel Philip Buckland, Cavalry.
First Lt. Philip McIlvaine Whitney, Infantry.
First Lt. John Morris Works, Field Artillery.
First Lt. Christian Hildebrand, Infantry.
First Lt. Joseph Holleman Warren, Infantry.
First Lt. Edgar Mortimer Gregory, Coast Artillery Corps.
First Lt. John David Frederick, Infantry.
First Lt. Richard Ray Coursey, Infantry.
First Lt. Thomas Gordon Cranford, Jr., Coast Artillery Corps.
First Lt. William Robert McMaster, Infantry.
First Lt. Joseph Alfred Cranston, Jr., Infantry.
First Lt. Horace Speed, Jr., Coast Artillery Corps.
First Lt. Fred William Makinney, Cavalry.
First Lt. William Benjamin Kean, Jr., Infantry.
First Lt. Harold Robert Emery, Infantry.
First Lt. David Sanderson McLean, Infantry.
First Lt. William Joseph Moroney, Infantry.
First Lt. Russell Lowell Williamson, Air Corps.
First Lt. Howard Dohla Johnston, Infantry.
First Lt. Franklin Leroy Rash, Infantry.
First Lt. Edgar Harvey Snodgrass, Infantry.
First Lt. Claude Birkett Ferenbaugh, Infantry.
First Lt. Adna Chaffee Hamilton, Infantry.
First Lt. Harold Stuart Ruth, Infantry.
First Lt. Sterling Eugene Whitesides, Jr., Chemical Warfare Service.
First Lt. Lewis Stone Sorley, Jr., Infantry.

First Lt. Albert Coady Wedemeyer, Infantry.
First Lt. David Best Latimer, Coast Artillery Corps.
First Lt. Roswell Boyle Hart, Field Artillery.
First Lt. Halvor Hegland Myrah, Coast Artillery Corps.
First Lt. Frederick Brenton Porter, Field Artillery.
First Lt. Bryan Sewall Halter, Infantry.
First Lt. Charles Hardy Hart, Jr., Infantry.
First Lt. Adolphus Rankin McConnell, Air Corps.
First Lt. George DeVere Barnes, Quartermaster Corps.
First Lt. Paul Robert Menzies Miller, Field Artillery.
First Lt. Albert Smith Rice, Ordnance Department.
First Lt. Charles Leslie Keerans, Jr., Infantry.
First Lt. Kenneth Newton Walker, Air Corps.
First Lt. Stanley Hunsicker Hunsicker, Quartermaster Corps.
First Lt. Neal Henry McKay, Quartermaster Corps.
First Lt. Oscar Leslie Rogers, Air Corps.
First Lt. Roger Frederic O'Leary, Quartermaster Corps.
First Lt. Samuel Perham Mills, Air Corps.
First Lt. Edgar Theodore Selzer, Air Corps.
First Lt. Albert Joseph Lubbe, Signal Corps.
First Lt. John Bicknell Luscombe, Quartermaster Corps.
First Lt. Charles Harold Howard, Air Corps.
First Lt. Edward Alton Hillery, Air Corps.
First Lt. Hugh Sydney Harpole, Quartermaster Corps.
First Lt. Homer William Jones, Quartermaster Corps.
First Lt. Everett Sanford Davis, Air Corps.
First Lt. Frank Egerton Powell, Quartermaster Corps.
First Lt. Donald Reuben Goodrich, Air Corps.
First Lt. Francis Hill Kuhn, Quartermaster Corps.
First Lt. John Daniel O'Connell, Quartermaster Corps.
First Lt. Harold Brand, Air Corps.
First Lt. Edward Watson Kelley, Infantry.
First Lt. Claud Thomas Gunn, Finance Department.
First Lt. Herbert Benjamin Wilcox, Infantry.
First Lt. Robert Milton Eichelsdoerfer, Cavalry.
First Lt. Otto Max Jank, Ordnance Department.
First Lt. Paul Americus Harris, Coast Artillery Corps.
First Lt. Jefferson Cleveland Campbell, Field Artillery.
First Lt. Hugh Franklin Conrey, Field Artillery.
First Lt. Edwin Clark Maling, Chemical Warfare Service.
First Lt. Richard Head Trippe, Finance Department.
First Lt. O. D. Wells, Infantry.
First Lt. Frank Celestine Meade, Signal Corps.
First Lt. Paul Wallace Cole, Coast Artillery Corps.
First Lt. Charles Speir Lawrence, Quartermaster Corps.
First Lt. John Corwin Shaw, Infantry.
First Lt. Clarence Matthew Tomlinson, Infantry.
First Lt. Eugene Reedy Guild, Coast Artillery Corps.
First Lt. Julian Buckner Haddon, Air Corps.
First Lt. Claude Delorum Collins, Infantry.
First Lt. William Eldridge Moore, Quartermaster Corps.
First Lt. Clem Oliver Gunn, Coast Artillery Corps.
First Lt. Wilber Russell Ellis, Coast Artillery Corps.
First Lt. Donald Weldon Brann, Infantry.
First Lt. George Bernhard Anderson, Coast Artillery Corps.
First Lt. Walter John Wolfe, Coast Artillery Corps.
First Lt. Roswell Emory Round, Infantry.
First Lt. Lester Frank Watson, Quartermaster Corps.
First Lt. William Edwin Vecqueray, Quartermaster Corps.
First Lt. Haynie McCormick, Air Corps.
First Lt. Albert Theodore Wilson, Infantry.
First Lt. Cornelius Emmett O'Connor, Air Corps.
First Lt. Hartwell Matthew Elder, Quartermaster Corps.
First Lt. Park Holland, Air Corps.
First Lt. John Gross, Field Artillery.
First Lt. Thomas Russell Howard, Infantry.
First Lt. Samuel James Adams, Finance Department.
First Lt. Albert Gillian Kelly, Infantry.
First Lt. Wayne McVeigh Pickels, Quartermaster Corps.
First Lt. Owen Russell Marriott, Field Artillery.
First Lt. Frank Joseph Vida, Infantry.
First Lt. Harold Patrick Henry, Infantry.
First Lt. Fred Pierce Van Duzee, Infantry.
First Lt. Burns Beall, Infantry.
First Lt. John Bartlett Hess, Infantry.
First Lt. Allen Francis Haynes, Infantry.
First Lt. Harold Gaslin Sydenham, Infantry.
First Lt. George Windle Read, Jr., Cavalry.
First Lt. Francis Hudson Oxx, Corps of Engineers.
First Lt. Thomas Henry Stanley, Corps of Engineers.
First Lt. Donald Greeley White, Corps of Engineers.
First Lt. William Weston Bessell, Jr., Corps of Engineers.
First Lt. Charles George Holle, Corps of Engineers.
First Lt. Arthur Martin Andrews, Corps of Engineers.
First Lt. Edward Crosby Harwood, Corps of Engineers.
First Lt. John Wylie Moreland, Corps of Engineers.
First Lt. Wayne Stewart Moore, Corps of Engineers.
First Lt. Henry Franklin Hannis, Corps of Engineers.
First Lt. Edward Albert Routheau, Field Artillery.
First Lt. Godfrey Douglas Adamson, Field Artillery.
First Lt. Wilson Burnett Higgins, Corps of Engineers.
First Lt. Frederic Lord Hayden, Coast Artillery Corps.
First Lt. Warren Cressman Rutter, Coast Artillery Corps.
First Lt. Harold Frank Handy, Field Artillery.
First Lt. Richard Clare Partridge, Field Artillery.
First Lt. Edward John McGaw, Field Artillery.
First Lt. Harold Thomas Miller, Corps of Engineers.
First Lt. Tyree Rivers Horn, Signal Corps.
First Lt. Joseph Leo Langevin, Field Artillery.
xFirst Lt. William Hardy Hill, Field Artillery.
First Lt. Louis Jacob Claterbos, Corps of Engineers.
First Lt. Auguste Rhu Taylor, Field Artillery.
First Lt. James Kenneth Mitchell, Cavalry.
First Lt. Frank Andrew Henning, Field Artillery.
First Lt. Ewart Gladstone Plank, Corps of Engineers.
First Lt. James Malcolm Lewis, Field Artillery.
First Lt. Bernard Linn Robinson, Corps of Engineers.
First Lt. John Robert Culleton, Field Artillery.
First Lt. James Goodrich Renno, Coast Artillery Corps.
First Lt. Charles Steinhart Whitmore, Field Artillery.
First Lt. James Hobson Stratton, Corps of Engineers.
First Lt. Lee Armstead Denson, Jr., Coast Artillery Corps.
First Lt. Lawrence Granger Smith, Cavalry.
First Lt. Edward Haviland Lastayo, Field Artillery.
First Lt. George DeGraaf, Field Artillery.
First Lt. Lathrop Ray Bullene, Coast Artillery Corps.
First Lt. James Alexander Samouce, Field Artillery.
First Lt. William Wallace Ford, Field Artillery.
First Lt. George Dewey Vanture, Field Artillery.
First Lt. Harry Earl Fisher, Corps of Engineers.
First Lt. Donald Sylvester Burns, Corps of Engineers.
First Lt. Donald James Leehey, Corps of Engineers.
First Lt. Carl Edwin Berg, Field Artillery.
First Lt. Joseph Eugene Harriman, Coast Artillery Corps.
First Lt. George Joseph Loupret, Coast Artillery Corps.
First Lt. Thomas Arnett Roberts, Jr., Field Artillery.
First Lt. Verne Donald Mudge, Cavalry.
First Lt. John Loren Goff, Coast Artillery Corps.
First Lt. Francis Henry Morse, Field Artillery.
First Lt. Edward Macon Edmonson, Field Artillery.
First Lt. William Gordon Holder, Coast Artillery Corps.
First Lt. Halstead Clotworthy Fowler, Field Artillery.
First Lt. Lyman Louis Lemnitzer, Coast Artillery Corps.
First Lt. Leslie Burgess Downing, Field Artillery.
First Lt. William Ignatius Brady, Coast Artillery Corps.
First Lt. Eugene Martin Link, Field Artillery.
First Lt. John States Seybold, Corps of Engineers.
First Lt. William Harry Bartlett, Field Artillery.
First Lt. Donald Breen Herron, Coast Artillery Corps.
First Lt. Edward Clinton Gillette, Jr., Field Artillery.
First Lt. Russell Owen Smith, Field Artillery.
First Lt. Rex Van Den Corput, Jr., Signal Corps.
First Lt. Homer Watson Kiefer, Field Artillery.
First Lt. James Myron McMillin, Chemical Warfare Service.
First Lt. Joseph Harris, Finance Department.
First Lt. John George Howard, Field Artillery.
xFirst Lt. Robert Hugh Kreuter, Coast Artillery Corps.
First Lt. Laurence Wood Bartlett, Coast Artillery Corps.
First Lt. Donald Frank Stace, Air Corps.
First Lt. Reynolds Johnston Burt, Jr., Corps of Engineers.

First Lt. John Dickerson Mitchell, Coast Artillery Corps.
First Lt. Clarence Henry Schabacker, Coast Artillery Corps.
First Lt. Fred Lebbeus Hamilton, Quartermaster Corps.
First Lt. John Francis Cassidy, Coast Artillery Corps.
First Lt. John Foxhall Sturman, Jr., Field Artillery.
First Lt. Joseph Jacob Billo, Infantry.
First Lt. Clarence Clemens Clendenen, Cavalry.
First Lt. William Carleton McFadden, Coast Artillery Corps.
First Lt. Eugene Collum Johnston, Cavalry.
First Lt. James Hess Walker, Cavalry.
First Lt. Claude Eugene Haswell, Infantry.
First Lt. Lyman Lincoln Judge, Cavalry.
xFirst Lt. Frank Needham Roberts, Infantry.
First Lt. Francis Henry Lanahan, Jr., Signal Corps.
First Lt. Lawrence Edward Schick, Cavalry.
First Lt. Courtney Parker Young, Coast Artillery Corps.
First Lt. Henry Chester Hine, Jr., Cavalry.
First Lt. John Donald Robertson, Coast Artillery Corps.
xFirst Lt. William Price Withers, Cavalry.
xFirst Lt. Frederick Robert Pitts, Cavalry.
First Lt. Sherman Vitus Hasbrouck, Field Artillery.
First Lt. Arthur Kenley Hammond, Cavalry.
First Lt. Crump Garvin, Infantry.
First Lt. Hamilton Peyton Ellis, Coast Artillery Corps.
First Lt. Thomas Dresser White, Air Corps.
First Lt. Frederick Mixon Harris, Infantry.
First Lt. Dwight Acker Rosebaum, Infantry.
First Lt. Kenneth Gilpin Hoge, Cavalry.
First Lt. Richard Candler Singer, Field Artillery.
First Lt. Aladin James Hart, Cavalry.
First Lt. Robert Edwards, Cavalry.
First Lt. William Richter Tomey, Infantry.
First Lt. Joseph Honore Rousseau, Jr., Coast Artillery Corps.
First Lt. Lawrence Joseph Carr, Air Corps.
First Lt. Maurice Wiley Daniel, Field Artillery.
First Lt. Alexander Hamilton Perwein, Infantry.
First Lt. Clovis Ethelbert Byers, Cavalry.
First Lt. Oscar Raymond Johnston, Infantry.
First Lt. George Andrew Rehm, Cavalry.
First Lt. Edward Carl Englehart, Coast Artillery Corps.
First Lt. Charles Whitney West, Coast Artillery Corps.
First Lt. Park Brown Herrick, Field Artillery.
First Lt. Herbert Carl Reuter, Coast Artillery Corps.
First Lt. Helmer William Lystad, Infantry.
x First Lt. Harold Edward Smyser, Infantry.
First Lt. Esher Claflin Burkart, Field Artillery.
First Lt. Thomas Eginton Whitehead, Quartermaster Corps.
First Lt. Alexander George, Cavalry.
First Lt. Charles Kenon Gailey, Jr., Infantry.
First Lt. Francis William Farrell, Field Artillery.
First Lt. Wilmer Brinton Merritt, Coast Artillery Corps.
First Lt. Harry Clark Wisehart, Air Corps.
First Lt. Charles Merton Adams, Jr., Infantry.
First Lt. John Ferral McBlain, Air Corps.
First Lt. Richard Meade Costigan, Field Artillery.
First Lt. Gustave Harold Vogel, Quartermaster Corps.
First Lt. Basil Girard Thayer, Cavalry.
First Lt. Edward Joseph Sullivan, Chemical Warfare Service.
First Lt. James Perrine Barney, Jr., Field Artillery.
First Lt. Wilbur Sturtevant Nye, Field Artillery.
First Lt. Charles Harlan Swartz, Field Artillery.
First Lt. Leland Stuart Smith, Coast Artillery Corps.
First Lt. Carl Frederick Duffner, Infantry.
First Lt. Millard Pierson, Field Artillery.
First Lt. Harlan Thurston McCormick, Air Corps.
First Lt. Ray Olander Welch, Infantry.
First Lt. John Lamont Davidson, Air Corps.
xFirst Lt. Julian Erskine Raymond, Infantry.
First Lt. George Honnen, Infantry.
First Lt. Charles Porter Amazeen, Cavalry.
First Lt. Edward Thomas Williams, Field Artillery.
First Lt. Frank Thweatt Searcy, Infantry.
First Lt. George William Bailey, Jr., Cavalry.
First Lt. Alan Lockhart Fulton, Cavalry.
First Lt. Terence John Tully, Signal Corps.
xFirst Lt. William Earl Crist, Infantry.
First Lt. Claude Monroe McQuarrie, Infantry.
First Lt. William Lemuel Mitchell, Infantry.
First Lt. Escalus Emmert Elliott, Coast Artillery Corps.
First Lt. Milton Cogswell Shattuck, Infantry.
First Lt. Joseph Vincent de Paul Dillon, Coast Artillery Corps.
First Lt. Hayden Adriance Sears, Cavalry.
First Lt. John Thomas Lynch, Quartermaster Corps.
First Lt. John Black Reybold, Cavalry.
First Lt. William Dickey Long, Infantry.
xFirst Lt. Henry Irving Hodes, Cavalry.
First Lt. William Joel Tudor Yancey, Infantry.
First Lt. Leon Eugene Lichtenwalter, Infantry.
First Lt. Sidney Rae Hinds, Infantry.
First Lt. Halley Grey Maddox, Cavalry.
First Lt. John English Nelson, Infantry.
First Lt. Harold Todd Turnbull, Coast Artillery Corps.
First Lt. Hugo Peoples Rush, Air Corps.
First Lt. John William Wofford, Cavalry.
First Lt. Wray Bertrand Avera, Field Artillery.
First Lt. Charles Fox Ivins, Infantry.
First Lt. Walter Daniel Buie, Infantry.
First Lt. John Taylor Ward, Cavalry.
First Lt. John Elmer Reierson, Coast Artillery Corps.
First Lt. Henry Jackson Hunt, Jr., Infantry.
First Lt. George Huston Bare, Infantry.
First Lt. Morris Haslett Marcus, Cavalry.
First Lt. Frank Zea Pirkey, Corps of Engineers.
First Lt. Karl William Hisgen, Field Artillery.
First Lt. James Harry Marsh, Infantry.
First Lt. Francis Warren Crary, Field Artillery.
First Lt. John Baylis Cooley, Cavalry.
First Lt. Selby Francis Little, Field Artillery.
First Lt. Milo Glen Cary, Coast Artillery Corps.
First Lt. Harold Joseph Conway, Ordnance Department.
First Lt. Gustin MacAllister Nelson, Infantry.
First Lt. Frank Joseph Spettel, Infantry.
xFirst Lt. Burwell Baylor Wilkes, Jr., Infantry.
First Lt. John Barry Peirce, Infantry.
First Lt. James Raymond Goodall, Coast Artillery Corps.
First Lt. John Kenneth Sells, Cavalry.
First Lt. Douglas Cameron, Cavalry.
First Lt. Arthur Jennings Grimes, Infantry.
First Lt. Walter Duval Webb, Jr., Field Artillery.
First Lt. Ernest Starkey Moon, Air Corps.
First Lt. Harry Craven Dayton, Field Artillery.
First Lt. Chester Arthur Carlsen, Infantry.
First Lt. Joseph Myles Williams, Cavalry.
First Lt. Harold Arthur Doherty, Field Artillery.
First Lt. Lewis Eugene Snell, Field Artillery.
First Lt. Arnold Hoyer Rich, Air Corps.
First Lt. Charles Dawson McAllister, Air Corps.
First Lt. Vincent Joseph Tanzola, Infantry.
First Lt. Edward Albert Banning, Field Artillery.
First Lt. Frederic de Lannoy Comfort, Cavalry.
First Lt. Henry Laurance Ingham, Field Artillery.
First Lt. Percy Earle LeStourgeon, Infantry.
First Lt. Caryl Rawson Hazeltine, Infantry.
First Lt. Irvin Albert Robinson, Infantry.
First Lt. Michael Henry Zwicker, Coast Artillery Corps.
First Lt. James Thorburn Cumberpatch, Air Corps.
First Lt. Leon Valentine Chaplin, Field Artillery.
First Lt. Daniel Webster Kent, Infantry.
First Lt. Harry Lynch, Signal Corps.
First Lt. George Marion Davis, Infantry.
First Lt. Fay Warren Lee, Field Artillery.
First Lt. Charles Emmett Cheever, Quartermaster Corps.
First Lt. Harry Meyer, Corps of Engineers.
First Lt. Peter Anthony Feringa, Corps of Engineers.
First Lt. Edward Barber, Coast Artillery Corps.
First Lt. Edward Hall Walter, Corps of Engineers.
First Lt. David Albert Morris, Corps of Engineers.
First Lt. Richardson Selee, Corps of Engineers.

First Lt. Don Waters Mayhue, Air Corps.
First Lt. Charles Harold Crim, Coast Artillery Corps.
First Lt. John Harry, Coast Artillery Corps.
First Lt. Harold Oakes Bixby, Signal Corps.
First Lt. George Randall Scithers, Field Artillery.
First Lt. John Henry Featherston, Coast Artillery Corps.
First Lt. Charles Andrews Jones, Jr., Quartermaster Corps.
First Lt. Hubert Stauffer Miller, Corps of Engineers.
First Lt. Edward Harold Coe, Corps of Engineers.
First Lt. Allan Eugene Smith, Field Artillery.
First Lt. Daniel Burnett Knight, Infantry.
First Lt. Paul MacKeen Martin, Cavalry.
First Lt. Creswell Garrettson Blakeney, Field Artillery.
First Lt. Louis Jeter Tatom, Signal Corps.
First Lt. Louis Watkins Prentiss, Corps of Engineers.
First Lt. William Edmund Waters, Field Artillery.
First Lt. Joseph Kennard Bush, Infantry.
First Lt. Orlando Clarendon Mood, Infantry.
First Lt. Bert Nathan Bryan, Infantry.
First Lt. Harvie Rogers Matthews, Infantry.
First Lt. Louis Beman Rapp, Cavalry.
First Lt. Edwards Matthews Quigley, Field Artillery.
First Lt. James Breakenridge Clearwater, Field Artillery.
First Lt. Joseph Warren Huntress, Jr., Quartermaster Corps.
First Lt. Luther Daniel Wallis, Infantry.
First Lt. Wesley Tate Guest, Signal Corps.
First Lt. Duncan Philip Frissell, Infantry.
First Lt. Henry Hammond Duval, Coast Artillery Corps.
First Lt. John William Dwyer, Coast Artillery Corps.
First Lt. Alfred Vepsala, Field Artillery.
First Lt. Edmund Clarence Langmead, Air Corps.
First Lt. Carroll Heiney Deitrick, Ordnance Department.
First Lt. Burton Larrabee Pearce, Field Artillery.
First Lt. Lee W. Haney, Infantry.
First Lt. David William Goodrich, Air Corps.
First Lt. Franklin Mitchell, Ordnance Department.
First Lt. Wallace Ellsworth Niles, Ordnance Department.
First Lt. Lewis Edward Weston Lepper, Quartermaster Corps.
First Lt. Edward Harris Barr, Field Artillery.
First Lt. James Roscoe Hamilton, Infantry.
First Lt. Joe Robert Sherr, Signal Corps.
xFirst Lt. Henry Chester Jones, Infantry.
First Lt. Louis Leopold Lesser, Field Artillery.
First Lt. Walter Francis Jennings, Cavalry.
First Lt. Edward Cuyler Applegate, Infantry.
First Lt. Henry Louis Love, Field Artillery.
First Lt. Cranford Coleman Bryan Warden, Infantry.
First Lt. William Dawes Williams, Field Artillery.
First Lt. William Thomas Semmes Roberts, Infantry.
First Lt. McDonald Donegan Weinert, Corps of Engineers.
First Lt. John Walker Childs, Infantry.
First Lt. Wilbert Engdahl Shallene, Field Artillery.
First Lt. Wilmar Weston Dewitt, Infantry.
First Lt. James Milliken Bevans, Air Corps.
First Lt. Floyd Raymond Brisack, Field Artillery.
First Lt. Clarence Everett Jackson, Infantry.
First Lt. Edward Joseph Walsh, Infantry.
First Lt. Haydn Purcell Roberts, Signal Corps.
First Lt. Alan Sydney Rush, Infantry.
First Lt. Clifford Cleophas Duell, Field Artillery.
First Lt. William Orville Collins, Infantry.
First Lt. William Larwill Carr, Field Artillery.
First Lt. Russell George Duff, Field Artillery.
First Lt. Ross Clyde Brackney, Infantry.
First Lt. Roy Prewett Huff, Field Artillery.
First Lt. Lawrence August Dietz, Infantry.
First Lt. Paul Hanes Kemmer, Air Corps.
First Lt. Richard Sears, Field Artillery.
First Lt. John James Baker, Infantry.
xFirst Lt. George Louis Boyle, Infantry.
First Lt. Robert Brice Johnston, Quartermaster Corps.
First Lt. Paul Ainsworth Berkey, Field Artillery.
First Lt. Robert Clyde Padley, Quartermaster Corps.
First Lt. Dana Gray McBride, Cavalry.
First Lt. Donald Boyer Phillips, Air Corps.
First Lt. William Wallace Robertson, Infantry.
First Lt. William Peyton Campbell, Finance Department.
First Lt. Harry Starkey Aldrich, Coast Artillery Corps.
First Lt. Hugh Perry Adams, Field Artillery.
First Lt. Cecil Elmore Archer, Air Corps.
First Lt. Thomas Edward Moore, Field Artillery.
First Lt. Robert DuVal Waring, Field Artillery.
First Lt. Stephen Yates McGiffert, Field Artillery.
First Lt. John Otis Hyatt, Infantry.
First Lt. Louis Meline Merrick, Air Corps.
First Lt. Lee Roy Woods, Jr., Field Artillery.
First Lt. Rox Hunter Donaldson, Field Artillery.
First Lt. Dudley Warren Watkins, Air Corps.
First Lt. Arthur Nathaniel Willis, Cavalry.
First Lt. Lyman Perley Whitten, Air Corps.
First Lt. Ray Henry Clark, Air Corps.
First Lt. Homer Wilbur Ferguson, Air Corps.
First Lt. James Richmond Simpson, Infantry.
First Lt. Philip Schwartz, Ordnance Department.
xFirst Lt. Richard Brown Thornton, Quartermaster Corps.
First Lt. Charles Nicholas Senn Ballou, Infantry.
xFirst Lt. Samuel Rubin, Coast Artillery Corps.
First Lt. Donald Wallace Norwood, Air Corps.
First Lt. Walden Sharp Lewis, Infantry.
First Lt. Andrew Julius Evans, Infantry.
First Lt. Paul Corson Howe, Coast Artillery Corps.
First Lt. Donald McKechnie Ashton, Infantry.
First Lt. Edward Alfred Mueller, Infantry.
First Lt. Robert William Calvert Wimsatt, Air Corps.
First Lt. Clayton Huddle Studebaker, Field Artillery.
First Lt. Albert James Wick, Coast Artillery Corps.
First Lt. Raymond Taylor Tompkins, Field Artillery.
xFirst Lt. George Alfred Arnold Jones, Field Artillery.
First Lt. George Evans Burritt, Field Artillery.
First Lt. William Madison Mack, Signal Corps.
First Lt. Robert Crane Hendley, Field Artillery.
First Lt. Walter Jesse Klepinger, Field Artillery.
First Lt. Grady David Epps, Infantry.
First Lt. Frank Charles McConnell, Coast Artillery Corps.
First Lt. Dale Phillip Mason, Signal Corps.
First Lt. Donald Fowler Fritch, Air Corps.
First Lt. James Madison Callicutt, Field Artillery.
First Lt. Reginald Pond Lyman, Signal Corps.
First Lt. John Sharpe Griffith, Air Corps.
First Lt. George Work Marvin, Corps of Engineers.
First Lt. Charles Joseph Barrett, Jr., Field Artillery.
First Lt. Maxwell Davenport Taylor, Field Artillery.
First Lt. Henry James Woodbury, Corps of Engineers.
First Lt. Louis Jacob Rumaggi, Corps of Engineers.
First Lt. Edmund Clayton Lynch, Air Corps.
First Lt. Francis Jennings Wilson, Corps of Engineers.
First Lt. Alfred August Kessler, Jr., Air Corps.
First Lt. Paschal Neilson Strong, Jr., Corps of Engineers.
First Lt. Cortlandt Van Rensselaer Schuyler, Coast Artillery Corps.
First Lt. Lawrence Coy Leonard, Ordnance Department.
First Lt. Mervin Eugene Gross, Air Corps.
First Lt. Robert Wayne Raynsford, Signal Corps.
First Lt. LeRoy Judson Stewart, Field Artillery.
First Lt. Edward Shelley Gibson, Infantry.
First Lt. John Francis Uncles, Field Artillery.
First Lt. Giles Richard Carpenter, Field Artillery.
First Lt. David James Crawford, Ordnance Department.
First Lt. William Field Sadtler, Ordnance Department.
First Lt. Earl Foster Thomson, Cavalry.
First Lt. Charles Newsom Branham, Coast Artillery Corps.
First Lt. Francis Borgia Kane, Coast Artillery Corps.
First Lt. William Stevens Lawton, Coast Artillery Corps.
First Lt. Albert Svihra, Field Artillery.
First Lt. Granger Anderson, Coast Artillery Corps.
First Lt. Alfred Eugene Kastner, Field Artillery.
First Lt. Edwin Paul Crandell, Cavalry.
First Lt. Mark McClure, Field Artillery.
First Lt. Benjamin Wiley Chidlaw, Air Corps.
First Lt. Myron Leedy, Ordnance Department.
First Lt. Alba Carlton Spalding, Coast Artillery Corps.

First Lt. Robert Landon Taylor, Field Artillery.
First Lt. Stephen Cecil Lombard, Field Artillery.
First Lt. Fred James Woods, Coast Artillery Corps.
First Lt. Kenneth Francis Pughe, Infantry.
First Lt. Robert Smith McClenaghan, Field Artillery.
First Lt. Francis Xavier Mulvihill, Infantry.
First Lt. Charles Hancock Reed, Cavalry.
First Lt. Walter Russell Hensey, Jr., Field Artillery.
First Lt. Orval Ray Cook, Air Corps.
First Lt. Perry McCoy Smith, Coast Artillery Corps.
First Lt. James Wrathall Spry, Air Corps.
First Lt. Gordon Sherman Armes, Cavalry.
First Lt. Frederick William Hein, Infantry.
First Lt. Charles Rufus Smith, Infantry.
First Lt. Harold Alfred Meyer, Infantry.
First Lt. Robert Earle Blair, Infantry.
First Lt. Harold Thomas Molloy, Field Artillery.
First Lt. James Dunne O'Connell, Signal Corps.
First Lt. Gilman Clifford Mudgett, Cavalry.
First Lt. Numa Augustin Watson, Infantry.
First Lt. Wesley Woodworth Yale, Cavalry.
First Lt. Robert Wilkins Douglass, Jr., Air Corps.
First Lt. Oscar Louis Beal, Air Corps.
First Lt. Oliver Wendell Hughes, Infantry.
First Lt. Robert Vincent Murphy, Infantry.
First Lt. Melville Fuller Grant, Infantry.
First Lt. James Edward Rees, Infantry.
First Lt. James Robinson Pierce, Infantry.
First Lt. Lemuel Mathewson, Field Artillery.
First Lt. George Harold Carmouche, Infantry.
First Lt. Thomas Varon Webb, Infantry.
First Lt. George Edward Mitchell, Jr., Field Artillery.
First Lt. William Henry Schildroth, Infantry.
First Lt. George Arthur Taylor, Infantry.
First Lt. Alfred Lawrence Price, Field Artillery.
First Lt. Frank Llewellyn Beadle, Corps of Engineers.
First Lt. Gilbert Hayden, Signal Corps.
First Lt. Francis Eugene Cothran, Corps of Engineers.
First Lt. Thomas Herbert Maddocks, Signal Corps.
First Lt. David Marion Fowler, Infantry.
First Lt. Edward Arthur Kleinman, Coast Artillery Corps.
First Lt. Blackshear Morrison Bryan, Jr., Field Artillery.
First Lt. John Lawson Ballantyne, Cavalry.
First Lt. Hilbert Milton Wittkop, Air Corps.
First Lt. Donald Quitman Harris, Field Artillery.
First Lt. John Percy Kennedy, Jr., Field Artillery.
First Lt. Townsend Griffiss, Air Corps.
First Lt. William Andrew Wedemeyer, Field Artillery.
First Lt. Edwin Carlo Greiner, Cavalry.
First Lt. Oliver Perry Newman, Infantry.
First Lt. Ronald Gorrie MacDonald, Infantry.
First Lt. John Hughes Stodter, Cavalry.
First Lt. Thomas Edward Lewis, Field Artillery.
First Lt. Stewart Tiffany Vincent, Infantry.
First Lt. Paul Henry Mahoney, Infantry.
First Lt. James Clyde Fry, Infantry.
First Lt. Austin Folger Gilmartin, Infantry.
First Lt. Elbert Kelly, Quartermaster Corps.
xFirst Lt. James Harrison Dickie, Finance Department.
First Lt. Charles Llewellyn Gorman, Quartermaster Corps.
First Lt. Joseph Perry Catte, Infantry.
First Lt. Albert Carroll Morgan, Infantry.
First Lt. John LaValle Graves, Field Artillery.
First Lt. Herbert William Kruger, Field Artillery.
First Lt. William Earl Watters, Field Artillery.
First Lt. Leo Henry Dawson, Air Corps.
First Lt. Milton John Smith, Air Corps.
First Lt. Carl Budd Wahle, Coast Artillery Corps.
First Lt. Leonard Loyd Hilliard, Infantry.
First Lt. Lester Vocke, Field Artillery.
First Lt. James Fish, 3d, Infantry.
First Lt. John Leon Dicks, Infantry.
First Lt. Lester Mavity Rouch, Field Artillery.
First Lt. Herman William Fairbrother, Infantry.
First Lt. Thomas Edward Meyer, Field Artillery.
First Lt. Thomas Jefferson Randolph, Cavalry.
First Lt. Harry Edwin Magnuson, Coast Artillery Corps.
First Lt. LaRoy Sanders Graham, Infantry.
First Lt. Francis Lavelle Ready, Cavalry.
First Lt. David Hottenstein, Coast Artillery Corps.
First Lt. Ray Brooks Floyd, Infantry.
First Lt. Ray Eugene Marshall, Infantry.
First Lt. Harland Fremont Burgess, Infantry.
First Lt. Karl Clifford Frank, Coast Artillery Corps.
First Lt. Clyde Anderson Burcham, Cavalry.
First Lt. Randall James Hogan, Ordnance Department.
First Lt. Robert Nicholas Young, Infantry.
First Lt. James Frederick Phillips, Air Corps.
First Lt. Douglas Valentine Johnson, Field Artillery.
First Lt. Frederick Williams Watrous, Field Artillery.
First Lt. Charles Elford Smith, Infantry.
First Lt. Raymond Edward Culbertson, Air Corps.
First Lt. Maynard Harper Carter, Infantry.
First Lt. LeGrande Albert Diller, Infantry.
First Lt. Robert Parker Hollis, Field Artillery.
First Lt. Isaac Davis White, Cavalry.
First Lt. Louis Edward Roemer, Infantry.
xFirst Lt. Max Hosmer Gooler, Infantry.
First Lt. Joseph Howard Harper, Infantry.
First Lt. Newton Farragut McCurdey, Cavalry.
First Lt. John Julius Dubbelde, Jr., Infantry.
First Lt. Joe Ford Simmons, Coast Artillery Corps.
First Lt. Clarence Turner Hulett, Infantry.
First Lt. Daniel Powell Poteet, Field Artillery.
First Lt. Ord Gariche Chrisman, Infantry.
First Lt. Gerson Kirkland Heiss, Ordnance Department.
First Lt. Ransom George Amlong, Quartermaster Corps.
First Lt. Paul Lawrence Martin, Field Artillery.
First Lt. Walter Howard DeLange, Field Artillery.
First Lt. Robert Kelsey Haskell, Field Artillery.
First Lt. Ralph Adel Snavely, Air Corps.
First Lt. Claude Armenius Thorp, Cavalry.
xFirst Lt. Rowland Reid Street, Infantry.
First Lt. John Marquiss Whistler, Field Artillery.
First Lt. James Howard Leusley, Field Artillery.
First Lt. Aloysius Eugene O'Flaherty, Jr., Infantry.
First Lt. Robert Boyd Williams, Air Corps.
First Lt. Glenn Hunter Palmer, Signal Corps.
First Lt. Royal Bertrand Lord, Corps of Engineers.
First Lt. Kenner Fisher Hertford, Corps of Engineers.
First Lt. Steven Livesay Conner, Ordnance Department.
First Lt. Miles Reber, Corps of Engineers.
First Lt. Charles West Stewart, Jr., Corps of Engineers.
First Lt. William Francis Merwin Longwell, Corps of Engineers.
First Lt. John Rutherford Noyes, Corps of Engineers.
First Lt. Lyle Rosenberg, Corps of Engineers.
First Lt. William Randolph Winslow, Corps of Engineers.
First Lt. William Newton Leaf, Corps of Engineers.
First Lt. David Morris Dunne, Jr., Corps of Engineers.
First Lt. Frank McAdams Albrecht, Corps of Engineers.
First Lt. Theodore Morrison Osborne, Corps of Engineers.
First Lt. Robert Farnsworth Hallock, Field Artillery.
First Lt. Stuart Alfred Beckley, Field Artillery.
First Lt. Harold David Kehm, Field Artillery.
First Lt. John Wesley Warren, Air Corps.
First Lt. Einar Bernard Gjelsteen, Field Artillery.
xFirst Lt. William Elgie Carraway, Infantry.
First Lt. John Mark Pesek, Infantry.
First Lt. Herbert Bronson Enderton, Field Artillery.
First Lt. John Battle Horton, Field Artillery.
First Lt. Joseph Leander Hardin, Field Artillery.
First Lt. Carter Bowie Magruder, Field Artillery.
First Lt. William Joseph D'Espinosa, Ordnance Department.
First Lt. Wilbur Ray Pierce, Field Artillery.
First Lt. Donald Henry Galloway, Cavalry.
First Lt. Howard William Serig, Signal Corps.
First Lt. Daniel DeBardeleben, Cavalry.
First Lt. Patrick Weston Timberlake, Air Corps.
First Lt. Clyde Kenneth Rich, Air Corps.
First Lt. Paul Wakefield Wolf, Air Corps.

First Lt. David Larr, Field Artillery.
First Lt. Laurence Carbee Craigie, Air Corps.
First Lt. Philip Roy Dwyer, Infantry.
First Lt. Sylvester John Keane, Signal Corps.
First Lt. Allen Lloyd Keyes, Field Artillery.
First Lt. Damon Mott Gunn, Infantry.
xFirst Lt. Charles Metz Seebach, Infantry.
xFirst Lt. Harry McKenzie Roper, Field Artillery.
xFirst Lt. James Henry Workman, Field Artillery.
First Lt. Charles Wesley Gettys, Coast Artillery Corps.
First Lt. Henry James Pitt Harding, Infantry.
First Lt. William Shepard Biddle 3d, Cavalry.
First Lt. George Francis Heaney, Jr., Coast Artillery Corps.
First Lt. John Humphrey Evans, Infantry.
First Lt. William Remsburgh Grove, Jr., Field Artillery.
First Lt. George Lewis Dewey, Infantry.
First Lt. James Frederick Torrence, Jr., Infantry.
First Lt. Douglass Gordon Pamplin, Coast Artillery Corps.
First Lt. Charles White Lawrence, Air Corps.
First Lt. Michael Buckley, Jr., Field Artillery.
First Lt. Benjamin Stern, Signal Corps.
First Lt. Wallace Evan Whitson, Air Corps.
First Lt. Lloyd Shepard, Coast Artillery Corps.
First Lt. Rex Eugene Chandler, Field Artillery.
First Lt. Russel J. Minty, Air Corps.
First Lt. Sheffield Edwards, Field Artillery.
First Lt. John Roper Burnett, Coast Artillery Corps.
xFirst Lt. Raymond Stone, Jr., Coast Artillery Corps.
First Lt. John Joseph Binns, Field Artillery.
First Lt. Walter Burnside, Cavalry.
First Lt. James Francis Joseph Early, Air Corps.
First Lt. Howard John Vandersluis, Coast Artillery Corps.
First Lt. Ulysses John Lincoln Peoples, Jr., Ordnance Department.
First Lt. Richard Briggs Evans, Cavalry.
First Lt. Alden Rudyard Crawford, Air Corps.
First Lt. Rochester Flower McEldowney, Field Artillery.
First Lt. Thomas Merritt Lowe, Air Corps.
First Lt. Kevin O'Shea, Cavalry.
First Lt. Carl Douglas Silverthorne, Cavalry.
First Lt. Louis William Haskell, Field Artillery.
First Lt. David Myron Schlatter, Air Corps.
First Lt. Charles Trovilla Myers, Air Corps.
First Lt. Eugene Ware Ridings, Infantry.
First Lt. Charles Woodford Cowles, Field Artillery.
First Lt. Kenneth Eugene Webber, Finance Department.
First Lt. Alexander Davidson Reid, Infantry.
First Lt. Leslie Page Holcomb, Air Corps.
First Lt. Charles Vinson Bromley, Jr., Cavalry.
First Lt. John William Harmony, Infantry.
First Lt. Philip Harrison Enslow, Field Artillery.
First Lt. Ernest Byron Thompson, Coast Artillery Corps.
First Lt. Elwyn Donald Post, Infantry.
First Lt. Franklin Kress Gurley, Coast Artillery Corps.
First Lt. Wilfrid Henry Hardy, Air Corps.
First Lt. Leslie Martin Grener, Cavalry.
First Lt. Joseph Smith, Air Corps.
First Lt. Kenneth Shearer Sweany, Field Artillery.
First Lt. Joseph Harold Hicks, Air Corps.
First Lt. Guy Haines Stubbs, Coast Artillery Corps.
First Lt. Ralph Christian Bing, Infantry.
First Lt. Clinton John Harrold, Cavalry.
xFirst Lt. Russell Emerson Bates, Coast Artillery Corps.
First Lt. Earl Shuman Gruver, Ordnance Department.
First Lt. Warren Cole Stout, Field Artillery.
First Lt. David Barbour Barton, Signal Corps.
First Lt. William Augustus Davis Thomas, Field Artillery.
First Lt. Eugene Lynch Harrison, Cavalry.
xFirst Lt. Bernard Aye Tormey, Field Artillery.
First Lt. Joseph Ingham Greene, Infantry.
First Lt. Abner Judson McGehee, Jr., Infantry.
First Lt. Valentine Roy Smith, Field Artillery.
First Lt. Joseph Anthony Cella, Field Artillery.
First Lt. James Boyce Carroll, Coast Artillery Corps.
First Lt. John Ellsworth Adkins, Jr., Field Artillery.
First Lt. Cecil Ward Nist, Infantry.
First Lt. Robert Chaffee Oliver, Air Corps.
First Lt. James Eugene Bernard McInerney, Ordnance Department.
First Lt. Francis Arthur Garrecht, Jr., Field Artillery.
xFirst Lt. Frank Dorn, Field Artillery.
First Lt. Charles Edward Woodruff, Jr., Infantry.
First Lt. Donald McLean, Coast Artillery Corps.
First Lt. Paschal Hoover Ringsdorf, Field Artillery.
First Lt. Stuart Lee Cowles, Field Artillery.
First Lt. John Maurice Weikert, Air Corps.
xFirst Lt. George Pierce Howell, Infantry.
First Lt. Warren Alfred Robinson, Infantry.
First Lt. John Hensel Pitzer, Coast Artillery Corps.
First Lt. William Lawrence Scott, Jr., Air Corps.
First Lt. Dean Stanley Ellerthorpe, Coast Artillery Corps.
First Lt. George Conrad Mergens, Infantry.
First Lt. Horton Vail White, Infantry.
First Lt. James Edward Bowen, Jr., Infantry.
First Lt. Austin Curtis Cunkle, Infantry.
First Lt. Francis Townsend Dodd, Field Artillery.
First Lt. Charles Carlton Cavender, Infantry.
xFirst Lt. George Stanley Smith, Field Artillery.
First Lt. William Campbell Lucas, Field Artillery.
First Lt. Harvey Keene Palmer, Jr., Field Artillery.
First Lt. Wendell Gunner Johnson, Infantry.
First Lt. Howard Edward Crane Breitung, Coast Artillery Corps.
First Lt. Paul Kenneth Porch, Infantry.
First Lt. John George Salsman, Air Corps.
First Lt. Lyman O'Dell Williams, Infantry.
First Lt. Temple Graves Holland, Infantry.
First Lt. Lew Myers Morton, Coast Artillery Corps.
First Lt. Paul Cyril Serff, Infantry.
First Lt. Lawrence Leroy Skinner, Infantry.
First Lt. Edward Forstall Adams, Infantry.
First Lt. Thomas Sherman Timberman, Infantry.
First Lt. Cyril Quentin Marron, Infantry.
First Lt. Robert Herman Krueger, Coast Artillery Corps.
First Lt. Louis John Storck, Infantry.
First Lt. Donald Cameron Tredennick, Coast Artillery Corps.
First Lt. David Sherman Babcock, Field Artillery.
First Lt. James Jewett Carnes, Infantry.
First Lt. Joseph Winfield Boone, Infantry.
First Lt. Hugh Chauncey Johnson, Infantry.
First Lt. James Michael Fitzmaurice, Air Corps.
First Lt. John Owen Colonna, Corps of Engineers.
First Lt. Charles Calvin Higgins, Infantry.
First Lt. George Craig Stewart, Infantry.
First Lt. Louis Peter Leone, Infantry.
First Lt. Robert Leroy Dulaney, Infantry.
First Lt. James Clarke Carter, Infantry.
First Lt. Robert McKee Smith, Ordnance Department.
First Lt. Hoyt Sanford Vandenberg, Air Corps.
First Lt. Lawrence Varsi Castner, Infantry.
First Lt. Henry Granville Fisher, Infantry.
xFirst Lt. Hal Clark Granberry, Infantry.
First Lt. Ralph Mundon Neal, Cavalry.
First Lt. Stewart Warren Towle, Jr., Air Corps.
First Lt. Edwin Britain Howard, Infantry.
First Lt. John Paul Evans, Infantry.
First Lt. William Harold Schaffer, Infantry.
First Lt. Sidney Lee Douthit, Infantry.
First Lt. Allen Dwight Raymond, Jr., Infantry.
First Lt. Walter Cornelius White, Air Corps.
First Lt. Lynn Edwin Brady, Infantry.
First Lt. Glen Clifford Jamison, Air Corps.
First Lt. James Robert Lindsay, Jr., Field Artillery.
First Lt. Roy Madison Foster, Quartermaster Corps.
First Lt. Wayne Latta Barker, Coast Artillery Corps.
First Lt. Carl Brown McDaniel, Air Corps.
First Lt. Carlisle Brown Irwin, Infantry.
First Lt. Lee Carl Vance, Cavalry.
First Lt. Russell Vivian Perry, Quartermaster Corps.
First Lt. Thomas Davison Drake, Infantry.
First Lt. Granville Victor Morse, Cavalry.

First Lt. Herbert Spencer Jordan, Infantry.
First Lt. Dresden James Cragun, Infantry.
First Lt. Edward Harvey Clouser, Infantry.
First Lt. Herbert Kenneth Baisley, Air Corps.
First Lt. Carl Eugene Anderson, Infantry.
First Lt. Thomas Robinson, Cavalry.
First Lt. John Kraybill Nissley, Air Corps.
First Lt. William Rush Blakely, Infantry.
First Lt. William Douglass Paschall, Field Artillery.
First Lt. Frederick Mott Thompson, Infantry.
First Lt. Charles Goodwin Pearcy, Air Corps.
First Lt. Alonzo Valede Thorpe, Finance Department.
First Lt. Voris Hamilton Connor, Field Artillery.
First Lt. Arthur Bordeaux Nicholson, Coast Artillery Corps.
First Lt. Girvelle Leighton Field, Coast Artillery Corps.
First Lt. Staten Eugene Rall, Infantry.
First Lt. Don Emerson Carleton, Cavalry.
First Lt. Kenneth Lafayette Johnson, Field Artillery.
First Lt. Eugene Haworth Vernon, Infantry.
First Lt. Paul Green Kendall, Cavalry.
First Lt. Ralph Waldo Russell, Coast Artillery Corps.
First Lt. Archibald Yarborough Smith, Air Corps.
First Lt. Herbert William Anderson, Air Corps.
First Lt. DeWitt Ballard, Infantry.
First Lt. James Lendsey McKinnon, Field Artillery.
First Lt. Willis Glenn Cronk, Infantry.
First Lt. Richard Tyler Willson, Cavalry.
First Lt. Leslie Lee Hittle, Field Artillery.
First Lt. Leslie Furness Young, Field Artillery.
First Lt. Emmett Hill Emanuel, Infantry.
First Lt. Eugene Desire Regad, Ordnance Department.
First Lt. Donald Taylor Beeler, Infantry.
First Lt. Charles Creswell Blakeney, Field Artillery.
First Lt. William Mason Hoke, Infantry.
First Lt. Willard Fromm Millice, Field Artillery.
First Lt. Elvin Hamilton Burger, Infantry.
First Lt. James Freeland McGraw, Infantry.
First Lt. Richard Searl Marr, Field Artillery.
First Lt. Leonard James Greeley, Field Artillery.
First Lt. Kingsley Sherman Andersson, Corps of Engineers.
First Lt. William Frishe Dean, Infantry.
First Lt. Ben Early Cordell, Coast Artillery Corps.
First Lt. Dalies Joshua Oyster, Field Artillery.
First Lt. George Phillips Privett, Field Artillery.
First Lt. William Lindsay McPherson, Coast Artillery Corps.
First Lt. William Vincent Gray, Infantry.
First Lt. Daniel Peter Norman, Infantry.
First Lt. John Mitchell England, Coast Artillery Corps.
First Lt. Floyd Cornelius Devenbeck, Ordnance Department.
First Lt. William Black Forse, Infantry.
First Lt. William Brown Short, Coast Artillery Corps.
First Lt. John Wallace Homewood, Infantry.
First Lt. James Vestie Collier, Field Artillery.
First Lt. Edwin Kennedy Wright, Infantry.
First Lt. Clint Leroy Taylor, Field Artillery.
First Lt. Richard Herbert Torovsky, Quartermaster Corps.
First Lt. Philip Mapes Shockley, Quartermaster Corps.
First Lt. Ernest Tuttle Owen, Field Artillery.
First Lt. Martin Hamlin Burckes, Field Artillery.
First Lt. Arthur Cecil Ramsey, Infantry.
First Lt. Wallace Howard Hastings, Corps of Engineers.
First Lt. Albert Fox Glenn, Air Corps.
First Lt. Emerson Leroy Cummings, Corps of Engineers.
First Lt. Earle Everard Partridge, Air Corps.
First Lt. Fisher Shinholt Blinn, Corps of Engineers.
First Lt. Donald Charles Hill, Corps of Engineers.
First Lt. Benjamin Schultz Mesick, Jr., Ordnance Department.
First Lt. Reginald Langworthy Dean, Corps of Engineers.
First Lt. Merrow Egerton Sorley, Corps of Engineers.
First Lt. Philip Robison Garges, Corps of Engineers.
First Lt. George Dakin Crosby, Field Artillery.
First Lt. Arthur Gilbert Trudeau, Corps of Engineers.
First Lt. John Held Riepe, Cavalry.
First Lt. Emerson Charles Itschner, Corps of Engineers.
First Lt. Ernest Orrin Lee, Field Artillery.
First Lt. Howard Ker, Corps of Engineers.
xFirst Lt. Charles Day Palmer, Field Artillery.
First Lt. Herbert Davis Vogel, Corps of Engineers.
First Lt. Fremont Swift Tandy, Corps of Engineers.
First Lt. Emil John Peterson, Corps of Engineers.
First Lt. Gordon Edmund Textor, Corps of Engineers.
First Lt. Everett Chalmers Wallace, Coast Artillery Corps.
First Lt. Vernum Charles Stevens, Coast Artillery Corps.
First Lt. Otis McCormick, Infantry.
First Lt. Wendell Blanchard, Cavalry.
First Lt. Thomas Du Val Roberts, Cavalry.
First Lt. Clinton Frederick Robinson, Corps of Engineers.
First Lt. Frederic Allison Henney, Corps of Engineers.
First Lt. David Jerome Ellinger, Air Corps.
First Lt. Leonard Lawrence Bingham, Corps of Engineers.
First Lt. Floyd Allen Mitchell, Coast Artillery Corps.
First Lt. Samuel Vance Krouthoff, Field Artillery.
First Lt. Joseph Peter Shumate, Coast Artillery Corps.
First Lt. John Ismert Hincke, Coast Artillery Corps.
First Lt. Fred Arley Ingalls, Air Corps.
First Lt. Raymond Thomas Beurket, Field Artillery.
First Lt. Heyward Bradford Roberts, Infantry.
First Lt. Charles George Meehan, Cavalry.
First Lt. Victor Allen Conrad, Signal Corps.
First Lt. Robin Bernard Pape, Coast Artillery Corps.
First Lt. John Franklin Williams, Field Artillery.
First Lt. Harry Jordan Theis, Cavalry.
First Lt. Amel Thomas Leonard, Field Artillery.
xFirst Lt. Clyde Massey, Cavalry.
First Lt. Bruce Woodward Bidwell, Infantry.
First Lt. Elmer Ernest Count, Jr., Coast Artillery Corps.
First Lt. Robert Ward Berry, Coast Artillery Corps.
First Lt. Harry Van Wyk, Field Artillery.
First Lt. Glenn Bruce McConnell, Field Artillery.
First Lt. Harold Peabody Tasker, Coast Artillery Corps.
First Lt. William Howard Arnold, Infantry.
First Lt. Raymond Hendley Coombs, Field Artillery.
First Lt. Wellington Alexander Samouce, Field Artillery.
First Lt. Francis Elmer Kidwell, Signal Corps.
First Lt. William Hubbard Barksdale, Jr., Field Artillery.
First Lt. Eugene Barber Ely, Field Artillery.
First Lt. Grayson Schmidt, Coast Artillery Corps.
First Lt. Leslie Earl Simon, Ordnance Department.
First Lt. Frank Finley Taylor, Jr., Quartermaster Corps.
First Lt. Charles Trueman Lanham, Infantry.
xFirst Lt. Richard Warburton Stephens, Infantry.
First Lt. Robert Clement Lawes, Field Artillery.
First Lt. Richard Longworth Baughman, Infantry.
First Lt. Edwin Henry Harrison, Ordnance Department.
First Lt. Cary Judson King, Jr., Signal Corps.
First Lt. Lawrence Russell Dewey, Cavalry.
First Lt. Ralph Irvin Glasgow, Coast Artillery Corps.
First Lt. William Armstrong Bugher, Cavalry.
First Lt. Wilbur Kincaid Noel, Cavalry.
First Lt. Jesse Bernard Wells, Cavalry.
First Lt. Cecil Ernest Henry, Air Corps.
First Lt. George Anthony Bicher, Signal Corps.
First Lt. James Thomas Loome, Field Artillery.
First Lt. Harold Phineas Gard, Coast Artillery Corps.
First Lt. William Lloyd Richardson, Coast Artillery Corps.
First Lt. Andrew Allison Frierson, Cavalry.
First Lt. Craig Alderman, Infantry.
First Lt. Ovid Thomason Forman, Coast Artillery Corps.
First Lt. Leslie Seekell Fletcher, Ordnance Department.
First Lt. Charles Raeburne London, Infantry.
First Lt. George Wesley Palmer, Coast Artillery Corps.
First Lt. Thomas Edwin Binford, Field Artillery.
First Lt. Ernest August Merkle, Coast Artillery Corps.
First Lt. Carl William Albert Raguse, Cavalry.
xFirst Lt. Leo Douglas Vichules, Coast Artillery Corps.
First Lt. George Arthur Hadsell, Infantry.
First Lt. Earl Mattice, Infantry.
First Lt. Herbert Theodore Benz, Coast Artillery Corps.
First Lt. Uzal Girard Ent, Air Corps.
xFirst Lt. Henry Sterling Jemigan, Cavalry.

First Lt. James Stewart Willis, Signal Corps.
xFirst Lt. Frank Jay Thompson, Cavalry.
First Lt. Augustine Davis Dugan, Cavalry.
First Lt. Clarence Everett Rothgeb, Coast Artillery Corps.
First Lt. Marcus Butler Stokes, Jr., Field Artillery.
First Lt. Francis Marion Day, Field Artillery.
First Lt. William Herbert Schaefer, Infantry.
First Lt. Clarence William Bennett, Cavalry.
First Lt. Gordon Byrom Rogers, Cavalry.
First Lt. Bernard Francis Luebbermann, Field Artillery.
First Lt. Peter Wesley Shunk, Coast Artillery Corps.
First Lt. George Curnow Claussen, Cavalry.
xFirst Lt. James Frederick Howell, Jr., Coast Artillery Corps.
First Lt. Russell Layton Mabie, Field Artillery.
First Lt. Ewing Hill France, Quartermaster Corps.
First Lt. William John Eyerly, Field Artillery.
First Lt. George Dunbar Pence, Field Artillery.
First Lt. Murray Bradshaw Crandall, Cavalry.
First Lt. William Joseph Reardon, Cavalry.
xFirst Lt. John Henry Brewer, Signal Corps.
First Lt. Lester Joseph Tacy, Field Artillery.
First Lt. Charles Lanier Dasher, Jr., Field Artillery.
First Lt. Sanford Joseph Goodman, Coast Artillery Corps.
First Lt. Gerald Goodwin Gibbs, Coast Artillery Corps.
First Lt. George William Busbey, Cavalry.
First Lt. Haydon Lemaire Boatner, Infantry.
xFirst Lt. Cary Brown Hutchinson, Cavalry.
First Lt. Clarence Keith Darling, Cavalry.
First Lt. Joe L. Loutzenheiser, Air Corps.
First Lt. Zachery Winfield Moores, Cavalry.
xFirst Lt. Perry William Brown, Field Artillery.
First Lt. James Edward Moore, Infantry.
First Lt. Silas Woodson Hosea, Infantry.
First Lt. Harold James Keeley, Infantry.
First Lt. Stephen Stanley Koszewski, Field Artillery.
First Lt. John Clair Smith, Coast Artillery Corps.
First Lt. Peter Conover Hains, 3d, Cavalry.
First Lt. George Edmund Young, Coast Artillery Corps.
First Lt. Richard Emmel Nugent, Air Corps.
First Lt. Walter Allen Buck, Infantry.
First Lt. John Phillips Kirkendall, Air Corps.
First Lt. Vonna Fernleigh Burger, Field Artillery.
First Lt. Charles Dwelle Daniel, Field Artillery.
First Lt. Joseph Aloysius Kielty, Infantry.
First Lt. Albert Delmar Miller, Coast Artillery Corps.
First Lt. Cleland Charles Sibley, Infantry.
First Lt. James Edward McGraw, Coast Artillery Corps.
First Lt. Robert Roy Selway, Junior, Air Corps.
First Lt. John Gilbert Moore, Air Corps.
First Lt. Edward Lynn Andrews, Field Artillery.
First Lt. James Grafton Anding, Field Artillery.
xFirst Lt. Darwin Denison Martin, Coast Artillery Corps.
First Lt. George Avery Tucker, Coast Artillery Corps.
First Lt. Joseph Rogers Burrill, Field Artillery.
First Lt. Leslie Alfred Skinner, Ordnance Department.
First Lt. Nathaniel Clay Cureton, Junior, Field Artillery.
First Lt. John Alfred McComsey, Coast Artillery Corps.
First Lt. George Morgan Kernan, Infantry.
First Lt. James Edwards Poore, Jr., Infantry.
First Lt. Maxwell Wood Tracy, Coast Artillery Corps.
First Lt. Howard Everett Kessinger, Field Artillery.
First Lt. Francis Edwin Gillette, Infantry.
First Lt. Albert Kellogg Stebbins, Jr., Infantry.
First Lt. Washington Mackey Ives, Jr., Infantry.
First Lt. William Lewis Johnson, Coast Artillery Corps.
First Lt. Richard Givens Prather, Infantry.
First Lt. Douglas Byron Smith, Infantry.
xFirst Lt. Robert Edward Cullen, Infantry.
First Lt. Merton Goodfellow Wallington, Signal Corps.
First Lt. Eleazar Parmly, 3d, Field Artillery.
First Lt. Luther Stevens Smith, Air Corps.
First Lt. Samuel Glenn Conley, Infantry.
First Lt. Stephen Wilson Ackerman, Infantry.
First Lt. Lewis Spencer Kirkpatrick, Coast Artillery Corps.
First Lt. Charles Hunter Coates, Infantry.
First Lt. Frank Glover Trew, Cavalry.
First Lt. Otto Lauren Nelson, Jr., Infantry.
First Lt. William Henry Kendall, Coast Artillery Corps.
First Lt. John Curtis LaFayette Adams, Infantry.
First Lt. Robert Wells Harper, Air Corps.
First Lt. Augustus Jerome Regnier, Infantry.
First Lt. Howard McMath Turner, Air Corps.
First Lt. Willard Koehler Liebel, Infantry.
First Lt. Oliver Malcolm Barton, Field Artillery.
First Lt. Bjarne Furuholmen, Field Artillery.
First Lt. Charles Pelot Summerall, Jr., Field Artillery.
First Lt. Thomas George McCulloch, Finance Department.
First Lt. Leonard Henry Rodieck, Air Corps.
First Lt. John Harry Stadler, Jr., Cavalry.
First Lt. Louis Chadwick Friedersdorff, Field Artillery.
First Lt. Lewis Curtis Barkes, Infantry.
First Lt. John Lyman Hitchings, Cavalry.
First Lt. Kenneth Crawford Strother, Infantry.
First Lt. George Alvin Millener, Infantry.
First Lt. Daniel Francis Healy, Jr., Field Artillery.
First Lt. George Hinkle Steel, Air Corps.
First Lt. Russell Andrew Baker, Infantry.
First Lt. Frank Smith Kirkpatrick, Field Artillery.
First Lt. George Walter Vaughn, Field Artillery.
First Lt. Paul Cooper, Infantry.
First Lt. Laurence Knight Ladue, Cavalry.
First Lt. Ralph Pulsifer, Infantry.
First Lt. Logan Carroll Berry, Cavalry.
First Lt. Onto Price Bragan, Infantry.
First Lt. Robert Joseph McBride, Infantry.
First Lt. Charles Ward Van Way, Jr., Infantry.
xFirst Lt. Harry Dillon McHugh, Infantry.
First Lt. William Harry Bertsch, Jr., Field Artillery.
First Lt. Gerald Jay Reid, Field Artillery.
First Lt. Edward Higgins White, Air Corps.
First Lt. James William Clyburn, Field Artillery.
First Lt. David Griffith Erskine, Field Artillery.
First Lt. Armistead Davis Mead, Jr., Infantry.
First Lt. Albert Newton Stubblebine, Jr., Field Artillery.
First Lt. Charles Harold Royce, Infantry.
First Lt. Paul Albert Pickhardt, Infantry.
First Lt. Oswaldo de la Rosa, Infantry.
First Lt. William Olmstead Eareckson, Air Corps.
First Lt. William Leo Coughlin, Field Artillery.
First Lt. William Thaddeus Sexton, Field Artillery.
xFirst Lt. Henry Coates Burgess, Infantry.
First Lt. Francis Robert Stevens, Infantry.
First Lt. Robert Augustus Ellsworth, Field Artillery.
First Lt. George Edmund Wrockloff, Jr., Field Artillery.
First Lt. James Edgar Macklin, Quartermaster Corps.
First Lt. Richard Weigand Gibson, Air Corps.
First Lt. Frederick Raymond Keeler, Coast Artillery Corps.
First Lt. Charles Edward Hart, Field Artillery.
First Lt. Kenneth Negley Decker, Field Artillery.
First Lt. George Almond Ford, Coast Artillery Corps.
First Lt. Edward Amedee Chazal, Infantry.
First Lt. Thomas Allen Jennings, Field Artillery.
First Lt. Rupert Davidson Graves, Infantry.
First Lt. Reed Graves, Infantry.
First Lt. Mark Edward Smith, Jr., Infantry.
First Lt. John Gillespie Hill, Infantry.
First Lt. Joseph Massaro, Field Artillery.
First Lt. Wolcott Kent Dudley, Infantry.
First Lt. James Barry Kraft, Field Artillery.
First Lt. Andrew Suter Gamble, Infantry.
First Lt. Howard Jehu John, Field Artillery.
First Lt. John Reynolds Hawkins, Air Corps.
First Lt. Earl Lynwood Scott, Infantry.
First Lt. Charles Loomis Booth, Field Artillery.
First Lt. Andrew Paul Foster, Jr., Infantry.
First Lt. Melvin Eugene Meister, Infantry.
First Lt. Emil Lenzner, Signal Corps.
First Lt. Hobart Amory Murphy, Infantry.
First Lt. William Henry Maglin, Infantry.
First Lt. Ralph Emanuel Fisher, Air Corps.
First Lt. William Samuel Triplet, Infantry.

First Lt. George Winfered Smythe, Infantry.
First Lt. John Harold Claybrook, Jr., Cavalry.
First Lt. Jesse Thomas Traywick, Jr., Infantry.
First Lt. Philip McCaffrey Kernan, Infantry.
First Lt. Howard Alexander Malin, Infantry.
First Lt. James Earl Purcell, Infantry.
First Lt. John Archer Elmore, Jr., Infantry.
First Lt. John Wesley Ramsey, Jr., Infantry.
First Lt. Francis John Graling, Infantry.
First Lt. Nye Kirwan Elward, Infantry.
First Lt. James Pierce Hulley, Infantry.
First Lt. Samuel Waynne Smithers, Infantry.
First Lt. Ralph Arthur Koch, Infantry.
First Lt. Kenneth Rector Bailey, Infantry.
First Lt. Lucien Francis Wells, Jr., Infantry.
First Lt. George Patrick O'Neill, Infantry.
First Lt, Richard Tonkin Mitchell, Infantry.
First Lt. George Edward Lightcap, Infantry.
First Lt. John Archer Stewart, Infantry.
First Lt. Samuel Henry Fisher, Field Artillery.
First Lt. Dennis Milton Moore, Infantry.
First Lt. Clark Norace Bailey, Infantry.
First Lt. Victor Emmanuel Phasey, Infantry.
First Lt. Clyde Davis Eddleman, Infantry.
First Lt. Russell Leonard Moses, Infantry.
First Lt. John O'Day Murtaugh, Cavalry.
First Lt. Sarratt Thaddeus Hames, Infantry.
First Lt. Virgil Rasmuss Miller, Infantry.
First Lt. James Somers Stowell, Air Corps.
First Lt. Arthur LeRoy Bump, Jr., Air Corps.
First Lt. Reeve Douglas Keiler, Infantry.
First Lt. George Emmert Elliott, Infantry.
First Lt. William Wallace Cornog, Jr., Infantry.
First Lt. Demas Thurlow Craw, Air Corps.
First Lt. Henry Isaac Kiel, Infantry.
First Lt. Daniel Harrison Hundley, Infantry.
First Lt. William Walrath Lloyd, Infantry.
First Lt. Jacob Robert Moon, Infantry.
First Lt. Thomas Harrison Allen, Infantry.
First Lt. Raymond Rodney Robins, Infantry.
First Lt. Peter Sather, Jr., Field Artillery.
First Lt. Richard Garner Thomas, Jr., Infantry.
First Lt. Frank Faron Carpenter, Jr., Field Artillery.
First Lt. Ralph Parker Eaton, Infantry.
First Lt. Henry Dahnke, Infantry.
First Lt. Robert Carlyle Andrews, Infantry.
First Lt. Herbert Frank McGuire Matthews, Infantry.
First Lt. Noah Mathew Brinson, Infantry.
First Lt. Albert John Dombrowsky, Infantry.
First Lt. Jean Dorbant Scott, Infantry.
First Lt. Robert Walter Stika, Infantry.
First Lt. Ovid Oscar Wilson, Infantry.
First Lt. Martin Frank Hass, Infantry.
First Lt. Cornelius Walter Cousland, Air Corps.
First Lt. William Frederick Kellotat, Quartermaster Corps.
First Lt. Raleigh Raymond Hendrix, Coast Artillery Corps.
First Lt. Howard Donald Criswell, Infantry.
First Lt. Robert Douglas McLeod, Jr., Chemical Warfare Service.
First Lt. Glenn Newman, Coast Artillery Corps.
First Lt. William George Devens, Coast Artillery Corps.
First Lt. Charles Edward Shepherd, Coast Artillery Corps.
First Lt. Walker Wesley Holler, Ordnance Department.
First Lt. Daniel Jerome Martin, Ordnance Department.
First Lt. Malin Craig, Jr., Field Artillery.
First Lt. Forrest James French, Coast Artillery Corps.
First Lt. Samuel Howard Morrow, Coast Artillery Corps.
First Lt. Norman Blakesley Simmonds, Coast Artillery Corps.
First Lt. Vern Walbridge, Coast Artillery Corps.
First Lt. Winfield Wayne Scott, Field Artillery.
First Lt. Sylvan Berliner, Coast Artillery Corps.
First Lt. Joris Bliss Rasbach, Field Artillery.
First Lt. Leonard Marion Johnson, Field Artillery.
First Lt. Chester Archibald Rowland, Corps of Engineers.
First Lt. John Sterling Taylor, Infantry.
First Lt. Louis Bernard Rutts, Infantry.
First Lt. Nunez Christian Pilet, Infantry.
First Lt. Arthur Willink, Ordnance Department.
First Lt. Stephen Smith Hamilton, Infantry.
First Lt. Farris Newton Latimer, Infantry.
First Lt. Carl Joseph Crane, Air Corps.
First Lt. John Douglas Salmon, Field Artillery.
xFirst Lt. James Peurifoy Hill, Infantry.
First Lt. William Arthur Cole, Infantry.
First Lt. Raymond Dishmann Palmer, Cavalry.
First Lt. Murray Eberhart McGowan, Infantry.
First Lt. Thomas Clagett Wood, Jr., Field Artillery.
First Lt. George Henry Decker, Infantry.
First Lt. Conrad Lewis Boyle, Field Artillery.
First Lt. Edward Joseph O'Neill, Infantry.
xFirst Lt. Robert Reinhold Martin, Infantry.
First Lt. John Perry Willey, Cavalry.
First Lt. John Vogler Tower, Signal Corps.
First Lt. Harry Donald Eckert, Cavalry.
First Lt. George Edward Isaacs, Infantry.
First Lt. Harold Francis Chrisman, Finance Department.
First Lt. George Cooper Reinhardt, Corps of Engineers.
First Lt. William Crowell Saffarrans, Infantry.
First Lt. William Joseph Bradley, Cavalry.
First Lt. Clark Louis Ruffner, Cavalry.
xFirst Lt. Ridgely Gaither, Jr., Infantry.
First Lt. Earl William Aldrup, Quartermaster Corps.
First Lt. Conrad Gordon Follansbee, Field Artillery.
First Lt. John Henry Sampson, Jr., Field Artillery.
First Lt. George August Zeller, Ordnance Department.
First Lt. August Edward Schanze, Infantry.
First Lt. Howard Eugene Engler, Air Corps.
First Lt. Thomas Adams Doxey, Jr., Field Artillery.
First Lt. William Donald Old, Air Corps.
First Lt. Grovener Cecil Charles, Infantry.
First Lt. Andral Bratton, Field Artillery.
First Lt. Harold Mills Manderbach, Quartermaster Corps.
First Lt. James Regan, Jr., Infantry.
First Lt. George Laurence Holsinger, Field Artillery.
First Lt. Harold Witte Uhrbrock, Infantry.
First Lt. Elmer Theodore Rundquist, Air Corps.
First Lt. Raymond Charles Lane, Infantry.
First Lt. David Marshall Ramsay, Air Corps.
First Lt. Sheldon Perkins McNickle, Infantry.
First Lt. Will Knox Stennis, Coast Artillery Corps.
First Lt. Harold George Peterson, Air Corps.
First Lt. George Francis Schulgen, Air Corps.
First Lt. Otto Paul Weyland, Air Corps.
First Lt. Reginald Roan Gillespie, Air Corps.
First Lt. Kirtley Jameson Gregg, Air Corps.
First Lt. George Aldridge Whatley, Air Corps.
First Lt. Frank Riley Loyd, Infantry.
First Lt. Harry William Miller, Ordnance Department.
First Lt. Sheldon Brightwell Edwards, Air Corps.
First Lt. Clarence Steven Thorpe, Air Corps.
First Lt. Howard Hunt Couch, Air Corps.
First Lt. Wilfred Joseph Paul, Air Corps.
First Lt. Glenn L. Davasher, Air Corps.
First Lt. Charles Stowe Stodter, Signal Corps.
First Lt. Charles Henry Barth, Jr., Corps of Engineers.
First Lt. Standish Weston, Corps of Engineers.
First Lt. Raymond Burkholder Oxrieder, Corps of Engineers.
First Lt. Gerald Edward Galloway, Corps of Engineers.
First Lt. Harrod George Miller, Signal Corps.
First Lt. Charles Hare Mason, Corps of Engineers.
First Lt. Carl Rueben Dutton, Ordnance Department.
First Lt. George Kenyon Withers, Corps of Engineers.
First Lt. Arleigh Todd Bell, Corps of Engineers.
First Lt. Thomas Leonard Harrold, Cavalry.
First Lt. Kenneth William Treacy, Field Artillery.
First Lt. Vincent Joseph Esposito, Corps of Engineers.
First Lt. Robert Lee Howze, Jr., Cavalry.
First Lt. Leland Berrel Kuhre, Corps of Engineers.
First Lt. Colby Maxwell Myers, Corps of Engineers.
First Lt. Ralph Tibbs Garver, Cavalry.
First Lt. William Ludlow Ritchie, Air Corps.

First Lt. Amos Tappan Akerman, Corps of Engineers.
First Lt. Rogers Alan Gardner, Cavalry.
First Lt. Albert Harvey Burton, Corps of Engineers.
First Lt. Bruce Cooper Clarke, Corps of Engineers.
First Lt. Carl William Meyer, Corps of Engineers.
First Lt. John Henry Dulligan, Air Corps.
First Lt. David Henry Tulley, Corps of Engineers.
First Lt. Walter Grant Bryte, Jr., Air Corps.
First Lt. Kyrl Leighton Faxford deGravelines, Coast Artillery Corps.
First Lt. Warren Nourse Underwood, Corps of Engineers.
First Lt. Miles Merrill Dawson, Corps of Engineers.
First Lt. Charles Parsons Nicholas, Field Artillery.
First Lt. Russell Edward Randall, Air Corps.
First Lt. Carl Warren Holcomb, Coast Artillery Corps.
First Lt. Armand Hopkins, Coast Artillery Corps.
First Lt. Timothy Lawrence Mulligan, Corps of Engineers.
First Lt. Finis Ewing Dunaway, Jr., Corps of Engineers.
First Lt. Benjamin Cobb Fowlkes, Jr., Corps of Engineers.
First Lt. John Wilson Huyssoon, Coast Artillery Corps.
First Lt. Frank Gilbert Fraser, Cavalry.
First Lt. Stanley James Horn, Corps of Engineers.
First Lt. Frank Andrew Pettit, Corps of Engineers.
First Lt. William O'Connor Heacock, Cavalry.
First Lt. Walter William Hodge, Corps of Engineers.
First Lt. William Henry Nutter, Cavalry.
First Lt. Oscar Carl Maier, Signal Corps.
First Lt. Ralph Augustus Lincoln, Corps of Engineers.
First Lt. Gilbert Edward Linkswiler, Corps of Engineers.
First Lt. Aubrey Strode Newman, Infantry.
First Lt. Ernest Victor Holmes, Field Artillery.
First Lt. William Frank Steer, Infantry.
First Lt. Wiley Thomas Moore, Ordnance Department.
First Lt. Donald Montgomery Shaw, Cavalry.
First Lt. Conrad Stanton Babcock, Cavalry.
First Lt. Alvin Truett Bowers, Coast Artillery Corps.
First Lt. William Henry Bigelow, Infantry.
First Lt. Lewis Ackley Riggins, Infantry.
xFirst Lt. Willard Lamborn Wright, Coast Artillery Corps.
First Lt. John Frederick Gamber, Coast Artillery Corps.
First Lt. Ernest Andrew Barlow, Infantry.
First Lt. John Loomis Chamberlain, Jr., Field Artillery.
First Lt. Frank John Hierholzer, Field Artillery.
First Lt. Carl Frederick Tischbein, Coast Artillery Corps.
First Lt. John Salisbury Fisher, Infantry.
First Lt. Charles Pearre Cabell, Air Corps.
First Lt. James Joseph Deery, Field Artillery.
First Lt. Archer Frank Freund, Field Artillery.
First Lt. Roland Ainslee Browne, Cavalry.
First Lt. Milo Howard Matteson, Cavalry.
First Lt. William John Carne, Infantry.
First Lt. John Stephan Henn, Coast Artillery Corps.
First Lt. Henry Randolph Westphalinger, Cavalry.
First Lt. Raymond Cecil Conder, Field Artillery.
First Lt. Ralph Frederick Bartz, Infantry.
First Lt. James Wentworth Clinton, Infantry.
First Lt. Arthur Bliss, Field Artillery.
First Lt. William Holmes Wood, Cavalry.
First Lt. John William Black, Field Artillery.
First Lt. Lucien Eugene Bolduc, Infantry.
First Lt. Alfred Boyce Devereaux, Field Artillery.
First Lt. Paul Maurice Seleen, Ordnance Department.
First Lt. Henry Ewell Strickland, Coast Artillery Corps.
First Lt. Wilmer George Bennett, Field Artillery.
First Lt. Arthur Charles Boll, Signal Corps.
First Lt. Clifford Palmer Bradley, Air Corps.
First Lt. Hubert Merrill Cole, Field Artillery.
First Lt. Gustavus Wilcox West, Cavalry.
xFirst Lt. George Peter Berilla, Jr., Cavalry.
First Lt. Branner Pace Purdue, Infantry.
First Lt. George Joseph Deutermann, Field Artillery.
First Lt. George Arthur Grayeb, Field Artillery.
First Lt. Haydon Young Grubbs, Field Artillery.
First Lt. William Albert Fuller, Cavalry.
First Lt. Ralph Edmund Tibbetts, Infantry.
First Lt. Edwin Lynds Johnson, Field Artillery.
First Lt. Clyde Eugene Steele, Infantry.
First Lt. Ernest Holmes Wilson, Infantry.
First Lt. Norman Holmes Smith, Field Artillery.
First Lt. John Wingo Dansby, Infantry.
First Lt. Robert Milchrist Cannon, Field Artillery.
First Lt. Charles Cavelli, Jr., Field Artillery.
First Lt. Thomas Byrd Whitted, Jr., Field Artillery.
First Lt. James Wilbur Mosteller, Jr., Coast Artillery Corps.
First Lt. Meredith Cornwell Noble, Infantry.
First Lt. George Henry McManus, Jr., Field Artillery.
xFirst Lt. Leo Francis Kengla, Jr., Infantry.
xFirst Lt. Robert Emmett Burns, Signal Corps.
First Lt. John Amos Hall, Infantry.
First Lt. Donald Janser Bailey, Coast Artillery Corps.
First Lt. Nicholas Joseph Robinson, Infantry.
First Lt. John Murphy Willems, Field Artillery.
First Lt. Joseph Cyril Augustin Denniston, Air Corps.
First Lt. John Franklin Bird, Field Artillery.
First Lt. Henry Beane Margeson, Infantry.
First Lt. Claude Franklin Burbach, Field Artillery.
First Lt. Raymond Miller Barton, Cavalry.
First Lt. William Lloyd Burbank, Infantry.
First Lt. Wallace Hallock Honnold, Infantry.
First Lt. Emmor Graham Martin, Coast Artillery Corps.
First Lt. Walter Scott Strange, Infantry.
First Lt. Welborn Barton Griffith, Jr., Infantry.
First Lt. John Halliday McCormick, Air Corps.
First Lt. William Nelson Gillmore, Field Artillery.
First Lt. Hubert Whitney Ketchum, Jr., Cavalry.
First Lt. Marcel Gustave Crombez, Infantry.
First Lt. Milton Taylor Hankins, Signal Corps.
First Lt. John William Gaddis, Infantry.
First Lt. Raymond Kimball Quekemeyer, Field Artillery.
First Lt. William Everton Pheris, Jr., Infantry.
First Lt. Alexander Andrew Dobak, Infantry.
First Lt. John Howard Bennett, Infantry.
First Lt. Harry Clifton Larter, Jr., Field Artillery.
First Lt. Wayne Carleton Smith, Infantry.
First Lt. Godwin Ordway, Jr., Infantry.
First Lt. Harry Jean Harper, Field Artillery.
First Lt. Robert Pepper Clay, Field Artillery.
First Lt. Edward Clement Mack, Infantry.
First Lt. Ira Kenneth Evans, Quartermaster Corps.
First Lt. Earl Walter Barnes, Air Corps.
First Lt. Samuel Adrian Dickson, Field Artillery.
First Lt. Dwight Harvey, Infantry.
First Lt. William Eldred Long, Infantry.
First Lt. John Llewellyn Lewis, Field Artillery.
First Lt. John William Davis, Coast Artillery Corps.
First Lt. Edwin Bascum Kearns, Jr., Infantry.
xFirst Lt. Rinaldo Van Brunt, Infantry.
First Lt. George Patrick Lynch, Infantry.
First Lt. John Francis Holland, Infantry.
First Lt. John Porter Kidwell, Infantry.
First Lt. Clarence Harwood Smith, Infantry.
First Lt. Thaddeus Elmer Smyth, Infantry.
First Lt. Waldemar Noya Damas, Infantry.
First Lt. James Durward Barnett, Infantry.
First Lt. Claude Aubrey Black, Infantry.
First Lt. Russell Thomas Finn, Field Artillery.
First Lt. Harry Wells Crandall, Infantry.
First Lt. Joseph Pringle Cleland, Infantry.
First Lt. Enoch Joseph Skalandzunos, Infantry.
First Lt. John Laing De Pew, Cavalry.
First Lt. John Robert McGinness, Infantry.
First Lt. William Griffith Stephenson, Infantry.
First Lt. George Bateman Peploe, Infantry.
First Lt. Samuel Selden Lamb, Signal Corps.
First Lt. Curtis D. Renfro, Infantry.
First Lt. Charles Henry Caldwell, Air Corps.
First Lt. Joseph Blair Daugherty, Infantry.
First Lt. Haskell Hadley Cleaves, Signal Corps.
First Lt. Albert Aaron Horner, Infantry.
First Lt. Louis Quarles McComas, Infantry.
First Lt. Mitchell Alonzo Giddens, Cavalry.
xFirst Lt. Leif Neprud, Coast Artillery Corps.

First Lt. Theodore Lamar Dunn, Infantry.
First Lt. Elliott Bickley Gose, Infantry.
First Lt. Floyd Ellsworth Dunn, Infantry.
First Lt. Michael John Geraghty, Infantry.
First Lt. Donald Dunford, Field Artillery.
First Lt. Arthur Superior Peterson, Infantry.
First Lt. Ralph Randolph Sears, Infantry.
First Lt. Edgar Turner Noyes, Air Corps.
First Lt. David Evans Bradford, Cavalry.
First Lt. James Keller De Armond, Air Corps.
First Lt. Ernest Avner Suttles, Infantry.
First Lt. August William Farwick, Cavalry.
First Lt. Samuel Mason Lansing, Infantry.
First Lt. Pierre Bacot Denson, Coast Artillery Corps.
First Lt. Carl William Westlund, Infantry.
First Lt. Walter Llewellyn Wheeler, Air Corps.
First Lt. Norme D. Frost, Air Corps.
First Lt. Linus Dodge Frederick, Air Corps.
First Lt. James Gordon Pratt, Air Corps.
First Lt. Milton Miles Murphy, Air Corps.
First Lt. Lee Quintus Wasser, Air Corps.
First Lt. Howard Knowles Vail, Infantry.
First Lt. Benjamin Thomas Storkey, Air Corps.
First Lt. Percy Walter Thompson, Field Artillery.
First Lt. Clarence McCurdy Virtue, Infantry.
First Lt. Ralph Finch, Infantry.
First Lt. Charles Howard Valentine, Cavalry.
First Lt. Julian Henry Baumann, Field Artillery.
First Lt. Joseph Kerr Gibson, Field Artillery.
First Lt. Judson MacIvor Smith, Infantry.
First Lt. Frank Gilmore Irvin, Air Corps.
First Lt. George Vernon Holloman, Air Corps.
First Lt. George Henry Dietz, Infantry.
xFirst Lt. Donald Hubbell Smith, Coast Artillery Corps.
First Lt. Luther Gordon Causey, Infantry.
First Lt. John Meade, Field Artillery.
First Lt. Glenn Oscar Barcus, Air Corps.
First Lt. William Andrew Weddell, Coast Artillery Corps.
First Lt. John Randolph Jeter, Infantry.
First Lt. John Mulford Evans, Infantry.
First Lt. Theodore Anderson Seely, Infantry.
First Lt. George Avery Chester, Coast Artillery Corps.
First Lt. James Thomas Dawson, Field Artillery.
First Lt. Burgo Doyle Gill, Coast Artillery Corps.
xFirst Lt. William Wheeler O'Connor, Infantry.
First Lt. Walter Hoyt Kennett, Field Artillery.
First Lt. George Paul Harrison, Field Artillery.
First Lt. Edward Campbell Franklin, Ordnance Department.
First Lt. Franklin Leslie Lichtenfels, Infantry.
First Lt. William Frederick Niethamer, Coast Artillery Corps.
First Lt. Harold Victor Roberts, Infantry.

To be first lieutenants

Second Lt. Anthony Quintus Mustoe, Air Corps.
Second Lt. Douglas Thompson Mitchell, Air Corps.
Second Lt. Robert Kinnaird Giovannoli, Air Corps.
Second Lt. Edwin William Rawlings, Air Corps.
Second Lt. Julius Kahn Lacey, Air Corps.
Second Lt. Theodore Bernard Anderson, Air Corps.
Second Lt. George Frank McGuire, Air Corps.
Second Lt. Oliver Stanton Picher, Air Corps.
Second Lt. Dyke Francis Meyer, Air Corps.
Second Lt. Hugh Francis McCaffery, Air Corps.
Second Lt. Minthorne Woolsey Reed, Air Corps.
Second Lt. Morley Frederick Slaght, Air Corps.
Second Lt. Roy Dale Butler, Air Corps.
Second Lt. Berkeley Everett Nelson, Air Corps.
Second Lt. Archibald Johnston Hanna, Air Corps.
Second Lt. Richard August Grussendorf, Air Corps.
Second Lt. John Hiett Ives, Air Corps.
Second Lt. Frederick Earl Calhoun, Air Corps.
Second Lt. Carl Ralph Feldmann, Air Corps.
Second Lt. Paul Frailey Yount, Corps of Engineers.
Second Lt. William Arnold Carter, Jr., Corps of Engineers.
Second Lt. William Whipple, Jr., Corps of Engineers.
Second Lt. Charles Keller, Jr., Corps of Engineers.
Second Lt. Ralph Powell Swofford, Jr., Air Corps.
Second Lt. James Keller Herbert, Corps of Engineers.
Second Lt. Paul Ernest Ruestow, Corps of Engineers.
Second Lt. Philip Frederick Kromer, Jr., Corps of Engineers.
Second Lt. Clement Van Beuren Sawin, Corps of Engineers.
Second Lt. LeRoy Bartlett, Jr., Corps of Engineers.
Second Lt. Robert Blake Lothrop, Corps of Engineers.
Second Lt. Emil Fred Klinke, Corps of Engineers.
Second Lt. George Fletcher Schlatter, Air Corps.
Second Lt. Edward Fenlon Kumpe, Corps of Engineers.
Second Lt. Robert Lynn Lancefield, Corps of Engineers.
Second Lt. Lawrence Arthur Bosworth, Coast Artillery Corps.
Second Lt. Cyrus Lawrence Peterson, Coast Artillery Corps.
Second Lt. Clarence Harvey Gunderson, Field Artillery.
Second Lt. Donald Ralph Neil, Quartermaster Corps.
Second Lt. Frederick Garside Terry, Field Artillery.
Second Lt. Oscar Benjamin Beasley, Coast Artillery Corps.
Second Lt. Irvin Rudolph Schimmelpfennig, Field Artillery.
Second Lt. James Judson Heriot, Field Artillery.
Second Lt. Robert William Porter, Jr., Cavalry.
Second Lt. John Henderson Dudley, Cavalry.
Second Lt. Andrew Mark Wright, Jr., Signal Corps.
Second Lt. Albert Eugene Dennis, Quartermaster Corps.
Second Lt. William Herschel Allen, Jr., Field Artillery.
Second Lt. Howard Monroe McCoy, Air Corps.
Second Lt. Carl Henry Fernstrom, Coast Artillery Corps.
Second Lt. Charles William Haas, Air Corps.
Second Lt. Hubert duBois Lewis, Coast Artillery Corps.
Second Lt. Charles Lee Heitman, Jr., Field Artillery.
Second Lt. Louis Theilmann Heath, Field Artillery.
Second Lt. Albert Joseph Mandelbaum, Signal Corps.
Second Lt. Andrew Pick O'Meara, Field Artillery.
Second Lt. Clark Neil Piper, Air Corps.
Second Lt. Robert Jefferson Wood, Coast Artillery Corps.
Second Lt. Aubrey Kenneth Dodson, Air Corps.
Second Lt. Mark Edward Bradley, Jr., Air Corps.
Second Lt. Philip Campbell Wehle, Field Artillery.
Second Lt. Douglas Mitchell Kilpatrick, Jr., Air Corps.
Second Lt. Wiley Duncan Ganey, Air Corps.
Second Lt. George Clifford Duehring, Field Artillery.
Second Lt. Francis Frederick Uhrhane, Signal Corps.
Second Lt. Charles Granville Dodge, Cavalry.
xSecond Lt. Herbert Voivenelle Mitchell, Infantry.
Second Lt. James Nugent Vaughn, Signal Corps.
Second Lt. Thetus Cayce Odom, Air Corps.
Second Lt. Alexander Graham Stone, Field Artillery.
Second Lt. Jacquard Hirshorn Rothschild, Field Artillery.
Second Lt. Stuart Francis Crawford, Field Artillery.
Second Lt. Truman William Carrithers, Field Artillery.
Second Lt. Walter Campbell Sweeney, Jr., Infantry.
Second Lt. Henry Bing Kunzig, Infantry.
Second Lt. Keith Hartman Ewbank, Field Artillery.
Second Lt. Thomas Irwin Edgar, Field Artillery.
Second Lt. Robert Foster Haggerty, Coast Artillery Corps.
Second Lt. Frank Kowalski, Jr., Infantry.
Second Lt. Hamilton Hawkins Howze, Cavalry.
Second Lt. Harry Hollingsworth Geoffrey, Air Corps.
xSecond Lt. John Xavier Walsh, Infantry.
Second Lt. Harry Brown Packard, Field Artillery.
Second Lt. Robert James Watson, Infantry.
Second Lt. Robert Highman Booth, Field Artillery.
Second Lt. Arthur Leonard Fuller, Jr., Coast Artillery Corps.
Second Lt. Mahlon Smith Davis, Field Artillery.
Second Lt. Winfield Wilber Sisson, Field Artillery.
Second Lt. Anthony Eugene Curcio, Air Corps.
Second Lt. Morris John Lee, Air Corps.
Second Lt. John Joseph MacFarland, Field Artillery.
Second Lt. Wendell Holmes Langdon, Infantry.
Second Lt. Harry Raymond Boyd, Coast Artillery Corps.
Second Lt. Samuel Lynn Morrow, Jr., Field Artillery.
Second Lt. Albert Watson, 2d, Field Artillery.
Second Lt. Marvin Lewis Harding, Air Corps.

Second Lt. Franklin Fearing Wing, Jr., Cavalry.
Second Lt. James Owen Curtis, Jr., Cavalry.
Second Lt. Birrell Walsh, Air Corps.
Second Lt. Henry Bittinger Croswell, Cavalry.
Second Lt. Phillips Waller Smith, Cavalry.
Second Lt. Alva Revista Fitch, Field Artillery.
Second Lt. Dana Stuart Alexander, Coast Artillery Corps.
Second Lt. Joseph Henry Twyman, Jr., Coast Artillery Corps.
Second Lt. Percy Howard Brown, Jr., Field Artillery.
Second Lt. Paul Clark, Jr., Field Artillery.
Second Lt. Edward Sedgwick Berry, Field Artillery.
Second Lt. David Hodge Baker, Air Corps.
Second Lt. Albert Everett Harris, Cavalry.
Second Lt. James Sylvester Sutton, Air Corps.
Second Lt. Richard Churchill Hutchinson, Air Corps.
Second Lt. James Theopold Darrah, Coast Artillery Corps.
Second Lt. Roy Ernest Lindquist, Infantry.
Second Lt. Sidney Clay Wooten, Infantry.
Second Lt. Robert Edwin Cron, Jr., Quartermaster Corps.
Second Lt. Ross Thatcher Sampson, Infantry.
Second Lt. William Henry Sterling Wright, Cavalry.
xSecond Lt. Archibald William Stuart, Infantry.
Second Lt. Willis Almeron Perry, Coast Artillery Corps.
Second Lt. Grant Eugene Hill, Coast Artillery Corps.
Second Lt. John Frank Greco, Field Artillery.
Second Lt. Alden Pugh Taber, Coast Artillery Corps.
Second Lt. Charles Joseph Odenweller, Jr., Coast Artillery Corps.
Second Lt. Edwin Sanders Perrin, Air Corps.
Second Lt. Neal Edwin Ausman, Air Corps.
Second Lt. George Goodrell Garton, Field Artillery.
Second Lt. Robert Louis Brunzell, Field Artillery.
Second Lt. Raymond Davis Millener, Infantry.
Second Lt. Robert William Timothy, Field Artillery.
Second Lt. Aubrey Dewitt Smith, Infantry.
Second Lt. Barksdale Hamlett, Field Artillery.
Second Lt. Brainard Spencer Cook, Cavalry.
Second Lt. Troup Miller, Jr., Air Corps.
Second Lt. William Ewing Grubbs, Field Artillery.
Second Lt. William Dole Eckert, Air Corps.
Second Lt. Frederick Reginia Weber, Infantry.
Second Lt. Charles Clinton Cloud, Jr., Coast Artillery Corps.
Second Lt. O'Neill Keren Kane, Cavalry.
Second Lt. Arthur Carey Peterson, Coast Artillery Corps.
Second Lt. Harold Eugene Brooks, Field Artillery.
Second Lt. Paul Arthur Roy, Coast Artillery Corps.
Second Lt. Bream Cooley Patrick, Field Artillery.
Second Lt. William Henry Harris, Coast Artillery Corps.
xSecond Lt. Tom Robert Stoughton, Jr., Infantry.
Second Lt. Thomas Weldon Dunn, Field Artillery.
Second Lt. Lauris Norstad, Air Corps.
Second Lt. Adam Andrew Koscielniak, Coast Artillery Corps.
Second Lt. Marvin Candler Johnson, Cavalry.
Second Lt. John Brazelton Fillmore Dice, Coast Artillery Corps.
Second Lt. Millard Lewis, Air Corps.
Second Lt. Othel Rochelle Deering, Air Corps.
Second Lt. James Frederick Ammerman, Field Artillery.
Second Lt. Leon Clarence Scott, Infantry.
Second Lt. John Chesley Kilborn, Air Corps.
Second Lt. William Naille Taylor, Infantry.
Second Lt. Frederick Dwight Atkinson, Field Artillery.
Second Lt. William Warner Harris, Infantry.
xSecond Lt. Carl Amandus Brandt, Air Corps.
Second Lt. Frederick Gardner Crabb, Jr., Infantry.
Second Lt. Buford Russell Nyquist, Infantry.
Second Lt. John Charles Hayden, Field Artillery.
Second Lt. Robert Allen Ports, Field Artillery.
Second Lt. Roderick Leland Carmichael, Jr., Field Artillery.
Second Lt. Carl Irven Hutton, Field Artillery.
Second Lt. George Wareham Gibbs, Field Artillery.
Second Lt. Arthur Cleveland Goodwin, Jr., Field Artillery.
Second Lt. Roy Whitman Muth, Infantry.
Second Lt. Richard Shafle Freeman, Air Corps.
Second Lt. Harold Lester Smith, Air Corps.
Second Lt. Jaromir Jan Pospisil, Infantry.
Second Lt. Richards Montgomery Bristol, Infantry.
Second Lt. Edward Irving Sachs, Infantry.
Second Lt. Marshall Hill Hurt, Jr., Infantry.
xSecond Lt. Samuel Philbrick Kelley, Infantry.
Second Lt. George William Lermond, Infantry.
Second Lt. Norman Ray Burnett, Air Corps.
Second Lt. Charles Lind Olin, Infantry.
Second Lt. Samuel Roth, Infantry.
Second Lt. Joe Clifton East, Coast Artillery Corps.
Second Lt. Eugene Anthony Kenny, Infantry.
xSecond Lt. John Livingood Pauley, Jr., Infantry.
Second Lt. Frank Theodore Folk, Coast Artillery Corps.
xSecond Lt. Joseph Farrell Haskell, Cavalry.
Second Lt. Richard Joseph O'Keefe, Air Corps.
Second Lt. Carleton Merritt Clifford, Infantry.
Second Lt. Noel Adrian Neal, Infantry.
Second Lt. Howard Walter Quinn, Infantry.
xSecond Lt. Raymond Charles Brisach, Infantry.
xSecond Lt. Charley Paul Eastburn, Infantry.
Second Lt. George William Rumsey Perry, Infantry.
Second Lt. Clifton Donald Blackford, Infantry.
Second Lt. Ephraim Melmoth Hampton, Chemical Warfare Service.
xSecond Lt. Thomas Ferguson Wall, Infantry.
Second Lt. Jack Griffin Pitcher, Infantry.
Second Lt. James Sawyer Luckett, Infantry.
Second Lt. Myron Albert Quinto, Infantry.
Second Lt. Joseph Arthur Miller, Air Corps.
xSecond Lt. Ned Dalton Moore, Infantry.
Second Lt. Christian Hudgins Clarke, Jr., Infantry.
Second Lt. Claude Emerson Jurney, Infantry.
Second Lt. Thomas Mifflin, Infantry.
xSecond Lt. Daniel Russell Taylor, Infantry.
Second Lt. James Knox Wilson, Jr., Field Artillery.
xSecond Lt. Francis Joseph Corr, Infantry.
Second Lt. Kurt Martin Landon, Air Corps.
Second Lt. Gerry Leonard Mason, Air Corps.
xSecond Lt. Hubern Paul Dellinger, Air Corps.
Second Lt. Winston Rose Maxwell, Infantry.
Second Lt. Aubrey Ellis Strode, Jr., Infantry.
Second Lt. Daniel Anderson Cooper, Air Corps.
Second Lt. Theodore Roberts Kimpton, Infantry.
Second Lt. Earl Hugh Heimerdinger, Infantry.
Second Lt. John Simpson Guthrie, Infantry.
xSecond Lt. Allan Duard MacLean, Infantry.
Second Lt. Richard Cloyd Parker, Infantry.
Second Lt. Howard Russell Moore, Infantry.
Second Lt. James Lowell Richardson, Jr., Infantry.
Second Lt. Francis Hill Dohs, Infantry.
xSecond Lt. Eli Stevens, Infantry.
Second Lt. Jacob Samuel Sauer, Infantry.
Second Lt. Joseph Eakens James, Jr., Infantry.
Second Lt. Charles Edward Beauchamp, Infantry.
Second Lt. Paul Aloysius Chalmers, Infantry.
Second Lt. Thomas Kent, Infantry.
Second Lt. Sory Smith, Air Corps.
Second Lt. Henry Estil Royall, Infantry.
Second Lt. Paul William Blanchard, Jr., Air Corps.
Second Lt. Jasper Joseph Riley, Jr., Infantry.
Second Lt. Theodore Francis Bogart, Infantry.
xSecond Lt. Thad Adolphus Broom, Infantry.
Second Lt. Russell Guy Emery, Infantry.
Second Lt. Walter Edwin Ahearn, Infantry.
xSecond Lt. Herman Wilhelm Ohme, Infantry.
Second Lt. Paul Russell Weyrauch, Field Artillery.
Second Lt. Orin Doughty Haugen, Infantry.
Second Lt. Morton Elmer Townes, Infantry.
Second Lt. Frederick James Simpson, Infantry.
Second Lt. Charles Lewis, Infantry.
Second Lt. Elvin Freestone Maughan, Air Corps.
Second Lt. Kenneth Adelbert McCrimmon, Corps of Engineers.
Second Lt. Walter Henry Esdorn, Corps of Engineers.
Second Lt. Chester William Ott, Corps of Engineers.

Second Lt. Richard Lee Jewett, Corps of Engineers.
Second Lt. Frederick Gilman Saint, Corps of Engineers.
Second Lt. Charles Hartwell Bonesteel, 3d, Corps of Engineers.
Second Lt. Louis Russell Wirak, Corps of Engineers.
Second Lt. William White Ragland, Corps of Engineers.
Second Lt. Marvin Lyle Thomas, Corps of Engineers.
Second Lt. Edward John Cotter, Corps of Engineers.
Second Lt. Gunnard William Carlson, Corps of Engineers.
Second Lt. Stephen Read Hanmer, Corps of Engineers.
Second Lt. Edward Minter Parker, Corps of Engineers.
Second Lt. Walter Krueger, Jr., Corps of Engineers.
Second Lt. Champlin Fletcher Buck, Jr., Field Artillery.
Second Lt. Chester Lavaughn Landaker, Corps of Engineers.
Second Lt. William Frederick Cassidy, Corps of Engineers.
Second Lt. Edward Aloysius Brown, Jr., Corps of Engineers.
Second Lt. Walker Wilson Milner, Corps of Engineers.
Second Lt. George M. Wertz, Jr., Field Artillery.
Second Lt. John Phillips Daley, Field Artillery.
Second Lt. Marshall Sylvester Carter, Coast Artillery Corps.
Second Lt. Clarence Jonathan Hauck, Jr., Coast Artillery Corps.
Second Lt. Angelo Ralph Del Campo, Jr., Cavalry.
Second Lt. Jergen Bernhardt Olson, Cavalry.
Second Lt. John Barclay Sullivan, Infantry.
Second Lt. Elwin Herklas Eddy, Field Artillery.
Second Lt. Glenn Frederick Rogers, Cavalry.
Second Lt. Clifton Lee MacLachlan, Coast Artillery Corps.
Second Lt. Daniel Francis Callahan, Jr., Air Corps.
Second Lt. Theodore William Parker, Field Artillery.
Second Lt. Roger Willard Moore, Coast Artillery Corps.
Second Lt. Cornelius Ardalion Lichirie, Cavalry.
Second Lt. Marcellus Duffy, Air Corps.
Second Lt. Jesse Huckett Veal, Quartermaster Corps.
Second Lt. James Francis Stroker, Field Artillery.
Second Lt. John William Hansborough, Field Artillery.
xSecond Lt. Alfred Christian Gay, Coast Artillery Corps.
Second Lt. Walter Ferris Ellis, Coast Artillery Corps.
Second Lt. Robert Alan Stunkard, Air Corps.
Second Lt. Robert Hackett, Field Artillery.
Second Lt. James Donald Sams, Infantry.
Second Lt. Grosvenor Francis Powell, Coast Artillery Corps.
Second Lt. Charles Frederick McNair, Field Artillery.
Second Lt. William White Dick, Jr., Field Artillery.
Second Lt. Merwin Scott Dickson, Quartermaster Corps.
Second Lt. Donald Cubbison Little, Field Artillery.
Second Lt. Howard William Hunter, Coast Artillery Corps.
Second Lt. John William Cave, Field Artillery.
Second Lt. Gordon Aylesworth Blake, Air Corps.
Second Lt. Joseph Francis Carroll, Air Corps.
Second Lt. William Charles Hall, Infantry.
Second Lt. Donald Bowie Webber, Coast Artillery Corps.
Second Lt. Sidney Glenn Brown, Jr., Infantry.
Second Lt. Peter Schmick, Coast Artillery Corps.
Second Lt. John Larimer Inskeep, Cavalry.
xSecond Lt. Milton Hughes Pressley, Jr., Infantry.
Second Lt. Philip Bessom Stiness, Coast Artillery Corps.
Second Lt. Anthony Sherwood Howe, Infantry.
Second Lt. Alphonse Alfred Greene, Field Artillery.
Second Lt. A. J. McVea, Air Corps.
Second Lt. Frank Pickering Corbin, Jr., Coast Artillery Corps.
Second Lt. Charles Walker Raymond, Field Artillery.
Second Lt. Michael Martin Irvine, Coast Artillery Corps.
Second Lt. Gaspare Frank Blunda, Coast Artillery Corps.
Second Lt. George Sebastian Speidel, Jr., Field Artillery.
Second Lt. Julian Merritt Chappell, Air Corps.
xSecond Lt. Norman Ernest Tipton, Infantry.
Second Lt. Richard Holmes Harrison, Field Artillery.
Second Lt. James William Park, Field Artillery.
Second Lt. Lucius Nash Cron, Coast Artillery Corps.
Second Lt. Frederick Theodore Berg, Coast Artillery Corps.
Second Lt. Arthur Deane Gough, Coast Artillery Corps.
Second Lt. Gordon King Cusack, Field Artillery.

Second Lt. William Frew Train, Infantry.
Second Lt. Loren Fletcher Cole, Cavalry.
Second Lt. Tom Victor Stayton, Coast Artillery Corps.
Second Lt. Warren Harlan Hoover, Field Artillery.
Second Lt. Donald Norton Yates, Air Corps.
Second Lt. John Archibald Barclay, Jr., Field Artillery.
Second Lt. Merillat Moses, Field Artillery.
Second Lt. August Schomburg, Infantry.
Second Lt. James Bertram Corbett, Cavalry.
Second Lt. Clyde Robinson McBride, Field Artillery.
Second Lt. Elmo Clark Mitchell, Coast Artillery Corps.
Second Lt. Hoyt Daniel Williams, Air Corps.
Second Lt. Miller Osborne Perry, Field Artillery.
Second Lt. Scott Mock Sanford, Cavalry.
Second Lt. Herbert Walter Mansfield, Coast Artillery Corps.
Second Lt. Fielder Price Greer, Infantry.
Second Lt. William Eaton Chandler, Cavalry.
Second Lt. Frank Arthur Bogart, Coast Artillery Corps.
Second Lt. Harold Lucas Bays, Infantry.
Second Lt. Charles Coburn Smith, Jr., Field Artillery.
Second Lt. Charles Robert Bard, Coast Artillery Corps.
Second Lt. Paul Gordon Miller, Air Corps.
Second Lt. Camden William McConnell, Field Artillery.
Second Lt. Charles Breckinridge Duff, Coast Artillery Corps.
Second Lt. Samuel Smellow, Field Artillery.
Second Lt. Wilbur Manly Skidmore, Coast Artillery Corps.
Second Lt. William John Bell, Air Corps.
Second Lt. James Chester Blanning, Cavalry.
Second Lt. Harry James Fleeger, Cavalry.
xSecond Lt. Milan George Weber, Coast Artillery Corps.
Second Lt. Ernest Moore, Air Corps.
Second Lt. William Arthur Davis, Jr., Quartermaster Corps.
Second Lt. Royden Eugene Beebe, Jr., Air Corps.
Second Lt. Chester Joseph Diestel, Coast Artillery Corps.
Second Lt. Philip Higley Bethune, Cavalry.
Second Lt. Earle Fremont Cook, Coast Artillery Corps.
Second Lt. Johnson Hagood, Jr., Field Artillery.
Second Lt. John Maurice Brown, Infantry.
Second Lt. Earle William Hockenberry, Air Corps.
Second Lt. Frederick Richard Redden, Field Artillery.
Second Lt. Albert Frederick Cassevant, Coast Artillery Corps.
Second Lt. Richard Sylvester Spangler, Coast Artillery Corps.
Second Lt. Percy Hotspur Lash, Jr., Field Artillery.
Second Lt. John Edwin Barr, Air Corps.
Second Lt. Carl Edward Green, Coast Artillery Corps.
Second Lt. Hamilton Murray Peyton, Field Artillery.
Second Lt. Louis Augustine Guenther, Air Corps.
xSecond Lt. Augustus William Dannemiller, Infantry.
Second Lt. Milton Wylie Arnold, Air Corps.
Second Lt. Forrest Caraway, Infantry.
Second Lt. David Northrup Motherwell, Air Corps.
Second Lt. Harry Bryant Cooper, Jr., Coast Artillery Corps.
Second Lt. Jermain Ferdinand Rodenhauser, Coast Artillery Corps.
Second Lt. Addison Vincent Dishman, Field Artillery.
Second Lt. Millard Chester Young, Air Corps.
Second Lt. John Anderson Berry, Jr., Field Artillery.
Second Lt. William Harris Isbell, Jr., Field Artillery.
Second Lt. Norton Bailey Wilson, Coast Artillery Corps.
Second Lt. Mervyn MacKay Magee, Field Artillery.
Second Lt. Henry Keppler Mooney, Air Corps.
Second Lt. Eugene William Hiddleston, Coast Artillery Corps.
Second Lt. John Knight Waters, Cavalry.
xSecond Lt. William Ayres Hampton, Coast Artillery Corps.
Second Lt. Robert Merrill Lee, Air Corps.
Second Lt. Robert Freeman Fulton, Air Corps.
Second Lt. Pasquale Francis Passarella, Coast Artillery Corps.
Second Lt. Donald Donaldson, Infantry.

Second Lt. Orlando Collette Troxel, Jr., Field Artillery.
Second Lt. Francis Thomas Pachler, Infantry.
Second Lt. Charles Roger Urban, Infantry.
Second Lt. Donald Rosser Patterson, Infantry.
Second Lt. John Thomas Westermeier, Infantry.
Second Lt. Glenn Aloysius Farris, Infantry.
Second Lt. Dean Coldwell Strother, Air Corps.
Second Lt. Clifford Christopher Wagner, Infantry.
Second Lt. Richard Byington Carhart, Infantry.
Second Lt. Robert Daniel Johnston, Infantry.
Second Lt. George Edwin Dietz, Field Artillery.
Second Lt. George Frederick Hartman, Air Corps.
Second Lt. Louis Victor Hightower, Field Artillery.
Second Lt. Edwin John Messinger, Infantry.
Second Lt. Carl Wilbert Carlmark, Air Corps.
Second Lt. Robert Leander Cardell, Field Artillery.
Second Lt. Charles North Howze, Infantry.
Second Lt. Richard Hungerford Wise, Air Corps.
Second Lt. Charles Francis Densford, Air Corps.
Second Lt. John Robert Skeldon, Air Corps.
xSecond Lt. Leo Wilbur Cather, Field Artillery.
Second Lt. Orville Zelotes Tyler, Jr., Infantry.
Second Lt. Raymond Silas Pratt, Jr., Field Artillery.
Second Lt. Walter Foster Gallup, Field Artillery.
Second Lt. Maynard Norwood Levenick, Infantry.
Second Lt. Gunnar Carl Carlson, Infantry.
Second Lt. Jacob Edward Smart, Air Corps.
Second Lt. George Edward Fletcher, Infantry.
Second Lt. Hugh Pate Harris, Infantry.
Second Lt. Irving William Jackson, Field Artillery.
Second Lt. Robert Quinney Brown, Field Artillery.
Second Lt. Charles Edward Nason Howard, Jr., Field Artillery.
Second Lt. Gordon Singles, Infantry.
Second Lt. John Robert Beishline, Field Artillery.
Second Lt. Field Hunter Tapping, Field Artillery.
xSecond Lt. Russell Bowman Semple, Infantry.
Second Lt. Richard Hunter Lawson, Infantry.
Second Lt. John William Mackay Read, Field Artillery.
Second Lt. Lester LeRoy Hilman Kunish, Air Corps.
Second Lt. Robert Edward Lee Eaton, Air Corps.
Second Lt. John Joseph Davis, Field Artillery.
Second Lt. Carl Fillmore Damberg, Air Corps.
Second Lt. Wendell Washington Bowman, Air Corps.
Second Lt. Charles Pence Westpheling, Field Artillery.
Second Lt. James Irvine King, Infantry.
xSecond Lt. Thomas Joseph Marnane, Infantry.
Second Lt. Joseph Buford Zimmerman, Air Corps.
Second Lt. Ernest Fred Easterbrook, Infantry.
xSecond Lt. Curtis James Herrick, Infantry.
Second Lt. Edward Kenly Purnell, Infantry.
xSecond Lt. Howard Max Pahl, Infantry.
Second Lt. Howard Harrison Dudley, Infantry.
Second Lt. Richard Spencer Carter, Field Artillery.
Second Lt. Hilbert Fred Muenter, Air Corps.
Second Lt. Elmer Lee Thompson, Field Artillery.
Second Lt. Ashton Miller Haynes, Field Artillery.
Second Lt. John Autrey Feagin, Air Corps.
Second Lt. Blair Arthur Ford, Infantry.
xSecond Lt. Richard Klemm Boyd, Infantry.
Second Lt. Charles Lowman Decker, Infantry.
Second Lt. Merle Lucius Fisher, Field Artillery.
Second Lt. Arthur Hamilton Hogan, Field Artillery.
Second Lt. Edwin Anderson Walker, Field Artillery.
Second Lt. Orrin Charles Krueger, Infantry.
Second Lt. William Potter Turpin, 3d, Infantry.
Second Lt. Raymond Taylor Lester, Air Corps.
xSecond Lt. Charles Edward Hoy, Infantry.
Second Lt. Richard Francis Reidy, Infantry.
Second Lt. William Leonard Hardick, Infantry.
Second Lt. Richard Steinbach, Infantry.
Second Lt. Loren Albert Ayers, Infantry.
Second Lt. Harry Winston Candler, Cavalry.
Second Lt. Dean Ambrose Herman, Field Artillery.
Second Lt. William David Davis, Infantry.
Second Lt. William Taylor, Jr., Field Artillery.
Second Lt. Arthur Raster Hercz, Field Artillery.
Second Lt. Terrence Robert Joseph Hickey, Quartermaster Corps.
Second Lt. Earle Bradford Leeper, Infantry.
Second Lt. Seiss Ertel Wagner, Infantry.
Second Lt. Joseph Barlow Coolidge, Infantry.
Second Lt. John Clarence Gordon, Air Corps.
Second Lt. John Hugh McAleer, Jr., Infantry.
Second Lt. Peter Otey Ward, Infantry.
xSecond Lt. Carl William Kohls, Infantry.
Second Lt. John Thomas Malloy, Infantry.
Second Lt. Harold Robert Uhlman, Infantry.
Second Lt. Donald Knox Armstrong, Infantry.
Second Lt. Andrew Joseph Adams, Infantry.
Second Lt. Victor James MacLaughlin, Infantry.
Second Lt. Charles Bowman Dougher, Air Corps.
Second Lt. William Rogers Woodward, Infantry.
Second Lt. James Willard Pumpelly, Infantry.
Second Lt. Charles Ingram Humber, Jr., Infantry.
Second Lt. David William Hutchison, Air Corps.
Second Lt. Irving Lehrfeld, Infantry.
Second Lt. Paul Christian Heim Walz, Infantry.
Second Lt. Roy Luttrell Leinster, Infantry.
Second Lt. Robert Everett Quackenbush, Infantry.
Second Lt. Charles Elder Frederick, Infantry.
xSecond Lt. Samuel Edward Jones, Infantry.
Second Lt. Howard Hart Reed, Infantry.
Second Lt. Gustave Marinius Heiss, Infantry.
Second Lt. Joseph Kingsley Dickey, Infantry.
xSecond Lt. John Frank Ruggles, Infantry.
Second Lt. Harry George Roller, Infantry.
xSecond Lt. Roy Kay Kauffman, Coast Artilery Corps.
Second Lt. Donald Frank Buchwald, Infantry.
Second Lt. John Hugh McGee, Infantry.
xSecond Lt. Van Hugo Bond, Infantry.
Second Lt. Marvin James Coyle, Infantry.
Second Lt. Ernest Clyde Peters, Infantry.
Second Lt. Gerald Evan Williams, Air Corps.
Second Lt. Clarence David McGowen, Infantry.
Second Lt. Eugene Lewis Brown, Infantry.
Second Lt. John Edward Leary, Infantry.
Second Lt. Daniel Turner Workizer, Infantry.
Second Lt. Alexander Johnston Sutherland, Infantry.
Second Lt. James Edward Maloney, Jr., Infantry.
xSecond Lt. Alfred Cookman Marshall, Jr., Infantry.
Second Lt. James Thomas McClellan, Infantry.
Second Lt. Robert Moorman Cheal, Infantry.
Second Lt. Merrick Hector Truly, Infantry.
Second Lt. Houston Parks Houser, Jr., Infantry.
Second Lt. William James Mahoney, Infantry.
Second Lt. Richard Robert Danek, Infantry.
xSecond Lt. James Henry Carlisle, Infantry.
Second Lt. Edward Julius Timberlake, Jr., Air Corps.
Second Lt. Dexter Marvin Lowry, Jr., Infantry.
Second Lt. John Tazewell Helms, Air Corps.
Second Lt. Paul Arthur Mayo, Infantry.
Second Lt. Theodor Jacob Beck, Infantry.
Second Lt. William Addison Magee Morin, Infantry.
Second Lt. Charles Pugh Baldwin, Infantry.
Second Lt. Augustus George Elegar, Infantry.
Second Lt. John Hubert Mathews, Infantry.
Second Lt. John Walter Brady, Infantry.
xSecond Lt. Oral Grant Willis, Infantry.
Second Lt. Russell Hunter Griffith, Air Corps.
Second Lt. Rush Blodget Lincoln, Jr., Corps of Engineers.
Second Lt. Stanley Tanner Wray, Corps of Engineers.
Second Lt. Ellsworth Ingalls Davis, Corps of Engineers.
Second Lt. Andrew Hero, 3d, Field Artillery.
Second Lt. George Kumpe, Corps of Engineers.
Second Lt. William Ruthven Smith, Jr., Corps of Engineers.
Second Lt. Frank Schaffer Besson, Jr., Corps of Engineers.
Second Lt. Richard Roberts Arnold, Corps of Engineers.
Second Lt. Herrol James Skidmore, Corps of Engineers.
Second Lt. Francis Ray Hoehl, Corps of Engineers.
Second Lt. Julian David Abell, Corps of Engineers.
Second Lt. Frederick Raleigh Young, Coast Artillery Corps.

Second Lt. John Chandler Steele, Coast Artillery Corps.
Second Lt. Allen Fraser Clark, Jr., Corps of Engineers.
Second Lt. Thore Fritjof Bengtson, Corps of Engineers.
Second Lt. Christian Frederick Dreyer, Quartermaster Corps.
Second Lt. William Francis Powers, Corps of Engineers.
Second Lt. James McCormack, Jr., Corps of Engineers.
Second Lt. Russell Manly Nelson, Coast Artillery Corps.
Second Lt. Stanley Ronald Stewart, Air Corps.
xSecond Lt. Arnold Sommer, Coast Artillery Corps.
Second Lt. Charles Kissam Allen, Coast Artillery Corps.
xSecond Lt. Sam Carroll Russell, Coast Artillery Corps.
Second Lt. James Hutchings Cunningham, Jr., Air Corps.
Second Lt. John Henry Weber, Field Artillery.
Second Lt. Roger Derby Black, Jr., Field Artillery.
Second Lt. Archibald William Lyon, Quartermaster Corps.
Second Lt. Edward Ellis Farnsworth, Jr., Coast Artillery Corps.
xSecond Lt. Daniel Stickley Spengler, Coast Artillery Corps.
Second Lt. Milton Leonard Ogden, Coast Artillery Corps.
Second Lt. Alexander Graham, Field Artillery.
Second Lt. Ralph Hemmings Davey, Jr., Quartermaster Corps.
xSecond Lt. William Menoher, Field Artillery.
Second Lt. George Wilson Power, Field Artillery.
Second Lt. William Burns Fraser, Cavalry.
Second Lt. James Aloysius Cain, Jr., Field Artillery.
xSecond Lt. Kenneth Frederick Zitzman, Signal Corps.
Second Lt. John Earl Metzler, Coast Artillery Corps.
Second Lt. George Robinson Mather, Cavalry.
Second Lt. Harrison Alan Gerhardt, Coast Artillery Corps.
Second Lt. Stanley Sawicki, Field Artillery.
Second Lt. Leo Peter Dahl, Air Corps.
Second Lt. Edgar Northrop Chace, Coast Artillery Corps.
Second Lt. Frank Hamilton Britton, Cavalry.
Second Lt. Byron Leslie Paige, Coast Artillery Corps.
Second Lt. Torgils Grimkel Wold, Air Corps.
Second Lt. John Bevier Ackerman, Air Corps.
Second Lt. Charles Ray Longanecker, Coast Artillery Corps.
xSecond Lt. Irving Donald Roth, Coast Artillery Corps.
Second Lt. James Karrick Woolnough, Infantry.
Second Lt. Lauri Jacob Hillberg, Coast Artillery Corps.
Second Lt. Samuel Watson Horner, 2d, Field Artillery.
x Second Lt. Philip Vibert Doyle, Coast Artillery Corps.
Second Lt. Robert Augur Hewitt, Field Artillery.
Second Lt. Benjamin Jepson Webster, Air Corps.
Second Lt. Earl Gilmore Wheeler, Infantry.
Second Lt. Edwin Simpson Hartshorn, Jr., Field Artillery.
Second Lt. James Forsyth Thompson, Jr., Air Corps.
Second Lt. Charles Michael Baer, Signal Corps.
Second Lt. William Alden Call, Coast Artillery Corps.
Second Lt. Roland Capel Bower, Jr., Field Artillery.
xSecond Lt. Dwight Benjamin Johnson, Coast Artillery Corps.
Second Lt. Joseph Edward Gill, Field Artillery.
Second Lt. Everett Wayne Barlow, Infantry.
Second Lt. Frederick William Ellery, Field Artillery.
Second Lt. Loren Boyd Hillsinger, Air Corps.
Second Lt. Horace King Whalen, Field Artillery.
Second Lt. John Paul McConnell, Air Corps.
xSecond Lt. Preston Steele, Coast Artillery Corps.
Second Lt. Robert Douglass Glassburn, Coast Artillery Corps.
Second Lt. Joe William Kelly, Air Corps.
Second Lt. Walter Allen Rude, Coast Artillery Corps.
Second Lt. Walter Parks Goodwin, Field Artillery.
Second Lt. Erven Charles Somerville, Coast Artillery Corps.
Second Lt. John Abner Meeks, Field Artillery.
Second Lt. Clifford McCoy Snyder, Coast Artillery Corps.
Second Lt. Gilbert Nevius Adams, Coast Artillery Corps.
Second Lt. Aaron Meyer Lazar, Coast Artillery Corps.
Second Lt. John Clifford McCawley, Field Artillery.
Second Lt. John Morgan Price, Air Corps.
xSecond Lt. Edward Gibbons Shinkle, Field Artillery.
xSecond Lt. Robert Lockwood Williams, Jr., Coast Artillery Corps.
Second Lt. John Joseph Hutchison, Air Corps.
Second Lt. Robert Earl Schukraft, Coast Artillery Corps.
Second Lt. Carl Morton Sciple, Quartermaster Corps.
Second Lt. Harry Cecil Porter, Field Artillery.
Second Lt. Dwight Edward Beach, Field Artillery.
Second Lt. William Little, Infantry.
xSecond Lt. William Massello, Jr., Coast Artillery Corps.
Second Lt. Arthur Walter Blair, Field Artillery.
Second Lt. Daniel Stone Campbell, Air Corps.
Second Lt. Richard Johnson Hunt, Infantry.
Second Lt. Stephen Michael Mellnik, Coast Artillery Corps.
Second Lt. Louis Watson Truman, Infantry.
Second Lt. Dale Eugene Means, Field Artillery.
Second Lt. Hugh Willard Riley, Field Artillery.
Second Lt. William Sammis Coit, Coast Artillery Corps.
Second Lt. Curtis Alan Schrader, Field Artillery.
Second Lt. William Fletcher Spurgin, Coast Artillery Corps.
Second Lt. Kenneth Burton Hobson, Air Corps.
Second Lt. John Reynolds Sutherland, Air Corps.
Second Lt. Donald Linwood Hardy, Air Corps.
Second Lt. Richard Tide Coiner, Jr., Cavalry.
Second Lt. Floyd Allan Hansen, Field Artillery.
Second Lt. James Edward Godwin, Field Artillery.
Second Lt. Harold Walmsley, Infantry.
Second Lt. Gerald George Epley, Infantry.
Second Lt. Bernard William McQuade, Infantry.
Second Lt. Ashton Herbert Manhart, Infantry.
Second Lt. Harald Simpson Sundt, Field Artillery.
Second Lt. Horace Freeman Bigelow, Field Artillery.
xSecond Lt. Charles Albert Clark, Jr., Air Corps.
Second Lt. Francis Arkadjusz Liwski, Coast Artillery Corps.
Second Lt. James Bates Rankin, Field Artillery.
Second Lt. David Emory Jones, Field Artillery.
Second Lt. Harvey Porter Huglin, Air Corps.
Second Lt. Robert Folkes Moore, Coast Artillery Corps.
Second Lt. Bernard Thielen, Field Artillery.
Second Lt. George Dowery Campbell, Jr., Air Corps.
Second Lt. Karl Laurance Scherer, Cavalry.
Second Lt. Charles Hardin Anderson, Air Corps.
Second Lt. Dwight Drenth Edison, Coast Artillery Corps.
Second Lt. Jefferson Davis Childs, Infantry.
Second Lt. John Aloysius Gavin, Infantry.
Second Lt. Todd Humbert Slade, Field Artillery.
Second Lt. John Ramsey Pugh, Cavalry.
Second Lt. Joseph Edward Stearns, Infantry.
Second Lt. Charles Ratcliffe Murray, Field Artillery.
Second Lt. Wallace Hawn Brucker, Coast Artillery Corps.
Second Lt. Francis Garrison Hall, Field Artillery.
Second Lt. Charles Louis Williams, Jr., Field Artillery.
Second Lt. William Barnes Moore, Infantry.
Second Lt. William Russell Huber, Field Artillery.
Second Lt. Bogardus Snowden Cairns, Cavalry.
Second Lt. Delbert Abraham Pryor, Infantry.
Second Lt. Charles Edward Wheatley, Jr., Cavalry.
Second Lt. Meyer Abraham Braude, Infantry.
Second Lt. Chester Hammond, Infantry.
Second Lt. John George Ondrick, Infantry.
Second Lt. Byram Arnold Bunch, Air Corps.
Second Lt. Isaac Sewell Morris, Infantry.
Second Lt. Gerard Charles Cowan, Cavalry.
Second Lt. Hunter Harris, Jr., Air Corps.
Second Lt. Gordon Whitney Seaward, Field Artillery.
Second Lt. Henry Graham McFeely, Coast Artillery Corps.
Second Lt. Walter Marquis Tisdale, Field Artillery.
Second Lt. Charles Albert Piddock, Field Artillery.
Second Lt. Nelson Landon Head, Field Artillery.
Second Lt. Walker Raitt Goodrich, Field Artillery.
Second Lt. William Harvie Freeland, Infantry.
Second Lt. Thomas Henry Harvey, Coast Artillery Corps.
Second Lt. William Halford Maguire, Infantry.
Second Lt. David Hamilton Kennedy, Air Corps.
Second Lt. Merle Robbins Williams, Infantry.
Second Lt. William Whitfield Culp, Cavalry.
Second Lt. Kenneth Edward Tiffany, Infantry.

Second Lt. Nicholas Earnest Powel, Air Corps.
Second Lt. Norman Herbert Lankenau, Infantry.
Second Lt. William Bing Kunzig, Infantry.
Second Lt. Andrew Meulenberg, Air Corps.
Second Lt. Charles Marvin Iseley, Cavalry.
Second Lt. Edwin Guldlin Simenson, Air Corps.
Second Lt. Sam Houston Wiseman, Air Corps.
Second Lt. William Gordon Beard, Air Corps.
Second Lt. Harvey Herman Fischer, Infantry.
Second Lt. Robert Haynes Terrill, Air Corps.
Second Lt. Avery Madison Cochran, Infantry.
Second Lt. Samuel Arthur Daniel, Infantry.
Second Lt. Franklin Vines Johnston, Jr., Infantry.
Second Lt. Albert Edward Reif Howarth, Infantry.
Second Lt. James Lee Massey, Infantry.
Second Lt. Albert Edward Stoltz, Infantry.
Second Lt. Thomas Connell Darcy, Air Corps.
Second Lt. Edmond Michael Rowan, Infantry.
Second Lt. Edward Green Winston, Infantry.
Second Lt. Milton Skerrett Glatterer, Infantry.
Second Lt. William Henry Mikkelsen, Infantry.
Second Lt. Hugh Thomas Cary, Infantry.
Second Lt. Sewell Marion Brumby, Infantry.
Second Lt. Clifford Harcourt Rees, Air Corps.
Second Lt. Arnold Leon Schroeder, Air Corps.
Second Lt. Graves Collins Teller, Infantry.
Second Lt. Richard Henry Smith, Infantry.
Second Lt. Roscoe Constantine Huggins, Infantry.
Second Lt. Francis Deisher, Infantry.
Second Lt. Eugene Porter Mussett, Air Corps.
Second Lt. Lon Harley Smith, Infantry.
Second Lt. Edward Willis Suarez, Air Corps.
Second Lt. Paul Delmont Bunker, Jr., Air Corps.
Second Lt. Edward Joseph Burke, Infantry.
Second Lt. Walden Bernald Coffey, Infantry.
Second Lt. George Reynolds Grunert, Cavalry.
Second Lt. James Ellison Glattly, Infantry.
Second Lt. David Peter Schorr, Jr., Infantry.
Second Lt. William George Davidson, Jr., Infantry.
Second Lt. John Clinton Welborn, Infantry.
Second Lt. Edwin Charles Momm, Infantry.
Second Lt. Herbert Bishop Thatcher, Infantry.
Second Lt. Charles Salvatore D'Orsa, Infantry
Second Lt. Frederick Milton Hinshaw, Infantry.
Second Lt. Robert Broussard Landry, Air Corps.
Second Lt. William Hyatt Bache, Infantry.
Second Lt. William Anderson McNulty, Infantry.
Second Lt. Joe Edwin Golden, Infantry.
Second Lt. Eldon Frederick Ziegler, Infantry.
Second Lt. Frank Greenleaf Jamison, Air Corps.
Second Lt. James Winfield Coutts, Infantry.
Second Lt. Dan Gilmer, Infantry.
Second Lt. Wilfred Joseph Lavigne, Infantry.
Second Lt. George Thigpen Duncan, Infantry.
Second Lt. Harry Celistine Quartier, Infantry.
Second Lt. Roy Edwin Moore, Infantry.
Second Lt. Harley Niles Trice, Infantry.
Second Lt. James Ernest Beery, Field Artillery.
Second Lt. Arville Ward Gillette, Infantry.
Second Lt. Harold Edward Shaw, Infantry.
Second Lt. Charles Gates Herman, Quartermaster Corps.
Second Lt. Charles Alexander Carrell, Infantry.
Second Lt. Lawrence Bartlett Babcock, Infantry.
Second Lt. William Roy Thomas, Field Artillery.
Second Lt. Loris Ray Cochran, Infantry.
Second Lt. Robert Lynn Carver, Air Corps.
Second Lt. Henry Chesnutt Britt, Infantry.
Second Lt. Thomas Randall McDonald, Infantry.
Second Lt. Orville Wright Mullikin, Infantry.
Second Lt. Romulus Wright Puryear, Air Corps.
Second Lt. David Harrison Armstrong, Infantry.
Second Lt. Earl Sipple Eckhart, Coast Artillery Corps.
Second Lt. John William Keating, Infantry.
Second Lt. John Garnett Coughlin, Infantry.
Second Lt. Thomas Robertson Hannah, Infantry.
Second Lt. William Madison Garland, Air Corps.
Second Lt. William Elwood Means, Infantry.
Second Lt. George Louis Descheneaux, Jr., Infantry.
Second Lt. Thomas Charles Morgan, Air Corps.
Second Lt. John William Bowen, Infantry.
xSecond Lt. Frank Ward Ebey, Coast Artillery Corps.
Second Lt. James Walter Gurr, Air Corps.
Second Lt. James Madison Churchill, Jr., Infantry.
Second Lt. Robert Lee Scott, Jr., Air Corps.
Second Lt. Harold Randall Everman, Infantry.
Second Lt. Thomas Benjamin Spratt, Jr., Infantry.
Second Lt. Erskine Clark, Coast Artillery Corps.

VETERINARY CORPS

To be captains

First Lt. Arvo Theodore Thompson, Veterinary Corps.
First Lt. Harvie Russell Ellis, Veterinary Corps.
First Lt. Ralph William Mohri, Veterinary Corps.
First Lt. Austin Taylor Getz, Veterinary Corps.
First Lt. Wesley Watson Bertz, Veterinary Corps.
First Lt. Edgerton Lynn Watson, Veterinary Corps.
First Lt. George Townley Price, Veterinary Corps.

To be first lieutenants

xSecond Lt. Richard George Yule, Veterinary Corps.
Second Lt. Wayne Otho Kester, Veterinary Corps.
Second Lt. Robert Arthur Boyce, Jr., Veterinary Corps.
Second Lt. Clarence Leonard Taylor, Veterinary Corps.
Second Lt. William Edwin Jennings, Veterinary Corps.
Second Lt. Curtis William Betzold, Veterinary Corps.
Second Lt. James Bernhard Nichols, Veterinary Corps.
Second Lt. Albert Arthur Roby, Jr., Veterinary Corps.
Second Lt. Andrew Jesse Sirilo, Veterinary Corps.
Second Lt. Daniel Stevens Stevenson, Veterinary Corps.
Second Lt. Ray Swartley Hunsberger, Veterinary Corps.
Second Lt. William Francis Collins, Veterinary Corps.

CHAPLAINS

To be colonels

Chaplain (Lt. Col.) Julian Emmet Yates, United States Army.

To be captains

Chaplain (First Lt.) Peter Christian Schroder, United States Army.

Chaplain (First Lt.) John Henry August Borleis, United States Army.

Chaplain (First Lt.) Hudson Bissell Phillips, United States Army.

PHILIPPINE SCOUTS

The following-named officers for promotion in the Philippine Scouts, to rank from August 1, 1935. Those officers whose names are preceded by a symbol (x) have been examined and found qualified for promotion; all others are subject to the examination required by law.

To be lieutenant colonels

Maj. Frank Brezina, Philippine Scouts.
xMaj. Seth Harold Frear, Philippine Scouts.
xMaj. Abraham Garfinkel, Philippine Scouts.
xMaj. John Frederick Daye, Philippine Scouts.
xMaj. Esteban Boadilla Dalao, Philippine Scouts.
Maj. Thomas Kenneth Collins, Philippine Scouts.
xMaj. Conrad Skladal, Philippine Scouts.

To be majors

xCapt. John Daniel Cook, Philippine Scouts.
Capt. Karol Bronislaw Kozlowski, Philippine Scouts.
xCapt. Mateo Mananjaya Capinpin, Philippine Scouts.
xCapt. Robert A. Barth, Philippine Scouts.
xCapt. Frederick Adelmar Ward, Philippine Scouts.

To be captains

xFirst Lt. James Wilson Smith, Philippine Scouts.
xFirst Lt. Pastor Martelino, Philippine Scouts.
xFirst Lt. Mariano Santos Sulit, Philippine Scouts.
xFirst Lt. Eleuterio Susi Yanga, Philippine Scouts.
xFirst Lt. Melecio Manuel Santos, Philippine Scouts.
First Lt. Narciso Lopez Manzano, Philippine Scouts.
xFirst Lt. Juan Segundo Moran, Philippine Scouts.
xFirst Lt. Pacifico Castor Sevilla, Philippine Scouts.
xFirst Lt. Amado Martelino, Philippine Scouts.

First Lt. Victor Zalamea Gomez, Philippine Scouts.
xFirst Lt. Nemesio Catalan, Philippine Scouts.
xFirst Lt. Pio Quevedo Caluva, Philippine Scouts.
xFirst Lt. Alejandro D. Garcia, Philippine Scouts.
xFirst Lt. Santiago Garcia Guevara, Philippine Scouts.
xFirst Lt. Jose Emilio Olivares, Philippine Scouts.
xFirst Lt. Ricardo Poblete, Philippine Scouts.

To be first lieutenants

Second Lt. Maximiano Saqui Janairo, Philippine Scouts.
Second Lt. Rufo Caingat Romero, Philippine Scouts.

PROMOTIONS IN THE NAVY

MARINE CORPS

The following-named lieutenant colonels to be colonels in the Marine Corps from the 27th day of July 1935:

Harold L. Parsons
Julian C. Smith

Maj. Louis W. Whaley to be a lieutenant colonel in the Marine Corps from the 30th day of June 1935.

The following-named majors to be lieutenant colonels in the Marine Corps from the 27th day of July 1935:

Frank Whitehead
Roswell Winans

Maj. Alfred H. Noble to be a lieutenant colonel in the Marine Corps from the 1st day of August 1935.

The following-named captains to be majors in the Marine Corps from the 1st day of July 1935:

Richard O. Sanderson
Edwin J. Mund

The following-named captains to be majors in the Marine Corps from the 27th day of July 1935:

Harold C. Major
Herman R. Anderson
Clarence M. Ruffner

Capt. Julian P. Brown to be a major in the Marine Corps from the 1st day of August 1935.

First Lt. James E. Jones to be a captain in the Marine Corps from the 27th day of July 1936.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of August 1935:

James H. N. Hudnall
Thomas C. Perrin

CONFIRMATIONS

Executive nominations confirmed by the Senate August 14 (legislative day of July 29), 1935

RESETTLEMENT ADMINISTRATION REGIONAL DIRECTOR

J. H. Jenkins, of Colorado, to be regional director, Resettlement Administration.

APPOINTMENTS IN THE REGULAR ARMY

MEDICAL ADMINISTRATION CORPS

To be second lieutenants

William Cyrille Lizotte
Frank Stepczyk
Jacob Bruce Martin
Harry John Nelson
James Thomas Johnson

PROMOTIONS IN THE REGULAR ARMY

Howard Newton Burgin to be captain, Dental Corps.
Robert Earl Hammersberg to be captain, Dental Corps.
Russell McNellis to be first lieutenant, Veterinary Corps.

To be colonels

Gordon Rives Catts, Infantry.
Henry Conger Pratt, Air Corps.
Donald Cameron Cubbison, Field Artillery.
Edwin Butcher, Infantry.
Russell Vernon Venable, Infantry.
Kinzie Bates Edmunds, Cavalry.
Andrew Jackson White, Adjutant General's Department.
Walter Scott Drysdale, Infantry.
Matthew Henry Thomlinson, Infantry.
Joseph Alexander Atkins, Infantry.
Charles Fullington Thompson, Infantry.
Thomas Leslie Crystal, Infantry.
Ralph Rigby Glass, Infantry.
Erle Martin Wilson, Infantry.
Merrill Ellicott Spalding, Infantry.
Joseph James Grace, Signal Corps.
Joseph Alexander McAndrew, Infantry.
Richard Rembert Pickering, Adjutant General's Department.
Gerald Clark Brant, Air Corps.
Clement Hale Wright, Infantry.
William Ross Scott, Infantry.
Napoleon William Riley, Quartermaster Corps.
xOtto Louis Brunzell, Field Artillery.
George Carson Lawrason, Infantry.
xJames Barton Woolnough, Infantry.
Innis Palmer Swift, Cavalry.
Arthur Harrison Wilson, Cavalry.
Walter Scott Fulton, Infantry.
Sherburne Whipple, Adjutant General's Department.
Harry Hawley, Infantry.
Thomas Norton Gimperling, Infantry.
xHugh Lawson Walthall, Adjutant General's Department.
xJohn Buchanan Richardson, Adjutant General's Department.
Anton Caesar Cron, Infantry.
xJohn Clark Moore, Signal Corps.
William Frederick Pearson, Adjutant General's Department.
James Alexander Ulio, Adjutant General's Department.
Charles Bernadou Elliott, Infantry.
John Bunyan Corbly, Infantry.
Charles Lewis Sampson, Infantry.
John Walter Downer, Field Artillery.
James Hatch Van Horn, Signal Corps.
Cassius McClellan Dowell, Infantry.
Albert Benjamin Kaempfer, Infantry.
Forrest Elmer Overholser, Infantry.
Charles Winder Mason, Infantry.
Edmund Louis Gruber, Field Artillery.
William Thomas Carpenter, Coast Artillery Corps.
Benjamin Mart Bailey, Field Artillery.
Ambrose Robert Emery, Infantry.
Edmund Clivious Waddill, Infantry.
DeWitt Clinton Jones, Corps of Engineers.
Francis Bowditch Wilby, Corps of Engineers.
Clarence Self Ridley, Corps of Engineers.
Jarvis Johnson Bain, Corps of Engineers.
Robert Spencer Thomas, Corps of Engineers.
Roger Garfield Powell, Corps of Engineers.
John Neal Hodges, Corps of Engineers.
Thomas Marshall Spaulding, Adjutant General's Department.
Rolland Webster Case, Ordnance Department.
Norman Foster Ramsey, Ordnance Department.
Benjamin Henderson Lorne Williams, Coast Artillery Corps.
Thomas Dewey Osborne, Field Artillery.
William Henry Dodds, Jr., Field Artillery.
George Dillman, Cavalry.
Philip John Radcliffe Kiehl, Ordnance Department.
Adelno Gibson, Chemical Warfare Service.
John Lee Holcombe, Coast Artillery Corps.
Charles Lewis Scott, Cavalry.
James Saye Dusenbury, Coast Artillery Corps.
Lloyd Burns Magruder, Coast Artillery Corps.
Robert Henry Lewis, Field Artillery.
Ralph Talbot, Jr., Field Artillery.
Arthur Willis Lane, Infantry.
Walter Evans Prosser, Signal Corps.
Henry Tacitus Burgin, Coast Artillery Corps.
Bernard Lentz, Infantry.
Clifford Lee Corbin, Quartermaster Corps.
Frederick Coleman Test, Infantry.
Owen Stedman Albright, Signal Corps.
Hugh Hunt Broadhurst, Cavalry.
Clifford Cabell Early, Infantry.
Arthur William Holderness, Cavalry.
Allan Rutherford, Infantry.

Joseph Ray Davis, Field Artillery.
Sherman Miles, Field Artillery.
Charles Smith Caffery, Infantry.
Allen Wyant Gullion, Judge Advocate General's Department.
Louis Albert Kunzig, Infantry.
John Pearson Bubb, Infantry.
Clarence Andrew Mitchell, Adjutant General's Department.
John Roy Starkey, Field Artillery.
Joseph Edward Barzynski, Quartermaster Corps.
Thomas Hixon Lowe, Adjutant General's Department.
Torrey Borden Maghee, Infantry.
William Whitehead West, Cavalry.
Frederick Willis Manley, Infantry.
Edward Joseph Cullen, Coast Artillery Corps.
Henry Roland Smalley, Quartermaster Corps.
Ira Longanecker, Air Corps.
Robert Blaine, Cavalry.
William James Connolly, Infantry.
Felix Emmanuelli, Infantry.
William Albert Johnson, Corps of Engineers.
James Josephus Loving, Corps of Engineers.
Edmund Leo Daley, Corps of Engineers.
Henry Abercrombie Finch, Corps of Engineers.
Edward Dahl Ardery, Corps of Engineers.
Richard Coke Burleson, Field Artillery.
Lloyd Patzlaff Horsfall, Coast Artillery Corps.
Charles Gearhart Mettler, Ordnance Department.
Forrest Estey Williford, Coast Artillery Corps.
Earl McFarland, Ordnance Department.
Joseph Andrew Green, Coast Artillery Corps.
Jonathan Mayhew Wainwright, Cavalry.
Walter Stephen Sturgill, Field Artillery.
Charles Alexander Lewis, Infantry.
Harold Wood Huntley, Field Artillery.
Adna Romanza Chaffee, Cavalry.
Edward White Wildrick, Field Artillery.
Alexander Garfield Gillespie, Ordnance Department.
Dawson Olmstead, Signal Corps.
George Williamson DeArmond, Field Artillery.
Frank Maxwell Andrews, Air Corps.
Oscar Westover, Air Corps (Brigadier General, Assistant to the Chief of the Air Corps).
Cortlandt Parker, Field Artillery.
John Sedgwick Pratt, Coast Artillery Corps.
Joseph Choate King, Cavalry.
Martyn Hall Shute, Infantry.
Ralph McTyeire Pennell, Field Artillery.
Henry Black Clagett, Air Corps.
Clyde Rush Abraham, Infantry.
Pierre Victor Kieffer, Field Artillery.
George Harris Paine, Field Artillery.
Donald Allister Robinson, Cavalry.
Rene Edward DeRussy Hoyle, Field Artillery.
Ralph Allen Jones, Infantry.
Horace Fletcher Spurgin, Coast Artillery Corps.
Hugo Daniel Selton, Infantry.
Max Akin Elser, Quartermaster Corps.
William Torbert MacMillan, Adjutant General's Department.
Jacob Earl Fickel, Air Corps.
Bruce LaMar Burch, Cavalry.
Rush Blodgett Lincoln, Air Corps.
William Fletcher Sharp, Field Artillery.
Bruce Magruder, Infantry.
George Herman Huddleston, Quartermaster Corps.
Henry Welles Baird, Cavalry.

To be lieutenant colonels

Joseph Benjamin Pate, Infantry.
Louis Clarence Wilson, Quartermaster Corps.
Charles Edwards Perry, Corps of Engineers.
Henry Roy Bitzing, Judge Advocate General's Department.
Harry Anton Auer, Judge Advocate General's Department.
John Donaldson Easton, Infantry.
Charles Emmet McCarthy, Infantry.
Charles Henry Traeger, Ordnance Department.
William Mellard Connor, Judge Advocate General's Department.
Sam Inman McCents, Infantry.
John William Foos, Infantry.
Charles William Dyer, Infantry.
Laurence Stephen O'Toole, Infantry.
Roger Taylor, Ordnance Department.
Henry Lincoln Green, Quartermaster Corps.
George Blair, Infantry.
Elbert Johnston Lyman, Infantry.
Tom Kennan Price Stilwell, Infantry.
Robert Kerr Alcott, Infantry.
Lucius Meriwether Smith, Judge Advocate General's Department.
Mark Emmet Guerin, Judge Advocate General's Departmnet.
Fred Warde Llewellyn, Judge Advocate General's Department.
Laurence Woodville Young, Infantry.
Ralph Waldo Wilson, Coast Artillery Corps.
Fred Mortimer Green, Coast Artillery Corps.
Delmar Samuel Lenzner, Coast Artillery Corps.
Roland Wilbur Pinger, Ordnance Department.
Donald Armstrong, Ordnance Department.
Franklin Babcock, Coast Artillery Corps.
Hermann Heinrich Cornig, Ordnance Department.
Gladeon Marcus Barnes, Ordnance Department.
Harvey Clark Allen, Coast Artillery Corps.
Edward Bennett Dennis, Coast Artillery Corps.
Leon Moffat Logan, Quartermaster Corps.
Roger Baldwin Colton, Signal Corps.
Enrique Urrutia, Jr., Infantry.
Arturo Moreno, Infantry.
Oliver Loving Spiller, Coast Artillery Corps.
James Madison White, Infantry.
Henry Bailey Barry, Quartermaster Corps.
James Warren Bagley, Corps of Engineers.
John Kay Clement, Ordnance Department.
Lawrence Hyskell Hedrick, Judge Advocate General's Department.
Robert John Halpin, Infantry.
Allen Fletcher, Infantry.
Bowyer Brockenbrough Browne, Corps of Engineers.
Arthur Milton Heritage, Chemical Warfare Service.
Malcolm Elliott, Corps of Engineers.
Millard Fillmore Waltz, Jr., Infantry.
Woodell Abner Pickering, Infantry.
Lee Sumner, Infantry.
Myron Cady Cramer, Judge Advocate General's Department.
John Abdiel Smith, Judge Advocate General's Department.
George Wellington Graham, Ordnance Department.
John Henry Mellom, Quartermaster Corps.
Herbert Edward Pace, Finance Department.
John Emmitt Sloan, Field Artillery.
Alexander Wilson, Chemical Warfare Service.
Xavier Francis Blauvelt, Infantry.
Frank Dorwin Lackland, Air Corps.
Joseph Andrews, Field Artillery.
Albert Samuel Peake, Infantry.
Floyd D. Carlock, Infantry.
Arthur Boettcher, Infantry.
Horace Thurber Aplington, Cavalry.
Fred Livingood Walker, Infantry.
Alvan Cullom Gillem, Jr., Infantry.
Rapp Brush, Infantry.
Edward George McCormick, Infantry.
Philip Bracken Fleming, Corps of Engineers.
Joseph Cowles Mehaffey, Corps of Engineers.
Paul Sorg Reinecke, Corps of Engineers.
Raymond Albert Wheeler, Corps of Engineers.
William Benjamin Hardigg, Ordnance Department.
Harry Russell Kutz, Ordnance Department.

Thompson Lawrence, Infantry.
Freeman Wate Bowley, Field Artillery.
Charles Reuben Baxter, Ordnance Department.
Gustav Henry Franke, Field Artillery.
John Everard Hatch, Field Artillery.
Charles Anderson Walker, Jr., Ordnance Department.
Bethel Wood Simpson, Ordnance Department.
Harold Floyd Nichols, Coast Artillery Corps.
Harry James Keeley, Infantry.
Charles Philip Hall, Infantry.
Alexander Day Surles, Cavalry.
William Edmund Larned, Ordnance Department.
Franklin Kemble, Coast Artillery Corps.
Alfred John Betcher, Field Artillery.
Karl Slaughter Bradford, Cavalry.
Herbert Arthur Dargue, Air Corps.
John Griffeth Booton, Ordnance Department.
Frederick Gilbreath, Cavalry.
George Richmond Hicks, Infantry.
James Blanchard Crawford, Coast Artillery Corps.
Haig Shekerjian, Chemical Warfare Service.
Benjamin Curtis Lockwood, Jr., Infantry.
Harrison Henry Cocke Richards, Air Corps.
Carroll Armstrong Bagby, Infantry.
Arthur Bayard Conard, Cavalry.
Gregory Hoisington, Infantry.
Ziba Lloyd Drollinger, Infantry.
Jesse Amos Ladd, Infantry.
Paul William Baade, Infantry.
James Roy Newman Weaver, Infantry.
John Porter Lucas, Field Artillery.
William Henry Harrison Morris, Jr., Infantry.
Carl Fish McKinney, Infantry.
Roscoe Conkling Batson, Field Artillery.
Allen Russell Kimball, Quartermaster Corps.
Wilfrid Mason Blunt, Cavalry.
Ira Adelbert Rader, Air Corps.
Alvan Crosby Sandeford, Field Artillery.
William Jay Calvert, Quartermaster Corps.
David Hamilton Cowles, Infantry.
Ira Thomas Wyche, Field Artillery.
James Craig Riddle Schwenck, Cavalry.
John Louis Homer, Coast Artillery Corps.
Thomas Jonathan Jackson Christian, Field Artillery.
Howell Marion Estes, Cavalry.
John Furman Wall, Cavalry.
Edwin Noel Hardy, Cavalry.
Thomas Gibbes Morgan Oliphant, Field Artillery.
Douglas Blakeshaw Netherwood, Air Corps.
Mert Proctor, Field Artillery.
Joseph Dorst Patch, Infantry.
Archibald Delos Cowley, Infantry.
Felix Englebert Gross, Coast Artillery Corps.
George Ralph Meyer, Coast Artillery Corps.
Lewis Hyde Brereton, Air Corps.
Cherubusco Newton, Jr., Finance Department.
Edward Lincoln Hoffman, Air Corps.
Casper Ball Rucker, Infantry.
Robert Currier Brady, Quartermaster Corps.
Hugh Johnston Knerr, Air Corps.
George Frederick Humbert, Coast Artillery Corps.
Arthur Woodfin Ford, Ordnance Department.
Reuben Noel Perley, Coast Artillery Corps.
Vincent Meyer, Field Artillery.
Herbert Elliott Taylor, Cavalry.
Lindsay McDonald Silvester, Infantry.
William Middleton Grimes, Cavalry.
Herbert Marshall Pool, Infantry.
Leonard Townsend Gerow, Infantry.
Henry Joseph Moody Smith, Cavalry.
George Derry Murphey, Quartermaster Corps.
William Clayton Rose, Adjutant General's Department.
Wesley Frost Ayer, Infantry.
Norman Potter Morrow, Field Artillery.
Lloyd Edmonstone Jones, Field Artillery.
George Abel Sanford, Infantry.
Alexander LeRoy Padwinetz Johnson, Infantry.
Walter Ferrell Winton, Field Artillery.
Maxon Spafford Lough, Infantry.
Newton Napoleon Polk, Field Artillery.
Ford Richardson, Infantry.
Henry Lawrence Cullen Jones, Field Artillery.
Lester Maple Wheeler, Infantry.
Edwin O'Connor, Cavalry.
Eugene Alexander Lohman, Air Corps.
Kenneth Prince Lord, Field Artillery.
Eugene Warren Fales, Infantry.
John Taylor Rhett, Infantry.
Livingston Watrous, Adjutant General's Department.
Herbert Alonzo Wadsworth, Infantry.
John Moore Thompson, Cavalry.
George Matthew Halloran, Infantry.
William Edward Brougher, Infantry.
Medorem Crawford, Jr., Infantry.
Sumner Waite, Infantry.
Albert Monmouth Jones, Infantry.
John Edward Creed, Infantry.
Harrison McAlpine, Infantry.
James Raymond Alfonte, Quartermaster Corps.
Andrew Goolsby Gardner, Infantry.
Albert Simon Kuegle, Infantry.
Claude Killian Rhinehart, Field Artillery.
Levin Hicks Campbell, Jr., Ordnance Department.
Follett Bradley, Air Corps.
Jonathan Waverly Anderson, Field Artillery.
Serafin Manuel Montesinos, Infantry.
John Absalom Baird, Chemical Warfare Service.
Philip Guillou Blackmore, Ordnance Department.
Henry Clarence Davis, Jr., Coast Artillery Corps.
Benjamin Noble Booth, Coast Artillery Corps.
Octave DeCarré, Coast Artillery Corps.
Claude Martin Thiele, Coast Artillery Corps.
Cedric Malcolm Stanley Skene, Coast Artillery Corps.
Avery Johnson French, Coast Artillery Corps.
Edward Montgomery, Chemical Warfare Service.
Shepler Ward FitzGerald, Air Corps.
Leigh Francis Joseph Zerbee, Chemical Warfare Service.
Randolph Tucker Pendleton, Coast Artillery Corps.
Stewart Woods Stanley, Signal Corps.
Kenneth Thompson Blood, Coast Artillery Corps.
Roy Silas Atwood, Coast Artillery Corps.
Samuel Franklin Hawkins, Coast Artillery Corps.
Jesse Lowry Sinclair, Coast Artillery Corps.
Oscar Krupp, Ordnance Department.
Charles Thomas-Stahle, Coast Artillery Corps.
Edwin Joseph O'Hara, Finance Department.
Alden George Strong, Coast Artillery Corps.
Rudolf William Riefkohl, Quartermaster Corps.
Alexander Camman Sullivan, Field Artillery.
Joseph Peter Vachon, Infantry.
Lloyd Baxter Bennett, Infantry.
Edward James Oliver, Infantry.
Albert Tucker, Infantry.
Frederic Waldo Whitney, Cavalry.
Clifford Mitchell Tuteur, Field Artillery.
Arthur Eugene Rowland, Coast Artillery Corps.
Leon R. Cole, Field Artillery.
Lee Roland Watrous, Jr., Finance Department.
Joseph Dowd Brown, Coast Artillery Corps.
Leslie MacDill, Air Corps.
Charles Augustus French, Coast Artillery Corps.
John Albert Hoag, Field Artillery.
Oscar Andrew Eastwold, Chemical Warfare Service.
Earl Herbert Metzger, Coast Artillery Corps.
Max Stanley Murray, Infantry.
Matthew John Gunner, Infantry.
Julian Francis Barnes, Field Artillery.
Robert Scott Lytle, Infantry.
Harold Cornelius Vanderveer, Field Artillery.
Kenna Granville Eastham, Cavalry.
Henry Terrell, Jr., Infantry.
Clift Andrus, Field Artillery.
Frank Cadle Mahin, Infantry.
Lawrence Sprague Churchill, Air Corps.

George Elmer Arneman, Field Artillery.
Dale Francis McDonald, Infantry.
Raymond Eugene McQuillin, Cavalry.
Edward Hiltner Bertram, Infantry.
Hayes Adlai Kroner, Infantry.
Allan Stuart Boyd, Jr., Infantry.
Francis Clinton Vincent Crowley, Cavalry.
Harry Lewis Twaddle, Infantry.
Clarence Leonard Tinker, Air Corps.
William Robert White, Quartermaster Corps.
Donald Bridgman Sanger, Signal Corps.
Martin Francis Scanlon, Air Corps.
William Hanson Gill, Infantry.
Edward Cornelius Hanford, Field Artillery.
Merrill Dole Wheeler, Quartermaster Corps.
Henry Hubert Stickney, Corps of Engineers.
Lester Seneca Hill, Jr., Judge Advocate General's Department.
Archibald King, Judge Advocate General's Department.
Frederic Granville Munson, Judge Advocate General's Department.
Carl Herndon Seals, Adjutant General's Department.
James Arthur Watson, Infantry.
Gordon Handy McCoy, Field Artillery.
Robert Boyd Cole, Infantry.
Milton Hager Taulbee, Field Artillery.
William Henry Lanagan, Corps of Engineers.
Sidney Glenn Brown, Infantry.
George Clinton Donaldson, Infantry.
Joseph Hamilton Davidson, Infantry.
Russell Henry Brennan, Judge Advocate General's Department.
Benjamin Almond Brackenbury, Chemical Warfare Service.
John Putman Dinsmore, Judge Advocate General's Department.
Charles Wilbur Thomas, Jr., Infantry.
Roscoe Campbell Crawford, Corps of Engineers.
Milo Pitcher Fox, Corps of Engineers.
Lewis Andrews Nickerson, Ordnance Department.
Philip Ries Faymonville, Ordnance Department.
Russell Lamonte Maxwell, Ordnance Department.
John Shirley Wood, Field Artillery.
Robert Henry Lee, Ordnance Department.
William Henry Walmsley Youngs, Cavalry.
David McLean Crawford, Signal Corps.
Oscar James Gatchell, Ordnance Department.
John Nathaniel Hauser, Field Artillery.
Karl Chris Greenwald, Field Artillery.
Thomas Jay Hayes, Ordnance Department.
Raymond Vincent Cramer, Coast Artillery Corps.
William Hale Wilbur, Infantry.
Sidney Parker Spalding, Ordnance Department.
Byron Quinby Jones, Air Corps.
Stephen Harrison MacGregor, Ordnance Department.
James Albert Gillespie, Field Artillery.
Basil Duke Edwards, Infantry.
Davenport Johnson, Air Corps.
James Kirk, Ordnance Department.
Robert McGowan Littlejohn, Quartermaster Corps.
Wade Hampton Haislip, Infantry.
Robert Nall Bodine, Ordnance Department.
James Harve Johnson, Quartermaster Corps.
Harry Albert Flint, Cavalry.
Walter Melville Robertson, Infantry.
John Henry Lindt, Coast Artillery Corps.
Pearl Lee Thomas, Cavalry.
Sidney Vincent Bingham, Cavalry.
Bird Spencer DuBois, Coast Artillery Corps.
Isaac Spalding, Field Artillery.
Harry James Malony, Field Artillery.
John Hartwell Hinemon, Jr., Signal Corps.
Henry Lytton Flynn, Cavalry.
Robert Fee Hyatt, Field Artillery.
Harold Marvin Rayner, Cavalry.
Charles Nathaniel Sawyer, Signal Corps.
Gilbert Richard Cook, Infantry.
Max Weston Sullivan, Infantry.
Franklin Cummings Sibert, Infantry.
Archibald Vincent Arnold, Field Artillery.
Stephen J. Chamberlin, Infantry.
John Traylor McLane, Cavalry.
William Horace Hobson, Infantry.
Walter Glenn Kilner, Air Corps.
Raymond Oscar Barton, Infantry.
Henry William Harms, Air Corps.
John Earl Lewis, Field Artillery.
Walton Harris Walker, Infantry.
Millard Fillmore Harmon, Jr., Air Corps.
John Duncan Kelly, Cavalry.
Edward Chamberlin Rose, Infantry.
Albert Eger Brown, Infantry.
William Nalle, Cavalry.
Ralph Cadot Holliday, Infantry.
Charles Chisholm Drake, Quartermaster Corps.
William Joseph Morrissey, Infantry.
Robert Theodore Snow, Infantry.
Henry Charles McLean, Infantry.
Frank Victor Schneider, Infantry.
Frank Joseph Riley, Quartermaster Corps.
Benjamin Franklin Delamater, Jr., Infantry.
Ralph Samuel Kimball, Adjutant General's Department.
Francis Bernard Mallon, Infantry.
Lathrop Boyd Clapham, Adjutant General's Department.
John Dilworth von Holtzendorff, Field Artillery.
Carl James Adler, Infantry.
Otto Godfrey Pitz, Coast Artillery Corps.
Burton Young Read, Adjutant General's Department.
Harry William Stark, Coast Artillery Corps.
Duncan Grant Richart, Cavalry.
Fred Hughes Coleman, Air Corps.
Archie Stanton Buyers, Ordnance Department.
William Ayres Borden, Ordnance Department.
Francis Tuttle Armstrong, Field Artillery.
Cecil George Young, Ordnance Department.
Carl Andrew Waldmann, Ordnance Department.
Paul Wesley Evans, Signal Corps.
Henry Armstrong Wingate, Quartermaster Corps.
William Claude Washington, Coast Artillery Corps.
Alfred Bixby Quinton, Jr., Ordnance Department.
Hamilton Templeton, Field Artillery.
Bertram Frankenberger, Field Artillery.
John Keith Boles, Field Artillery.
Edward Fuller Witsell, Adjutant General's Department.
Alfred Loveday Rockwood, Chemical Warfare Service.
Edwin Pearson Parker, Jr., Field Artillery.
John Macaulay Eager, Field Artillery.
Carl Adolphus Hardigg, Quartermaster Corps.
Terry de la Mesa Allen, Cavalry.
John Chilton McDonnell, Air Corps.
Carl Lewis Caphton, Infantry.
William Rudolph Gruber, Field Artillery.
Otto Wagner, Cavalry.
Russell Brown Patterson, Cavalry.
Herbert Joseph Lawes, Quartermaster Corps.
Robert Crayton Williams, Corps of Engineers.
Clyde Vincent Simpson, Signal Corps.
Paul Xavier English, Chemical Warfare Service.
Estil Virgil Smith, Infantry.
Joseph Frank Richmond, Cavalry.
Troy Houston Middleton, Infantry.
Roland Francis Walsh, Quartermaster Corps.
Paul Murray, Infantry.
Roy Messick Jones, Air Corps.
Percy Edgar VanNostrand, Air Corps.
Frederic Vinton Hemenway, Adjutant General's Department.
John Bernard Brooks, Air Corps.
James Merriam Moore, Infantry.
John Breitling Coulter, Cavalry.
Welton Mathew Modisette, Cavalry.
John Parsons Wheeler, Cavalry.
Harold Aron Strauss, Air Corps.
Cyril Arthur Winton Dawson, Coast Artillery Corps.

Sherman Leo Kiser, Field Artillery.
Bradford G. Chynoweth, Infantry.
Howard Eager, Field Artillery.
John Charles Palmer Bartholf, Infantry.
Harold Thompson, Cavalry.
Robert Harwood Barrett, Infantry.
Ernest Joseph Carr, Infantry.
Patrick James Hurley, Infantry.
Hugh Broadus Keen, Infantry.
Walter Owen Rawls, Adjutant General's Department.
Francis Kosier Newcomer, Corps of Engineers.
William Gaulbert Weaver, Infantry.
Charles Francis Williams, Corps of Engineers.
Gordon Russell Young, Corps of Engineers.
Richard Ulysses Nicholas, Corps of Engineers.
Lewis King Underhill, Judge Advocate General's Department.
James Archer Dorst, Corps of Engineers.
Lunsford Errett Oliver, Corps of Engineers.
William Chalmers Young, Ordnance Department.
William Carey Crane, Field Artillery.
Carlos Brewer, Field Artillery.
David Edward Cain, Field Artillery.
John Eugene McMahon, Jr., Field Artillery.
Francis Augustus Englehart, Ordnance Department.
William Ashley Copthorne, Chemical Warfare Service.
George Wessely Sliney, Field Artillery.
Selby Harney Frank, Ordnance Department.
Eugene Tritle Spencer, Field Artillery.
Willis Dale Crittenberger, Cavalry.
Robert Heber Van Volkenburgh, Coast Artillery Corps.
Alfred Bainbridge Johnson, Ordnance Department.
Falkner Heard, Field Artillery.
Roland Louis Gaugler, Ordnance Department.
Samuel John Heidner, Infantry.
Junius Wallace Jones, Air Corps.
Thoburn Kaye Brown, Cavalry.
Manning Marius Kimmel, Jr., Coast Artillery Corps.
John Huff Van Vliet, Infantry.
Leland Swarts Devore, Infantry.
Geoffrey Keyes, Cavalry.
Douglass Taft Greene, Infantry.
Robert Meredith Perkins, Coast Artillery Corps.
Lawrence Babbitt Weeks, Coast Artillery Corps.
Clarence Hagbart Danielson, Adjutant General's Department.
James Nixon Peale, Infantry.
John Arthur Considine, Cavalry.
David Beauregard Falk, Jr., Infantry.
William Cooper Foote, Coast Artillery Corps.
Francis Reuel Fuller, Infantry.
Clinton Warden Russell, Air Corps.
William Richard Schmidt, Infantry.
Louis Aleck Craig, Field Artillery.
George Edward Lovell, Jr., Air Corps.
Otis Keilholtz Sadtler, Signal Corps.
William Henry Jones, Jr., Infantry.
John Erskine Ardrey, Infantry.
Carlyle Hilton Nash, Air Corps.
Henry Pratt Perrine, Jr., Infantry.
Dennis Edward McCunniff, Infantry.
Henry Balding Lewis, Adjutant General's Department.
Henry Barlow Cheadle, Infantry.
Stewart Shepherd Giffin, Coast Artillery Corps.
Samuel Alexander Gibson, Infantry.
Paul Woolever Newgarden, Infantry.
Charles Andrew King, Jr., Infantry.
Alexander McCarrell Patch, Jr., Infantry.
Charles Bishop Lyman, Infantry.
Robert Lily Sprogins, Infantry.
Ward Elverson Duvall, Coast Artillery Corps.
James Brown Gillespie, Ordnance Department.
Hans Robert Wheat Herwig, Quartermaster Corps.
Howard Calhoun Davidson, Air Corps.
William Lynn Roberts, Infantry.
William Alexander McCulloch, Infantry.
Lathe Burton Row, Infantry.
George Washington Price, Infantry.
Herbert Slayden Clarkson, Field Artillery.
Charles Gardiner Helmick, Field Artillery.
Madison Pearson, Adjutant General's Department.
Robert Duncan Brown, Coast Artillery Corps.
Ray Wehnes Barker, Field Artillery.
Mack Garr, Cavalry.
Edward Oliver Halbert, Coast Artillery Corps.
Frank Bonne Jordan, Field Artillery.
Alfred Eugene Sawkins, Infantry.
Robert Emmet Carmody, Cavalry.
Harry Lee King, Coast Artillery Corps.
Thomas James Camp, Infantry.
Robert Ogden Annin, Cavalry.
Augustin Mitchell Prentiss, Chemical Warfare Service.
Ralph Hospital, Field Artillery.
Theodore Barnes, Chemical Warfare Service.
Casey Hewitt Hayes, Field Artillery.
Harvey Steele Burwell, Air Corps.
Charles Bellows Hazeltine, Cavalry.
Russell Alger Osmun, Quartermaster Corps.
Joseph Olden Daly, Field Artillery.
Sidney Erickson, Infantry.
Ener Yeager, Field Artillery.
Keith Frazee Adamson, Ordnance Department.
Frank Earl Bonney, Infantry.
Harry Fouts Hazlett, Infantry.
George Lamberton Smith, Infantry.
Mahlen Augustus Joyce, Infantry.
Paul R. Davison, Cavalry.
William Henry Holcombe, Corps of Engineers.
Charles Philip Gross, Corps of Engineers.
Peter Cleary Bullard, Corps of Engineers.
Brehon Burke Somervell, Corps of Engineers.
Xenophon Herbert Price, Corps of Engineers.
Robert Walter Crawford, Corps of Engineers.
Dabney Otey Elliott, Corps of Engineers.
Frederick William Herman, Corps of Engineers.
John Hill Carruth, Corps of Engineers.
Philip Loomis Thurber, Field Artillery.
John Churchill Wyseth, Field Artillery.
Arthur Ringland Harris, Field Artillery.
LaRhett Livingston Stuart, Coast Artillery Corps.
John Adams Brooks, Jr., Ordnance Department.
Cleveland Hill Bandholtz, Ordnance Department.
John Green Burr, Field Artillery.
Frank Lawrence Haskins, Coast Artillery Corps.
John Benjamin Anderson, Field Artillery.
Cedric Watterson Lewis, Signal Corps.
Joseph DeMoss McCain, Coast Artillery Corps.
Harry Clyde Ingles, Signal Corps.
James Lester Bradley, Infantry.

To be majors

Harry Winchester Benson, Cavalry.
John Hume Lucas, Infantry.
James William Howder, Quartermaster Corps.
Charles Cramer, Cavalry.
George Prentice Cummings, Cavalry.
John McBride, Infantry.
Charles Winston Burkett, Cavalry.
George Munteanu, Infantry.
Louis Bronson Gerow, Quartermaster Corps.
Clyde Eugene Austin, Quartermaster Corps.
Raymond Oscar Miller, Infantry.
Herman Christopher Kliber, Quartermaster Corps.
Victor Geoffrey Huskea, Infantry.
Fred Blackburn Rogers, Infantry.
Sexton Berg, Cavalry.
Cornelius Francis O'Keefe, Cavalry.
Samuel Israel Zeidner, Quartermaster Corps.
Raymond Dresden Willis, Infantry.
Elliot Duncan Cooke, Infantry.
James Philip Lyons, Infantry.
Lloyd Leon Harvey, Air Corps.
Ernest Samusson, Infantry.
Alfred Steere Knight, Infantry.

Thomas Watson Hastey, Air Corps.
Alexander Calhoun Doyle, Quartermaster Corps.
Floyd Hubert Bain, Infantry.
Louis de Jussewicz, Quartermaster Corps.
Chester John Hirschfelder, Infantry.
Morris Berman, Air Corps.
Richard Fayette Fairchild, Infantry.
Donald John Myers, Infantry.
Charles Allen Easterbrook, Adjutant General's Department.
Herbert Allyn Myers, Cavalry.
Harold Witter Churchill, Ordnance Department.
Herbert Foster Wilkinson, Quartermaster Corps.
Marion Fred Shepherd, Infantry.
Rhey Thoburn Hollett, Cavalry.
George Fridjhof Bloomquist, Infantry.
Frank Emil Stoner, Signal Corps.
Roy Francis Lynd, Infantry.
Ernest Clifford Ayer, Infantry.
James Lester Ballard, Infantry.
John Patrick Ferriter, Signal Corps.
Harold William Webbe, Signal Corps.
Edward Henry Taliaferro, Jr., Coast Artillery Corps.
Walter Hitzfeldt, Field Artillery.
Walter Bender, Air Corps.
Aubrey Haines Baldwin, Quartermaster Corps.
Fred George Miller, Signal Corps.
Price Walter Beebe, Infantry.
James Jacob Firestone, Quartermaster Corps.
George Corbett Pilkington, Infantry.
James Kirker Campbell, Infantry.
Robert Lee Wright, Infantry.
Joseph Louis Bachus, Infantry.
Clyde Clarkson Way, Infantry.
Valentine Pearsall Foster, Coast Artillery Corps.
Richard Ernest Dupuy, Field Artillery.
Robert Neville Mackin, Jr., Coast Artillery Corps.
Harold Dean Woolley, Infantry.
John Henry Ball, Field Artillery.
Alfred Goodrich Braden, Jr., Judge Advocate General's Department.
Russell Baker, Infantry.
Everett Ernest Brown, Infantry.
Fay Ross, Infantry.
Harry LeRoy Branson, Cavalry.
Nels Louis Soderholm, Infantry.
Cyril Branston Spicer, Infantry.
Frank Gilson Chaddock, Field Artillery.
Carl Marcus Ulsaker, Infantry.
Arthur Henry Rogers, Infantry.
Clinton William Ball, Corps of Engineers.
Harry Allen Austin, Infantry.
Kenneth George Althaus, Infantry.
Malcolm Byrne, Cavalry.
William Alexander Ellis, Infantry.
Sydney Clyde Fergason, Infantry.
Severne Spence MacLaughlin, Infantry.
Burton Francis Hood, Infantry.
Josiah Ara Wallace, Field Artillery.
Patrick Eugene Shea, Field Artillery.
William Daniel Candler, Quartermaster Corps.
Robert Baxter Field, Quartermaster Corps.
Charles Perfect, Quartermaster Corps.
James Truman Menzie, Cavalry.
Eugene Martin Foster, Finance Department.
Glenn Alonzo Ross, Quartermaster Corps.
Albert Michael Guidera, Air Corps.
Mark Vinton Brunson, Quartermaster Corps.
Elbridge Gerry Chapman, Jr., Infantry.
John James Harvey, Infantry.
Norman Doud Finley, Infantry.
Lincoln Martin, Quartermaster Corps.
Philip Theodore Fry, Infantry.
Edwin Owen Baker, Signal Corps.
Fred Guy Borden, Signal Corps.
Calvin Halcombe Burkhead, Signal Corps.
James Francis Doherty, Air Corps.
Wilmer Micajah Flinn, Quartermaster Corps.
Fred Page Andrews, Signal Corps.
Samuel Robert Kimble, Ordnance Department.
George Walter Whybark, Coast Artillery Corps.
John Gardiner Drinkwater, Corps of Engineers.
Bernard Smith, Corps of Engineers.
Donald Buckingham Greenwood, Coast Artillery Corps.
Lewis Charles Beebe, Infantry.
Alexander Seymour Ackerman, Corps of Engineers.
Howard McClymonds Yost, Corps of Engineers.
William Van Dyke Ochs, Cavalry.
Coburn Lee Berry, Coast Artillery Corps.
Edward Henry Besse, Quartermaster Corps.
Rufo McAmis Fitzpatrick, Infantry.
Lynwood Benjamin Jacobs, Air Corps.
George Roscoe Hedge, Infantry.
Ernest Russ Barrows, Coast Artillery Corps.
Vernon Webster Hall, Coast Artillery Corps.
Burritt Havilah Hinman, Judge Advocate General's Department.
William Moore Carter, Infantry.
Rolla Valentine Ladd, Coast Artillery Corps.
Walter James Gilbert, Coast Artillery Corps.
Frederic Webster Cook, Coast Artillery Corps.
Harold Street Wilkins, Ordnance Department.
Albert Leon Tuttle, Infantry.
Franklin Eugene Edgecomb, Coast Artillery Corps.
Harry Lee Hagan, Infantry.
Patrick Joseph Dodd, Infantry.
Louis James Bowler, Coast Artillery Corps.
Dan Maynard Ellis, Infantry.
Frank Wilbur Wright, Air Corps.
George Blaney, Coast Artillery Corps.
Elmer Theodore Foss, Quartermaster Corps.
George David Condren, Infantry.
Douglass Newman McMillin, Infantry.
Thomas Raymond Parker, Coast Artillery Corps.
Elmer G. Lindroth, Infantry.
Gersum Cronander, Cavalry.
Harry Burgie Smith, Quartermaster Corps.
Jewett DeWitt Matthews, Field Artillery.
Harold Borden Bliss, Coast Artillery Corps.
Andrew Jackson Powell, Infantry.
Don Richman Norris, Coast Artillery Corps.
Stuart McLeod, Field Artillery.
Nathaniel Ernest Callen, Infantry.
Ernest Collidge Goding, Infantry.
Lawrence Stanley Woods, Quartermaster Corps.
Edward Joseph Glynn, Quartermaster Corps.
George Irvin Smith, Cavalry.
Joseph Vincent Coughlin, Infantry.
Macey Lillard Dill, Infantry.
Edgar Peter Sorensen, Air Corps.
Edward Julius Renth, Infantry.
James Richard Townsend, Coast Artillery Corps.
George Head Duff, Field Artillery.
John Henry Harrington, Coast Artillery Corps.
Francis Firmin Fainter, Infantry.
Peter Girardeau Marshall, Jr., Infantry.
Robert Olds, Air Corps.
Eugene John Heller, Quartermaster Corps.
Thomas Harry Chambers, Finance Department.
Daniel O'Connell, Quartermaster Corps.
Arthur Louis Koch, Quartermaster Corps.
Floyd Duren Jones, Quartermaster Corps.
Raymond Charles Blatt, Cavalry.
Franklin Miller Cochran, Infantry.
Fred William Fallin, Quartermaster Corps.
Elmer Conrad Goebert, Ordnance Department.
Edward Brigham McKinley, Quartermaster Corps.
Gilbert Livingston Thompson, Signal Corps.
William Arthur Worley, Quartermaster Corps.
Joseph Pemberton Glandon, Quartermaster Corps.
Claude Mitchell Adams, Infantry.
Walter Patrick O'Brien, Infantry.

Byron Tully Ipock, Coast Artillery Corps.
Carl Hugo Jabelonsky, Quartermaster Corps.
Lester Levi Boggs, Field Artillery.
Calvin Sutton Richards, Field Artillery.
Alexander Mitchell Owens, Quartermaster Corps.
Clifford Debray Cuny, Signal Corps.
Ira Harry Treest, Signal Corps.
Philip Boswell Taliaferro, Coast Artillery Corps.
Frank Brevard Hayne, Infantry.
Thomas Reed Bartlett, Coast Artillery Corps.
Lloyd Chandler Parsons, Signal Corps.
Theodore Edward Thomas Haley, Field Artillery.
Frederick Van Antwerp Berger, Quartermaster Corps.
Ralph Richard Guthrie, Signal Corps.
Archie Keefer Rupert, Infantry.
Thomas Castleman Harry, Field Artillery.
Harry Bernard Allen, Field Artillery.
Arthur Pickens, Infantry.
Martin Clinton Walton, Jr., Field Artillery.
Samuel Charles Harrison, Infantry.
Charles Robert Hall, Field Artillery.
Daniel Floyd Jones, Field Artillery.
Walter Mulford Mann, Infantry.
Lewis Evans Reigner, Field Artillery.
Oscar Nelson Schjerven, Field Artillery.
William Leslie Brown, Infantry.
William Archibald Campbell, Field Artillery.
James Clark Hughes, Field Artillery.
Fred Ordway Wickham, Infantry.
William Gregory Brey, Coast Artillery Corps.
William Henry Sadler, Quartermaster Corps.
Ben Butler Blair, Coast Artillery Corps.
Frederick Sidney Doll, Infantry.
Lawrence Gibson Forsythe, Cavalry.
Humphrey Swygart Evans, Quartermaster Corps.
Robert Edwards Hannay, Jr., Judge Advocate General's Department.
Lewis Frederick Kosch, Field Artillery.
Allender Swift, Infantry.
William Richard Maris, Coast Artillery Corps.
Marion Lyman Young, Field Artillery.
Earle Howard Malone, Infantry.
Roy Samuel Gibson, Infantry.
John Gerak Cook, Field Artillery.
Everard Franklin Olsen, Coast Artillery Corps.
Irving Devance Offer, Field Artillery.
Arthur Francis Doran, Field Artillery.
Melvin Earl Gillette, Signal Corps.
Tom Christopher Rives, Signal Corps.
Andrew Raymond Reeves, Field Artillery.
Lewis Blaine Hershey, Field Artillery.
William Frederic Marquat, Coast Artillery Corps.
Willis Aubrey Hedden, Infantry.
Allison Ware Jones, Coast Artillery Corps.
Howard Herndon Davis, Infantry.
George Eitle Hartman, Quartermaster Corps.
Philip Frederick Biehl, Coast Artillery Corps.
James Gasper Devine, Coast Artillery Corps.
Richard Bocock Willis, Field Artillery.
Howard Nathaniel Frissell, Infantry.
Henry Vaughn Dexter, Infantry.
Hans Ernest Kloepfer, Cavalry.
Edward Allen Everitt, Jr., Cavalry
Ted Harold Cawthorne, Infantry.
Henry Barton Dawson, Field Artillery.
Robert Hughes Lord, Infantry.
Archibald Ross MacKechnie, Infantry.
John Paul Ratay, Field Artillery.
Mose Kent Pigman, Infantry.
Harry William Maas, Cavalry.
Fenton Gay Epling, Coast Artillery Corps.
Herbert Gray Esden, Infantry.
Francis Henry Boucher, Field Artillery.
William Henry Sweet, Coast Artillery Corps.
Louis Cansler, Signal Corps.
Ross Gordon Hoyt, Air Corps.
William Bentley Mayer, Air Corps.
Harold Kernan, Field Artillery.
Hubert Augustine McMorrow, Coast Artillery Corps.
George Albert Jackson, Infantry.
Dwight Hughes, Jr., Cavalry.
William Robert Stickman, Cavalry.
Maximilian Clay, Infantry.
Calvert Hinton Arnold, Signal Corps.
Lloyd William Biggs, Cavalry.
Wilkie Collins Burt, Cavalry.
Ralph Emerson Bower, Infantry.
George Leland Eberle, Infantry.
Rufus Stanley Ramey, Cavalry.
Marcus Brenneman Bell, Infantry.
Louis Joseph Fortier, Field Artillery.
James Bentley Taylor, Cavalry.
Remington Orsinger, Infantry.
William Stewart Morris, Infantry.
Richard Henry Ballard, Air Corps.
Leon Chapman Dennis, Coast Artillery Corps.
Charles William Chalker, Infantry.
James Clay Short, Cavalry.
Roy Crawford Moore, Quartermaster Corps.
William Fred Lafrenz, Coast Artillery Corps.
John Deane Forsythe, Infantry.
John Franklin Hepner, Field Artillery.
Lawrence Byron Wyant, Cavalry.
Leslie T. Lathrop, Infantry.
James Black Muir, Jr., Coast Artillery Corps.
Edmund Hathaway Stillman, Coast Artillery Corps.
Robert Chapman Snidow, Coast Artillery Corps.
Ralph Hudson Wooten, Air Corps.
Kenneth Burman Bush, Adjutant General's Department.
Charles Henry Keck, Ordnance Department.
James Thomas Duke, Cavalry.
Thomas Watkins Ligon, Cavalry.
Edward Hale Brooks, Field Artillery.
James David Brown, Coast Artillery Corps.
Weyland Bixby Augur, Cavalry.
Harold Mark McClelland, Air Corps.
William Brooks Bradford, Cavalry.
Edmund Waring McLarren, Finance Department.
Arnold Wilkinson Shutter, Field Artillery.
Abram Franklin Kibler, Field Artillery.
Cecil Ray Moore, Corps of Engineers.
Francis Sylvester Conaty, Field Artillery.
Norman Lee Baldwin, Signal Corps.
Grafton Sherwood Kennedy, Ordnance Department.
William Caldwell Dunckel, Field Artillery.
Harold Clarkson Mabbott, Coast Artillery Corps.
John Waller Faulconer, Jr., Field Artillery.
Gennad Alban Greaves, Field Artillery.
Francis Murry Crist, Field Artillery.
Lucas Elmendorf Schoonmaker, Coast Artillery Corps.
William Fergus Kernan, Field Artillery.
Gordon Marshall Wells, Ordnance Department.
Don Carlos Faith, Infantry.
Raymond Orr, Infantry.
Hermon French Safford, Ordnance Department.
Clifford Dean Hindle, Coast Artillery Corps.
Thomas Adam Austin, Jr., Infantry.
Morrill Ross, Field Artillery.
Vernon McTyeire Shell, Cavalry.
John Averill Steere, Field Artillery.
Leslie Edwards Babcock, Field Artillery.
Francis Howard Wilson, Infantry.
James Charles Longino, Quartermaster Corps.
Maxton Hale Flint, Finance Department.
Eugene Peter Henry Gampel, Chemical Warfare Service.
Charles Swett Pettee, Infantry.
John Melville Sanderson, Field Artillery.
Sidney Hamlet Negrotto, Infantry.
Gustav Joseph Braun, Infantry.
William Henry Egle Holmes, Field Artillery.
John Lindley Gammell, Field Artillery.
Charles William Walton, Chemical Warfare Service.
Douglas Meriwether Griggs, Coast Artillery Corps.

Ward Hale Maris, Field Artillery.
Hugh John FitzGerald, Cavalry.
Everett Langdon Upson, Infantry.
James Paul Jacobs, Coast Artillery Corps.
Paul Joseph Matte, Cavalry.
Don Forrester Pratt, Infantry.
Ernest Ransome Percy, Coast Artillery Corps.
Murray Henry Ellis, Cavalry.
Walcott Paige Hayes, Air Corps.
Ernest Cleveland Bomar, Ordnance Department.
Donovan Paul Yeuell, Infantry.
Charles Edward Atkinson, Coast Artillery Corps.
Gustav Bismark Guenther, Cavalry.
Edward Benedict McCarthy, Coast Artillery Corps.
Leslie Frederick Lawrence, Cavalry.
Horace Waldo Forster, Cavalry.
Edwin Hubert Randle, Infantry.
Simpson Ridley Stribling, Ordnance Department.
Francis Marion Rich, Infantry.
Waldemar Adolph Falck, Cavalry.
Carl John Rohsenberger, Cavalry.
James Veto McDowell, Cavalry.
James Thomas Campbell, Coast Artillery Corps.
Howard Spencer MacKirdy, Coast Artillery Corps.
Harry Lee Hart, Quartermaster Corps.
John Henry Gibson, Infantry.
James Henry Beals Bogman, Signal Corps.
Percy Stuart Hayden, Cavalry.
Edwin Ernest Aldridge, Infantry.
Edwin Blake Crabill, Infantry.
Edmund Walton Hill, Air Corps.
Albert Edward McIntosh, Cavalry.
Alfred Marston Shearer, Signal Corps.
Halbert Hale Neilson, Cavalry.
James Obadiah Tarbox, Infantry.
Truman Everett Boudinot, Cavalry.
Raymond Frank Edwards, Infantry.
Maurice Eugene Barker, Chemical Warfare Service.
Oren Anelen Mulkey, Infantry.
Stephen Boon, Jr., Cavalry.
Harold Glaucus Holt, Cavalry.
Robert Alexis McClure, Infantry.
Graham Roscoe Schweickert, Infantry.
Charles Gordon Hutchinson, Cavalry.
George Davis Wiltshire, Cavalry.
Arthur John Wehr, Signal Corps.
Wannie Lee Bartley, Quartermaster Corps.
Norman John McMahon, Field Artillery.
Donald Morris Bartow, Infantry.
Paul Louis Singer, Infantry.
Joseph Louis Ready, Infantry.
Earl Coulson Flegel, Infantry.
Herbert Blish Wheeler, Infantry.
Wilbur Stern Elliott, Quartermaster Corps.
Kirke Brooks Lawton, Signal Corps.
Neil Smith Edmond, Infantry.
Harold Haney, Infantry.
Martin DeWitt McAllister, Infantry.
William Henry Colbern, Field Artillery.
Marcel Alfred Gillis, Infantry.
John William Carroll, Cavalry.
Charles Lewis, Finance Department.
Floyd Merritt Hyndman, Cavalry.
Ira Claude Nicholas, Infantry.
Clarence Walter Richmond, Quartermaster Corps.
George Edward Kraul, Infantry.
Arthur Wilson Waldron, Coast Artillery Corps.
George Foster Hobson, Quartermaster Corps.
John Bryce Casseday, Quartermaster Corps.
John Francis Hanley, Infantry.
William Herbert Murphy, Signal Corps.
Ben Stafford, Infantry.
Dover Bell, Quartermaster Corps.
Harold Lester Egan, Infantry.
Charles Adolph Kraus, Quartermaster Corps.
John Kasper, Quartermaster Corps.
George Ernest Kelsch, Infantry.
John Lynch, Infantry.
Arthur Randolph Whitner, Infantry.
Edward Joseph Maloy, Quartermaster Corps.
Carmi Luzerne Williams, Infantry.
Elmer John Armstrong, Infantry.
Sumner Morris Smith, Field Artillery.
Herbert Baldwin, Finance Department.
William Fisk, Infantry.
Albert Barnett Jones, Corps of Engineers.
Hamilton Thorn, Infantry.
John Wade McCormick, Infantry.
Charles Edwin Knickerbocker, Infantry.
James Roger Kennedy, Infantry.
Robert Edward Jones, Infantry.
Clarence Howard Kells, Infantry.
Harold Ragan Priest, Infantry.
David Cleveland Kelly, Ordnance Department.
Frank Henry Hollingsworth, Field Artillery.
Randolph Russell, Cavalry.
Brock Putnam, Cavalry.
James Aloysius Hasson, Infantry.
Edwin Miles Sumner, Cavalry.
Thomas Henry Green, Judge Advocate General's Department.
Harold de Beaumont Bruck, Cavalry.
Donald Anderson Young, Cavalry.
Hans Charles Minuth, Cavalry.
Christian Allen Schwarzwaelder, Quartermaster Corps.
Edwin Clarence Gere, Quartermaster Corps.
Howard Nichols Merrill, Infantry.
Harold Putnam Detwiler, Coast Artillery Corps.
Clarence Francis Hofstetter, Ordnance Department.
Charles Lawrence Bolte, Infantry.
Theodore Francis Wessels, Infantry.
Arthur John McChrystal, Adjutant General's Department.
Malcolm Fraser Lindsey, Infantry.
Horace Oscar Cushman, Infantry.
Harley Latson, Corps of Engineers.
William Maine Hutson, Infantry.
David Henry Finley, Infantry.
Clifford Arthur Eastwood, Cavalry.
Vinton Lee James, Jr., Infantry.
William Franklin Campbell, Quartermaster Corps.
Stuart Cutler, Infantry.
John Reuben Boatwright, Infantry.
Lester Nelson Allyn, Infantry.
Henry Lester Barrett, Infantry.
Archibald Donald Fisken, Coast Artillery Corps.
Fenton Stratton Jacobs, Cavalry.
Raymond Rolland Tourtillott, Infantry.
George Albert Hadd, Infantry.
Joseph Purnell Cromwell, Adjutant General's Department.
Lawrence Locke Clayton, Signal Corps.
Catesby ap Catesby Jones, Cavalry.
William Mayer, Chemical Warfare Service.
James Laird Craig, Coast Artillery Corps.
Ray Maxey Hare, Quartermaster Corps.
Walter Francis Mullins, Infantry.
Henry Lord Page King, Signal Corps.
Charles Ernest Loucks, Chemical Warfare Service.
Herbert Vaughan Scanlan, Cavalry.
George Philip Seneff, Field Artillery.
Russell Gordon Ayers, Infantry.
William Allen Wappenstein, Infantry.
Charles Hayden Owens, Infantry.
Joseph William Loef, Field Artillery.
Carter Collins, Infantry.
Hugh McCauley Cochran, 3d, Coast Artillery Corps.
George Edwin Abrams, Infantry.
Albert Dickinson Foster, Infantry.
Donald Parker Spalding, Infantry.
Ercil Dale Porter, Infantry.
Harold Jack Adams, Signal Corps.
Claude Alfred White, Field Artillery.
John Franklin Farnsworth, Infantry.
William Booth Van Auken, Cavalry.
Archer Lynn Lerch, Infantry.

Wendell Lapsley Clemenson, Infantry.
Moses William Pettigrew, Field Artillery.
Walter Francis Kraus, Air Corps.
Charles James Deahl, Jr., Infantry.
Arcadi Gluckman, Infantry.
Dale Milton Hoagland, Field Artillery.
Roy Thomas Rouse, Infantry.
Lester Martin Kilgarif, Field Artillery.
James Wilson Rice, Chemical Warfare Service.
James Polk Gammon, Infantry.
James Irving Gibbon, Cavalry.
Burton Curtis Andrus, Cavalry.
Arthur Lafayette Warren, Field Artillery.
Irwin Lytle Lummis, Infantry.
David Lewis Ruffner, Field Artillery.
Mark Milton Serrem, Ordnance Department.
Arthur William Gower, Coast Artillery Corps.
John Taylor Lewis, Coast Artillery Corps.
Ross Breckon Warren, Field Artillery.
Walter David Luplow, Corps of Engineers.
Samuel Lusker McCroskey, Coast Artillery Corps.
Arvid Paul Croonquist, Infantry.
Oliver Boone Bucher, Coast Artillery Corps.
Clarence Ames Martin, Infantry.
Francis Stuart Swett, Coast Artillery Corps.
Henning Linden, Infantry.
George Read, Jr., Infantry.
Harold Taylor Brotherton, Field Artillery.
Miles Whitney Kresge, Ordnance Department.
Ralph de Poix Terrell, Field Artillery.
Walter Alexander Dumas, Infantry.
Edwin Emerson Keatley, Infantry.
George Worcester Ricker, Coast Artillery Corps.
George Comfort Parkhurst, Infantry.
Don Magruder Scott, Infantry.
Robert Edward Wysor, Jr., Infantry.
James Edward Wharton, Infantry.
Edgar Allen O'Hair, Field Artillery.
Martin Dunlap Barndollar, Jr., Infantry.
Lewis Simons, Infantry.
James Harold Day, Infantry.
George William Outland, Ordnance Department.
John Mead Silkman, Corps of Engineers.
Loren Archibald Wetherby, Infantry.
James Joseph Coghlan, Infantry.
Bernard Butler McMahon, Infantry.
George Edwin Fingarson, Infantry.
Stanley Raymond Mickelsen, Coast Artillery Corps.
Ernest Albert Rudelius, Infantry.
William Lee Blanton, Infantry.
Carl Beecher Byrd, Cavalry.
Thomas Brady, Jr., Quartermaster Corps.
Porter Pise Wiggins, Infantry.
Gilbert Xavier Cheves, Cavalry.
William Edward Corkill, Field Artillery.
John Thomas Zellars, Infantry.
Richard Alfred McClure, Infantry.
Carroll Gowen Riggs, Coast Artillery Corps.
John Adams Ballard, Signal Corps.
Emons Bert Whisner, Infantry.
George Wesley Griner, Jr., Infantry.
Douglas Lee Crane, Field Artillery.
Hugh Tullock Mayberry, Infantry.
Wade Carpenter Gatchell, Cavalry.
Frederic Harris Timmerman, Field Artillery.
Harry Staples Robertson, Infantry.
Philip Edward Brown, Infantry.
Andrew Jackson Wynne, Cavalry.
Olaf Phillips Winningstad, Ordnance Department.
Winfred Charles Green, Field Artillery.
Marion Irwin Voorhes, Cavalry.
George Arthur Davis, Infantry.
George VanWyck Pope, Infantry.
George Ellsworth Butler, Infantry.
Edgar Lewis Clewell, Signal Corps.
Herbert Fritz Ernst Bultman, Coast Artillery Corps.
Joel Rankin Burney, Infantry.
Wilton Burton Persons, Signal Corps.
Campbell Nelson Jackson, Infantry.
Homer Case, Coast Artillery Corps.
John Henry Gardner, Jr., Signal Corps.
Earl Cranston Ewert, Field Artillery.
Bird Little, Infantry.
Lucian King Truscott, Jr., Cavalry.
Guy Cummins McKinley, Jr., Infantry.
Gordon Prescott Savage, Infantry.
Harold Hugh McClune, Infantry.
Lester Earl MacGregor, Infantry.
Harold Pearson Gibson, Infantry.
Lloyd Ross Besse, Infantry.
Charles Fearn Sutherland, Infantry.
Gilbert Everhard Parker, Infantry.
Francis Beeston Laurenson Myer, Quartermaster Corps.
Arthur Seymour Nevins, Infantry.
John George Murphy, Coast Artillery Corps.
Gustave Villaret, Jr., Infantry.
Edwin Sanders Van Deusen, Quartermaster Corps.
Joe Jens Miller, Signal Corps.
George Alfred Hunt, Infantry.
Frank Johnson McSherry, Coast Artillery Corps.
John Ernest Dahlquist, Infantry.
William Eugene Farthing, Air Corps.
Tom Sherman Brand, Infantry.
Charles Morris Ankcorn, Infantry.
James Robinson Urquhart, Infantry.
Morrill Watson Marston, Infantry.
William Edward Bergin, Adjutant General's Department.
John Calvin Butner, Jr., Field Artillery.
Benjamin Wilson Venable, Infantry.
John Lawrence Murphy, Infantry.
Edward Stanley Ott, Field Artillery.
Melvin Leslie McCreary, Field Artillery.
Herman Hollie Felix Gossett, Field Artillery.
Murray Matthews Montgomery, Field Artillery.
Lester Johnson Whitlock, Field Artillery.
A. Pledger Sullivan, Adjutant General's Department.
Harry Lee Campbell, Ordnance Department.
John Kay Christmas, Ordnance Department.
Harvey Edward, Quartermaster Corps.
Leo James McCarthy, Infantry.
Earl Franklyn Paynter, Infantry.
Ernest Arthur Williams, Cavalry.
George Price Hays, Field Artillery.
George Harrison Millholland, Cavalry.
Herbert Daskum Gibson, Infantry.
Harry Squire Wilbur, Infantry.
Ralph Julian Canine, Field Artillery.
Paul Blassengame Robinson, Infantry.
William Lamont Coulter, Infantry.
Joseph Henry Hinwood, Infantry.
Russell Fleming Walthour, Jr., Infantry.
Timothy Asbury Pedley, Jr., Infantry.
Donald Ross Dunkle, Cavalry.
Chester Earl Davis, Cavalry.
Edwin Turner Bowden, Infantry.
Holmes Gill Paullin, Cavalry.
Ray Edison Porter, Infantry.
Frank Exley Barber, Infantry.
John Earl Brannan, Infantry.
John Hamilton Irving, Cavalry.
Oliver Ferguson Marston, Field Artillery.
Evan Dhu Cameron, Jr., Signal Corps.
Clarence Clemons Park, Field Artillery.
Glenn Smith Finley, Cavalry.
William Volney Rattan, Infantry.
Rosswell Eric Hardy, Ordnance Department.
Manly Foster Meador, Cavalry.
Zim E. Lawhon, Field Artillery.
Lloyd Zuppann, Infantry.
John Kirkland Rice, Infantry.
Hammond Davies Birks, Infantry.
James Holden Hagan, Infantry.
Lester Smith Ostrander, Infantry.
Charles Spurgeon Johnson, Infantry.

Manly Broadus Gibson, Coast Artillery Corps.
Charles Hayes Henry, Infantry.
John Harold Keatinge, Field Artillery.
Hugh Andrew Wear, Infantry.
George Allan Miller, Infantry.
Stockbridge Carleton Hilton, Field Artillery.
William Russell Philp, Field Artillery.
George Anthony Horkan, Quartermaster Corps.
Charles Herman Unger, Cavalry.
Walter Harold Soderholm, Ordnance Department.
Samuel Cranmer Thompson, Infantry.
Harry Winant Caygill, Infantry.
James Elson Jeffres, Infantry.
Vennard Wilson, Ordnance Department.
Orlo Harry Quinn, Air Corps.
Lewis Anderson Page, Infantry.
Alexander Oscar Gorder, Infantry.
Geoffrey Marshall, Chemical Warfare Service.
Percy Custer Fleming, Field Artillery.
Edward Maynard Fickett, Cavalry.
John Francis Roehm, Field Artillery.
Milo Victor Buchanan, Infantry.
Kearie Lee Berry, Infantry.
William Elbridge Chickering, Adjutant General's Department.
Wilbur Reece McReynolds, Infantry.
Howell Redd Hanson, Field Artillery.
George Robert Hayman, Field Artillery.
Howard Everett Camp, Field Artillery.
James Couzens Van Ingen, Signal Corps.
Fred Currie Milner, Infantry.
Charles Frost Craig, Infantry.
Lloyd Smith Partridge, Field Artillery.
Callie Hammond Palmer, Cavalry.
Karl Eugene Henion, Infantry.
Harold Whittle Blakeley, Field Artillery.
George Orial Clark, Infantry.
Lewis Allison Hudgins, Coast Artillery Corps.
Russell J. Potts, Infantry.
William Hoover Craig, Infantry.
Ollie William Reed, Infantry.
William Lawrence Phillips, Infantry.
Levi Monroe Bricker, Ordnance Department.
Louis Wilson Maddox, Infantry.
James Gaulding Watkins, Field Artillery.
Christopher Columbus Strawn, Cavalry.
William Fulton Magill, Jr., Infantry.
Robert John Wagoner, Quartermaster Corps.
Sam Williams Anderson, Coast Artillery Corps.
Alfred Joseph deLorimier, Cavalry.
Everett Busch, Field Artillery.
James Taylor, Infantry.
Stewart Darden Hervey, Infantry.
Frank Joyce Pearson, Infantry.
Lester Thomas Miller, Air Corps.
Leo Donovan, Infantry.
Arthur Bee McDaniel, Air Corps.
Percy McCay Vernon, Infantry.
xRichard Earl Tallant, Cavalry.
Peter J. Lloyd, Infantry.
Henry Hale Cheshire, Cavalry.
Theodore Morton Cornell, Infantry.
Paul Vincent Kellogg, Infantry.
Herbert Ludwell Earnest, Cavalry.
Charles Spurgeon Harris, Coast Artillery Corps.
John Reed Hodge, Infantry.
Arthur Richard Walk, Infantry.
Leslie Egner Toole, Infantry.
Francis Murray Brady, Air Corps.
Paul Wolcott Rutledge, Coast Artillery Corps.
Eubert Harrison Malone, Infantry.
Ray Tyson Maddocks, Cavalry.
James Footville Butler, Infantry.
Richard Nelson Atwell, Cavalry.
Truman Morris Martin, Infantry.
Morris Simpson Daniels, Jr., Cavalry.
Cecil Leland Rutledge, Infantry.
Theodore Christian Gerber, Ordnance Department.
Lawrence Leonard William Meinzen, Infantry.
John Orland Lawrence, Cavalry.
George LeConte Ramsey, Infantry.
John Johnson Albright, Infantry.
Charles Williamson Glover, Field Artillery.
Alexander Adair, Infantry.
Grant Alexander Schlieker, Infantry.
William Grant Hilliard, Jr., Infantry.
Leslie Marshall Skerry, Field Artillery.
Walter Carper Phillips, Infantry.
Anthony Joseph Touart, Infantry.
Arthur Edmund Easterbrook, Air Corps.
Harry John Collins, Infantry.
James Van Valkenburgh Shufelt, Cavalry.
Henry Paul Hallowell, Infantry.
Hobart Raymond Gay, Quartermaster Corps.
Oscar Dubois McNeely, Coast Artillery Corps.
Parker Gillespie Tenney, Field Artillery.
Thomas Jeffries Betts, Coast Artillery Corps.
Buhl Moore, Field Artillery.
Mordaunt Verne Turner, Cavalry.
Norman E. Waldron, Quartermaster Corps.
Adrian Robert Brian, Infantry.
Burton Loren Lucas, Infantry.
Morris Clinton Handwerk, Coast Artillery Corps.
George Stephen Wear, Infantry.
Leo Lawrence Gocker, Cavalry.
Benjamin Franklin Harmon, Coast Artillery Corps.
Walter Throckmorton Scott, Infantry.
Edwin Wilds Godbold, Cavalry.
John Wilson O'Daniel, Infantry.
John Gilbert White, Field Artillery.
Harry Frank Thompson, Infantry.
Raymond Carmichael Gibbs, Cavalry.
Carl McKee Innis, Infantry.
Stanley Joseph Grogan, Infantry.
Rohland Andrew Isker, Cavalry.
Leonard Roscoe Crews, Coast Artillery Corps.
Charles Arthur Horger, Cavalry.
Stonewall Jackson, Infantry.
Warner Beardsley Gates, Air Corps.
Oscar Joseph Neundorfer, Jr., Infantry.
Webster Hamlin Warren, Coast Artillery Corps.
Ross Berry Smith, Infantry.
Thomas Bennett Woodburn, Infantry.
Charles William Higgins, Coast Artillery Corps.
Hugh Nathan Herrick, Coast Artillery Corps.
Stanley French Griswold, Infantry.
John Thomas Dibrell, Infantry.
Edmund Jones Lilly, Jr., Infantry.
Charles Edward Dissinger, Cavalry.
Cornelius Edward Ryan, Infantry.
John Edwin Hull, Infantry.
Thomas Francis Bresnahan, Infantry.
Koger Marion Still, Infantry.
Samuel White, Field Artillery.
Gilman Kimball Crockett, Infantry.
William Warren Wertz, Coast Artillery Corps.
Thomas Edison Roderick, Infantry.
Wallace Alan Mead, Infantry.
Ray Winfield Harris, Infantry.
Evans Read Crowell, Coast Artillery Corps.
Robinson Earl Duff, Infantry.
Raymond Godfrey Lehman, Infantry.
Irvine Callander Scudder, Infantry.
James Chester Bates, Coast Artillery Corps.
Harry Edmund Pendleton, Coast Artillery Corps.
Paul Samuel Beard, Finance Department.
Edwin Allan Smith, Infantry.
Gyles Merrill, Cavalry.
Floyd C. Harding, Infantry.
James Montague Adamson, Jr., Cavalry.
Percy Lee Sadler, Infantry.
George Luther Morrow, Infantry.

Frederick Wilhelm Hoorn, Signal Corps.
Joe Carroll Rogers, Cavalry.
Frank Albert Allen, Jr., Cavalry.
Joseph Carson Stephens, Coast Artillery Corps.
Bernard Franklin Hurless, Infantry.
Guy Orth Kurtz, Field Artillery.
Louis Joseph Compton, Field Artillery.
John Henry Hilldring, Infantry.
Arthur Breckenridge Wade, Field Artillery.
John Hurst Rodman, Infantry.
William Dan Powell, Infantry.
Ceylon Otto Griffin, Cavalry.
William Charles Louisell, Infantry.
Thomas Wade Herren, Cavalry.
Alden Humphrey Seabury, Cavalry.
William Emanuel Goe, Quartermaster Corps.
Donald Brooks Hilton, Infantry.
Alexander Bull MacNabb, Cavalry.
William Leonard Ritter, Infantry.
Ralph Edwin Hill, Coast Artillery Corps.
Francis Lancaster Christian, Coast Artillery Corps.
Walton Whittingham Cox, Cavalry.
Druid Emmet Wheeler, Infantry.
Maitland Bottoms, Coast Artillery Corps.
Ross Ernest Larson, Cavalry.
Stewart Elvin Reimel, Ordnance Department.
Kendall Jordan Fielder, Infantry.
William Curtis DeWare, Infantry.
Hugh Donald Adair, Infantry.
Joseph Robbins Bibb, Field Artillery.
Reginald Reuben Bacon, Infantry.
Russell Conwell Snyder, Field Artillery.
George Eddy Cook, Field Artillery.
James Tolmie Watson, Jr., Signal Corps.
Eugene Hill Mitchell, Infantry.
John Wesley Russey, Field Artillery.
James Dennett McIntyre, Ordnance Department.
Allan James Kennedy, Infantry.
Bryan Lee Milburn, Coast Artillery Corps.
Nyal L. Adams, Coast Artillery Corps.
Virgil Norberto Cordero, Infantry.
Leo Joseph Farrell, Infantry.
Walter Shea Wood, Infantry.
William Henry Quarterman, Jr., Field Artillery.
Benjamin Brandon Bain, Infantry.
Ira Clarence Eaker, Air Corps.
Stanton Louis Bertschey, Field Artillery.
Romeyn Beck Hough, Jr., Air Corps.
Cheney Litton Bertholf, Adjutant General's Department.
Ellsworth Young, Coast Artillery Corps.
Edward Reese Roberts, Field Artillery.
Walter Ernst Lauer, Infantry.
Frank Hitch Pritchard, Air Corps.
Albert Hugh Dumas, Infantry.
Paul Shober Jones, Judge Advocate General's Department.
Paul Thompson Baker, Infantry.
Robert Porter Bell, Infantry.
Edwin William Piburn, Infantry.
Kenneth Stoddard Whittemore, Infantry.
Jerry Vrchlicky Matejka, Signal Corps.
Frank Huber Partridge, Adjutant General's Department.
Derril deSaussure Trenholm, Field Artillery.
Michael Edmond Halloran, Infantry.
Idwal Hubert Edwards, Air Corps.
Paul James Vevia, Infantry.
Carl Julian Dockler, Cavalry.
Milton Heilfron, Coast Artillery Corps.
Olin Coke Newell, Cavalry.
Paul Steele, Infantry.
Robert Emmett Cummings, Infantry.
Harry Fayette Schoonover, Field Artillery.
Louis Simmons Stickney, Signal Corps.
William Hesketh, Coast Artillery Corps.
Ben Curtis McComas, Quartermaster Corps.
Maurice Garver Stubbs, Infantry.
Archibald Andrew Fall, Infantry.
Frank Romaine Schucker, Infantry.
George Stewart Warren, Air Corps.
Mario Cordero, Coast Artillery Corps.
Henry Oscar Swindler, Infantry.
Haskell Allison, Signal Corps.
Davis Jones, Infantry.
Russell Skinner, Infantry.
George Warren Dunn, Jr., Coast Artillery Corps.
John Alexander Klein, Adjutant General's Department.
Arthur Harold Luse, Ordnance Department.
William Arthur Swift, Infantry.
John Edwin Grose, Infantry.
Robert Creighton Wright, Infantry.
Lawrence Archie Kurtz, Field Artillery.
Daniel Webster Hickey, Jr., Coast Artillery Corps.
Martin Stevenson Chester, Infantry.
Harry Reichelderfer, Signal Corps.
Alexander Russell Bolling, Infantry.
Duncan Thomas Boisseau, Field Artillery.
James Leonard Garza, Infantry.
John Dunbar Chambliss, Infantry.
Elvin Leon Barr, Coast Artillery Corps.
Douglas Eaton Morrison, Coast Artillery Corps.
Thomas Eugene Jeffords, Coast Artillery Corps.
Frank Hendricks Hastings, Coast Artillery Corps.
Joseph Hiram Gilbreth, Coast Artillery Corps.
Harold Gilbert Archibald, Coast Artillery Corps.
Daniel Howe Hoge, Coast Artillery Corps.
Reamer Walker Argo, Coast Artillery Corps.
Eugene Thomas Conway, Coast Artillery Corps.
Ralph Hirsch, Field Artillery.
William Joseph Egan, Field Artillery.
Talley Dozier Joiner, Infantry.
Robert Victor Maraist, Field Artillery.
Lawrence Patterson, Cavalry.
Lester Hardee Barnhill, Infantry.
Sterner St. Paul Meek, Ordnance Department.
Melvin Lewis Craig, Field Artillery.
Elbert Arcularius Nostrand, Infantry.
Hervey Aldrich Tribolet, Infantry.
Robert Brooks Ennis, Infantry.
Levie Wilson Foy, Infantry.
John Cord Blizzard, Jr., Infantry.
Warren Henry McNaught, Field Artillery.
Howard Clark, 2d, Infantry.
Roy Edson Craig, Cavalry.
Robert Ignatius Stack, Infantry.
John Huling, Jr., Ordnance Department.
Early Edward Walters Duncan, Air Corps.
Edward Marple Daniels, Quartermaster Corps.
Philip Richard Upton, Cavalry.
Horace Kelita Heath, Infantry.
Harry Russell Evans, Field Artillery.
Bartholomew Robins DeGraff, Infantry.
Harold Napoleon Gilbert, Adjutant General's Department.
William Albert Collier, Infantry.
Leonard Harrison Frasier, Field Artillery.
Archibald Miles Mixson, Infantry.
Clifford Bert Cole, Field Artillery.
Albert Gresham Wing, Infantry.
William Fred Rehm, Infantry.
Edward Nicholson Fay, Infantry.
Donald Thomas Nelson, Finance Department.
Richardson Lester Greene, Field Artillery.
George Clarence Nielsen, Infantry.
Earl Campbell Horan, Infantry.
William John Henry Ryan, Infantry.
Wallace William Millard, Infantry.
Arthur Grady Hutchinson, Infantry.
Norman Marcus Nelsen, Infantry.
Roy Nathan Hagerty, Infantry.
Ronald Lowe Ring, Infantry.
Alfred Timothy Wright, Infantry.
John Ainsworth Andrews, Infantry.
George Andrew Lockhart, Infantry.
James Julian Pirtle, Infantry.
Alfred Edward Dedicke, Infantry.

George Frederick Macdonald, Infantry.
Wilbur Ellsworth Bashore, Infantry.
Harold Head, Infantry.
Walter William Boon, Cavalry.
Hugh McCord Evans, Infantry.
Michael Joseph Mulcahy, Infantry.
Harold Stokely Wright, Quartermaster Corps.
Lois Chester Dill, Infantry.
Edward James Maloney, Infantry.
Richard Abram Jones, Infantry.
Nelson Macy Walker, Infantry.
Milton Brandt Goodyear, Infantry.
William Ewart Gladstone Graham, Infantry.
Jesse Ralston Lippincott, Infantry.
Francis Russel Lyons, Corps of Engineers.
William Norman Thomas, Jr., Corps of Engineers.
Lee Sommerville Dillon, Corps of Engineers.
Ralph Millis, Corps of Engineers.
Peter Edward Bermel, Corps of Engineers.
Carl Raymond Shaw, Corps of Engineers.
Theron DeWitt Weaver, Corps of Engineers.
Frederic Franklyn Frech, Corps of Engineers.
John Elliott Wood, Corps of Engineers.
Charles Isidor Bazire, Quartermaster Corps.
James Stewart Clarke, Quartermaster Corps.
Ira J. Wharton, Quartermaster Corps.
Eugene Hiram Sleeper, Quartermaster Corps.
Joseph M. Cole, Coast Artillery Corps.
Thomas Caffin Beck, Infantry.
Edward Augustus Mechling, Quartermaster Corps.
Michael Joseph Gilmore, Quartermaster Corps.
Selim Woodworth Myers, Infantry.
Edward North Chisolm, Jr., Corps of Engineers.
Charles Gilpin Dobbins, Finance Department.
James Sproule, Quartermaster Corps.
Harry Ray Springer, Quartermaster Corps.
James Madison DeWeese, Field Artillery.
Joseph John Schmidt, Infantry.
Arthur Bothwell Proctor, Quartermaster Corps.
John Harris Elson, Infantry.
George Augustine Frazer, Judge Advocate General's Department.
Royden Williamson, Cavalry.
Charles Clement Quigley, Adjutant General's Department.
Reginald Johnston Imperator, Coast Artillery Corps.
Raymond Greenleaf Sherman, Infantry.
Sherman Potter Walker, Infantry.
William Cone Mahoney, Quartermaster Corps.
Alpha Brumage, Field Artillery.
Sherman I. Strong, Quartermaster Corps.
Lee W. Card, Quartermaster Corps.
Leighton E. Worthley, Infantry.
Gilbert Sylvester Woolworth, Judge Advocate General's Department.
Henry Mahoney Denning, Finance Department.
John Albert Shaw, Infantry.
Wesley Wright Price, Quartermaster Corps.
James Paul Lloyd, Infantry.
Thomas Asbuary Harris, Infantry.
Charles Clarke Loughlin, Infantry.
Lawrence Peter Worrall, Finance Department.
Milton Humes Patton, Cavalry.
Brom Ridley Whitthorne, Quartermaster Corps.
Gilbert Rieman, Cavalry.
Wallace Edwin Durst, Quartermaster Corps.
Hiram Edwin Tuttle, Quartermaster Corps.
John Walter Campbell, Infantry.
Samuel Alexander Greenwell, Adjutant General's Department.
Howard Kirkbride Dilts, Infantry.
John William Thompson, Quartermaster Corps.
George Cook Hollingsworth, Infantry.
Thomas Tidball Trapnell, Judge Advocate General's Department.
Charles Otis Ashton, Infantry.
Joel Franklin Watson, Judge Advocate General's Department.
Reyburn Engles, Quartermaster Corps.
John Conrad Hutcheson, Quartermaster Corps.
Austin Triplett, Infantry.
William Downing Wheeler, Air Corps.
David Ransom Wolverton, Quartermaster Corps.
William Eldon Harris, Corps of Engineers.
Gregory Sumner Lavin, Ordnance Department.
Arthur Freeman Bowen, Infantry.
Herbert Horton Lewis, Infantry.
George Ray Ford, Quartermaster Corps.
Newton Harrell Strickland, Ordnance Department.
John Vincent Rowan, Quartermaster Corps.
William Henry Beers, Infantry.
Francis James Fitzpatrick, Corps of Engineers.
Willis Dodge Cronkhite, Infantry.
Raymond Parker Cook, Infantry.
John Alexander Russell, Quartermaster Corps.
Theodore Tyler Barnett, Quartermaster Corps.
William Addison Ray, Field Artillery.
Lloyd Spencer Spooner, Infantry.
Leon Ewart Savage, Field Artillery.
Henry Mills Shoemaker, Cavalry.
Philip William Hardie, Coast Artillery Corps.
Eugene Erwin Morrow, Infantry.
Kinsley Wilcox Slauson, Quartermaster Corps.
Fred Tenderholm Neville, Quartermaster Corps.
Louis Duzzett Farnsworth, Coast Artillery Corps.
Harry Martel Gwynn, Infantry.
Lemuel Paul Crim, Ordnance Department.
John Fulton Reynolds Scott, Judge Advocate General's Department.
Newton Withington Speece, Infantry.
Frank Glenn Potts, Infantry.
Norbert Cecil Manley, Field Artillery.
John Henry Baxter, Infantry.
Ridgway Pancoast Smith, Infantry.
Wallace Earle Hackett, Infantry.
William Lane Tydings, Infantry.
Ernest Klein White, Quartermaster Corps.
Thomas Dorrington Wadelton, Cavalry.
B. Conn Anderson, Field Artillery.
William James Henry, Ordnance Department.
Clyde Deans Parmelee, Field Artillery.
Walter Gregory, Infantry.
Stanley George Backman, Infantry.
Ray Calhoun Montgomery, Field Artillery.
Grattan Herbert McCafferty, Infantry.
William Henry Crosson, Corps of Engineers.
George William West, Quartermaster Corps.
James Edward Morrisette, Judge Advocate General's Department.
Augustus Spencer Harrison, Quartermaster Corps.
William Francis Dalton, Infantry.
Harry Coleman Snyder, Quartermaster Corps.
Franklin B. Less, Quartermaster Corps.
William Robert Buckley, Quartermaster Corps.
Archie Ellsworth Phinney, Infantry.
Paul Daniel Connor, Infantry.
George Byron Norris, Infantry.
Frederic Von Mohl Dyer, Infantry.
John Nettleton Johnson, Jr., Infantry.
Ralph Reynolds Seger, Quartermaster Corps.
Malcolm Robert Cox, Field Artillery.
Arthur James Perry, Finance Department.
Arthur Floyd, Infantry.
Ingomar Marcus Oseth, Infantry.
Taylor Worcester Foreman, Infantry.
William Alexander Cunningham, Infantry.
George Leroy King, Infantry.
Rumsey Campbell, Field Artillery.
Arthur Pierson McGee, Infantry.
Frank Bishop Lammons, Infantry.
Floyd William Ferree, Infantry.
John Rice Eden, Infantry.
Henry Harmeling, Judge Advocate General's Department.
Paul DuPont Strong, Infantry.
Chester Price Haycock, Infantry.

Charles Orval Thrasher, Quartermaster Corps.
Orryl Samuel Robles, Infantry.
Frank M. Moore, Infantry.
Earl Alva Hyde, Field Artillery.
James David Andrews, Jr., Corps of Engineers.
Thomas Arthur Reiner, Infantry.
John Nash, Field Artillery.
Horatio Gano Fairbanks, Corps of Engineers.
Bernard Joseph Finan, Quartermaster Corps.
Caesar Rodney Roberts, Coast Artillery Corps.
William Aloysius Rounds, Judge Advocate General's Department.
William B. Weston, Field Artillery.
Clarie Elwood Hutchin, Infantry.
Delbert Ausmus, Coast Artillery Corps.
Frank Eugene Shaw, Judge Advocate General's Department.
Frank Elijah Linnell, Infantry.
John Summerfield Vincent, Quartermaster Corps.
George Nicholl Randolph, Infantry.
Benjamin Bussey Lattimore, Field Artillery.
Charles Simonton Brice, Judge Advocate General's Department.
Herbert William Schmid, Infantry.
Elliott Vandevanter, Corps of Engineers.
Lloyd Leslie Hamilton, Infantry.
Eustace Maduro Peixotto, Infantry.
Watson Longan McMorris, Coast Artillery Corps.
Arthur Walter Penrose, Infantry.
Julian Hurlburt Gist, Infantry.
Armin Ferdinand Herold, Air Corps.
Joseph Church, Infantry.
Lewis Coleman Gordon, Corps of Engineers.
French Cameron Simpson, Quartermaster Corps.
Clinton Enos Fenters, Infantry.
Robert Trisch Wilkie, Quartermaster Corps.
Hubert Don Hoover, Judge Advocate General's Department.
Theodore Wyman, Jr., Corps of Engineers.
John Russell Fountain, Infantry.
Elmer Royal Block, Field Artillery.
William John Niederpruem, Infantry.
Nels Gustaf Sandelin, Quartermaster Corps.
Elmer Sharpe Van Benschoten, Field Artillery.
Charles Waldemar Seifert, Infantry.
Ralph Pollock, Jr., Quartermaster Corps.
Otto Harwood, Quartermaster Corps.
Eugene Vincent Behan, Infantry.
Carl Christian Andersen, Infantry.
Hubbard Errette Dooley, Infantry.
Herbert Francis Teate, Infantry.
Robert Charles Hunter, Corps of Engineers.
Roye Pannebecker Gerfen, Cavalry.
Thomas Everett May, Infantry.
James Jarlath Kelly, Infantry.
George Harrison Stuts, Field Artillery.
Gordon Cushing Day, Corps of Engineers.
Robert Scott Miller, Infantry.
Harry Briggs Vaughan, Jr., Corps of Engineers.
Frederick William Adams, Infantry.
Ernest August Guillemet, Quartermaster Corps.
John Frank Zajicek, Corps of Engineers.
John Albion Chase, Field Artillery.
Henry Edward Tisdale, Field Artillery.
Walter Gilbert Layman, Infantry.
Paul Gerhardt Rutten, Quartermaster Corps.
Herman Goodwin Halverson, Quartermaster Corps.
William Carrick Braly, Coast Artillery Corps.
James Washington Curtis, Infantry.
Forrest Edward Ambrose, Infantry.
John Hopkins, Infantry.
Thomas Morris Jervey, Ordnance Department.
Howard Farlowe Kent Cahill, Infantry.
Frank Packard Coffin, Infantry.
John Russell Young, Field Artillery.
Earl Newell Hackney, Infantry.
Morris Easton Conable, Coast Artillery Corps.

Jack Wesley Howard, Infantry.
Alston Pringle Rhett, Field Artillery.
John Halpin Burns, Infantry.
Samuel Francis Howard, Infantry.
Asa Herman Skinner, Ordnance Department.
David Mc Dougald Shearer, Corps of Engineers.
Edward Avery Austin, Infantry.
Charles Dayton Carle, Infantry.
Fred Anthony McMahon, Ordnance Department.
Hartwell Newton Williams, Quartermaster Corps.
James Leslie McIlhenny, Field Artillery.
Leslie Rudisill Forney, Infantry.
Thornton Chase, Infantry.
Harry Wright Hill, Corps of Engineers.
Joseph Leo Connolly, Infantry.
Robert Wilkin McBride, Coast Artillery Corps.
Charles Addison Pursley, Air Corps.
Bert S. Wampler, Infantry.
Henry Tureman Allen, Cavalry.
Marvel Harold Parsons, Coast Artillery Corps.
Charles Franklin Johnson, Infantry.
Carl Herbert Odeen, Quartermaster Corps.
Tryon Mason Shepherd, Infantry.
Adam Richmond, Judge Advocate General's Department.
Winfield Orval Shrum, Infantry.
Paul Roy Guthrie, Quartermaster Corps.
Arthur Musser Sheets, Field Artillery.
Ernest Franklin Dukes, Cavalry.
Thomas Willis Jones, Quartermaster Corps.
Senius John Raymond, Quartermaster Corps.
Ira Edgar Ryder, Infantry.
Herbert Randolph Roberts, Infantry.
Neal Willard Richmond, Infantry.
Charles Francis Frost Cooper, Infantry.
Frank Ward, Infantry.
Charles Conrad Brown, Field Artillery.
Harold Edward Potter, Infantry.
Rufus Boylan, Infantry.
Warren Crouse Hurst, Quartermaster Corps.
Charles Clinton Griffin, Infantry.
Willard Lapham Smith, Infantry.
Clarence Charles Fenn, Judge Advocate General's Department.
George Luke Usher, Air Corps.
George H. Cushman, Jr., Field Artillery.
Andrew Thomas Knight, Infantry.
William Lackey Mays, Infantry.
John Patrick Welch, Quartermaster Corps.
Stanley Gifford Blanton, Infantry.
Robert Morris Copeland, Corps of Engineers.
Harold Sidney Johnson, Coast Artillery Corps.
Daniel Bernard Cullinane, Cavalry.
Llewellyn deWaele Tharp, Infantry.
Owen Summers, Infantry.
John Robin Davis Cleland, Adjutant General's Department.
Edward Chambers Betts, Judge Advocate General's Department.
George Randall Wells, Infantry.
Thomas Ernest Campbell, Infantry.
William George Walker, Infantry.
Peyton Winlock, Field Artillery.
George Mortimer Couper, Infantry.
Abraham Max Lawrence, Coast Artillery Corps.
Frank Thornton Addington, Infantry.
Paul Ernest Leiber, Infantry.
William Bernard Lowery, Infantry.
James Francis Strain, Infantry.
Francis Norton Neville, Quartermaster Corps.
Harry Lynn Henkle, Infantry.
Merrifield Graham Martling, Corps of Engineers.
Ralph Brundidge Lovett, Infantry.
Fred Stevens Byerly, Infantry.
Austin Webb Lee, Quartermaster Corps.
Robert Emory Swab, Infantry.
Lewis Andrew Pick, Corps of Engineers.
Oscar Stanley Smith, Infantry.

Joseph Henry Davidson, Air Corps.
John McDowall, Field Artillery.
Walter Cox Rathbone, Infantry.
Harry Watson Bolan, Infantry.
George Bagby Campbell, Judge Advocate General's Department.
Harry Martin Andrews, Quartermaster Corps.
Chauncey McCullough Lyons, Infantry.
Edward Phillip Wadden, Infantry.
Paul Miller Ellman, Corps of Engineers.
John Edward Doyle, Infantry.
Paul Jones Mathis, Air Corps.
George Edward Jacobs, Infantry.
Frank Ellsworth Brokaw, Infantry.
Beverly Allison Shipp, Infantry.
Walter Kendall Wheeler, Jr., Infantry.
Charles Sherwood Gilbert, Infantry.
Eugene Nelson Frakes, Infantry.
Robert Oliver Shoe, Infantry.
Charles Crisp Morgan, Infantry.
Ellis Edward Haring, Corps of Engineers.
Malcolm Everett Craig, Infantry.
Roland Thorpe Fenton, Quartermaster Corps.
Albert Brengle Helsley, Infantry.
Milton Orme Boone, Quartermaster Corps.
Perry Edward Taylor, Cavalry.
Walter Daugherty McCord, Infantry.
Matthew Hall Jones, Quartermaster Corps.
James Esmond Matthews, Infantry.
William Richard Bent, Infantry.
Harry Jefferson Farner, Infantry.
Lawrence Slade, Quartermaster Corps.
Samuel Lynn Dunlop, Infantry.
Joseph Wheeler Starkey, Infantry.
Harrington Willson Cochran, Coast Artillery Corps.
Leo Joseph Dillon, Ordnance Department.
Alberto Eugene Merrill, Cavalry.
John Merle Weir, Judge Advocate General's Department.
Samuel Clifton Cratch, Quartermaster Corps.
Hubert Ward Beyette, Quartermaster Corps.
James Monroe Morris, Infantry.
Elbridge Colby, Infantry.
Herbert Hatchett Blackwell, Coast Artillery Corps.
Richard Adams Knight, Field Artillery.
Roy Victor Rickard, Infantry.
Alfred Volckman Ednie, Infantry.
Lee Vernado Hunnicutt, Infantry.
Charles Jackson Sullivan, Infantry.
Otto Gresham Trunk, Air Corps.
William Russell Frost, Field Artillery.
Earl Le Verne Lyons, Infantry.
Franklin Prague Shaw, Judge Advocate General's Department.
Lawrence Lee Simpson, Quartermaster Corps.
Howard Haines Cloud, Quartermaster Corps.
Louis William Eggers, Infantry.
Charlie Anthony Valverde, Infantry.
Francis Egan, Quartermaster Corps.
Fred Ivan Gilbert, Ordnance Department.
Charles William Mays, Field Artillery.
William Pinckney Bledsoe, Field Artillery.
James Carlisle Patterson, Field Artillery.
John Joseph Nealon, Infantry.
Maurice Vernon Patton, Field Artillery.
Walter Thomas Gorton, Ordnance Department.
Arthur Vanderpool Winton, Coast Artillery Corps.
Alexander Hill Cummings, Infantry.
Blaisdell Cain Kennon, Infantry.
Walter Carroll Ellis, Signal Corps.
Leslie Johnathan Cartwright, Infantry.
Harland Fisher Seeley, Infantry.
Wallace Chace Steiger, Cavalry.
John Huston Church, Infantry.
John Robert Dinsmore, Judge Advocate General's Department.
Frank Leslie Thompson, Field Artillery.
Harold Baxter Crowell, Infantry.
Harold Eugene Eastwood, Cavalry.
Gilbert Taylor Collar, Air Corps.
Chester Carlton Westfall, Infantry.
William Langley Wharton, Infantry.
Henry Herbert Cameron, Cavalry.
William Otis Poindexter, Infantry.
Anthony Power Lagorio, Infantry.
Lamar Weaver, Infantry.
Benjamin Franklin Giles, Air Corps.
Ernest Clifton Adkins, Infantry.
Lee Huber, Infantry.
Alexander Leggitt Morris, Infantry.
Arthur Hurd Lee, Field Artillery.
Keith Kenneth Jones, Field Artillery.
Thomas Green Poland, Infantry.
Gaspar Ray Crim, Infantry.
Robert Henry Crosby, Field Artillery.
Thomas Deweese Davis, Infantry.
John Liggat Tunstall, Finance Department.
George Lyman Prindle, Infantry.
Leslie Walter Brown, Infantry.
Tobin Cornelius Rote, Infantry.
Owen Meredith Marshburn, Field Artillery.
Reading Wilkinson, Corps of Engineers.
Nicholas Hamner Cobbs, Finance Department.
William Allen Hale, Infantry.
Pierre Mallett, Field Artillery.
David Eugene Barnett, Infantry.
Earle Albie Johnson, Infantry.
Edgar Harland Keltner, Infantry.
Jesse Andrew Rogers, Jr., Ordnance Department.
Furman Walker Hardee, Infantry.
Ben Haw Lowry, Quartermaster Corps.
Charles Peter Lynch, Infantry.
Edward Crews Black, Air Corps.
William Burbridge Yancey, Infantry.
Raymond Leroy Shoemaker, Infantry.
Shirley Wiggins McIlwain, Quartermaster Corps.
John Phillip Scott, Cavalry.
Charles August Hoss, Quartermaster Corps.
Andrew Christian Tychsen, Infantry.
George James Burns Fisher, Chemical Warfare Service.
Laurence Mickel, Infantry.
Robert John Wallace, Infantry.
John Swan Moore, Infantry.
Henry Earl Minton, Ordnance Department.
Lovic Pierce Hodnette, Infantry.
Arthur S. Champeny, Infantry.
John Hamilton Cochran, Infantry.
Lloyd William Goeppert, Coast Artillery Corps.
William Michener, Field Artillery.
Don Norris Holmes, Infantry.
Letcher Ogle Grice, Quartermaster Corps.
Alexander Jesse MacNab, Infantry.
Walter Hibbard, Infantry.
Ralph Leroy Ware, Infantry.
Chauncey Aubrey Bennett, Field Artillery.
Brisbane Hanks Brown, Infantry.
Charles Andrew Robinson, Infantry.
John Peter Neu, Quartermaster Corps.
Joe Shurlock Underwood, Quartermaster Corps.
Henry William Robinson, Infantry.
Clarence John Blake, Quartermaster Corps.
Harry Dennis Furey, Infantry.
Charles Henry Wilson, Infantry.
Richard Mathews Sandusky, Infantry.
Ernest Francis Boruski, Infantry.
Harold Mays Tague, Infantry.
John Walker Henson, Infantry.
Eugene Arthur Regnier, Cavalry.
William Grove Murphy, Infantry.
Joseph James Canella, Infantry.
Walter Alexander Wood, Jr., Corps of Engineers.
Charles McKinley Kemp, Infantry.
Raymond Cecil Hamilton, Infantry.
Charles Herbert Karlstad, Infantry.
Jasper Morris Groves, Infantry.

Norris Adron Wimberley, Infantry.
Orlen Nelson Thompson, Infantry.
Curtis Loyd Stafford, Cavalry.
Joseph Aloysius St. Louis, Infantry.
Joseph Saddler Dougherty, Infantry.
Clarence Ronald Peck, Infantry.
Clarence Harvey Bragg, Infantry.
Paul Rutherford Knight, Infantry.
DeWitt Clinton Smith, Jr., Infantry.

To be captains

Augustine Francis Shea, Air Corps.
Carlisle Visscher Allan, Infantry.
Marion Patton Echols, Field Artillery.
Francis Otis Wood, Field Artillery.
Hobart Hewett, Coast Artillery Corps.
Waldemar Sven Broberg, Ordnance Department.
James Holden Phillips, Cavalry.
Frederick Weed Drury, Cavalry.
Leander Dunbar Syme, Infantry.
Ellis Vern Williamson, Field Artillery.
Leroy Clark Wilson, Infantry.
Nathaniel Alanson Burnell, 2d, Coast Artillery.
John Bartlett Murphy, Field Artillery.
James Lowe Harbaugh, Jr., Coast Artillery Corps.
Virgil Farrar Shaw, Cavalry.
Michael Gibson Smith, Field Artillery.
Syril Emerson Faine, Infantry.
Arthur Maxon Parsons, Infantry.
Harry Welling Barrick, Infantry.
Howard Rand Perry, Jr., Infantry.
Edward Hamilton Young, Infantry.
Nathan Arthur Smith, Infantry.
Gerald St. Claire Mickle, Infantry.
Benjamin Randolph Farrar, Infantry.
Henry Ellis Sanderson, Field Artillery.
Hugh French Thomason Hoffman, Cavalry.
Walter Scott Winn, Jr., Infantry.
Willard Gordon Wyman, Cavalry.
John Leonard Whitelaw, Infantry.
Edward Henry Bowes, Infantry.
Edwin Malcolm Sutherland, Infantry.
Joseph Andrew Holly, Infantry.
William Douglas McNair, Field Artillery.
Charles Forrest Wilson, Coast Artillery Corps.
Robert Francis Carter, Quartermaster Corps.
Hugh Garnett Elliott, Field Artillery.
Nathan Farragut Twining, Air Corps.
William John Crowe, Ordnance Department.
L. Hoyt Rockafellow, Infantry.
Percy Emery Hunt, Infantry.
Roland William McNamee, Infantry.
John Carpenter Raaen, Ordnance Department.
Winfred George Skelton, Infantry.
Lambert Benel Cain, Infantry.
Edmund Bower Sebree, Infantry.
Merritt Brandon Booth, Infantry.
Raymond Clegg Barlow, Infantry.
Frank Greene Davis, Infantry.
Emmett James Bean, Infantry.
Donald Allen Fay, Infantry.
Charles Henry Noble, Cavalry.
Walter Towle O'Reilly, Field Artillery.
Kenneth Pierce, Infantry.
Charles Henry Bryan, Cavalry.
John Howell Collier, Cavalry.
Dean Luce, Coast Artillery Corps.
George Gordon Elms, Cavalry.
John Dimmick Armstrong, Infantry.
Ralph Francis Stearley, Air Corps.
Donald Handley Nelson, Cavalry.
Edward Ora Hopkins, Field Artillery.
James Verne Cole, Infantry.
Clarence Archibald Frank, Finance Department.
Frederick Bradstreet Dodge, Jr., Coast Artillery Corps.
Clarkson Deweese McNary, Infantry.
Bernard Abert Byrne, Jr., Infantry.
Warren Wilson Christian, Infantry.
Robert Barrett Hutchins, Infantry.
Joseph William Kullman, Infantry.
George Dewey Rogers, Ordnance Department.
Robert Jones Merrick, Cavalry.
William Henry John Dunham, Coast Artillery Corps.
Irvin Alexander, Infantry.
John Harvey Madison, Coast Artillery Corps.
George Edward Bruner, Infantry.
Thomas Llewellyn Waters, Coast Artillery Corps.
Urban Niblo, Ordnance Department.
Kenneth Sharp Olson, Infantry.
William Leighton McEnery, Signal Corps.
Robert Montgomery Springer, Infantry.
Russell John Nelson, Infantry.
Charles Maine Wolff, Coast Artillery Corps.
Simon Foss, Infantry.
Edward Melvin Starr, Infantry.
Joseph Sladen Bradley, Infantry.
Arthur Launcelot Moore, Infantry.
Robert William Crichlow, Jr., Coast Artillery Corps.
Martin Anthony Fennell, Cavalry.
Ralph Harris Bassett, Ordnance Department.
Harold Allen Brown, Infantry.
Albert Sidney Johnston Stovall, Jr., Cavalry.
Donald Carson Hardin, Infantry.
Wayne Cliffton Zimmerman, Infantry.
John Thomas Keeley, Infantry.
Joseph Conrad Odell, Infantry.
Josiah Toney Dalbey, Infantry.
Logan Osburn Shutt, Coast Artillery Corps.
Hilton Edward Heineke, Infantry.
Galen Magnus Taylor, Ordnance Department.
Daniel Philip Buckland, Cavalry.
Philip McIlvaine Whitney, Infantry.
John Morris Works, Field Artillery.
Christian Hildebrand, Infantry.
Joseph Holleman Warren, Infantry.
Edgar Mortimer Gregory, Coast Artillery Corps.
John David Frederick, Infantry.
Richard Ray Coursey, Infantry.
Thomas Gordon Cranford, Jr., Coast Artillery Corps.
William Robert McMaster, Infantry.
Joseph Alfred Cranston, Jr., Infantry.
Horace Speed, Jr., Coast Artillery Corps.
Fred William Makinney, Cavalry.
William Benjamin Kean, Jr., Infantry.
Harold Robert Emery, Infantry.
David Sanderson McLean, Infantry.
William Joseph Moroney, Infantry.
Russell Lowell Williamson, Air Corps.
Howard Dohla Johnston, Infantry.
Franklin Leroy Rash, Infantry.
Edgar Harvey Snodgrass, Infantry.
Claude Birkett Ferenbaugh, Infantry.
Adna Chaffee Hamilton, Infantry.
Harold Stuart Ruth, Infantry.
Sterling Eugene Whitesides, Jr., Chemical Warfare Service.
Lewis Stone Sorley, Jr., Infantry.
Albert Coady Wedemeyer, Infantry.
David Best Latimer, Coast Artillery Corps.
Roswell Boyle Hart, Field Artillery.
Halvor Hegland Myrah, Coast Artillery Corps.
Frederick Brenton Porter, Field Artillery.
Bryan Sewall Halter, Infantry.
Charles Hardy Hart, Jr., Infantry.
Adolphus Rankin McConnell, Air Corps.
George DeVere Barnes, Quartermaster Corps.
Paul Robert Menzies Miller, Field Artillery.
Albert Smith Rice, Ordnance Department.
Charles Leslie Keerans, Jr., Infantry.
Kenneth Newton Walker, Air Corps.
Stanley Hunsicker Hunsicker, Quartermaster Corps.
Neal Henry McKay, Quartermaster Corps.
Oscar Leslie Rogers, Air Corps.
Roger Frederic O'Leary, Quartermaster Corps.

Samuel Perham Mills, Air Corps.
Edgar Theodore Selzer, Air Corps.
Albert Joseph Lubbe, Signal Corps.
John Bicknell Luscombe, Quartermaster Corps.
Charles Harold Howard, Air Corps.
Edward Alton Hillery, Air Corps.
Hugh Sydney Harpole, Quartermaster Corps.
Homer William Jones, Quartermaster Corps.
Everett Sanford Davis, Air Corps.
Frank Egerton Powell, Quartermaster Corps.
Donald Reuben Goodrich, Air Corps.
Francis Hill Kuhn, Quartermaster Corps.
John Daniel O'Connell, Quartermaster Corps.
Harold Brand, Air Corps.
Edward Watson Kelley, Infantry.
Claud Thomas Gunn, Finance Department.
Herbert Benjamin Wilcox, Infantry.
Robert Milton Eichelsdoerfer, Cavalry.
Otto Max Jank, Ordnance Department.
Paul Americus Harris, Coast Artillery Corps.
Jefferson Cleveland Campbell, Field Artillery.
Hugh Franklin Conrey, Field Artillery.
Edwin Clark Maling, Chemical Warfare Service.
Richard Head Trippe, Finance Department.
O. D. Wells, Infantry.
Frank Celestine Meade, Signal Corps.
Paul Wallace Cole, Coast Artillery Corps.
Charles Speir Lawrence, Quartermaster Corps.
John Corwin Shaw, Infantry.
Clarence Matthew Tomlinson, Infantry.
Eugene Reedy Guild, Coast Artillery Corps.
Julian Buckner Haddon, Air Corps.
Claude Delorum Collins, Infantry.
William Eldridge Moore, Quartermaster Corps.
Clem Oliver Gunn, Coast Artillery Corps.
Wilbur Russell Ellis, Coast Artillery Corps.
Donald Weldon Brann, Infantry.
George Bernhard Anderson, Coast Artillery Corps.
Walter John Wolfe, Coast Artillery Corps.
Roswell Emory Round, Infantry.
Lester Frank Watson, Quartermaster Corps.
William Edwin Vecqueray, Quartermaster Corps.
Haynie McCormick, Air Corps.
Albert Theodore Wilson, Infantry.
Cornelius Emmett O'Connor, Air Corps.
Hartwell Matthew Elder, Quartermaster Corps.
Park Holland, Air Corps.
John Gross, Field Artillery.
Thomas Russell Howard, Infantry.
Samuel James Adams, Finance Department.
Albert Gillian Kelly, Infantry.
Wayne McVeigh Pickels, Quartermaster Corps.
Owen Russell Marriott, Field Artillery.
Frank Joseph Vida, Infantry.
Harold Patrick Henry, Infantry.
Fred Pierce Van Duzee, Infantry.
Burns Beall, Infantry.
John Bartlett Hess, Infantry.
Allen Francis Haynes, Infantry.
Harold Gaslin Sydenham, Infantry.
George Windle Read, Jr., Cavalry.
Francis Hudson Oxx, Corps of Engineers.
Thomas Henry Stanley, Corps of Engineers.
Donald Greeley White, Corps of Engineers.
William Weston Bessell, Jr., Corps of Engineers.
Charles George Holle, Corps of Engineers.
Arthur Martin Andrews, Corps of Engineers.
Edward Crosby Harwood, Corps of Engineers.
John Wylie Moreland, Corps of Engineers.
Wayne Stewart Moore, Corps of Engineers.
Henry Franklin Hannis, Corps of Engineers.
Edward Albert Routheau, Field Artillery.
Godfrey Douglas Adamson, Field Artillery.
Wilson Burnett Higgins, Corps of Engineers.
Frederic Lord Hayden, Coast Artillery Corps.
Warren Cressman Rutter, Coast Artillery Corps.
Harold Frank Handy, Field Artillery.
Richard Clare Partridge, Field Artillery.
Edward John McGaw, Field Artillery.
Harold Thomas Miller, Corps of Engineers.
Tyree Rivers Horn, Signal Corps.
Joseph Leo Langevin, Field Artillery.
William Hardy Hill, Field Artillery.
Louis Jacob Claterbos, Corps of Engineers.
Auguste Rhu Taylor, Field Artillery.
James Kenneth Mitchell, Cavalry.
Frank Andrew Henning, Field Artillery.
Ewart Gladstone Plank, Corps of Engineers.
James Malcolm Lewis, Field Artillery.
Bernard Linn Robinson, Corps of Engineers.
John Robert Culleton, Field Artillery.
James Goodrich Renno, Coast Artillery Corps.
Charles Steinhart Whitmore, Field Artillery.
James Hobson Stratton, Corps of Engineers.
Lee Armstead Denson, Jr., Coast Artillery Corps.
Lawrence Granger Smith, Cavalry.
Edward Haviland Lastayo, Field Artillery.
George DeGraaf, Field Artillery.
Lathrop Ray Bullene, Coast Artillery Corps.
James Alexander Samouce, Field Artillery.
William Wallace Ford, Field Artillery.
George Dewey Vanture, Field Artillery.
Harry Earl Fisher, Corps of Engineers.
Donald Sylvester Burns, Corps of Engineers.
Donald James Leehey, Corps of Engineers.
Carl Edwin Berg, Field Artillery.
Joseph Eugene Harriman, Coast Artillery Corps.
George Joseph Loupret, Coast Artillery Corps.
Thomas Arnett Roberts, Jr., Field Artillery.
Verne Donald Mudge, Cavalry.
John Loren Goff, Coast Artillery Corps.
Francis Henry Morse, Field Artillery.
Edward Macon Edmonson, Field Artillery.
William Gordon Holder, Coast Artillery Corps.
Halstead Clotworthy Fowler, Field Artillery.
Lyman Louis Lemnitzer, Coast Artillery Corps.
Leslie Burgess Downing, Field Artillery.
William Ignatius Brady, Coast Artillery Corps.
Eugene Martin Link, Field Artillery.
John States Seybold, Corps of Engineers.
William Harry Bartlett, Field Artillery.
Donald Breen Herron, Coast Artillery Corps.
Edward Clinton Gillette, Jr., Field Artillery.
Russell Owen Smith, Field Artillery.
Rex Van Den Corput, Jr., Signal Corps.
Homer Watson Kiefer, Field Artillery.
James Myron McMillin, Chemical Warfare Service.
Joseph Harris, Finance Department.
John George Howard, Field Artillery.
Robert Hugh Kreuter, Coast Artillery Corps.
Laurence Wood Bartlett, Coast Artillery Corps.
Donald Frank Stace, Air Corps.
Reynolds Johnston Burt, Jr., Corps of Engineers.
John Dickerson Mitchell, Coast Artillery Corps.
Clarence Henry Schabacker, Coast Artillery Corps.
Fred Lebbeus Hamilton, Quartermaster Corps.
John Francis Cassidy, Coast Artillery Corps.
John Foxhall Sturman, Jr., Field Artillery.
Joseph Jacob Billo, Infantry.
Clarence Clemens Clendenen, Cavalry.
William Carleton McFadden, Coast Artillery Corps.
Eugene Collum Johnston, Cavalry.
James Hess Walker, Cavalry.
Claude Eugene Haswell, Infantry.
Lyman Lincoln Judge, Cavalry.
Frank Needham Roberts, Infantry.
Francis Henry Lanahan, Jr., Signal Corps.
Lawrence Edward Schick, Cavalry.
Courtney Parker Young, Coast Artillery Corps.
Henry Chester Hine, Jr., Cavalry.
John Donald Robertson, Coast Artillery Corps.
William Price Withers, Cavalry.
Frederick Robert Pitts, Cavalry.
Sherman Vitus Hasbrouck, Field Artillery.

Arthur Kenley Hammond, Cavalry.
Crump Garvin, Infantry.
Hamilton Peyton Ellis, Coast Artillery Corps.
Thomas Dresser White, Air Corps.
Frederick Mixon Harris, Infantry.
Dwight Acker Rosebaum, Infantry.
Kenneth Gilpin Hoge, Cavalry.
Richard Candler Singer, Field Artillery.
Aladin James Hart, Cavalry.
Robert Edwards, Cavalry.
William Richter Tomey, Infantry.
Joseph Honore Rousseau, Jr., Coast Artillery Corps.
Lawrence Joseph Carr, Air Corps.
Maurice Wiley Daniel, Field Artillery.
Alexander Hamilton Perwein, Infantry.
Clovis Ethelbert Byers, Cavalry.
Oscar Raymond Johnston, Infantry.
George Andrew Rehm, Cavalry.
Edward Carl Engelhart, Coast Artillery Corps.
Charles Whitney West, Coast Artillery Corps.
Park Brown Herrick, Field Artillery.
Herbert Carl Reuter, Coast Artillery Corps.
Helmer William Lystad, Infantry.
Harold Edward Smyser, Infantry.
Esher Claflin Burkart, Field Artillery.
Thomas Eginton Whitehead, Quartermaster Corps.
Alexander George, Cavalry.
Charles Kenon Gailey, Jr., Infantry.
Francis William Farrell, Field Artillery.
Wilmer Brinton Merritt, Coast Artillery Corps.
Harry Clark Wisehart, Air Corps.
Charles Merton Adams, Jr., Infantry.
John Ferral McBlain, Air Corps.
Richard Meade Costigan, Field Artillery.
Gustave Harold Vogel, Quartermaster Corps.
Basil Girard Thayer, Cavalry.
Edward Joseph Sullivan, Chemical Warfare Service.
James Perrine Barney, Jr., Field Artillery.
Wilbur Sturtevant Nye, Field Artillery.
Charles Harlan Swartz, Field Artillery.
Leland Stuart Smith, Coast Artillery Corps.
Carl Frederick Duffner, Infantry.
Millard Pierson, Field Artillery.
Harlan Thurston McCormick, Air Corps.
Ray Olander Welch, Infantry.
John Lamont Davidson, Air Corps.
Julian Erskine Raymond, Infantry.
George Honnen, Infantry.
Charles Porter Amazeen, Cavalry.
Edward Thomas Williams, Field Artillery.
Frank Thweatt Searcy, Infantry.
George William Bailey, Jr., Cavalry.
Alan Lockhart Fulton, Cavalry.
Terence John Tully, Signal Corps.
William Earl Crist, Infantry.
Claude Monroe McQuarrie, Infantry.
William Lemuel Mitchell, Infantry.
Escalus Emmert Elliott, Coast Artillery Corps.
Milton Cogswell Shattuck, Infantry.
Joseph Vincent de Paul Dillon, Coast Artillery Corps.
Hayden Adriance Sears, Cavalry.
John Thomas Lynch, Quartermaster Corps.
John Black Reybold, Cavalry.
William Dickey Long, Infantry.
Henry Irving Hodes, Cavalry.
William Joel Tudor Yancey, Infantry.
Leon Eugene Lichtenwalter, Infantry.
Sidney Rae Hinds, Infantry.
Halley Grey Maddox, Cavalry.
John English Nelson, Infantry.
Harold Todd Turnbull, Coast Artillery Corps.
Hugo Peoples Rush, Air Corps.
John William Wofford, Cavalry.
Wray Bertrand Avera, Field Artillery.
Charles Fox Ivins, Infantry.
Walter Daniel Buie, Infantry.
John Taylor Ward, Cavalry.
John Elmer Reierson, Coast Artillery Corps.
Henry Jackson Hunt, Jr., Infantry.
George Huston Bare, Infantry.
Morris Haslett Marcus, Cavalry.
Frank Zea Pirkey, Corps of Engineers.
Karl William Hisgen, Field Artillery.
James Harry Marsh, Infantry.
Francis Warren Crary, Field Artillery.
John Baylis Cooley, Cavalry.
Selby Francis Little, Field Artillery.
Milo Glen Cary, Coast Artillery Corps.
Harold Joseph Conway, Ordnance Department.
Gustin MacAllister Nelson, Infantry.
Frank Joseph Spettel, Infantry.
Burwell Baylor Wilkes, Jr., Infantry.
John Barry Peirce, Infantry.
James Raymond Goodall, Coast Artillery Corps.
John Kenneth Sells, Cavalry.
Douglas Cameron, Cavalry.
Arthur Jennings Grimes, Infantry.
Walter Duval Webb, Jr., Field Artillery.
Ernest Starkey Moon, Air Corps.
Harry Craven Dayton, Field Artillery.
Chester Arthur Carlsten, Infantry.
Joseph Myles Williams, Cavalry.
Harold Arthur Doherty, Field Artillery.
Lewis Eugene Snell, Field Artillery.
Arnold Hoyer Rich, Air Corps.
Charles Dawson McAllister, Air Corps.
Vincent Joseph Tanzola, Infantry.
Edwin Albert Banning, Field Artillery.
Frederic de Lannoy Comfort, Cavalry.
Henry Laurance Ingham, Field Artillery.
Percy Earle LeStourgeon, Infantry.
Caryl Rawson Hazeltine, Infantry.
Irvin Albert Robinson, Infantry.
Michael Henry Zwicker, Coast Artillery Corps.
James Thorburn Cumberpatch, Air Corps.
Leon Valentine Chaplin, Field Artillery.
Daniel Webster Kent, Infantry.
Harry Lynch, Signal Corps.
George Marion Davis, Infantry.
Fay Warren Lee, Field Artillery.
Charles Emmett Cheever, Quartermaster Corps.
Harry Meyer, Corps of Engineers.
Peter Anthony Feringa, Corps of Engineers.
Edward Barber, Coast Artillery Corps.
Edward Hall Walter, Corps of Engineers.
David Albert Morris, Corps of Engineers.
Richardson Selee, Corps of Engineers.
Don Waters Mayhue, Air Corps.
Charles Harold Crim, Coast Artillery Corps.
John Harry, Coast Artillery Corps.
Harold Oakes Bixby, Signal Corps.
George Randall Scithers, Field Artillery.
John Henry Featherston, Coast Artillery Corps.
Charles Andrews Jones, Jr., Quartermaster Corps.
Hubert Stauffer Miller, Corps of Engineers.
Edward Harold Coe, Corps of Engineers.
Allan Eugene Smith, Field Artillery.
Daniel Burnett Knight, Infantry.
Paul MacKeen Martin, Cavalry.
Creswell Garrettson Blakeney, Field Artillery.
Louis Jeter Tatom, Signal Corps.
Louis Watkins Prentiss, Corps of Engineers.
William Edmund Waters, Field Artillery.
Joseph Kennard Bush, Infantry.
Orlando Clarendon Mood, Infantry.
Bert Nathan Bryan, Infantry.
Harvie Rogers Matthews, Infantry.
Louis Beman Rapp, Cavalry.
Edwards Matthews Quigley, Field Artillery.
James Breakenridge Clearwater, Field Artillery.
Joseph Warren Huntress, Jr., Quartermaster Corps.
Luther Daniel Wallis, Infantry.

Wesley Tate Guest, Signal Corps.
Duncan Philip Frissell, Infantry.
Henry Hammond Duval, Coast Artillery Corps.
John William Dwyer, Coast Artillery Corps.
Alfred Vepsala, Field Artillery.
Edmund Clarence Langmead, Air Corps.
Carroll Heiney Deitrick, Ordnance Department.
Burton Larrabee Pearce, Field Artillery.
Lee W. Haney, Infantry.
David William Goodrich, Air Corps.
Franklin Mitchell, Ordnance Department.
Wallace Ellsworth Niles, Ordnance Department.
Lewis Edward Weston Lepper, Quartermaster Corps.
Edward Harris Barr, Field Artillery.
James Roscoe Hamilton, Infantry.
Joe Robert Sherr, Signal Corps.
Henry Chester Jones, Infantry.
Louis Leopold Lesser, Field Artillery.
Walter Francis Jennings, Cavalry.
Edward Cuyler Applegate, Infantry.
Henry Louis Love, Field Artillery.
Cranford Coleman Bryan Warden, Infantry.
William Dawes Williams, Field Artillery.
William Thomas Semmes Roberts, Infantry.
McDonald Donegan Weinert, Corps of Engineers.
John Walker Childs, Infantry.
Wilbert Engdahl Shallene, Field Artillery.
Wilmar Weston Dewitt, Infantry.
James Milliken Bevans, Air Corps.
Floyd Raymond Brisack, Field Artillery.
Clarence Everett Jackson, Infantry.
Edward Joseph Walsh, Infantry.
Haydn Purcell Roberts, Signal Corps.
Alan Sydney Rush, Infantry.
Clifford Cleophas Duell, Field Artillery.
William Orville Collins, Infantry.
William Larwill Carr, Field Artillery.
Russell George Duff, Field Artillery.
Ross Clyde Brackney, Infantry.
Roy Prewett Huff, Field Artillery.
Lawrence August Dietz, Infantry.
Paul Hanes Kemmer, Air Corps.
Richard Sears, Field Artillery.
John James Baker, Infantry.
George Louis Boyle, Infantry.
Robert Brice Johnston, Quartermaster Corps.
Paul Ainsworth Berkey, Field Artillery.
Robert Clyde Padley, Quartermaster Corps.
Dana Gray McBride, Cavalry.
Donald Boyer Phillips, Air Corps.
William Wallace Robertson, Infantry.
William Peyton Campbell, Finance Department.
Harry Starkey Aldrich, Coast Artillery Corps.
Hugh Perry Adams, Field Artillery.
Cecil Elmore Archer, Air Corps.
Thomas Edward Moore, Field Artillery.
Robert DuVal Waring, Field Artillery.
Stephen Yates McGiffert, Field Artillery.
John Otis Hyatt, Infantry.
Louis Meline Merrick, Air Corps.
Lee Roy Woods, Jr., Field Artillery.
Rox Hunter Donaldson, Field Artillery.
Dudley Warren Watkins, Air Corps.
Arthur Nathaniel Willis, Cavalry.
Lyman Perley Whitten, Air Corps.
Ray Henry Clark, Air Corps.
Homer Wilbur Ferguson, Air Corps.
James Richmond Simpson, Infantry.
Philip Schwartz, Ordnance Department.
Richard Brown Thornton, Quartermaster Corps.
Charles Nicholas Senn Ballou, Infantry.
Samuel Rubin, Coast Artillery Corps.
Donald Wallace Norwood, Air Corps.
Walden Sharp Lewis, Infantry.
Andrew Julius Evans, Infantry.
Paul Corson Howe, Coast Artillery Corps.
Donald McKechnie Ashton, Infantry.
Edward Alfred Mueller, Infantry.
Robert William Calvert Wimsatt, Air Corps.
Clayton Huddle Studebaker, Field Artillery.
Albert James Wick, Coast Artillery Corps.
Raymond Taylor Tompkins, Field Artillery.
George Alfred Arnold Jones, Field Artillery.
George Evans Burritt, Field Artillery.
William Madison Mack, Signal Corps.
Robert Crane Hendley, Field Artillery.
Walter Jesse Klepinger, Field Artillery.
Grady David Epps, Infantry.
Frank Charles McConnell, Coast Artillery Corps.
Dale Phillip Mason, Signal Corps.
Donald Fowler Fritch, Air Corps.
James Madison Callicutt, Field Artillery.
Reginald Pond Lyman, Signal Corps.
John Sharpe Griffith, Air Corps.
George Work Marvin, Corps of Engineers.
Charles Joseph Barrett, Jr., Field Artillery.
Maxwell Davenport Taylor, Field Artillery.
Henry James Woodbury, Corps of Engineers.
Louis Jacob Rumaggi, Corps of Engineers.
Edmund Clayton Lynch, Air Corps.
Francis Jennings Wilson, Corps of Engineers.
Alfred August Kessler, Jr., Air Corps.
Paschal Neilson Strong, Jr., Corps of Engineers.
Cortlandt Van Rensselaer Schuyler, Coast Artillery Corps.
Lawrence Coy Leonard, Ordnance Department.
Mervin Eugene Gross, Air Corps.
Robert Wayne Raynsford, Signal Corps.
LeRoy Judson Stewart, Field Artillery.
Edward Shelley Gibson, Infantry.
John Francis Uncles, Field Artillery.
Giles Richard Carpenter, Field Artillery.
David James Crawford, Ordnance Department.
William Field Sadtler, Ordnance Department.
Earl Foster Thompson, Cavalry.
Charles Newsom Branham, Coast Artillery Corps.
Francis Borgia Kane, Coast Artillery Corps.
William Stevens Lawton, Coast Artillery Corps.
Albert Svihra, Field Artillery.
Granger Anderson, Coast Artillery Corps.
Alfred Eugene Kastner, Field Artillery.
Edwin Paul Crandell, Cavalry.
Mark McClure, Field Artillery.
Benjamin Wiley Chidlaw, Air Corps.
Myron Leedy, Ordnance Department.
Alba Carlton Spalding, Coast Artillery Corps.
Robert Landon Taylor, Field Artillery.
Stephen Cecil Lombard, Field Artillery.
Fred James Woods, Coast Artillery Corps.
Kenneth Francis Pughe, Infantry.
Robert Smith McClenaghan, Field Artillery.
Francis Xavier Mulvihill, Infantry.
Charles Hancock Reed, Cavalry.
Walter Russell Hensey, Jr., Field Artillery.
Orval Ray Cook, Air Corps.
Perry McCoy Smith, Coast Artillery Corps.
James Wrathall Spry, Air Corps.
Gordon Sherman Armes, Cavalry.
Frederick William Hein, Infantry.
Charles Rufus Smith, Infantry.
Harold Alfred Meyer, Infantry.
Robert Earle Blair, Infantry.
Harold Thomas Molloy, Field Artillery.
James Dunne O'Connell, Signal Corps.
Gilman Clifford Mudgett, Cavalry.
Numa Augustin Watson, Infantry.
Wesley Woodworth Yale, Cavalry.
Robert Wilkins Douglass, Jr., Air Corps.
Oscar Louis Beal, Air Corps.
Oliver Wendell Hughes, Infantry.
Robert Vincent Murphy, Infantry.
Melville Fuller Grant, Infantry.
James Edward Rees, Infantry.
James Robinson Pierce, Infantry.
Lemuel Mathewson, Field Artillery.

George Harold Carmouche, Infantry.
Thomas Varon Webb, Infantry.
George Edward Mitchell Jr., Field Artillery.
William Henry Schildroth, Infantry.
George Arthur Taylor, Infantry.
Alfred Lawrence Price, Field Artillery.
Frank Llewellyn Beadle, Corps of Engineers.
Gilbert Hayden, Signal Corps.
Francis Eugene Cothran, Corps of Engineers.
Thomas Herbert Maddocks, Signal Corps.
David Marion Fowler, Infantry.
Edward Arthur Kleinman, Coast Artillery Corps.
Blackshear Morrison Bryan, Jr., Field Artillery.
John Lawson Ballantyne, Cavalry.
Hilbert Milton Wittkop, Air Corps.
Donald Quitman Harris, Field Artillery.
John Percy Kennedy, Jr., Field Artillery.
Townsend Griffiss, Air Corps.
William Andrew Wedemeyer, Field Artillery.
Edwin Carlo Greiner, Cavalry.
Oliver Perry Newman, Infantry.
Ronald Gorrie MacDonald, Infantry.
John Hughes Stodter, Cavalry.
Thomas Edward Lewis, Field Artillery.
Stewart Tiffany Vincent, Infantry.
Paul Henry Mahoney, Infantry.
James Clyde Fry, Infantry.
Austin Folger Gilmartin, Infantry.
Elbert Kelly, Quartermaster Corps.
James Harrison Dickie, Finance Department.
Charles Llewellyn Gorman, Quartermaster Corps.
Joseph Perry Catte, Infantry.
Albert Carroll Morgan, Infantry.
John LaValle Graves, Field Artillery.
Herbert William Kruger, Field Artillery.
William Earl Watters, Field Artillery.
Lee Henry Dawson, Air Corps.
Milton John Smith, Air Corps.
Carl Budd Wahle, Coast Artillery Corps.
Leonard Loyd Hilliard, Infantry.
Lester Vocke, Field Artillery.
James Fish, 3d, Infantry.
John Leon Dicks, Infantry.
Lester Mavity Rouch, Field Artillery.
Herman William Fairbrother, Infantry.
Thomas Edward Meyer, Field Artillery.
Thomas Jefferson Randolph, Cavalry.
Harry Edwin Magnuson, Coast Artillery Corps.
LaRoy Sanders Graham, Infantry.
Francis Lavelle Ready, Cavalry.
David Hottenstein, Coast Artillery Corps.
Ray Brooks Floyd, Infantry.
Ray Eugene Marshall, Infantry.
Harland Fremont Burgess, Infantry.
Karl Clifford Frank, Coast Artillery Corps.
Clyde Anderson, Burcham, Cavalry.
Randall James Hogan, Ordnance Department.
Robert Nicholas Young, Infantry.
James Frederick Phillips, Air Corps.
Douglas Valentine Johnson, Field Artillery.
Frederick Williams Watrous, Field Artillery.
Charles Elford Smith, Infantry.
Raymond Edward Culbertson, Air Corps.
Maynard Harper Carter, Infantry.
LeGrande Albert Diller, Infantry.
Robert Parker Hollis, Field Artillery.
Isaac Davis White, Cavalry.
Louis Edward Roemer, Infantry.
Max Hosmer Gooler, Infantry.
Joseph Howard Harper, Infantry.
Newton Farragut McCurdey, Cavalry.
John Julius Dubbelde, Jr., Infantry.
Joe Ford Simmons, Coast Artillery Corps.
Clarence Turner Hulett, Infantry.
Daniel Powell Poteet, Field Artillery.
Ord Gariche Chrisman, Infantry.
Gerson Kirkland Heiss, Ordnance Department.
Ransom George Amlong, Quartermaster Corps.
Paul Lawrence Martin, Field Artillery.
Walter Howard DeLange, Field Artillery.
Robert Kelsey Haskell, Field Artillery.
Ralph Adel Snavely, Air Corps.
Claude Armenius Thorp, Cavalry.
Rowland Reid Street, Infantry.
John Marquiss Whistler, Field Artillery.
James Howard Leusley, Field Artillery.
Aloysius Eugene O'Flaherty, Jr., Infantry.
Robert Boyd Williams, Air Corps.
Glenn Hunter Palmer, Signal Corps.
Royal Bertrand Lord, Corps of Engineers.
Kenner Fisher Hertford, Corps of Engineers.
Steven Livesay Conner, Ordnance Department.
Miles Reber, Corps of Engineers.
Charles West Stewart, Jr., Corps of Engineers.
William Francis Merwin Longwell, Corps of Engineers.
John Rutherford Noyes, Corps of Engineers.
Lyle Rosenberg, Corps of Engineers.
William Randolph Winslow, Corps of Engineers.
William Newton Leaf, Corps of Engineers.
David Morris Dunne, Jr., Corps of Engineers.
Frank McAdams Albrecht, Corps of Engineers.
Theodore Morrison Osborne, Corps of Engineers.
Robert Farnsworth Hallock, Field Artillery.
Stuart Alfred Beckley, Field Artillery.
Harold David Kehm, Field Artillery.
John Wesley Warren, Air Corps.
Einar Bernard Gjelsteen, Field Artillery.
William Elgie Carraway, Infantry.
John Mark Pesek, Infantry.
Herbert Bronson Enderton, Field Artillery.
John Battle Horton, Field Artillery.
Joseph Leander Hardin, Field Artillery.
Carter Bowie Magruder, Field Artillery.
William Joseph D'Espinosa, Ordnance Department.
Wilbur Ray Pierce, Field Artillery.
Donald Henry Galloway, Cavalry.
Howard William Serig, Signal Corps.
Daniel DeBardeleben, Cavalry.
Patrick Weston Timberlake, Air Corps.
Clyde Kenneth Rich, Air Corps.
Paul Wakefield Wolf, Air Corps.
David Larr, Field Artillery.
Laurance Carbee Craigie, Air Corps.
Philip Roy Dwyer, Infantry.
Sylvester John Keane, Signal Corps.
Allen Lloyd Keyes, Field Artillery.
Damon Mott Gunn, Infantry.
Charles Metz Seebach, Infantry.
Harry McKenzie Roper, Field Artillery.
James Henry Workman, Field Artillery.
Charles Wesley Gettys, Coast Artillery Corps.
Henry James Pitt Harding, Infantry.
William Shepard Biddle, 3d, Cavalry.
George Francis Heaney, Jr., Coast Artillery Corps.
John Humphrey Evans, Infantry.
William Remsburgh Grove, Jr., Field Artillery.
George Lewis Dewey, Infantry.
James Frederick Torrence, Jr., Infantry.
Douglass Gordon Pamplin, Coast Artillery Corps.
Charles White Lawrence, Air Corps.
Michael Buckley, Jr., Field Artillery.
Benjamin Stern, Signal Corps.
Wallace Evan Whitson, Air Corps.
Lloyd Shepard, Coast Artillery Corps.
Rex Eugene Chandler, Field Artillery.
Russel J. Minty, Air Corps.
Sheffield Edwards, Field Artillery.
John Roper Burnett, Coast Artillery Corps.
Raymond Stone, Jr., Coast Artillery Corps.
John Joseph Binns, Field Artillery.
Walter Burnside, Cavalry.
James Francis Joseph Early, Air Corps.

Howard John Vandersluis, Coast Artillery Corps.
Ulysses John Lincoln Peoples, Jr., Ordnance Department.
Richard Briggs Evans, Cavalry.
Alden Rudyard Crawford, Air Corps.
Rochester Flower McEldowney, Field Artillery.
Thomas Merritt Lowe, Air Corps.
Kevin O'Shea, Cavalry.
Carl Douglas Silverthorne, Cavalry.
Louis William Haskell, Field Artillery.
David Myron Schlatter, Air Corps.
Charles Trovilla Myers, Air Corps.
Eugene Ware Ridings, Infantry.
Charles Woodford Cowles, Field Artillery.
Kenneth Eugene Webber, Finance Department.
Alexander Davidson Reid, Infantry.
Leslie Page Holcomb, Air Corps.
Charles Vinson Bromley, Jr., Cavalry.
John William Harmony, Infantry.
Philip Harrison Enslow, Field Artillery.
Ernest Byron Thompson, Coast Artillery Corps.
Elwyn Donald Post, Infantry.
Franklin Kress Gurley, Coast Artillery Corps.
Wilfrid Henry Hardy, Air Corps.
Leslie Martin Grener, Cavalry.
Joseph Smith, Air Corps.
Kenneth Shearer Sweany, Field Artillery.
Joseph Harold Hicks, Air Corps.
Guy Haines Stubbs, Coast Artillery Corps.
Ralph Christian Bing, Infantry.
Clinton John Harrold, Cavalry.
Russell Emerson Bates, Coast Artillery Corps.
Earl Shuman Gruver, Ordnance Department.
Warren Cole Stout, Field Artillery.
David Barbour Barton, Signal Corps.
William Augustus Davis Thomas, Field Artillery.
Eugene Lynch Harrison, Cavalry.
Bernard Aye Tormey, Field Artillery.
Joseph Ingham Greene, Infantry.
Abner Judson McGehee, Jr., Infantry.
Valentine Roy Smith, Field Artillery.
Joseph Anthony Cella, Field Artillery.
James Boyce Carroll, Coast Artillery Corps.
John Ellsworth Adkins, Jr., Field Artillery.
Cecil Ward Nist, Infantry.
Robert Chaffee Oliver, Air Corps.
James Eugene Bernard McInerney, Ordnance Department.
Francis Arthur Garrecht, Jr., Field Artillery.
Frank Dorn, Field Artillery.
Charles Edward Woodruff, Jr., Infantry.
Donald McLean, Coast Artillery Corps.
Paschal Hoover Ringsdorf, Field Artillery.
Stuart Lee Cowles, Field Artillery.
John Maurice Weikert, Air Corps.
George Pierce Howell, Infantry.
Warren Alfred Robinson, Infantry.
John Hensel Pitzer, Coast Artillery Corps.
William Lawrence Scott, Jr., Air Corps.
Dean Stanley Ellerthorpe, Coast Artillery Corps.
George Conrad Nergens, Infantry.
Horton Vail White, Infantry.
James Edward Bowen, Jr., Infantry.
Austin Curtis Cunkle, Infantry.
Francis Townsend Dodd, Field Artillery.
Charles Carlton Cavender, Infantry.
George Stanley Smith, Field Artillery.
William Campbell Lucas, Field Artillery.
Harvey Keene Palmer, Jr., Field Artillery.
Wendell Gunner Johnson, Infantry
Howard Edward Crane Breitung, Coast Artillery Corps
Paul Kenneth Porch, Infantry.
John George Salsman, Air Corps.
Lyman O'Dell Williams, Infantry.
Temple Graves Holland, Infantry.
Lew Myers Morton, Coast Artillery Corps.
Paul Cyril Serff, Infantry.
Lawrence Leroy Skinner, Infantry.
Edward Forstall Adams, Infantry.
Thomas Sherman Timberman, Infantry.
Cyril Quentin Marron, Infantry.
Robert Herman Krueger, Coast Artillery Corps.
Louis John Storck, Infantry.
Donald Cameron Tredennick, Coast Artillery Corps.
David Sherman Babcock, Field Artillery.
James Jewett Carnes, Infantry.
Joseph Winfield Boone, Infantry.
Hugh Chauncey Johnson, Infantry.
James Michael Fitzmaurice, Air Corps.
John Owen Colonna, Corps of Engineers.
Charles Calvin Higgins, Infantry.
George Craig Stewart, Infantry.
Louis Peter Leone, Infantry.
Robert Leroy Dulaney, Infantry.
James Clarke Carter, Infantry.
Robert McKee Smith, Ordnance Department.
Hoyt Sanford Vandenberg, Air Corps.
Lawrence Varsi Castner, Infantry.
Henry Granville Fisher, Infantry.
Hal Clark Granberry, Infantry.
Ralph Mundon Neal, Cavalry.
Stewart Warren Towle, Jr., Air Corps.
Edwin Britain Howard, Infantry.
John Paul Evans, Infantry.
William Harold Schaffer, Infantry.
Sidney Lee Douthit, Infantry.
Allen Dwight Raymond, Jr., Infantry.
Walter Cornelius White, Air Corps.
Lynn Edwin Brady, Infantry.
Glen Clifford Jamison, Air Corps.
James Robert Lindsay, Jr., Field Artillery.
Roy Madison Foster, Quartermaster Corps.
Wayne Latta Barker, Coast Artillery Corps.
Carl Brown McDaniel, Air Corps.
Carlisle Brown Irwin, Infantry.
Lee Carl Vance, Cavalry.
Russell Vivian Perry, Quartermaster Corps.
Thomas Davison Drake, Infantry.
Granville Victor Morse, Cavalry.
Herbert Spencer Jordan, Infantry.
Dresden James Cragun, Infantry.
Edward Harvey Clouser, Infantry.
Herbert Kenneth Baisley, Air Corps.
Carl Eugene Anderson, Infantry.
Thomas Robinson, Cavalry.
John Kraybill Nissley, Air Corps.
William Rush Blakely, Infantry.
William Douglass Paschall, Field Artillery.
Frederick Mott Thompson, Infantry.
Charles Goodwin Pearcy, Air Corps.
Alonzo Valede Thorpe, Finance Department.
Voris Hamilton Connor, Field Artillery.
Arthur Bordeaux Nicholson, Coast Artillery Corps.
Girvelle Leighton Field, Coast Artillery Corps.
Staten Eugene Rall, Infantry.
Don Emerson Carleton, Cavalry.
Kenneth Lafayette Johnson, Field Artillery.
Eugene Haworth Vernon, Infantry.
Paul Green Kendall, Cavalry.
Ralph Waldo Russell, Coast Artillery Corps.
Archibald Yarborough Smith, Air Corps.
Herbert William Anderson, Air Corps.
DeWitt Ballard, Infantry.
James Lendsey McKinnon, Field Artillery.
Willis Glenn Cronk, Infantry.
Richard Tyler Willson, Cavalry.
Leslie Lee Hittle, Field Artillery.
Leslie Furness Young, Field Artillery.
Emmett Hill Emanuel, Infantry.
Eugene Desire Regad, Ordnance Department.
Donald Taylor Beeler, Infantry.
Charles Creswell Blakeney, Field Artillery.
William Mason Hoke, Infantry.
Willard Fromm Millice, Field Artillery.
Elvin Hamilton Burger, Infantry.
James Freeland McGraw, Infantry.

Richard Searl Marr, Field Artillery.
Leonard James Greeley, Field Artillery.
Kingsley Sherman Andersson, Corps of Engineers.
William Frishe Dean, Infantry.
Ben Early Cordell, Coast Artillery Corps.
Dalies Joshua Oyster, Field Artillery.
George Phillips Privett, Field Artillery.
William Lindsay McPherson, Coast Artillery Corps.
William Vincent Gray, Infantry.
Daniel Peter Norman, Infantry.
John Mitchell England, Coast Artillery Corps.
Floyd Cornelius Devenbeck, Ordnance Department.
William Black Forse, Infantry.
William Brown Short, Coast Artillery Corps.
John Wallace Homewood, Infantry.
James Vestie Collier, Field Artillery.
Edwin Kennedy Wright, Infantry.
Clint Leroy Taylor, Field Artillery.
Richard Herbert Torovsky, Quartermaster Corps.
Philip Mapes Shockley, Quartermaster Corps.
Ernest Tuttle Owen, Field Artillery.
Martin Hamlin Burckes, Field Artillery.
Arthur Cecil Ramsey, Infantry.
Wallace Howard Hastings, Corps of Engineers.
Albert Fox Glenn, Air Corps.
Emerson Leroy Cummings, Corps of Engineers.
Earle Everard Partridge, Air Corps.
Fisher Shinholt Blinn, Corps of Engineers.
Donald Charles Hill, Corps of Engineers.
Benjamin Schultz Mesick, Jr., Ordnance Department.
Reginald Langworthy Dean, Corps of Engineers.
Morrow Egerton Sorley, Corps of Engineers.
Philip Robison Garges, Corps of Engineers.
George Dakin Crosby, Field Artillery.
Arthur Gilbert Trudeau, Corps of Engineers.
John Held Riepe, Cavalry.
Emerson Charles Itschner, Corps of Engineers.
Ernest Orrin Lee, Field Artillery.
Howard Ker, Corps of Engineers.
Charles Day Palmer, Field Artillery.
Herbert Davis Vogel, Corps of Engineers.
Fremont Swift Tandy, Corps of Engineers.
Emil John Peterson, Corps of Engineers.
Gordon Edmund Textor, Corps of Engineers.
Everett Chalmers Wallace, Coast Artillery Corps.
Vernum Charles Stevens, Coast Artillery Corps.
Otis McCormick, Infantry.
Wendell Blanchard, Cavalry.
Thomas Du Val Roberts, Cavalry.
Clinton Frederick Robinson, Corps of Engineers.
Frederic Allison Henney, Corps of Engineers.
David Jerome Ellinger, Air Corps.
Leonard Lawrence Bingham, Corps of Engineers.
Floyd Allen Mitchell, Coast Artillery Corps.
Samuel Vance Krauthoff, Field Artillery.
Joseph Peter Shumate, Coast Artillery Corps.
John Ismert Hincke, Coast Artillery Corps.
Fred Arley Ingalls, Air Corps.
Raymond Thomas Beurket, Field Artillery.
Heyward Bradford Roberts, Infantry.
Charles George Meehan, Cavalry.
Victor Allen Conrad, Signal Corps.
Robin Bernard Pape, Coast Artillery Corps.
John Franklin Williams, Field Artillery.
Harry Jordan Theis, Cavalry.
Amel Thomas Leonard, Field Artillery.
Clyde Massey, Cavalry.
Bruce Woodward Bidwell, Infantry.
Elmer Ernest Count, Jr., Coast Artillery Corps.
Robert Ward Berry, Coast Artillery Corps.
Harry Van Wyk, Field Artillery.
Glenn Bruce McConnell, Field Artillery.
Harold Peabody Tasker, Coast Artillery Corps.
William Howard Arnold, Infantry.
Raymond Hendley Coombs, Field Artillery.
Wellington Alexander Samouce, Field Artillery.
Francis Elmer Kidwell, Signal Corps.
William Hubbard Barksdale, Jr., Field Artillery.
Eugene Barber Ely, Field Artillery.
Grayson Schmidt, Coast Artillery Corps.
Leslie Earl Simon, Ordnance Department.
Frank Finley Taylor, Jr., Quartermaster Corps.
Charles Trueman Lanham, Infantry.
Richard Warburton Stephens, Infantry.
Robert Clement Lawes, Field Artillery.
Richard Longworth Baughman, Infantry.
Edwin Henry Harrison, Ordnance Department.
Cary Judson King, Jr., Signal Corps.
Lawrence Russell Dewey, Cavalry.
Ralph Irvin Glasgow, Coast Artillery Corps.
William Armstrong Bugher, Cavalry.
Wilbur Kincaid Noel, Cavalry.
Jesse Bernard Wells, Cavalry.
Cecil Ernest Henry, Air Corps.
George Anthony Bicher, Signal Corps.
James Thomas Loome, Field Artillery.
Harold Phineas Gard, Coast Artillery Corps.
William Lloyd Richardson, Coast Artillery Corps.
Andrew Allison Frierson, Cavalry.
Craig Alderman, Infantry.
Ovid Thomason Forman, Coast Artillery Corps.
Leslie Seekell Fletcher, Ordnance Department.
Charles Raeburne Landon, Infantry.
George Wesley Palmer, Coast Artillery Corps.
Thomas Edwin Binford, Field Artillery.
Ernest August Merkle, Coast Artillery Corps.
Carl William Albert Raguse, Cavalry.
Leo Douglas Vichules, Coast Artillery Corps.
George Arthur Hadsell, Infantry.
Earl Mattice, Infantry.
Herbert Theodore Benz, Coast Artillery Corps.
Uzal Girard Ent, Air Corps.
Henry Sterling Jernigan, Cavalry.
James Stewart Willis, Signal Corps.
Frank Jay Thompson, Cavalry.
Augustine Davis Dugan, Cavalry.
Clarence Everett Rothgeb, Coast Artillery Corps.
Marcus Butler Stokes, Jr., Field Artillery.
Francis Marion Day, Field Artillery.
William Herbert Schaefer, Infantry.
Clarence William Bennett, Cavalry.
Gordon Byron Rogers, Cavalry.
Bernard Francis Luebbermann, Field Artillery.
Peter Wesley Shunk, Coast Artillery Corps.
George Curnow Claussen, Cavalry.
James Frederick Howell, Jr., Coast Artillery Corps.
Russell Layton Mabie, Field Artillery.
Ewing Hill France, Quartermaster Corps.
William John Eyerly, Field Artillery.
George Dunbar Pence, Field Artillery.
Murray Bradshaw Crandall, Cavalry.
William Joseph Reardon, Cavalry.
John Henry Brewer, Signal Corps.
Lester Joseph Tacy, Field Artillery.
Charles Lanier Dasher, Jr., Field Artillery.
Sanford Joseph Goodman, Coast Artillery Corps.
Gerald Goodwin Gibbs, Coast Artillery Corps.
George William Busbey, Cavalry.
Haydon Lemaire Boatner, Infantry.
Cary Brown Hutchinson, Cavalry.
Clarence Keith Darling, Cavalry.
Joe L. Loutzenheiser, Air Corps.
Zachery Winfield Moores, Cavalry.
Perry William Brown, Field Artillery.
James Edward Moore, Infantry.
Silas Woodson Hosea, Infantry.
Harold James Keeley, Infantry.
Stephen Stanley Koszewski, Field Artillery.
John Clair Smith, Coast Artillery Corps.
Peter Conover Hains, 3d, Cavalry.
George Edmund Young, Coast Artillery Corps.
Richard Emmel Nugent, Air Corps.
Walter Allen Buck, Infantry.
John Phillips Kirkendall, Air Corps.

Vonna Fernleigh Burger, Field Artillery.
Charles Dwelle Daniel, Field Artillery.
Joseph Aloysius Kielty, Infantry.
Albert Delmar Miller, Coast Artillery Corps.
Cleland Charles Sibley, Infantry.
James Edward McGraw, Coast Artillery Corps.
Robert Roy Selway, Jr., Air Corps.
John Gilbert Moore, Air Corps.
Edward Lynn Andrews, Field Artillery.
James Grafton Anding, Field Artillery.
Darwin Denison Martin, Coast Artillery Corps.
George Avery Tucker, Coast Artillery Corps.
Joseph Rogers Burrill, Field Artillery.
Leslie Alfred Skinner, Ordnance Department.
Nathaniel Clay Cureton, Jr., Field Artillery.
John Alfred McComsey, Coast Artillery Corps.
George Morgan Kernan, Infantry.
James Edwards Poore, Jr., Infantry.
Maxwell Wood Tracy, Coast Artillery Corps.
Howard Everett Kessinger, Field Artillery.
Francis Edwin Gillette, Infantry.
Albert Kellogg Stebbins, Jr., Infantry.
Washington Mackey Ives, Jr., Infantry.
William Lewis Johnson, Coast Artillery Corps.
Richard Givens Prather, Infantry.
Douglas Byron Smith, Infantry.
Robert Edward Cullen, Infantry.
Merton Goodfellow Wallington, Signal Corps.
Eleazar Parmly, 3d, Field Artillery.
Luther Stevens Smith, Air Corps.
Samuel Glenn Conley, Infantry.
Stephen Wilson Ackerman, Infantry.
Lewis Spencer Kirkpatrick, Coast Artillery Corps.
Charles Hunter Coates, Infantry.
Frank Glover Trew, Cavalry.
Otto Lauren Nelson, Jr., Infantry.
William Henry Kendall, Coast Artillery Corps.
John Curtis LaFayette Adams, Infantry.
Robert Wells Harper, Air Corps.
Augustus Jerome Regnier, Infantry.
Howard McMath Turner, Air Corps.
Willard Koehler Liebel, Infantry.
Oliver Malcolm Barton, Field Artillery.
Bjarne Furuholmen, Field Artillery.
Charles Pelot Summerall, Jr., Field Artillery.
Thomas George McCulloch, Finance Department.
Leonard Henry Rodieck, Air Corps.
John Harry Stadler, Jr., Cavalry.
Louis Chadwick Friedersdorff, Field Artillery.
Lewis Curtis Barkes, Infantry.
John Lyman Hitchings, Cavalry.
Kenneth Crawford Strother, Infantry.
George Alvin Millener, Infantry.
Daniel Francis Healy, Jr., Field Artillery.
George Hinkle Steel, Air Corps.
Russell Andrew Baker, Infantry.
Frank Smith Kirkpatrick, Field Artillery.
George Walter Vaughn, Field Artillery.
Paul Cooper, Infantry.
Laurence Knight Ladue, Cavalry.
Ralph Pulsifer, Infantry.
Logan Carroll Berry, Cavalry.
Onto Price Bragan, Infantry.
Robert Joseph McBride, Infantry.
Charles Ward Van Way, Jr., Infantry.
Harry Dillon McHugh, Infantry.
William Harry Bertsch, Jr., Field Artillery.
Gerald Jay Reid, Field Artillery.
Edward Higgins White, Air Corps.
James William Clyburn, Field Artillery.
David Griffith Erskine, Field Artillery.
Armistead Davis Mead, Jr., Infantry.
Albert Newton Stubblebine, Jr., Field Artillery.
Charles Harold Royce, Infantry.
Paul Albert Pickhardt, Infantry.
Oswaldo de la Rosa, Infantry.
William Olmstead Eareckson, Air Corps.
William Leo Coughlin, Field Artillery.
William Thaddeus Sexton, Field Artillery.
Henry Coates Burgess, Infantry.
Francis Robert Stevens, Infantry.
Robert Augustus Ellsworth, Field Artillery.
George Edmund Wrockloff, Jr., Field Artillery.
James Edgar Macklin, Quartermaster Corps.
Richard Weigand Gibson, Air Corps.
Frederick Raymond Keeler, Coast Artilery Corps.
Charles Edward Hart, Field Artillery.
Kenneth Negley Decker, Field Artillery.
George Almond Ford, Coast Artillery Corps.
Edward Amedee Chazal, Infantry.
Thomas Allen Jennings, Field Artillery.
Rupert Davidson Graves, Infantry.
Reed Graves, Infantry.
Mark Edward Smith, Jr., Infantry.
John Gillespie Hill, Infantry.
Joseph Massaro, Field Artillery.
Wolcott Kent Dudley, Infantry.
James Barry Kraft, Field Artillery.
Andrew Suter Gamble, Infantry.
Howard Jehu John, Field Artillery.
John Reynolds Hawkins, Air Corps.
Earl Lynwood Scott, Infantry.
Charles Loomis Booth, Field Artillery.
Andrew Paul Foster, Jr., Infantry.
Melvin Eugene Meister, Infantry.
Emil Lenzner, Signal Corps.
Hobart Amory Murphy, Infantry.
William Henry Maglin, Infantry.
Ralph Emanuel Fisher, Air Corps.
William Samuel Triplet, Infantry.
George Winfered Smythe, Infantry.
John Harold Claybrook, Jr., Cavalry.
Jesse Thomas Traywick, Jr., Infantry.
Philip McCaffrey Kernan, Infantry.
Howard Alexander Malin, Infantry.
James Earl Purcell, Infantry.
John Archer Elmore, Jr., Infantry.
John Wesley Ramsey, Jr., Infantry.
Francis John Graling, Infantry.
Nye Kirwan Eldward, Infantry.
James Pierce Culley, Infantry.
Samuel Waynne Smithers, Infantry.
Ralph Arthur Koch, Infantry.
Kenneth Rector Bailey, Infantry.
Lucien Francis Wells, Jr., Infantry.
George Patrick O'Neill, Infantry.
Richard Tonkin Mitchell, Infantry.
George Edward Lightcap, Infantry.
John Archer Stewart, Infantry.
Samuel Henry Fisher, Field Artillery.
Dennis Milton Moore, Infantry.
Clark Norace Bailey, Infantry.
Victor Emmanuel Phasey, Infantry.
Clyde Davis Eddleman, Infantry.
Russell Leonard Moses, Infantry.
John O'Day Murtaugh, Cavalry.
Sarratt Thaddeus Hames, Infantry.
Virgil Rasmuss Miller, Infantry.
James Somers Stowell, Air Corps.
Arthur LeRoy Bump, Jr., Air Corps.
Reeve Douglas Keiler, Infantry.
George Emmert Elliott, Infantry.
William Wallace Cornog, Jr., Infantry.
Demas Thurlow Craw, Air Corps.
Henry Isaac Kiel, Infantry.
Daniel Harrison Hundley, Infantry.
William Walrath Lloyd, Infantry.
Jacob Robert Moon, Infantry.
Thomas Harrison Allen, Infantry.
Raymond Rodney Robins, Infantry.
Peter Sather, Jr., Field Artillery.
Richard Garner Thomas, Jr., Infantry.
Frank Faron Carpenter, Jr., Field Artillery.
Ralph Parker Eaton, Infantry.

Henry Dahnke, Infantry.
Robert Carlyle Andrews, Infantry.
Herbert Frank McGuire Matthews, Infantry.
Noah Mathew Brinson, Infantry.
Albert John Dombrowsky, Infantry.
Jean Dorbant Scott, Infantry.
Robert Walker Stika, Infantry.
Ovid Oscar Wilson, Infantry.
Martin Frank Hass, Infantry.
Cornelius Walter Cousland, Air Corps.
William Frederick Kellotat, Quartermaster Corps.
Raleigh Raymond Hendrix, Coast Artillery Corps.
Howard Donald Criswell, Infantry.
Robert Douglas McLeod, Jr., Chemical Warfare Service.
Glenn Newman, Coast Artillery Corps.
William George Devens, Coast Artillery Corps.
Charles Edward Shepherd, Coast Artillery Corps.
Walker Wesley Holler, Ordnance Department.
Daniel Jerome Martin, Ordnance Department.
Malin Craig, Jr., Field Artillery.
Forrest James French, Coast Artillery Corps.
Samuel Howard Morrow, Coast Artillery Corps.
Norman Blakesley Simmonds, Coast Artillery Corps.
Vern Walbridge, Coast Artillery Corps.
Winfield Wayne Scott, Field Artillery.
Sylvan Berliner, Coast Artillery Corps.
Joris Bliss Rasbach, Field Artillery.
Leonard Marion Johnson, Field Artillery.
Chester Archibald Rowland, Corps of Engineers.
John Sterling Taylor, Infantry.
Louis Bernard Rutte, Infantry.
Nunez Christian Pilet, Infantry.
Arthur Willink, Ordnance Department.
Stephen Smith Hamilton, Infantry.
Farris Newton Latimer, Infantry.
Carl Joseph Crane, Air Corps.
John Douglas Salmon, Field Artillery.
James Peurifoy Hill, Infantry.
William Arthur Cole, Infantry.
Raymond Dishmann Palmer, Cavalry.
Murray Eberhart McGowan, Infantry.
Thomas Clagett Wood, Jr., Field Artillery.
George Henry Decker, Infantry.
Conrad Lewis Boyle, Field Artillery.
Edward Joseph O'Neill, Infantry.
Robert Reinhold Martin, Infantry.
John Perry Willey, Cavalry.
John Vogler Tower, Signal Corps.
Harry Donald Eckert, Cavalry.
George Edward Isaacs, Infantry.
Harold Francis Chrisman, Finance Department.
George Cooper Reinhardt, Corps of Engineers.
William Crowell Saffarrans, Infantry.
William Joseph Bradley, Cavalry.
Clark Louis Ruffner, Cavalry.
Ridgely Gaither, Jr., Infantry.
Earl William Aldrup, Quartermaster Corps.
Conrad Gordan Follansbee, Field Artillery.
John Henry Sampson, Jr., Field Artillery.
George August Zeller, Ordnance Department.
August Edward Schanze, Infantry.
Howard Eugene Engler, Air Corps.
Thomas Adams Doxey, Jr., Field Artillery.
William Donald Old, Air Corps.
Grovener Cecil Charles, Infantry.
Andral Bratton, Field Artillery.
Harold Mills Manderbach, Quartermaster Corps.
James Regan, Jr., Infantry.
George Laurence Holsinger, Field Artillery.
Harold Witte Uhrbrock, Infantry.
Elmer Theodore Rundquist, Air Corps.
Raymond Charles Lane, Infantry.
David Marshall Ramsay, Air Corps.
Sheldon Perkins McNickle, Infantry.
Will Knox Stennis, Coast Artillery Corps.
Harold George Peterson, Air Corps.
George Francis Schulgen, Air Corps.
Otto Paul Weyland, Air Corps.
Reginald Roan Gillespie, Air Corps.
Kirtley Jameson Gregg, Air Corps.
George Aldridge Whatley, Air Corps.
Frank Riley Loyd, Infantry.
Harry William Miller, Ordnance Department.
Sheldon Brightwell Edwards, Air Corps.
Clarence Steven Thorpe, Air Corps.
Howard Hunt Couch, Air Corps.
Wilfred Joseph Paul, Air Corps.
Glenn L. Davasher, Air Corps.
Charles Stowe Stodter, Signal Corps.
Charles Henry Barth, Jr., Corps of Engineers.
Standish Weston, Corps of Engineers.
Raymond Burkholder Oxrieder, Corps of Engineers.
Gerald Edward Galloway, Corps of Engineers.
Harrod George Miller, Signal Corps.
Charles Hare Mason, Corps of Engineers.
Carl Rueben Dutton, Ordnance Department.
George Kenyon Withers, Corps of Engineers.
Arleigh Todd Bell, Corps of Engineers.
Thomas Leonard Harrold, Cavalry.
Kenneth William Treacy, Field Artillery.
Vincent Joseph Esposito, Corps of Engineers.
Robert Lee Howze, Jr., Cavalry.
Leland Berrel Kuhre, Corps of Engineers.
Colby Maxwell Myers, Corps of Engineers.
Ralph Tibbs Garver, Cavalry.
William Ludlow Ritchie, Air Corps.
Amos Tappan Akerman, Corps of Engineers.
Rogers Alan Gardner, Cavalry.
Albert Harvey Burton, Corps of Engineers.
Bruce Cooper Clarke, Corps of Engineers.
Carl William Meyer, Corps of Engineers.
John Henry Dulligan, Air Corps.
David Henry Tulley, Corps of Engineers.
Walter Grant Bryte, Jr., Air Corps.
Kyrl Leighton Faxford deGravelines, Coast Artillery Corps.
Warren Nourse Underwood, Corps of Engineers.
Miles Merrill Dawson, Corps of Engineers.
Charles Parsons Nicholas, Field Artillery.
Russell Edward Randall, Air Corps.
Carl Warren Holcomb, Coast Artillery Corps.
Armand Hopkins, Coast Artillery Corps.
Timothy Lawrence Mulligan, Corps of Engineers.
Finis Ewing Dunaway, Jr., Corps of Enginers.
Benjamin Cobb Fowlkes, Jr., Corps of Engineers.
John Wilson Huyssoon, Coast Artillery Corps.
Frank Gilbert Fraser, Cavalry.
Stanley James Horn, Corps of Engineers.
Frank Andrew Pettit, Corps of Engineers.
William O'Connor Heacock, Cavalry.
Walter William Hodge, Corps of Engineers.
William Henry Nutter, Cavalry.
Oscar Carl Maier, Signal Corps.
Ralph Augustus Lincoln, Corps of Engineers.
Gilbert Edward Linkswiler, Corps of Engineers.
Aubrey Strode Newman, Infantry.
Ernest Victor Holmes, Field Artillery.
William Frank Steer, Infantry.
Wiley Thomas Moore, Ordnance Department.
Ronald Montgomery Shaw, Cavalry.
Conrad Stanton Babcock, Cavalry.
Alvin Truett Bowers, Coast Artillery Corps.
William Henry Bigelow, Infantry.
Lewis Ackley Riggins, Infantry.
Willard Lamborn Wright, Coast Artillery Corps.
John Frederick Gamber, Coast Artillery Corps.
Ernest Andrew Barlow, Infantry.
John Loomis Chamberlain, Jr., Field Artillery.
Frank John Hierholzer, Field Artillery.
Carl Frederick Tischbein, Coast Artillery Corps.
John Salisbury Fisher, Infantry.
Charles Pearre Cabell, Air Corps.
James Joseph Deery, Field Artillery.
Archer Frank Freund, Field Artillery.

Roland Ainslee Browne, Cavalry.
Milo Howard Matteson, Cavalry.
William John Carne, Infantry.
John Stephan Henn, Coast Artillery Corps.
Henry Randolph Westphalinger, Cavalry.
Raymond Cecil Conder, Field Artillery.
Ralph Frederick Bartz, Infantry.
James Wentworth Clinton, Infantry.
Arthur Bliss, Field Artillery.
William Holmes Wood, Cavalry.
John William Black, Field Artillery.
Lucien Eugene Bolduc, Infantry.
Alfred Boyce Devereaux, Field Artillery.
Paul Maurice Seleen, Ordnance Department.
Henry Ewell Strickland, Coast Artillery Corps.
Wilmer George Bennett, Field Artillery.
Arthur Charles Boll, Signal Corps.
Clifford Palmer Bradley, Air Corps.
Hubert Merrill Cole, Field Artillery.
Gustavus Wilcox West, Cavalry.
George Peter Berilla, Jr., Cavalry.
Branner Pace Purdue, Infantry.
George Joseph Deutermann, Field Artillery.
George Arthur Grayeb, Field Artillery.
Haydon Young Grubbs, Field Artillery.
William Albert Fuller, Cavalry.
Ralph Edmund Tibbetts, Infantry.
Edwin Lynds Johnson, Field Artillery.
Clyde Eugene Steele, Infantry.
Ernest Holmes Wilson, Infantry.
Norman Holmes Smith, Field Artillery.
John Wingo Dansby, Infantry.
Robert Milchrist Cannon, Field Artillery.
Charles Cavelli, Jr., Field Artillery.
Thomas Byrd Whitted, Jr., Field Artillery.
James Wilbur Mosteller, Jr., Coast Artillery Corps.
Meredith Cornwell Noble, Infantry.
George Henry McManus, Jr., Field Artillery.
Leo Francis Kengla, Jr., Infantry.
Robert Emmett Burns, Signal Corps.
John Amos Hall, Infantry.
Donald Janser Bailey, Coast Artillery Corps.
Nicholas Joseph Robinson, Infantry.
John Murphy Willems, Field Artillery.
Joseph Cyril Augustin Denniston, Air Corps.
John Franklin Bird, Field Artillery.
Henry Beane Margeson, Infantry.
Claude Franklin Burbach, Field Artillery.
Raymond Miller Barton, Cavalry.
William Lloyd Burbank, Infantry.
Wallace Hallock Honnold, Infantry.
Emmor Graham Martin, Coast Artillery Corps.
Walter Scott Strange, Infantry.
Welborn Barton Griffith, Jr., Infantry.
John Halliday McCormick, Air Corps.
William Nelson Gillmore, Field Artillery.
Hubert Whitney Ketchum, Jr., Cavalry.
Marcel Gustave Crombez, Infantry.
Milton Taylor Hankins, Signal Corps.
John William Gaddis, Infantry.
Raymond Kimball Quekemeyer, Field Artillery.
William Everton Pheris, Jr., Infantry.
Alexander Andrew Dobak, Infantry.
John Howard Bennett, Infantry.
Harry Clifton Larter, Jr., Field Artillery.
Wayne Carleton Smith, Infantry.
Godwin Ordway, Jr., Infantry.
Harry Jean Harper, Field Artillery.
Robert Pepper Clay, Field Artillery.
Edward Clement Mack, Infantry.
Ira Kenneth Evans, Quartermaster Corps.
Earl Walter Barnes, Air Corps.
Samuel Adrian Dickson, Field Artillery.
Dwight Harvey, Infantry.
William Eldred Long, Infantry.
John Llewellyn Lewis, Field Artillery.
John William Davis, Coast Artillery Corps.
Edwin Bascum Kearns, Jr., Infantry.
Rinaldo Van Brunt, Infantry.
George Patrick Lynch, Infantry.
John Francis Holland, Infantry.
John Porter Kidwell, Infantry.
Clarence Harwood Smith, Infantry.
Thaddeus Elmer Smyth, Infantry.
Waldemar Noya Damas, Infantry.
James Durward Barnett, Infantry.
Claude Aubrey Black, Infantry.
Russell Thomas Finn, Field Artillery.
Harry Wells Crandall, Infantry.
Joseph Pringle Cleland, Infantry.
Enoch Joseph Skalandzunos, Infantry.
John Laing De Pew, Cavalry.
John Robert McGinness, Infantry.
William Griffith Stephenson, Infantry.
George Bateman Peploe, Infantry.
Samuel Selden Lamb, Signal Corps.
Curtis D. Renfro, Infantry.
Charles Henry Caldwell, Air Corps.
Joseph Blair Daugherty, Infantry.
Haskell Hadley Cleaves, Signal Corps.
Albert Aaron Horner, Infantry.
Louis Quarles McComas, Infantry.
Mitchell Alonzo Giddens, Cavalry.
Leif Neprud, Coast Artillery Corps.
Theodore Lamar Dunn, Infantry.
Elliott Bickley Gose, Infantry.
Floyd Ellsworth Dunn, Infantry.
Michael John Geraghty, Infantry.
Donald Dunford, Field Artillery.
Arthur Superior Peterson, Infantry.
Ralph Randolph Sears, Infantry.
Edgar Turner Noyes, Air Corps.
David Evans Bradford, Cavalry.
James Keller De Armond, Air Corps.
Ernest Avner Suttles, Infantry.
August William Farwick, Cavalry.
Samuel Mason Lansing, Infantry.
Pierre Bacot Denson, Coast Artillery Corps.
Carl William Westlund, Infantry.
Walter Llewellyn Wheeler, Air Corps.
Norme D. Frost, Air Corps.
Linus Dodge Frederick, Air Corps.
James Gordon Pratt, Air Corps.
Milton Miles Murphy, Air Corps.
Lee Quintus Wasser, Air Corps.
Howard Knowles Vail, Infantry.
Benjamin Thomas Starkey, Air Corps.
Percy Walter Thompson, Field Artillery.
Clarence McCurdy Virtue, Infantry.
Ralph Finch, Infantry.
Charles Howard Valentine, Cavalry.
Julian Henry Baumann, Field Artillery.
Joseph Kerr Gibson, Field Artillery.
Judson MacIvor Smith, Infantry.
Frank Gilmore Irvin, Air Corps.
George Vernon Holloman, Air Corps.
George Henry Dietz, Infantry.
Donald Hubbell Smith, Coast Artillery Corps.
Luther Gordon Causey, Infantry.
John Meade, Field Artillery.
Glenn Oscar Barcus, Air Corps.
William Andrew Weddell, Coast Artillery Corps.
John Randolph Jeter, Infantry.
John Mulford Evans, Infantry.
Theodore Anderson Seely, Infantry.
George Avery Chester, Coast Artillery Corps.
James Thomas Dawson, Field Artillery.
Burgo Doyle Gill, Coast Artillery Corps.
William Wheeler O'Connor, Infantry.
Walter Hoyt Kennett, Field Artillery.
George Paul Harrison, Field Artillery.
Edward Campbell Franklin, Ordnance Department.

Franklin Leslie Lichtenfels, Infantry.
William Frederick Niethamer, Coast Artillery Corps.
Harold Victor Roberts, Infantry.

To be first lieutenants

Anthony Quintus Mustoe, Air Corps.
Douglas Thompson Mitchell, Air Corps.
Robert Kinnaird Giovannoli, Air Corps.
Edwin William Rawlings, Air Corps.
Julius Kahn Lacey, Air Corps.
Theodore Bernard Anderson, Air Corps.
George Frank McGuire, Air Corps.
Oliver Stanton Picher, Air Corps.
Dyke Francis Meyer, Air Corps.
Hugh Francis McCaffery, Air Corps.
Minthorne Woolsey Reed, Air Corps.
Morley Frederick Slaght, Air Corps.
Roy Dale Butler, Air Corps.
Berkeley Everett Nelson, Air Corps.
Archibald Johnston Hanna, Air Corps.
Richard August Grussendorf, Air Corps.
John Hiett Ives, Air Corps.
Frederick Earl Calhoun, Air Corps.
Carl Ralph Feldmann, Air Corps.
Paul Frailey Yount, Corps of Engineers.
William Arnold Carter, Jr., Corps of Engineers.
William Whipple, Jr., Corps of Engineers.
Charles Keller, Jr., Corps of Engineers.
Ralph Powell Swofford, Jr., Air Corps.
James Keller Herbert, Corps of Engineers.
Paul Ernest Ruestow, Corps of Engineers.
Philip Frederick Kromer, Jr., Corps of Engineers.
Clement Van Beuren Sawin, Corps of Engineers.
LeRoy Bartlett, Jr., Corps of Engineers.
Robert Blake Lothrop, Corps of Engineers.
Emil Fred Klinke, Corps of Engineers.
George Fletcher Schlatter, Air Corps.
Edward Fenlon Kumpe, Corps of Engineers.
Robert Lynn Lancefield, Corps of Engineers.
Lawrence Arthur Bosworth, Coast Artillery Corps.
Cyrus Lawrence Peterson, Coast Artillery Corps.
Clarence Harvey Gunderson, Field Artillery.
Donald Ralph Neil, Quartermaster Corps.
Frederick Garside Terry, Field Artillery.
Oscar Benjamin Beasley, Coast Artillery Corps.
Irvin Rudolph Schimmelpfennig, Field Artillery.
James Judson Heriot, Field Artillery.
Robert William Porter, Jr., Cavalry.
John Henderson Dudley, Cavalry.
Andrew Mark Wright, Jr., Signal Corps.
Albert Eugene Dennis, Quartermaster Corps.
William Herschel Allen, Jr., Field Artillery.
Howard Monroe McCoy, Air Corps.
Carl Henry Fernstrom, Coast Artillery Corps.
Charles William Haas, Air Corps.
Hubert duBois Lewis, Coast Artillery Corps.
Charles Lee Heitman, Jr., Field Artillery.
Louis Theilmann Heath, Field Artillery.
Albert Joseph Mandelbaum, Signal Corps.
Andrew Pick O'Meara, Field Artillery.
Clark Neil Piper, Air Corps.
Robert Jefferson Wood, Coast Artillery Corps.
Aubrey Kenneth Dodson, Air Corps.
Mark Edward Bradley, Jr., Air Corps.
Philip Campbell Wehle, Field Artillery.
Douglas Mitchell Kilpatrick, Jr., Air Corps.
Wiley Duncan Ganey, Air Corps.
George Clifford Duehring, Field Artillery.
Francis Frederick Uhrhane, Signal Corps.
Charles Granville Dodge, Cavalry.
Herbert Voivenelle Mitchell, Infantry.
James Nugent Vaughn, Signal Corps.
Thetus Cayce Odom, Air Corps.
Alexander Graham Stone, Field Artillery.
Jacquard Hirshorn Rothschild, Field Artillery.
Stuart Francis Crawford, Field Artillery.
Truman William Carrithers, Field Artillery.
Walter Campbell Sweeney, Jr., Infantry.
Henry Bing Kunzig, Infantry.
Keith Hartman Ewbank, Field Artillery.
Thomas Irwin Edgar, Field Artillery.
Robert Foster Haggerty, Coast Artillery Corps.
Frank Kowalski, Jr., Infantry.
Hamilton Hawkins Howze, Cavalry.
Harry Hollingsworth Geoffrey, Air Corps.
John Xavier Walsh, Infantry.
Harry Brown Packard, Field Artillery.
Robert James Watson, Infantry.
Robert Highman Booth, Field Artillery.
Arthur Leonard Fuller, Jr., Coast Artillery.
Mahlon Smith Davis, Field Artillery.
Winfield Wilber Sisson, Field Artillery.
Anthony Eugene Curcio, Air Corps.
Morris John Lee, Air Corps.
John Joseph MacFarland, Field Artillery.
Wendell Holmes Langdon, Infantry.
Harry Raymond Boyd, Coast Artillery Corps.
Samuel Lynn Morrow, Jr., Field Artillery.
Albert Watson, 2d, Field Artillery.
Marvin Lewis Harding, Air Corps.
Franklin Fearing Wing, Jr., Cavalry.
James Owen Curtis, Jr., Cavalry.
Birrell Walsh, Air Corps.
Henry Bittinger Croswell, Cavalry.
Phillips Waller Smith, Cavalry.
Alva Revista Fitch, Field Artillery.
Dana Stuart Alexander, Coast Artillery Corps.
Joseph Henry Twyman, Jr. Coast Artillery Corps.
Percy Howard Brown, Jr., Field Artillery.
Paul Clark, Jr., Field Artillery.
Edward Sedgwick Berry, Field Artillery.
David Hodge Baker, Air Corps.
Albert Everett Harris, Cavalry.
James Sylvester Sutton, Air Corps.
Richard Churchill Hutchinson, Air Corps.
James Theopold Darrah, Coast Artillery Corps.
Roy Ernest Lindquist, Infantry.
Sidney Clay Wooten, Infantry.
Robert Edwin Cron, Jr., Quartermaster Corps.
Ross Thatcher Sampson, Infantry.
William Henry Sterling Wright, Cavalry.
Archibald William Stuart, Infantry.
Willis Almeron Perry, Coast Artillery Corps.
Grant Eugene Hill, Coast Artillery Corps.
John Frank Greco, Field Artillery.
Alden Pugh Taber, Coast Artillery Corps.
Charles Joseph Odenweller, Jr., Coast Artillery Corps.
Edwin Sanders Perrin, Air Corps.
Neal Edwin Ausman, Air Corps.
George Goodrell Garton, Field Artillery.
Robert Louis Brunzell, Field Artillery.
Raymond Davis Millener, Infantry.
Robert William Timothy, Field Artillery.
Aubrey Dewitt Smith, Infantry.
Barksdale Hamlett, Field Artillery.
Brainard Spencer Cook, Cavalry.
Troup Miller, Jr., Air Corps.
William Ewing Grubbs, Field Artillery.
William Dole Eckert, Air Corps.
Frederick Reginia Weber, Infantry.
Charles Clinton Cloud, Jr., Coast Artillery Corps.
O'Neill Keren Kane, Cavalry.
Arthur Carey Peterson, Coast Artillery Corps.
Harold Eugene Brooks, Field Artillery.
Paul Arthur Roy, Coast Artillery Corps.
Bream Cooley Patrick, Field Artillery.
William Henry Harris, Coast Artillery Corps.
Tom Robert Stoughton, Jr., Infantry.
Thomas Weldon Dunn, Field Artillery.
Lauris Norstad, Air Corps.
Adam Andrew Koscielniak, Coast Artillery Corps.

Marvin Candler Johnson, Cavalry.
John Brazelton Fillmore Dice, Coast Artillery Corps.
Millard Lewis, Air Corps.
Othel Rochel Deering, Air Corps.
James Frederick Ammerman, Field Artillery.
Leon Clarence Scott, Infantry.
John Chesley Kilborn, Air Corps.
William Naille Taylor, Infantry.
Frederick Dwight Atkinson, Field Artillery.
William Warner Harris, Infantry.
Carl Amandus Brandt, Air Corps.
Frederick Gardner Crabb, Jr., Infantry.
Buford Russell Nyquist, Infantry.
John Charles Hayden, Field Artillery.
Robert Allen Ports, Field Artillery.
Roderick Leland Carmichael, Jr., Field Artillery.
Carl Irven Hutton, Field Artillery.
George Wareham Gibbs, Field Artillery.
Arthur Cleveland Goodwin, Jr., Field Artillery.
Roy Whitman Muth, Infantry.
Richard Shafle Freeman, Air Corps.
Harold Lester Smith, Air Corps.
Jaromir Jan Pospisil, Infantry.
Richards Montgomery Bristol, Infantry.
Edward Irving Sachs, Infantry.
Marshall Hill Hurt, Jr., Infantry.
Samuel Philbrick Kelley, Infantry.
George William Lermond, Infantry.
Norman Ray Burnett, Air Corps.
Charles Lind Olin, Infantry.
Samuel Roth, Infantry.
Joe Clifton East, Coast Artillery Corps.
Eugene Anthony Kenny, Infantry.
John Livingood Pauley, Jr., Infantry.
Frank Theodore Folk, Coast Artillery Corps.
Joseph Farrell Haskell, Cavalry.
Richard Joseph O'Keefe, Air Corps.
Carleton Merritt Clifford, Infantry.
Noel Adrain Neal, Infantry.
Howard Walter Quinn, Infantry.
Raymond Charles Brisach, Infantry.
Charley Paul Eastburn, Infantry.
George William Rumsey Perry, Infantry.
Clifton Donald Blackford, Infantry.
Ephraim Melmoth Hampton, Chemical Warfare Service.
Thomas Ferguson Wall, Infantry.
Jack Griffin Pitcher, Infantry.
James Sawyer Luckett, Infantry.
Myron Albert Quinto, Infantry.
Joseph Arthur Miller, Air Corps.
Ned Dalton Moore, Infantry.
Christian Hudgins Clarke, Jr., Infantry.
Claude Emerson Jurney, Infantry.
Thomas Mifflin, Infantry.
Daniel Russell Taylor, Infantry.
James Knox Wilson, Jr., Field Artillery.
Francis Joseph Corr, Infantry.
Kurt Martin Landon, Air Corps.
Gerry Leonard Mason, Air Corps.
Hubern Paul Dellinger, Air Corps.
Winston Rose Maxwell, Infantry.
Aubrey Ellis Strode, Jr., Infantry.
Daniel Anderson Cooper, Air Corps.
Theodore Roberts Kimpton, Infantry.
Earl Hugh Heimerdinger, Infantry.
John Simpson Guthrie, Infantry.
Allan Duard MacLean, Infantry.
Richard Cloyd Parker, Infantry.
Howard Russell Moore, Infantry.
James Lowell Richardson, Jr., Infantry.
Francis Hill Dohs, Infantry.
Eli Stevens, Infantry.
Jacob Samuel Sauer, Infantry.
Joseph Eakens James, Jr., Infantry.
Charles Edward Beauchamp, Infantry.
Paul Aloysius Chalmers, Infantry.
Thomas Kent, Infantry.
Sory Smith, Air Corps.
Henry Estil Royall, Infantry.
Paul William Blanchard, Jr., Air Corps.
Jasper Joseph Riley, Jr., Infantry.
Theodore Francis Bogart, Infantry.
Thad Adolphus Broom, Infantry.
Russell Guy Emery, Infantry.
Walter Edwin Ahearn, Infantry.
Herman Wilhelm Ohme, Infantry.
Paul Russell Weyrauch, Field Artillery.
Orin Doughty Haugen, Infantry.
Morton Elmer Townes, Infantry.
Frederick James Simpson, Infantry.
Charles Lewis, Infantry.
Elvin Freestone Maughan, Air Corps.
Kenneth Adelbert McCrimmon, Corps of Engineers.
Walter Henry Esdorn, Corps of Engineers.
Chester William Ott, Corps of Engineers.
Richard Lee Jewett, Corps of Engineers.
Frederick Gilman Saint, Corps of Engineers.
Charles Hartwell Bonesteel, 3d, Corps of Engineers.
Louis Russell Wirak, Corps of Engineers.
William White Ragland, Corps of Engineers.
Marvin Lyle Thomas, Corps of Engineers.
Edward John Cotter, Corps of Engineers.
Gunnard William Carlson, Corps of Engineers.
Stephen Read Hanmer, Corps of Engineers.
Edward Minter Parker, Corps of Engineers.
Walter Krueger, Jr., Corps of Engineers.
Champlin Fletcher Buck, Jr., Field Artillery.
Chester Lavaughn Landaker, Corps of Engineers.
William Frederick Cassidy, Corps of Engineers.
Edward Aloysius Brown, Jr., Corps of Engineers.
Walker Wilson Milner, Corps of Engineers.
George M. Wertz, Jr., Field Artillery.
John Phillips Daley, Field Artillery.
Marshall Sylvester Carter, Coast Artillery Corps.
Clarence Jonathan Hauck, Jr., Coast Artillery Corps.
Angelo Ralph Del Campo, Jr., Cavalry.
Jergen Bernhardt Olson, Cavalry.
John Barclay Sullivan, Infantry.
Elwin Herklas Eddy, Field Artillery.
Glenn Frederick Rogers, Cavalry.
Clifton Lee MacLachlan, Coast Artillery Corps.
Daniel Francis Callahan, Jr., Air Corps.
Theodore William Parker, Field Artillery.
Roger Willard Moore, Coast Artillery Corps.
Cornelius Ardalion Lichirie, Cavalry.
Marcellus Duffy, Air Corps.
Jesse Huckett Veal, Quartermaster Corps.
James Francis Stroker, Field Artillery.
John William Hansborough, Field Artillery.
Alfred Christian Gay, Coast Artillery Corps.
Walter Ferris Ellis, Coast Artillery Corps.
Robert Alan Stunkard, Air Corps.
Robert Hackett, Field Artillery.
James Donald Sams, Infantry.
Grosvenor Francis Powell, Coast Artillery Corps.
Charles Frederick McNair, Field Artillery.
William White Dick, Jr., Field Artillery.
Merwin Scott Dickson, Quartermaster Corps.
Donald Cubbison Little, Field Artillery.
Howard William Hunter, Coast Artillery Corps.
John William Cave, Field Artillery.
Gordon Aylesworth Blake, Air Corps.
Joseph Francis Carroll, Air Corps.
William Charles Hall, Infantry.
Donald Bowie Webber, Coast Artillery Corps.
Sidney Glenn Brown, Jr., Infantry.
Peter Schmick, Coast Artillery Corps.
John Larimer Inskeep, Cavalry.
Milton Hughes Pressley, Jr., Infantry.
Philip Bessom Stiness, Coast Artillery Corps.
Anthony Sherwood Howe, Infantry.
Alphonse Alfred Greene, Field Artillery.
A. J. McVea, Air Corps.
Frank Pickering Corbin, Jr., Coast Artillery Corps.

Charles Walker Raymond, Field Artillery.
Michael Martin Irvine, Coast Artillery Corps.
Gaspare Frank Blunda, Coast Artillery Corps.
George Sebastian Speidel, Jr., Field Artillery.
Julian Merritt Chappell, Air Corps.
Norman Ernest Tipton, Infantry.
Richard Holmes Harrison, Field Artillery.
James William Park, Field Artillery.
Lucius Nash Cron, Coast Artillery Corps.
Frederick Theodore Berg, Coast Artillery Corps.
Arthur Deane Gough, Coast Artillery Corps.
Gordon King Cusack, Field Artillery.
William Frew Train, Infantry.
Loren Fletcher Cole, Cavalry.
Tom Victor Stayton, Coast Artillery Corps.
Warren Harlan Hoover, Field Artillery.
Donald Norton Yates, Air Corps.
John Archibald Barclay, Jr., Field Artillery.
Merillat Moses, Field Artillery.
August Schomburg, Infantry.
James Bertram Corbett, Cavalry.
Clyde Robinson McBride, Field Artillery.
Elmo Clark Mitchell, Coast Artillery Corps.
Hoyt Daniel Williams, Air Corps.
Miller Osborne Perry, Field Artillery.
Scott Mock Sanford, Cavalry.
Herbert Walter Mansfield, Coast Artillery Corps.
Fielder Price Greer, Infantry.
William Eaton Chandler, Cavalry.
Frank Arthur Bogart, Coast Artillery Corps.
Harold Lucas Bays, Infantry.
Charles Coburn Smith, Jr., Field Artillery.
Charles Robert Bard, Coast Artillery Corps.
Paul Gordon Miller, Air Corps.
Camden William McConnell, Field Artillery.
Charles Breckinridge Duff, Coast Artillery Corps.
Samuel Smellow, Field Artillery.
Wilbur Manly Skidmore, Coast Artillery Corps.
William John Bell, Air Corps.
James Chester Blanning, Cavalry.
Harry James Fleeger, Cavalry.
Milan George Weber, Coast Artillery Corps.
Ernest Moore, Air Corps.
William Arthur Davis, Jr., Quartermaster Corps.
Royden Eugene Beebe, Jr., Air Corps.
Chester Joseph Diestel, Coast Artillery Corps.
Philip Higley Bethune, Cavalry.
Earle Fremont Cook, Coast Artillery Corps.
Johnson Hagood, Jr., Field Artillery.
John Maurice Brown, Infantry.
Earle William Hockenberry, Air Corps.
Frederick Richard Redden, Field Artillery.
Albert Frederick Cassevant, Coast Artillery.
Richard Sylvester Spangler, Coast Artillery Corps.
Percy Hotspur Lash, Jr., Field Artillery.
John Edwin Barr, Air Corps.
Carl Edward Green, Coast Artillery Corps.
Hamilton Murray Peyton, Field Artillery.
Louis Augustine Guenther, Air Corps.
Augustus William Dannemiller, Infantry.
Milton Wylie Arnold, Air Corps.
Forrest Caraway, Infantry.
David Northrup Motherwell, Air Corps.
Harry Bryant Cooper, Jr., Coast Artillery Corps.
Jermain Ferdinand Rodenhauser, Coast Artillery Corps.
Addison Vincent Dishman, Field Artillery.
Millard Chester Young, Air Corps.
John Anderson Berry, Jr., Field Artillery.
William Harris Isbell, Jr., Field Artillery.
Norton Bailey Wilson, Coast Artillery Corps.
Mervyn MacKay Magee, Field Artillery.
Henry Keppler Mooney, Air Corps.
Eugene William Hiddleston, Coast Artillery Corps.
John Knight Waters, Cavalry.
William Ayres Hampton, Coast Artillery Corps.
Robert Merrill Lee, Air Corps.
Robert Freeman Fulton, Air Corps.
Pasquale Francis Passarella, Coast Artillery Corps.
Donald Donaldson, Infantry.
Orlando Collette Troxel, Jr., Field Artillery.
Francis Thomas Pachler, Infantry.
Charles Roger Urban, Infantry.
Donald Rosser Patterson, Infantry.
John Thomas Westermeier, Infantry.
Glenn Aloysius Farris, Infantry.
Dean Coldwell Strother, Air Corps.
Clifford Christopher Wagner, Infantry.
Richard Byington Carhart, Infantry.
Robert Daniel Johnston, Infantry.
George Edwin Dietz, Field Artillery.
George Frederick Hartman, Air Corps.
Louis Victor Hightower, Field Artillery.
Edwin John Messinger, Infantry.
Carl Wilbert Carlmark, Air Corps.
Robert Leander Cardell, Field Artillery.
Charles North Howze, Infantry.
Richard Hungerford Wise, Air Corps.
Charles Francis Densford, Air Corps.
John Robert Skeldon, Air Corps.
Leo Wilber Cather, Field Artillery.
Orville Zelotes Tyler, Jr., Infantry.
Raymond Silas Pratt, Jr., Field Artillery.
Walter Foster Gallup, Field Artillery.
Maynard Norwood Levenick, Infantry.
Gunnar Carl Carlson, Infantry.
Jacob Edward Smart, Air Corps.
George Edward Fletcher, Infantry.
Hugh Pate Harris, Infantry.
Irving William Jackson, Field Artillery.
Robert Quinney Brown, Field Artillery.
Charles Edward Nason Howard, Jr., Field Artillery.
Gordon Singles, Infantry.
John Robert Beishline, Field Artillery.
Field Hunter Tapping, Field Artillery.
Russell Bowman Semple, Infantry.
Richard Hunter Lawson, Infantry.
John William Mackay Read, Field Artillery.
Lester LeRoy Hilman Kunish, Air Corps.
Robert Edward Lee Eaton, Air Corps.
John Joseph Davis, Field Artillery.
Carl Fillmore Damberg, Air Corps.
Wendell Washington Bowman, Air Corps.
Charles Pence Westpheling, Field Artillery.
James Irvine King, Infantry.
Thomas Joseph Marnane, Infantry.
Joseph Buford Zimmerman, Air Corps.
Ernest Fred Easterbrook, Infantry.
Curtis James Herrick, Infantry.
Edward Kenly Purnell, Infantry.
Howard Max Pahl, Infantry.
Howard Harrison Dudley, Infantry.
Richard Spencer Carter, Field Artillery.
Hilbert Fred Muenter, Air Corps.
Elmer Lee Thompson, Field Artillery.
Ashton Miller Haynes, Field Artillery.
John Autrey Feagin, Air Corps.
Blair Arthur Ford, Infantry.
Richard Klemm Boyd, Infantry.
Charles Lowman Decker, Infantry.
Merle Lucius Fisher, Field Artillery.
Arthur Hamilton Hogan, Field Artillery.
Edwin Anderson Walker, Field Artillery.
Orrin Charles Krueger, Infantry.
William Potter Turpin, 3d, Infantry.
Raymond Taylor Lester, Air Corps.
Charles Edward Hoy, Infantry.
Richard Francis Reidy, Infantry.
William Leonard Hardick, Infantry.
Richard Steinbach, Infantry.
Loren Albert Ayers, Infantry.
Harry Winston Candler, Cavalry.
Dean Ambrose Herman, Field Artillery.
William David Davis, Infantry.
William Taylor, Jr., Field Artillery.

Arthur Raster Hercz, Field Artillery.
Terrence Robert Joseph Hickey, Quartermaster Corps.
Earle Bradford Leeper, Infantry.
Seiss Ertel Wagner, Infantry.
Joseph Barlow Coolidge, Infantry.
John Clarence Gordon, Air Corps.
John Hugh McAleer, Jr., Infantry.
Peter Otey Ward, Infantry.
Carl William Kohls, Infantry.
John Thomas Malloy, Infantry.
Harold Robert Uhlman, Infantry.
Donald Knox Armstrong, Infantry.
Andrew Joseph Adams, Infantry.
Victor James MacLaughlin, Infantry.
Charles Bowman Dougher, Air Corps.
William Rogers Woodward, Infantry.
James Willard Pumpelly, Infantry.
Charles Ingram Humber, Jr., Infantry.
David William Hutchison, Air Corps.
Irving Lehrfeld, Infantry.
Paul Christian Heim Walz, Infantry.
Roy Luttrell Leinster, Infantry.
Robert Everett Quackenbush, Infantry.
Charles Elder Frederick, Infantry.
Samuel Edward Jones, Infantry.
Howard Hart Reed, Infantry.
Gustave Marinius Heiss, Infantry.
Joseph Kingsley Dickey, Infantry.
John Frank Ruggles, Infantry.
Harry George Roller, Infantry.
Roy Kay Kauffman, Coast Artillery Corps.
Donald Frank Buchwald, Infantry.
John Hugh McGee, Infantry.
Van Hugo Bond, Infantry.
Marvin James Coyle, Infantry.
Ernest Clyde Peters, Infantry.
Gerald Evan Williams, Air Corps.
Clarence David McGowen, Infantry.
Eugene Lewis Brown, Infantry.
Edward Leary, Infantry.
Daniel Turner Workizer, Infantry.
Alexander Johnston Sutherland, Infantry.
James Edward Maloney, Jr., Infantry.
Alfred Cookman Marshall, Jr., Infantry.
James Thomas McClellan, Infantry.
Robert Moorman Cheal, Infantry.
Merrick Hector Truly, Infantry.
Houston Parks Houser, Jr., Infantry.
William James Mahoney, Infantry.
Richard Robert Danek, Infantry.
James Henry Carlisle, Infantry.
Edward Julius Timberlake, Jr., Air Corps.
Dexter Marvin Lowry, Jr., Infantry.
John Tazewell Helms, Air Corps.
Paul Arthur Mayo, Infantry.
Theodor Jacob Beck, Infantry.
William Addison Magee Morin, Infantry.
Charles Pugh Baldwin, Infantry.
Augustus George Elegar, Infantry.
John Hubert Mathews, Infantry.
John Walter Brady, Infantry.
Oral Grant Willis, Infantry.
Russell Hunter Griffith, Air Corps.
Rush Blodget Lincoln, Jr., Corps of Engineers.
Stanley Tanner Wray, Corps of Engineers.
Ellsworth Ingalls Davis, Corps of Engineers.
Andrew Hero, 3d, Field Artillery.
George Kumpe, Corps of Engineers.
William Ruthven Smith, Jr., Corps of Engineers.
Frank Schaffer Besson, Jr., Corps of Engineers.
Richard Roberts Arnold, Corps of Engineers.
Herrol James Skidmore, Corps of Engineers.
Francis Ray Hoehl, Corps of Engineers.
Julian David Abell, Corps of Engineers.
Frederick Raleigh Young, Coast Artillery Corps.
John Chandler Steele, Coast Artillery Corps.
Allen Fraser Clark, Jr., Corps of Engineers.
Thore Fritjof Bengtson, Corps of Engineers.
Christian Frederick Dreyer, Quartermaster Corps.
William Francis Powers, Corps of Engineers.
James McCormack, Jr., Corps of Engineers.
Russell Manly Nelson, Coast Artillery Corps.
Stanley Ronald Stewart, Air Corps.
Arnold Sommer, Coast Artillery Corps.
Charles Kissan Allen, Coast Artillery Corps.
Sam Carroll Russell, Coast Artillery Corps.
James Hutchings Cunningham, Jr., Air Corps.
John Henry Weber, Field Artillery.
Roger Derby Black, Jr., Field Artillery.
Archibald William Lyon, Quartermaster Corps.
Edward Ellis Farnsworth, Jr., Coast Artillery Corps.
Daniel Stickley Spengler, Coast Artillery Corps.
Milton Leonard Ogden, Coast Artillery Corps.
Alexander Graham, Field Artillery.
Ralph Hemmings Davey, Jr., Quartermaster Corps.
William Menoher, Field Artillery.
George Wilson Power, Field Artillery.
William Burns Fraser, Cavalry.
James Aloysius Cain, Jr., Field Artillery.
Kenneth Frederick Zitzman, Signal Corps.
John Earl Metzler, Coast Artillery Corps.
George Robinson Mather, Cavalry.
Harrison Alan Gerhardt, Coast Artillery Corps.
Stanley Sawicki, Field Artillery.
Leo Peter Dahl, Air Corps.
Edgar Northrop Chace, Coast Artillery Corps.
Frank Hamilton Britton, Cavalry.
Byron Leslie Paige, Coast Artillery Corps.
Torgils Grimkel Wold, Air Corps.
John Bevier Ackerman, Air Corps.
Charles Ray Longanecker, Coast Artillery Corps.
Irving Donald Roth, Coast Artillery Corps.
James Karrick Woolnough, Infantry.
Lauri Jacob Hillberg, Coast Artillery Corps.
Samuel Watson Horner, 2d, Field Artillery.
Philip Vibert Doyle, Coast Artillery Corps.
Robert Augur Hewitt, Field Artillery.
Benjamin Jepson Webster, Air Corps.
Earl Gilmore Wheeler, Infantry.
Edwin Simpson Hartshorn, Jr., Field Artillery.
James Forsyth Thompson, Jr., Air Corps.
Charles Michael Baer, Signal Corps.
William Alden Call, Coast Artillery Corps.
Roland Capel Bower, Jr., Field Artillery.
Dwight Benjamin Johnson, Coast Artillery Corps.
Joseph Edward Gill, Field Artillery.
Everett Wayne Barlow, Infantry.
Frederick William Ellery, Field Artillery.
Loren Boyd Hillsinger, Air Corps.
Horace King Whalen, Field Artillery.
John Paul McConnell, Air Corps.
Preston Steele, Coast Artillery Corps.
Robert Douglass Glassburn, Coast Artillery Corps.
Joe William Kelly, Air Corps.
Walter Allen Rude, Coast Artillery Corps.
Walter Parks Goodwin, Field Artillery.
Erven Charles Somerville, Coast Artillery Corps.
John Abner Meeks, Field Artillery.
Clifford McCoy Snyder, Coast Artillery Corps.
Gilbert Nevius Adams, Coast Artillery Corps.
Aaron Meyer Lazar, Coast Artillery Corps.
John Clifford McCawley, Field Artillery.
John Morgan Price, Air Corps.
Edward Gibbons Shinkle, Field Artillery.
Robert Lockwood Williams, Jr., Coast Artillery Corps.
John Joseph Hutchison, Air Corps.
Robert Earl Schukraft, Coast Artillery Corps.
Carl Morton Sciple, Quartermaster Corps.
Harry Cecil Porter, Field Artillery.
Dwight Edward Beach, Field Artillery.

William Little, Infantry.
William Massello, Jr., Coast Artillery Corps.
Arthur Walter Blair, Field Artillery.
Daniel Stone Campbell, Air Corps.
Richard Johnson Hunt, Infantry.
Stephen Michael Mellnik, Coast Artillery Corps.
Louis Watson Truman, Infantry.
Dale Eugene Means, Field Artillery.
Hugh Willard Riley, Field Artillery.
William Sammis Coit, Coast Artillery Corps.
Curtis Alan Schrader, Field Artillery.
William Fletcher Spurgin, Coast Artillery Corps.
Kenneth Burton Hobson, Air Corps.
John Reynolds Sutherland, Air Corps.
Donald Linwood Hardy, Air Corps.
Richard Tide Coiner, Jr., Cavalry.
Floyd Allan Hansen, Field Artillery.
James Edward Godwin, Field Artillery.
Harold Walmsley, Infantry.
Gerald George Epley, Infantry.
Bernard William McQuade, Infantry.
Ashton Herbert Manhart, Infantry.
Harald Simpson Sundt, Field Artillery.
Horace Freeman Bigelow, Field Artillery.
Charles Albert Clark, Jr., Air Corps.
Francis Arkadjusz Liwski, Coast Artillery Corps.
James Bates Rankin, Field Artillery.
David Emory Jones, Field Artillery.
Harvey Porter Huglin, Air Corps.
Robert Folkes Moore, Coast Artillery Corps.
Bernard Thielen, Field Artillery.
George Dowery Campbell, Jr., Air Corps.
Karl Laurance Scherer, Cavalry.
Charles Hardin Anderson, Air Corps.
Dwight Drenth Edison, Coast Artillery Corps.
Jefferson Davis Childs, Infantry.
John Aloysius Gavin, Infantry.
Todd Humbert Slade, Field Artillery.
John Ramsey Pugh, Cavalry.
Joseph Edward Stearns, Infantry.
Charles Ratcliffe Murray, Field Artillery.
Wallace Hawn Brucker, Coast Artillery Corps.
Francis Garrison Hall, Field Artillery.
Charles Louis Williams, Jr., Field Artillery.
William Barnes Moore, Infantry.
William Russell Huber, Field Artillery.
Bogardus Snowden Cairns, Cavalry.
Delbert Abraham Pryor, Infantry.
Charles Edward Wheatley, Junior, Cavalry.
Meyer Abraham Braude, Infantry.
Chester Hammond, Infantry.
John George Ondrick, Infantry.
Byram Arnold Bunch, Air Corps.
Isaac Sewell Morris, Infantry.
Gerard Charles Cowan, Cavalry.
Hunter Harris, Jr., Air Corps.
Gordon Whitney Seaward, Field Artillery.
Henry Graham McFeely, Coast Artillery Corps.
Walter Marquis Tisdale, Field Artillery.
Charles Albert Piddock, Field Artillery.
Nelson Landon Head, Field Artillery.
Walker Raitt Goodrich, Field Artillery.
William Harvie Freeland, Infantry.
Thomas Henry Harvey, Coast Artillery Corps.
William Halford Maguire, Infantry.
David Hamilton Kennedy, Air Corps.
Merle Robbins Williams, Infantry.
William Whitfield Culp, Cavalry.
Kenneth Edward Tiffany, Infantry.
Nicholas Earnest Powel, Air Corps.
Norman Herbert Lankenau, Infantry.
William Bing Kunzig, Infantry.
Andrew Meulenberg, Air Corps.
Charles Marvin Iseley, Cavalry.
Edwin Guldlin Simenson, Air Corps.

Sam Houston Wiseman, Air Corps.
William Gordon Beard, Air Corps.
Harvey Herman Fischer, Infantry.
Robert Haynes Terrill, Air Corps.
Avery Madison Cochran, Infantry.
Samuel Arthur Daniel, Infantry.
Franklin Vines Johnston, Jr., Infantry.
Albert Edward Reif Howarth, Infantry.
James Lee Massey, Infantry.
Albert Edward Stoltz, Infantry.
Thomas Connell Darcy, Air Corps.
Edmond Michael Rowan, Infantry.
Edward Green Winston, Infantry.
Milton Skerrett Glatterer, Infantry.
William Henry Mikkelsen, Infantry.
Hugh Thomas Cary, Infantry.
Sewell Marion Brumby, Infantry.
Clifford Harcourt Rees, Air Corps.
Arnold Leon Schroeder, Air Corps.
Graves Collins Teller, Infantry.
Richard Henry Smith, Infantry.
Roscoe Constantine Huggins, Infantry.
Francis Deisher, Infantry.
Eugene Porter Mussett, Air Corps.
Lon Harley Smith, Infantry.
Edward Willis Suarez, Air Corps.
Paul Delmont Bunker, Jr., Air Corps.
Edward Joseph Burke, Infantry.
Walden Bernald Coffey, Infantry.
George Reynolds Grunert, Cavalry.
James Ellison Glattly, Infantry.
David Peter Schorr, Jr., Infantry.
William George Davidson, Jr., Infantry.
John Clinton Welborn, Infantry.
Edwin Charles Momm, Infantry.
Herbert Bishop Thatcher, Infantry.
Charles Salvatore D'Orsa, Infantry.
Frederick Milton Hinshaw, Infantry.
Robert Broussard Landry, Air Corps.
William Hyatt Bache, Infantry.
William Anderson McNulty, Infantry.
Joe Edwin Golden, Infantry.
Eldon Frederick Ziegler, Infantry.
Frank Greenleaf Jamison, Air Corps.
James Winfield Coutts, Infantry.
Dan Gilmer, Infantry.
Wilfred Joseph Lavigne, Infantry.
George Thigpen Duncan, Infantry.
Harry Celistine Quartier, Infantry.
Roy Edwin Moore, Infantry.
Harley Niles Trice, Infantry.
James Ernest Beery, Field Artillery.
Arville Ward Gillette, Infantry.
Harold Edward Shaw, Infantry.
Charles Gates Herman, Quartermaster Corps.
Charles Alexander Carrell, Infantry.
Lawrence Bartlett Babcock, Infantry.
William Roy Thomas, Field Artillery.
Loris Ray Cochran, Infantry.
Robert Lynn Carver, Air Corps.
Henry Chesnutt Britt, Infantry.
Thomas Randall McDonald, Infantry.
Orville Wright Mullikin, Infantry.
Romulus Wright Puryear, Air Corps.
David Harrison Armstrong, Infantry.
Earl Sipple Eckhart, Coast Artillery Corps.
John William Keating, Infantry.
John Garnett Coughlin, Infantry.
Thomas Robertson Hannah, Infantry.
William Madison Garland, Air Corps.
William Elwood Means, Infantry.
George Louis Descheneaux, Jr., Infantry.
Thomas Charles Morgan, Air Corps.
John William Bowen, Infantry.
Frank Ward Ebey, Coast Artillery Corps.

James Walter Gurr, Air Corps.
James Madison Churchill, Jr., Infantry.
Robert Lee Scott, Jr., Air Corps.
Harold Randall Everman, Infantry.
Thomas Benjamin Spratt, Jr., Infantry.
Erskine Clark, Coast Artillery Corps.

VETERINARY CORPS

To be captains

Arvo Theodore Thompson, Veterinary Corps.
Harvie Russell Ellis, Veterinary Corps.
Ralph William Mohri, Veterinary Corps.
Austin Taylor Getz, Veterinary Corps.
Wesley Watson Bertz, Veterinary Corps.
Edgerton Lynn Watson, Veterinary Corps.
George Townley Price, Veterinary Corps.

To be first lieutenants

Richard George Yule, Veterinary Corps.
Wayne Otho Kester, Veterinary Corps.
Robert Arthur Boyce, Jr., Veterinary Corps.
Clarence Leonard Taylor, Veterinary Corps.
William Edwin Jennings, Veterinary Corps.
Curtis William Betzold, Veterinary Corps.
James Bernhard Nichols, Veterinary Corps.
Albert Arthur Roby, Jr., Veterinary Corps.
Andrew Jesse Sirilo, Veterinary Corps.
Daniel Stevens Stevenson, Veterinary Corps.
Ray Swartley Hunsberger, Veterinary Corps.
William Francis Collins, Veterinary Corps.

CHAPLAINS

To be colonel

Julian Emmet Yates, United States Army.

To be captains

Peter Christian Schroder, United States Army.
John Henry August Borleis, United States Army.
Hudson Bissell Phillips, United States Army.

PROMOTIONS IN THE PHILIPPINE SCOUTS

TO BE LIEUTENANT COLONELS

Frank Brezina, Philippine Scouts.
Seth Harold Frear, Philippine Scouts.
Abraham Garfinkel, Philippine Scouts.
John Frederick Daye, Philippine Scouts.
Esteban Boadilla Dalao, Philippine Scouts.
Thomas Kenneth Collins, Philippine Scouts.
Conrad Skladal, Philippine Scouts.

TO BE MAJORS

John Daniel Cook, Philippine Scouts.
Karol Bronislaw Kozlowski, Philippine Scouts.
Mateo Mananjaya Capinpin, Philippine Scouts.
Robert A. Barth, Philippine Scouts.
Frederick Adelmar Ward, Philippine Scouts.

TO BE CAPTAINS

James Wilson Smith, Philippine Scouts.
Pastor Martelino, Philippine Scouts.
Mariano Santos Sulit, Philippine Scouts.
Eleuterio Susi Yanga, Philippine Scouts.
Melecio Manuel Santos, Philippine Scouts.
Narciso Lopez Manzano, Philippine Scouts.
Juan Segundo Moran, Philippine Scouts.
Pacifico Castor Sevilla, Philippine Scouts.
Amado Martelino, Philippine Scouts.
Victor Zalamea Gomez, Philippine Scouts.
Nemesio Catalan, Philippine Scouts.
Pio Quevedo Caluya, Philippine Scouts.
Alejandro D. Garcia, Philippine Scouts.
Santiago Garcia Guevara, Philippine Scouts.
Jose Emilio Olivares, Philippine Scouts.
Ricardo Poblete, Philippine Scouts.

TO BE FIRST LIEUTENANTS

Maximiano Saqui Janairo, Philippine Scouts.
Rufo Caingat Romero, Philippine Scouts.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 14, 1935

The House met at 11 o'clock a. m.

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

Heavenly Father, we thank Thee that we may pause to pray amid the pressure of our activities. Thou alone knowest our needs, and we ask for a touch of that spirit that exalts, enriches, and purifies. Grant that we may be clothed with an earnest and patriotic desire to do great things for a great people; help us to demonstrate the wisdom of popular government. Be with us, gracious Lord, lest we forget that nothing endures which is not in accordance with the laws which Thou hast ordained; therefore make us wise and just in our conceptions as revealed in the incomparable life and character of Thy only begotten Son, Jesus Christ, our Savior and Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 290. Joint resolution to amend an act entitled "An act providing for the ratification of Joint Resolution No. 59 of the Legislature of Puerto Rico, approved by the Governor May 5, 1930, imposing an import duty on coffee imported into Puerto Rico", approved June 18, 1934.

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

H. R. 8870. An act to further protect the revenue derived from distilled spirits, wine, and malt beverages, to regulate interstate and foreign commerce and enforce the postal laws with respect thereto, to enforce the twenty-first amendment, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House thereon, and appoints Mr. HARRISON, Mr. KING, Mr. GEORGE, Mr. KEYES, and Mr. LA FOLLETTE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7659. An act to provide that tolls on certain bridges over navigable waters of the United States shall be just and reasonable, and for other purposes.

AGRICULTURAL-ADJUSTMENT ACT

The SPEAKER. The unfinished business is the amendments in disagreement on the bill H. R. 8492, to amend the Agricultural Adjustment Act, and the Chair recognizes the gentleman from Texas [Mr. JONES].

Mr. JONES. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. DOUGHTON].

FEDERAL CONTROL OF ALCOHOLIC LIQUORS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8870) to further protect the revenue derived from distilled spirits, wine, and malt beverages, to regulate interstate and foreign commerce and before the postal laws with respect thereto, to enforce the twenty-first amendment, and for other purposes, disagree to the Senate amendments, and agree to the conference asked for.

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

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. DOUGHTON, Mr. SAMUEL B. HILL, Mr. COLLINS, Mr. TREADWAY, and Mr. BACHARACH.

AGRICULTURAL ADJUSTMENT ACT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment 128: Page 76 of the bill, strike out all of section 32 and insert the following:

"SEC. 38. In addition to all funds heretofore appropriated there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000,000 to enable the Secretary of Agriculture, under rules and regulations to be promulgated by him and upon such terms as he may prescribe, to eliminate diseased dairy and beef cattle, including cattle suffering from tuberculosis or Bang's disease, and to make payments to owners with respect thereto. The Secretary of Agriculture is authorized to use for scientific experimentation and efforts to eradicate disease in cattle, as much as he finds advisable of the funds authorized to be appropriated by this section and the funds appropriated by the second paragraph of Public Resolution No. 27, Seventy-third Congress, approved May 25, 1934, to carry out section 6 of the act entitled 'An act to amend the Agricultural Adjustment Act so as to include cattle and other products as basic agricultural commodities, and for other purposes', approved April 7, 1934. Such funds shall remain available to carry out the purposes of this section and such section 6 until December 31, 1937, and may be used for all necessary expenses in connection therewith, including the employment of persons and means in the District of Columbia and elsewhere. The unexpended balance of the funds appropriated by the second paragraph of such Public Resolution No. 27 to carry out the purposes of section 2 of such act of April 7, 1934, shall remain available for the purposes of such section 2 until December 31, 1937."

Mr. JONES. Mr. Speaker, I move to recede and concur with an amendment, as follows:

The Clerk read as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 37. There is hereby authorized to be appropriated the sum of $40,000,000, of which sum $10,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of Agriculture, under rules and regulations to be promulgated by him and upon such terms as he may prescribe, to eliminate diseased dairy and beef cattle, including cattle suffering from tuberculosis or Bang's disease, and to make payments to owners with respect thereto. The Secretary of Agriculture is authorized to use for scientific experimentation and efforts to eradicate disease in cattle, as much as he finds advisable of the funds appropriated by or in pursuance of the authorization contained in this section and the funds appropriated by the second paragraph of Public Resolution No. 27, Seventy-third Congress, approved May 25, 1934, to carry out section 6 of the act entitled 'An act to amend the Agricultural Adjustment Act so as to include cattle and other products as basic agricultural commodities, and for other purposes', approved April 7, 1934. The sums appropriated or reappropriated by this section shall remain available until June 30, 1936, and such sums and the sums appropriated in pursuance of the authorization contained in this section shall be available to carry out the purposes of both this section and such section 6, and may be used for all necessary expenses in connection therewith, including the employment of persons and means in the District of Columbia and elsewhere. The unexpended balance of the funds appropriated by the second paragraph of such Public Resolution No. 27 to carry out the purposes of section 2 of such act of April 7, 1934, shall remain available for the purposes of such section 2 until June 30, 1936."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment 152: Page 87, after line 18, insert section 52, as follows:

"SEC. 52. The first sentence of subsection (a) of section 10 of said act is amended to read as follows: 'The proceeds heretofore and hereafter derived from the tax are hereby appropriated to be available to the Secretary of Agriculture for rental and benefit payments under the Agricultural Adjustment Act to contracting producers, for administrative expenses, refunds of taxes, redemption of tax-payment warrants heretofore or hereafter received by contracting producers subsequent to the sale of the tobacco covered by said warrants and subsequent to payment of the tax imposed upon such sale by section 3 of this act, and other payments under this act.'"

Mr. JONES. Mr. Speaker, I move that the House recede from its disagreement and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 155: Page 88, after line 17, insert:

"SEC. 55. In order to develop a national program of land conservation and land utilization, there is hereby appropriated, out of the money made available by the Emergency Relief Appropriation Act of 1935, to be used in the discretion and under the direction of the President, to be immediately available and to remain available until expended, the sum of $50,000,000. This appropriation shall be available for the acquisition of submarginal lands and its retirement from agricultural use other than for grazing purposes.

"In carrying out the provisions of this section the President is authorized:

"(a) To establish and prescribe the duties and functions of governmental agencies;

"(b) To utilize and prescribe the duties and functions of any governmental agency;

"(c) To delegate the powers conferred upon him under this section to any governmental agency;

"(d) To make contracts and grants; and

"(e) To acquire, by purchase, any real property or any interest therein in accordance with the policy herein set forth.

"Any proceeds or receipts derived by the President by virtue of the activities conducted pursuant to this section shall be available to the President as a revolving fund to be used in the furtherance of this section: *Provided*, That no lands shall be so acquired unless prior to the effective date of this act options had already been made for their purchase."

Mr. JONES. Mr. Speaker, I move to recede and concur with an amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. JONES moves that the House recede from its disagreement to the amendment of the Senate, no. 155, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 55. There is hereby made available, out of any money appropriated by the Emergency Relief Appropriation Act of 1935, such amount as the President may allot for the development of a national program of land conservation and land utilization. The sums so allotted may be used, in the discretion and under the direction of the President, for the acquisition of submarginal lands and their use for such public purposes as the President shall prescribe.

"In carrying out the provisions of this section the President is authorized:

"(a) To make contracts and grants; and

"(b) To acquire, by purchase, any real property or any interest therein (with or without reservations) in accordance with the policy herein set forth."

The SPEAKER. The question is on the motion to recede and concur.

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

Mr. JONES. Yes.

Mr. TABER. It seems to me that going into this situation and appropriating a lot of money to be used to purchase submarginal lands, or rather to be wasted, as most of it has been so far, building structures and houses, transplanting people and all that sort of thing, is ridiculous, and I think the House ought not to agree to this amendment.

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

Mr. JONES. Yes.

Mr. RICH. As I understand this, the Senate recommended that $50,000,000 be appropriated for the purpose of purchasing submarginal lands and now the committee of the House asks that the $50,000,000 be taken from the $4,880,000,000 heretofore appropriated.

Mr. JONES. We take out the appropriation altogether, and simply make such sums available as the President may allot under the power of the emergency act, to be taken out of that appropriation.

Mr. RICH. Without any stipulation as to the amount?

Mr. JONES. Yes; that is correct.

Mr. RICH. Does the gentleman believe that under the present conditions, and with the thought in the mind of Mr. Wallace, Secretary of Agriculture, and Mr. Ickes, Secretary of the Interior, whereby they want to go buy up all the lands and even take them from farmers in this country who do not want to sell their property, that we ought to stipulate some amount so that we can prohibit them from going to the extent that they are liable to go and perhaps purchase a whole State, or even more than that?

Mr. JONES. We do not confer authority on any of the departments. It is to be used in the discretion and under the direction of the President, and may be used for public purposes. This amendment that we are offering is very much a limitation upon the Senate amendment, and confers no authority for taking property except by purchase.

Mr. RICH. The gentleman means it has already been contracted for?

Mr. JONES. No; I do not know that any has been contracted for. I understand some options have been taken.

That is not affected here in any way. This simply specifies the purpose for which any moneys that may be allotted under the emergency relief bill—the provision already being in that bill—by the President, may be used in the discretion of the President.

Mr. RICH. The only thought I have is that you ought to put a stopcock on buying submarginal lands, because we do not know how far they are going to go in buying lands. They are purchasing lands all over this country, and that is increasing the burden on the taxpayer. Then, in other departments of the Government, they are building dams to irrigate additional lands to put them into cultivation, costing the taxpayers hundreds of millions of dollars.

Mr. JONES. We do not confer the additional right to purchase lands. That is in the Emergency Relief Act. We do away with the appropriation and confine it to funds from the emergency relief measure which may be allocated under the President under previous authority for that purpose.

Mr. RICH. I think the gentleman is doing a good work by taking this money away from the departments, and I hope he will do a lot more. I think you must realize that a good many Members of Congress who voted for the bill think that power should never have been given to the President to spend $4,880,000,000. It will do harm to the country at this time. It is going to do a great deal of damage to the Federal Treasury. What good will it do?

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

Mr. JONES. Yes.

Mr. ANDRESEN. What is the limitation in the relief act upon the amount provided for funds of this character?

Mr. JONES. That is lumped in with a number of other powers. There is no definite limitation except that submarginal lands are listed with a number of other things in a lump appropriation.

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

Mr. JONES. Yes.

Mr. CHRISTIANSON. As I understand it, the only effect of this amendment is to place a limitation on the President's existing power to buy submarginal lands.

Mr. JONES. It limits the Senate amendment, it confers certain authority, and it also puts a further limitation on the delegation of authority as stipulated by the Senate amendment.

Mr. CHRISTIANSON. The limitation placed on that power is that the lands must be acquired for public purposes?

Mr. JONES. Yes.

Mr. CHRISTIANSON. Is there any definition of "public purposes" as used in that connection?

Mr. JONES. No; there is no limit placed on that. It is a general provision.

Mr. CHRISTIANSON. Does the gentleman have any idea what the term "public purposes" might be interpreted as meaning?

Mr. JONES. Of course it might mean a number of things, including parks and game preserves, reforestation, and other public purposes. I would not undertake to enumerate them all at this time.

Mr. CHRISTIANSON. But the President is the sole judge as to whether any land which he may acquire is suitable for the purposes the gentleman has enumerated?

Mr. JONES. The entire matter is in the discretion of the President.

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

Mr. HOPE. Mr. Speaker, I am somewhat surprised at the opposition which has been expressed to this amendment by Members on the Republican side, in view of the fact that the Republican Party platform in 1932 specifically endorsed a program for the acquisition of marginal lands.

Mr. TABER. Will the gentleman yield for a question?

Mr. HOPE. I yield.

Mr. TABER. I do not believe any Republican ever had in mind such wasteful program with reference to marginal lands as has been conducted by this administration.

Mr. HOPE. Evidently the gentleman is not familiar with what has been done, because, as a matter of fact, there has been comparatively little marginal land purchased as yet, although a considerable amount has been placed under option. I am somewhat familiar with the program and cannot agree with the gentleman that it has been wasteful, nor do I believe that if continued along present lines it will be wasteful.

The particular plank in the platform to which I have referred is as follows:

> The national welfare plainly can be served by the acquisition of submarginal lands for watershed protection, grazing, forestry, public parks, and game preserves. We favor such acquisitions.

That is exactly what this land will be used for if purchased under this amendment. It is true that under the work-relief bill which was passed last spring, funds are allocated which can be used for the purchase of marginal lands, but since those funds come from the relief bill, the Comptroller General has ruled that such purchases must be carried out as a work-relief program. If carried out in that way, there will be little money for actual purchases, because a large part of it would have to be spent on the development of the land after it is purchased in order to furnish work. All that this amendment does is to make money available for the actual purchase of the land to be used for public purposes, which would include watershed protection, game preserves, reforestation, public parks, and so forth.

Mr. GIFFORD. Will the gentleman yield?

Mr. HOPE. I yield.

Mr. GIFFORD. I think we already have the machinery for game preserves. Some Members of both branches have had something to say under another act with reference to that. Does this carry full authority to the President or to Mr. Tugwell or to whomever he may designate, outside of that previous authority? Can he enter upon my district and take certain sections for a game preserve?

Mr. HOPE. All this does is to set aside the money and prescribe the purposes for which it can be used. There is no power of condemnation given. All purchases must be made by agreement with the parties.

Mr. GIFFORD. But the committee already set up by Congress would not be consulted?

Mr. HOPE. They might or they might not be. There is nothing in the amendment that would require them to be consulted.

Mr. Speaker, I think particularly those of us who are interested in a permanent agricultural program ought to be for this amendment, because it does in a permanent way what the Agricultural Adjustment Administration is doing in a temporary way. There is land under cultivation in this country that should never have been opened to settlement. It is that land, in particular, in the West which the Government is now purchasing under this program. There are marginal lands in other sections of the country which have been worn out through long and, in many cases, improper use. There is no use leaving those lands in cultivation for people to make a pitiable attempt to earn a living upon them when it cannot be done. Yet, poor as these lands are, they contribute to the surplus of agricultural products. The plan for purchasing these lands and retiring them from cultivation is a sound program from both a social and an agricultural standpoint.

Mr. SNELL. Will the gentleman yield for a question?

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. JONES. Mr. Speaker, I yield the gentleman from Kansas 2 additional minutes.

Mr. SNELL. Can the gentleman tell the House how much land has been purchased under this program at the present time?

Mr. HOPE. I am not able to give the gentleman that information. My understanding is there has been very little actually purchased. A considerable amount has been optioned, but up to the present time there has been only, approximately, $28,000,000 available for this purpose.

Mr. SNELL. About what price per acre are they paying for this character of land?

Mr. HOPE. It is all low-priced land. The range varies from a dollar or two an acre up. Recently I was advised that appraisals in Kansas varied from a low of $1.62 per acre to a high of $18.93, the average being $6.47 per acre. I assume that is representative of what is being paid in most parts of the West. I have no information as to what is being paid in other areas.

[Here the gavel fell.]

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. JONES] to recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 163: Page 93, after line 15——

Mr. GILCHRIST. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. GILCHRIST. I withdraw the point of order at the request of the chairman of the committee for the moment, but I will press the point later.

Mr. JONES. Mr. Speaker, I ask unanimous consent that this amendment may be considered as read, as well as my motion to recede and concur with an amendment. I expect to move to recede and concur with an amendment. I do this in deference to the action of the committee. I am submitting this matter to the judgment of the House. I think everyone is familiar with the provisions, but they will come out in the discussion. We expect to take 1 hour for the discussion of this amendment.

The SPEAKER. The gentleman from Texas asks unanimous consent that the Senate amendment may be considered as read and be printed in the RECORD at this point, and that the motion to recede and concur with an amendment which the gentleman intends to offer may also be considered as read and be printed in the RECORD at this point.

Is there objection?

There was no objection.

The amendment and the motion are as follows:

POTATO CONTROL

SEC. 62. Section 11 of the Agricultural Adjustment Act, as amended, is amended by adding after the word "rice" a comma and the word "potatoes" and by adding at the end of said section 11 a new sentence as follows: "As used in this title, the term 'potatoes' means all varieties of potatoes included in the species Solanum tuberosum."

SEC. 63. Subsection 1 of section 2 of the Agricultural Adjustment Act, as amended, is amended by adding after the word "tobacco", in both the second and third sentences of said subsection, the words "and potatoes."

TITLE II

DEFINITIONS

SECTION 201. When used in this title, unless the context otherwise requires—

(a) The term "person" includes an individual, a corporation, a partnership, a business trust, a joint-stock company, an association, a syndicate, group, pool, joint venture, or any other unincorporated organization or group.

(b) The term "Commissioner" means the Commissioner of Internal Revenue.

(c) The term "collector" means a collector of internal revenue.

(d) The term "sale" includes any agreement or delivery whereby the seller transfers the property in, or right to consume, potatoes to another for a consideration, and any sum of money, services, property, or anything of value whatsoever, may constitute consideration for such transfer, but does not include the transfer of the right to consume potatoes to a member of the household of a producer of such potatoes or a transfer for consumption by the household of a person employed in the farming operations of the producer of such potatoes.

(e) The term "allotment year" means the period commencing December 1 and ending November 30: *Provided*, That the first allotment year shall commence December 1, 1935, and shall end November 30, 1936.

(f) The term "change in the form of potatoes" means an intentionally effected change in the form of potatoes in preparation for the sale of such potatoes, or any product thereof, as such change is defined by rules and regulations prescribed by the Commissioner, with the approval of the Secretary of the Treasury.

(g) The term "tax stamp" means an appropriate stamp or other means of identifying potatoes with respect to which a tax levied by this title has been paid.

(h) The term "tax-exemption stamp" means an appropriate stamp or other means of identifying potatoes with respect to which an exemption from the tax has been established.

(i) The term "potatoes" means all varieties of potatoes included in the species Solanum tuberosum.

(j) The term "producer" means a person who has the right to sell, or to receive a share of the proceeds derived from the sale of, potatoes cultivated by him, or on land owned or leased by him.

(k) The term "continental United States" means the several States of the United States and the District of Columbia and does not include any Territory or possession of the United States.

(l) The term "operator" means any person operating his own farm, any tenant operating a farm rented for cash or for a fixed-commodity payment, any crop-share tenant, and any crop-share landlord.

(m) The term "farm" means all the land operated by the producer as a single operating unit with work stock, farm machinery, and labor substantially separate from that of any other tract of land.

IMPOSITION OF THE TAX

SEC. 202. (a) There is hereby levied and assessed upon each first sale of potatoes harvested on or after December 1, 1935, in the continental United States a tax, to be paid by the seller, at the rate of three-fourths of 1 cent per pound: *Provided*, That when there is a change in the form of potatoes harvested on or after December 1, 1935, in the continental United States prior to the first sale thereof, a tax at the rate of three-fourths of 1 cent per pound, to be paid by the owner at the time such change is effected, is hereby levied and assessed upon the effecting of such change, and no tax shall be levied upon the first sale of such potatoes or any product or products thereof.

(b) If the Secretary of Agriculture finds at any time that the total apportionments to producers in any potato-producing region or regions (as established and defined pursuant to subsection (c) of section 209 of this title) are in excess of the probable supply of potatoes in the continental United States during the marketing periods for such region or regions, he shall proclaim such determination, and the provisions of this title shall not be operative during such marketing periods.

(c) At least 30 days prior to the beginning of each allotment year after the first allotment year, the Secretary of Agriculture shall conduct a referendum which will afford to producers of potatoes a reasonable opportunity to vote in favor of or in opposition to continuing in effect with respect to potatoes produced during the succeeding allotment year the taxes levied by subsection (a) of this section. Each producer shall be entitled to one vote for each 60 pounds of potatoes apportioned to him pursuant to sections 205, 206, and 207 of this title for the last allotment year for which such apportionments were made. If one-third of the votes cast in such referendum are cast in opposition to continuing such taxes in effect, the provisions of this title shall not be operative with respect to potatoes produced during such succeeding allotment year.

(d) If the Secretary of Agriculture determines and proclaims that the taxes levied by subsection (a) of this section will at the rate therein specified for such taxes, (1) tend to adversely affect the orderly marketing of potatoes, or (2) tend to depress the farm price of potatoes, or (3) tend to cause to producers of potatoes disadvantages in competition by reason of an excessive shift in consumption from potatoes to some other commodity or commodities, then the rate of such taxes shall for such period as the Secretary of Agriculture designates, be at the highest rate which is lower than three-fourths of 1 cent (not less than one-half of 1 cent per pound) as he finds and proclaims will not adversely affect such orderly marketing, or cause such depression of the farm price, or cause such disadvantages in competition.

(e) The taxes levied by subsection (a) of this section shall be represented by tax stamps, and the proceeds of taxes levied under this title shall be paid into the Treasury of the United States as internal revenue collections.

(f) The Commissioner shall cause to be prepared, for the payment of such taxes, tax stamps of suitable denominations and shall furnish same to the collectors of internal revenue. The Commissioner shall also furnish to the Postmaster General without prepayment a suitable quantity of such stamps to be distributed to, and kept on sale by, the various postmasters in the United States. The Postmaster General may require each such postmaster to give additional or increased bond as postmaster for the value of the stamps so furnished, and each such postmaster shall deposit the receipts from the sale of such stamps to the credit of, and render accounts to, the Postmaster General at such times and in such form as he may by regulations prescribe. The Postmaster General shall at least once monthly transfer all collections from this source to the Treasury as internal revenue collections.

ALLOTMENTS

SEC. 203. The Secretary of Agriculture shall investigate probable production and market conditions for each allotment year and shall determine from available statistics of the Department of Agriculture and proclaim, at least 30 days prior to the beginning of each allotment year, the quantity of potatoes which, if produced during such year and sold during or after such year, will, in his opinion, tend to establish and maintain such balance between the production, sale, and consumption of potatoes and the marketing conditions therefor as will, in his opinion, tend to establish prices to potato producers at a level that would give potatoes a purchasing power with respect to articles that farmers buy equivalent to the purchasing power of potatoes in the period August 1919–July 1929 without reducing the total net income of potato producers from

potatoes below the largest probable net income of potato producers from potatoes produced during such allotment year, and without tending to cause to producers of potatoes disadvantages in competition by reason of an excessive shift in consumption from potatoes to some other commodity or commodities; and the quantity so proclaimed shall, for each allotment year, be apportioned by the Secretary of Agriculture as hereinafter provided.

SEC. 204. When a quantity is determined in accordance with section 203 of this title, the Secretary of Agriculture shall apportion such quantity among the several States. The apportionment to each State shall be determined on the basis of the ratio that the annual average acreage of the 4 years in which the highest potato acreage was harvested in such State in the years 1927–34, inclusive, multiplied by the average yield per acre for the 4 years that the yield of potatoes per acre for such State was highest in the years 1927–34, inclusive, multiplied by the average annual percentage of the crop produced in such State during the years 1929–34, inclusive, which was sold, bears to the sum of the products of such average acreages, such average yields, and such percentages of sales for all States: *Provided*, That if the Secretary of Agriculture finds that the application of the foregoing formula alone would, because of differences in production practices and marketing prices among the several States, result in an inequitable and unfair apportionment to any State or States, not in excess of 2 percent of the quantity of potatoes determined in accordance with section 203 of this title may be deducted from such quantity and may be used by the Secretary of Agriculture to adjust on the basis of equity and fairness the apportionments made or to be made to any State or States.

SEC. 205. Ninety-five percent of the quantity of potatoes apportioned to any State pursuant to section 204 of this title shall be apportioned by the Secretary of Agriculture to farms on which potatoes have been grown within such State during any 1 or more years within the period 1932–34, inclusive. Such apportionment to any farm shall be made upon application therefor and may, in order to secure equitable apportionments to producers, be made by the Secretary based upon either—

(1) A percentage of the average sales of potatoes produced on such farm for a representative base period, prescribed by the Secretary, of any 2 or more years during the years 1932–34, inclusive, providing the operators of such farm for the allotment year for which the apportionment is made produced potatoes on such farm during at least one of the base-period years. The representative base period prescribed by the Secretary and the percentage applied to the average sales of potatoes produced during such period in establishing aportionments for each farm under this paragraph shall, so far as practicable, be uniform for farms similarly situated upon the basis or classification prescribed by the Secretary of Agriculture, but in the case of any farm for which such average sales are 300 pounds or less, such average sales shall be exempt from any percentage reduction thereof and such farm shall receive an apportionment equal to such average sales; or

(2) Such basis as the Secretary of Agriculture deems fair and just and will apply to all farms to which an apportionment is made under this paragraph 2 uniformly on the basis or classification adopted. In making an apportionment to a farm under this paragraph, due consideration shall be given to the quantity of potatoes produced and sold in the past by the operators who will operate such farm for the allotment year for which the apportionment is made, the quantity of potatoes produced on such farm and sold in the past, and the acreage of the farm available for the production of potatoes and which the operators are currently equipped to devote to the production of potatoes.

SEC. 206. Not in excess of 5 percent of the quantity of potatoes apportioned to any State pursuant to section 204 of this title shall, upon application therefor, be available for apportionment by the Secretary of Agriculture to farms operated by persons engaged or evidencing a desire to engage in the production and sale of potatoes in such State and which farms are ineligible to receive an apportionment under section 205 or in respect to which the Secretary of Agriculture determines that the apportionments made pursuant to section 205 are inequitable: *Provided*, That apportionments under this section shall be made upon such basis as the Secretary of Agriculture deems fair and just and which will, so far as practicable, apply to all such farms uniformly upon the basis or classification prescribed by the Secretary. Any quantity not apportioned under this section shall be available for apportionment under section 205 of this title.

SEC. 207. If an apportionment is made to a farm under section 206 of this title for any allotment year, for each succeeding allotment year that the operation of such farm is continued by the operators who operated it during the allotment year for which such apportionment was made, the apportionment to such farm shall be made upon the basis provided in section 206 of this title but shall be made from the quantity available for apportionment under section 205 of this title.

SEC. 208. For the purposes of the apportionments to be made pursuant to sections 204, 205, 206, and 207 of this title, the District of Columbia shall be considered as a part of the State of Maryland.

SEC. 209. (a) The Secretary of Agriculture, or any agent or agency designated for such purpose by the Secretary, shall, upon application therefor, issue for each farm tax-exemption stamps for an amount of potatoes equal to the apportionment made to such farm pursuant to sections 205, 206, and 207 of this title: *Provided*, That, under such regulations as the Secretary of Agriculture shall prescribe, he shall refuse to issue such tax-exemption stamps to any applicant in any allotment year in which such applicant is not a bona fide producer of potatoes. Each such tax-exemption stamp, during the period of its validity as determined pursuant to subsection (c) of this section, shall establish an exemption from the taxes imposed by subsection (a) of section 202 of this title for the amount of potatoes stated on the face of each such stamp.

(b) The right to tax-exemption stamps shall be evidenced in such manner as the Secretary of Agriculture may by regulations prescribe, and such tax-exemption stamps shall be issued in such form or forms, and under such terms and conditions as may be prescribed jointly by the Secretary of Agriculture and the Secretary of the Treasury.

(c) The Secretary of Agriculture shall establish and define potato-producing regions for the continental United States upon the basis of the marketing periods for potatoes produced in such regions during an allotment year, and shall from time to time by regulation and upon the basis of such marketing periods for each such region, determine and fix the period during which tax-exemption stamps issued, or pursuant to subsection (g) of this section transferred, to producers in such regions for any allotment year shall be valid, provided that all tax-exemption stamps shall be valid for a period of at least the allotment year for which they are issued.

(d) If any tax-exemption stamp is erroneously issued, the person to whom such stamp is so issued shall, upon demand by the Secretary of Agriculture in writing and mailed to the last-known address of such person, be obligated to return such stamp or pay to the Secretary a sum equal to the amount of the taxes imposed by subsection (a) of section 202 of this title upon the amount of potatoes covered by such stamp, at the rate in effect at the time such stamp was issued.

(e) Any sale, assignment, pledge, or transfer, and any agreement or power of attorney to sell, assign, apply, pledge, or transfer made or entered into by any person of his right to or claim for tax-exemption stamps or any part thereof not accompanied by actual delivery of such stamps shall, for all purposes, be null and void; except agreements between landlords and share-tenants or sharecroppers which, in accordance with such regulations as the Secretary of Agriculture shall prescribe, provide for a division of the tax-exemption stamps received or to be received by any such landlord, any such share-tenant, or any such share-cropper, or any or all of them, in accordance with their respective shares in the potatoes or the proceeds thereof to be produced by them.

(f) Where a farm is operated by share-tenants, or with the aid of share-croppers, tax-exemption stamps issued for an apportionment made to such farm shall be used by the landlord, the share-tenants, and/or the share-croppers in accordance with their respective shares in the potatoes produced on such farm, during the allotment year for which such apportionment is made, or the proceeds of such potatoes, and the Secretary of Agriculture shall issue regulations protecting the interests of share-croppers and tenants in the issuance and use of such tax-exemption stamps.

(g) If accompanied by delivery thereof, tax-exemption stamps may be transferred or assigned in such manner and upon such terms and conditions, including conditions governing the consideration which must be given therefor, as the Secretary of Agriculture may determine are reasonably necessary to prevent (1) transfers and assignments which would tend to depress the market price for potatoes produced in any potato-producing area; (2) speculation in tax-exempt stamps; or (3) fraud or coercion in the transfer of such stamps, or which the Secretary of Agriculture finds to be necessary or desirable to facilitate the identification of tax-paid or tax-exempt potatoes, or which the Secretary of Agriculture finds to be necessary or desirable to protect the interests of tenants and share-croppers in the issuance and use of tax-exemption stamps.

SEC. 210. Tax-exemption stamps issued to a person, and a person's right to and claim for, tax-exemption stamps shall be exempt from the claims of the creditors of such person and from any and all process for the enforcement of such claims. The Secretary of Agriculture shall by regulation provide for the issuance to, and/or use by, the person who by devise, bequest, or descent becomes the owner of potatoes planted by a person dying during an allotment year, of the tax-exemption stamps which have been, or would have been, issued to such deceased person for such allotment year.

PACKAGING

SEC. 211. (a) To facilitate the collection of the tax upon the first sale of potatoes imposed by subsection (a) of section 202 of this title, all potatoes harvested on and after December 1, 1935, and sold in the continental United States, during any period such tax is in effect, shall, in accordance with such rules and regulations as the Commissioner, with the approval of the Secretary of the Treasury, shall prescribe, be packed in closed and marked containers, to which shall be attached or affixed tax stamps or tax-exemption stamps equal in face value to the amount of tax per pound in effect on the potatoes contained therein: *Provided*, That, subject to such regulations as the Commissioner, with the approval of the Secretary of the Treasury, may prescribe, packaging may be postponed beyond the time of the first sale of potatoes which are to be stored in bulk, or which are to be graded. at such places as may be designated by regulations prescribed by the Commissioner with the approval of the Secretary of the Treasury. The time and method of such packaging and the time and method of attaching or affixing such stamps and the time and circumstances under which packages may be broken shall be established in accordance with such regulations as the Commissioner, with the approval of the Secretary of the Treasury, may prescribe as desirable or necessary to facilitate the collection of such tax. In prescribing and approving rules and regulations for the packaging of

potatoes and the attaching or affixing of stamps, the Commissioner and the Secretary of the Treasury shall give due weight to the customs of the industry.

(b) To facilitate the collection of the tax upon a change in the form of potatoes imposed by subsection (a) of section 202 of this title, the Commissioner, with the approval of the Secretary of the Treasury, is authorized by regulation to prescribe appropriate means of identifying potatoes, the change of form of which is subject to such tax, and for the identification of the products of such potatoes.

RULES AND REGULATIONS

SEC. 212. The Commissioner, with the approval of the Secretary of the Treasury, shall prescribe and publish such rules and regulations as he may deem needful in administering provisions of this title relating to the revenue including rules and regulations for the issue, sale, custody, production, cancelation, destruction, and disposition of tax stamps and the cancelation and destruction of tax-exemption stamps, and the substitution or replacement of tax stamps in cases of loss, destruction, or defacement thereof.

SEC. 213. The Secretary of Agriculture is authorized to make such rules and regulations as may be necessary to carry out the powers vested in him by the provisions of this title.

SEC. 214. (a) All producers, warehousemen, processors, carriers, retailers, factors, handlers, and any other person who the Commission has reason to believe to have information with respect to potatoes produced or sold may be required, under regulations prescribed jointly by the Secretary of the Treasury and the Secretary of Agriculture, to make such returns, render such statements, give such information, and keep such records as they may deem necessary for the proper administration of this title.

(b) Any person willfully failing or refusing to file such a return, render such statement, give such information, or keep such records, or filing a willfully false return, or rendering or giving willfully false statements or information or willfully keeping false records, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000 or by imprisonment not exceeding 1 year, or both.

REFUNDS

SEC. 215. (a) No refund of any tax, penalty, interest, or sum of money paid shall be allowed under this title unless claim therefor is presented within 1 year after the date of payment of such tax, penalty, interest, or sum.

(b) No suit or proceeding shall be maintained in any court for the recovery of any tax under this title alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner illegally or wrongfully collected until a claim for refund or credit has been duly filed with the Commissioner according to the provisions of law in that regard and the regulations of the Secretary of the Treasury established in pursuance thereof. No suit or proceeding shall be begun before the expiration of 6 months from the date of filing such claim unless the Commissioner renders a decision thereon within that time, nor after the expiration of 2 years from the date of payment of such tax, penalty, or sum, unless such suit or proceeding is begun within 2 years after the disallowance of the part of such claim to which such suit or proceeding relates. The Commissioner shall, within 90 days after such disallowance, notify the taxpayer thereof by registered mail.

(c) The amount of the taxes imposed by subsection (a) of section 202, paid by a person, which taxes would not have been paid had the tax-exemption stamps to which such person was entitled been delivered to such person prior to the payment of such taxes, shall be refunded to such person.

APPROPRIATION

SEC. 216. (a) The proceeds derived from the taxes imposed by this title are hereby authorized to be appropriated to be available to the Secretary of Agriculture for administrative expenses, for all purposes of the Agricultural Adjustment Act, for refunds of taxes and for other payments under this title. The Secretary of Agriculture and the Secretary of the Treasury shall estimate from time to time the amount of taxes which will be collected during a period following any such estimate not in excess of 4 months, and the Secretary of the Treasury shall, out of any money in the Treasury not otherwise appropriated, advance to the Secretary of Agriculture the amounts so estimated. The amount of any such advance shall be deducted from such tax proceeds as shall subsequently become available under this subsection: *Provided*, That all taxes imposed by section 230 of this title, collected upon potatoes coming from the possessions or territories of the United States, shall not be covered into the general fund of the Treasury of the United States but shall be held as a separate fund and paid into the treasuries of the said possessions and territories, respectively, to be used and expended by the governments thereof for the benefit of agriculture.

(b) The Secretary of Agriculture is hereby authorized to expend, out of the sums available to the Secretary of Agriculture under the Agricultural Adjustment Act, as amended, such sums as may be necessary for administrative expenses, for refunds of taxes and for other payments under this title.

(c) The administrative expenses provided for under this section shall include, among others, expenditures for personal services and rent in the District of Columbia and elsewhere, for law books, periodicals, newspapers, and books of references, for contract stenographic reporting services, for the purchase or hire of vehicles, including motor vehicles, and for printing and paper in addition to allotments under the existing law.

(d) The Secretary of Agriculture may advance or transfer to the Treasury Department, to the Post Office Department, and to any other department or agency, out of funds available for administrative expenses under this title, such sums as are required to pay administrative expenses of, and refunds made by, such departments or agencies in the administration of this title.

(e) There is hereby authorized to be appropriated to be available to the Secretary of Agriculture such sums as may be necessary for administrative expenses for refunds of taxes, and for other advances or payments under this title.

GENERAL AND PENAL PROVISIONS

SEC. 217. If at any time the Secretary of Agriculture finds that any product or products manufactured from potatoes is of such low value, considering the quantity of potatoes used for its manufacture, that the imposition of the taxes imposed by subsection (a) of section 202 of this title would prevent wholly or in large part the use of potatoes in the manufacture of such product or products or that potatoes used for the feeding of livestock are of such low value that the imposition of such taxes would prevent wholly or in large part the sale of potatoes for any such use, the Secretary of Agriculture shall proclaim such finding and thereafter in accordance with regulations prescribed jointly by the Secretary of Agriculture and the Secretary of the Treasury, the sale, or change in form, or potatoes for such use or uses by the purchaser thereof shall be exempt from the provisions of subsection (a) of section 211, and from the taxes imposed by subsection (a) of section 202 of this title until such time as the Secretary of Agriculture, after further investigation and due notice and opportunity for hearing to the interested parties, revokes such proclamation: *Provided*, That the right to any such exemption shall be evidenced in such manner as joint regulations of the Secretary of Agriculture and the Secretary of the Treasury shall prescribe. If such purchaser uses any potatoes sold to him free of tax under this section or uses any product of such potatoes, for other than an exempt use as above specified, then he shall be liable for a tax in the same manner as if such potatoes were sold by him at a first sale.

SEC. 218. The Secretary of Agriculture is authorized, in order to carry out the provisions of this title, to appoint, without regard to the provisions of the civil-service law, such officers, agents, and employees and to utilize such Federal officers and employees and, with the consent of the State, such State and local officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers, agents, and employees so appointed.

SEC. 219. (a) For the more effective administration of the functions vested in him by this title, the Secretary of Agriculture is authorized to utilize committees and associations heretofore or hereafter established pursuant to subsection (b) of section 10 of the Agricultural Adjustment Act and to establish regional, State, and local committees and associations of producers of potatoes.

(b) The Secretary of Agriculture, out of any funds appropriated for administrative expenses under this title, is authorized to advance funds to the proper fiscal officer of associations established or utilized pursuant to subsection (a) of section 219 of this title, for expenses incurred or to be incurred in the administration of this title, with the approval of the Secretary of Agriculture by such associations. Payment of such expenses of such associations shall be made upon such evidence and in such manner and at such time or times as the Secretary of Agriculture may direct, and the accounting therefor by the associations shall be solely administrative and to the Secretary of Agriculture only.

SEC. 220. Any person who knowingly sells, or offers for sale, or knowingly offers to buy, or buys, potatoes not packaged as required by this title, or any person who knowingly sells, or offers for sale, or who knowingly offers to buy, or buys, potatoes to the packages of which are not affixed or attached tax-exemption stamps or tax stamps as required by this title shall, upon conviction thereof, be fined not more than $1,000. Any person convicted of a second offense under the provisions of this title may, in addition to such fine, be imprisoned for not more than 1 year.

SEC. 221. Any person who, in violation of the regulations made by the Secretary of Agriculture, speculates in tax-exemption stamps, and any person securing tax-exemption stamps from another person by fraud or coercion, shall, upon conviction thereof, be fined not more than $1,000 or sentenced to not more than 1 year's imprisonment, or both.

SEC. 222. Whenever any potato container, to which are affixed tax stamps or tax-exemption stamps, is emptied, it shall be the duty of the person in whose hands the same is to destroy utterly the stamps thereon. Any revenue officer may destroy the tax stamps or tax-exemption stamps upon any emptied potato package.

SEC. 223. Any person who willfully violates any provision of this title, or who willfully fails to pay, when due, any tax imposed under this title, or who, with intent to defraud, falsely makes, forges, orders, or counterfeits any tax stamps or tax-exemption stamps made or used under this title or who uses, sells, or has in his possession any such forged, ordered, or counterfeited tax stamps or tax-exemption stamps or any plate or die used, or which may be used in the manufacture thereof, or has in his possession any tax stamp or tax-exemption stamp which should have been destroyed as required by this title, or who makes, uses, sells, or has in his possession, any paper in imitation of the paper or other substance used in the manufacture of any such tax stamp or tax-exemption stamp, or who reuses any tax stamp or tax-exemption stamp required to be destroyed by this title, or who places any potatoes in any package which has been theretofore filled or

stamped or otherwise identified under this title without destroying the tax stamp and tax-exemption stamps previously affixed to such package, or who gives away or accepts from another or who sells or buys any emptied package which had been previously filled and stamped or otherwise identified under this title without destroying the tax stamps and tax-exemption stamps previously affixed or attached to such package, or who makes any false statement in any application for tax-exemption stamps under this title, or who has in his possession any tax-exemption stamps or tax stamps, obtained by him otherwise than as provided in this title, shall, upon conviction, be punished by a fine not exceeding $1,000 or by imprisonment for not exceeding 6 months, or both.

SEC. 224. Any person who willfully violates any regulation issued or approved pursuant to this title, for the violation of which a special penalty is not provided by law, shall, upon conviction thereof, be punished by a fine not exceeding $200.

SEC. 225. All provisions of law, including penalties applicable with respect to the taxes imposed by sections 600 and 800 of the Revenue Act of 1926, except section 1121 of the Revenue Act of 1926, and except section 614 of the Revenue Act of 1932, shall, insofar as applicable and not inconsistent with the provisions of this title, be applicable with respect to all taxes imposed by this title.

SEC. 226. In order to facilitate the making of apportionments and the collection of the taxes imposed by this title, every producer who sells potatoes during any allotment year, or who changes the form of potatoes, shall keep such books and records as the Commissioner, with the joint approval of the Secretary of the Treasury and the Secretary of Agriculture, shall by regulations require and such books and records shall be open to inspection by any authorized agent of the Secretary of Agriculture or the Commissioner.

SEC. 227. Whenever any potatoes, upon the sale of which a tax is required to be paid, are sold, without the use of the proper stamps, or whenever a change of form of potatoes upon which a tax is required to be paid occurs, without the payment of such tax, it shall be the duty of the Commissioner, within a period of not more than 2 years after such sale or change of form, upon satisfactory proof, to estimate the amount of the tax which has been omitted to be paid, and to make the assessment therefor, and certify the same to a collector. The tax so assessed shall be in addition to the penalties imposed by law.

EXPORTS

SEC. 228. Under such rules and regulations as the Commissioner, with the approval of the Secretary of the Treasury, may prescribe, the taxes imposed under subsection (a) of section 202 of this title shall not apply in respect to potatoes sold for export to any foreign country or for shipment to a possession or Territory of the United States, and in due course so exported or shipped. Under such rules and regulations the amount of any such tax erroneously or illegally collected in respect to such potatoes so exported or shipped may be refunded to the exporter or shipper of the potatoes instead of the taxpayer if the taxpayer waives any claim for the amount so to be refunded.

IMPORTS

SEC. 229. In order to secure equality between domestic and foreign producers of potatoes and in order to prevent the taxes imposed by subsection (a) of section 202 from resulting in disadvantages to producers of potatoes in the continental United States, the Secretary of Agriculture is hereby authorized and directed to, from time to time by orders and regulations—

(a) For each allotment year or any part thereof that the taxes imposed by subsection (a) of section 202 of this title are in effect, establish quotas for the entry or the importation into the continental United States of potatoes produced in any Territory or possession of the United States, or any foreign country. Such quotas shall be based upon that percentage of the annual average quantity of such potatoes brought or imported into the continental United States during the years 1929–34, inclusive, which is equal to the percentage that the quantity proclaimed by the Secretary under section 203 of this title is of the annual average of the quantity of potatoes sold in the continental United States during the years 1929–34, inclusive; and

(b) Allot the quotas provided for by subsection (a) to the importers of such potatoes in the United States in such manner as he may deem fair and equitable, having due regard to the respective amounts of potatoes imported during the years 1932–34, inclusive, by such persons.

SEC. 230. After such quotas have been established, potatoes imported or brought into the continental United States in excess of any such quotas shall, in addition to any import duties, be subject to internal-revenue tax equal to the amount of the tax then in effect on the first sale of potatoes produced and sold in the continental United States. The tax levied by this section shall be represented by tax stamps and shall be paid by the owner or importer prior to release from customs custody and control, or entry into the continental United States.

SEC. 231. During any period the tax imposed by subsection (a) of section 202 is in effect all potatoes imported or brought into the continental United States from any possession or Territory of the United States or from any foreign country shall, prior to release from customs custody and control, in accordance with such rules and regulations as the Commissioner, with the approval of the Secretary of the Treasury, shall prescribe as necessary or desirable to facilitate the collection of the taxes levied by this title, be packed in closed and marked containers. The time and method of such packaging and the time and method of attaching or affixing the stamps required by the preceding section shall be established in accordance with such regulations as the Commissioner shall prescribe. All sales of such potatoes, after release thereof from customs custody and control or entry in the continental United States, shall be in packages in the same manner and under the same terms and conditions as required for the sales of potatoes harvested and sold in the continental United States.

SEC. 232. The provisions of sections 229 and 230 shall not be applicable to potatoes produced in the Republic of Cuba and imported and entered for consumption into the continental United States during the period from December 1 to the last day of the following February, inclusive, in any years: *Provided*, That if the Secretary of Agriculture at any time finds that the importation of potatoes from the Republic of Cuba during such period is, or threatens or results in, unduly depressing the potato market in or for any potato-producing area of the continental United States, he shall proclaim such findings and the provisions of sections 229 and 230 shall be applicable to all potatoes thereafter imported into the continental United States from the Republic of Cuba.

Mr. JONES moves that the House recede from its disagreement to the amendment of the Senate no. 163, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"POTATO CONTROL

"SEC. 61. Section 11 of the Agricultural Adjustment Act, as amended, is amended by adding after the word 'rice' a comma and the word 'potatoes' and by adding at the end of said section 11 a new sentence as follows: 'As used in this title, the term "potatoes" means all varieties of potatoes included in the species Solanum tuberosum.'

"SEC. 62. Subsection 1 of section 2 of the Agricultural Adjustment Act, as amended, is amended by adding after the word 'tobacco', in both the second and third sentences of said subsection, the words 'and potatoes.'

"TITLE II

"DEFINITIONS

"SECTION 201. When used in this title, unless the context otherwise requires—

"(a) The term 'person' includes an individual, a corporation, a partnership, a business trust, a joint-stock company, an association, a syndicate, group, pool, joint venture, or any other unincorporated organization or group.

"(b) The term 'Commissioner' means the Commissioner of Internal Revenue.

"(c) The term 'collector' means a collector of internal revenue.

"(d) The term 'sale' includes any agreement or delivery whereby the seller transfers the property in, or right to consume, potatoes to another for a consideration, and any sum of money, services, property, or anything of value whatsoever, may constitute consideration for such transfer, but does not include the transfer of the right to consume potatoes to a member of the household of a producer of such potatoes or a transfer for consumption by the household of a person employed in the farming operations of the producer of such potatoes.

"(e) The term 'allotment year' means the period commencing December 1 and ending November 30: *Provided*, That the first allotment year shall commence December 1, 1935, and shall end November 30, 1936.

"(f) The term 'change in the form of potatoes' means an intentionally effected change in the form of potatoes in preparation for the sale of such potatoes, or any product thereof, as such change is defined by rules and regulations prescribed by the Commissioner, with the approval of the Secretary of the Treasury.

"(g) The term 'tax stamp' means an appropriate stamp or other means of identifying potatoes with respect to which a tax levied by this title has been paid.

"(h) The term 'tax-exemption stamp' means an appropriate stamp or other means of identifying potatoes with respect to which an exemption from a tax levied by this title has been established.

"(i) The term 'potatoes' means all varieties of potatoes included in the species Solanum tuberosum.

"(j) The term 'producer' means a person who has the right to sell, or to receive a share of the proceeds derived from the sale of, potatoes cultivated by him, or on land owned or leased by him.

"(k) The term 'continental United States' means the several States of the United States and the District of Columbia and does not include any Territory or possession of the United States.

"(l) The term 'operator' means any person operating his own farm, any tenant operating a farm rented for cash or for a fixed-commodity payment, any crop-share tenant, and any crop-share landlord.

"(m) The term 'farm' means all the land operated by the producer as a single operating unit with work stock, farm machinery, and labor substantially separate from that of any other tract of land.

"IMPOSITION OF THE TAX

"SEC. 202. (a) There is hereby levied and assessed upon each first sale of potatoes harvested on or after December 1, 1935, in the continental United States a tax, to be paid by the seller, at the rate of three-fourths of 1 cent per pound: *Provided*, That when there is a change in the form of potatoes harvested on or after December 1, 1935, in the continental United States prior to the first sale thereof, a tax at the rate of three-fourths of 1 cent per pound, to be paid by the owner at the time such change is effected, is hereby levied and assessed upon the effecting of such

change, and no tax shall be levied upon the first sale of such potatoes or any product or products thereof.

"(b) If the Secretary of Agriculture finds at any time that the total apportionments to producers in any potato-producing region or regions (as established and defined pursuant to subsection (c) of section 209 of this title) are in excess of the probable supply of potatoes in the continental United States during the marketing periods for such region or regions, he shall proclaim such determination, and the provisions of this title shall not be operative during such marketing periods.

"(c) At least 30 days prior to the beginning of each allotment year the Secretary of Agriculture shall conduct a referendum which will afford to producers of potatoes a reasonable opportunity to vote in favor of or in opposition to continuing in effect with respect to potatoes produced during the succeeding allotment year the taxes levied by subsection (a) of this section. Each producer who is entitled to an allotment for the last allotment year for which such apportionments were made shall be entitled to one vote; and such taxes shall not be in effect and the provisions of this title shall not be operative with respect to potatoes produced in such succeeding year unless the majority of the votes cast in such referendum are cast in favor of continuing such taxes in effect.

"(d) If the Secretary of Agriculture determines and proclaims that the taxes levied by subsection (a) of this section will at the rate therein specified for such taxes, (1) tend to adversely affect the orderly marketing of potatoes, or (2) tend to depress the farm price of potatoes, or (3) tend to cause to producers of potatoes disadvantages in competition by reason of an excessive shift in consumption from potatoes to some other commodity or commodities, then the rate of such taxes shall for such period as the Secretary of Agriculture designates, be at the highest rate which is lower than three-fourths of 1 cent (not less than one-half of 1 cent per pound) as he finds and proclaims will not adversely affect such orderly marketing, or cause such depression of the farm price, or cause such disadvantages in competition.

"(e) The taxes levied by subsection (a) of this section shall be represented by tax stamps, and the proceeds of taxes levied under this title shall be paid into the Treasury of the United States as internal-revenue collections.

"(f) The Commissioner shall cause to be prepared, for the payment of such taxes, tax stamps of suitable denominations and shall furnish same to the collectors of internal revenue. The commissioner shall also furnish to the Postmaster General without prepayment a suitable quantity of such stamps to be distributed to, and kept on sale by, the various postmasters in the United States. The Postmaster General may require each such postmaster to give additional or increased bond as postmaster for the value of the stamps so furnished, and each such postmaster shall deposit the receipts from the sale of such stamps to the credit of, and render accounts to, the Postmaster General at such times and in such form as he may by regulations prescribe. The Postmaster General shall at least once monthly transfer all collections from this source to the Treasury as internal-revenue collections.

"ALLOTMENTS

"SEC. 203. The Secretary of Agriculture shall investigate probable production and market conditions for each allotment year and shall determine from available statistics of the Department of Agriculture and proclaim, at least 30 days prior to the beginning of each allotment year, the quantity of potatoes which, if produced during such year and sold during or after such year, will, in his opinion, tend to establish and maintain such balance between the production, sale, and consumption of potatoes and the marketing conditions therefor as will, in his opinion, tend to establish prices to potato producers at a level that would give potatoes a purchasing power with respect to articles that farmers buy equivalent to the purchasing power of potatoes in the period August 1919–July 1929 without reducing the total net income of potato producers from potatoes below the largest probable income of potato producers from potatoes produced during such allotment year, and without tending to cause to producers of potatoes disadvantages in competition by reason of an excessive shift in consumption from potatoes to some other commodity or commodities; and the quantity so proclaimed shall for each allotment year be apportioned by the Secretary of Agriculture as hereinafter provided.

"SEC. 204. When a quantity is determined in accordance with section 203 of this title, the Secretary of Agriculture shall apportion such quantity among the several States. The apportionment to each State shall be determined on the basis of the ratio that the annual average acreage of the 4 years in which the highest potato acreage was harvested in such State in the years 1927–34, inclusive, multiplied by the average yield per acre for the 4 years that the yield of potatoes per acre for such State was highest in the years 1927–34, inclusive, multiplied by the average annual percentage of the crop produced in such State during the years 1929–34, inclusive, which was sold, bears to the sum of the products of such average acreages, such average yields, and such percentages of sales for all States: *Provided*, That if the Secretary of Agriculture finds that the application of the foregoing formula alone would, because of differences in production practices and marketing practices among the several States, result in an inequitable and unfair apportionment to any State or States, not in excess of 2 percent of the quantity of potatoes determined in accordance with section 203 of this title may be deducted from such quantity and may be used by the Secretary of Agriculture to adjust on the basis of equity and fairness the apportionments made or to be made to any State or States.

"SEC. 205. Ninety-five percent of the quantity of potatoes apportioned to any State pursuant to section 204 of this title shall be apportioned by the Secretary of Agriculture to farms on which potatoes have been grown within such State during any one or more years within the period 1932–34, inclusive. Such apportionment to any farm may be made upon application therefor and may, in order to secure equitable apportionments to producers, be made by the Secretary based upon either—

"(1) A percentage of the average sales of potatoes produced on such farm for a representative base period, prescribed by the Secretary, of any 2 or more years during the years 1932–34, inclusive, providing the operators of such farm for the allotment year for which the apportionment is made produced potatoes on such farm during at least one of the base-period years. The representative base period prescribed by the Secretary and the percentage applied to the average sales of potatoes produced during such period in establishing apportionments for each farm under this paragraph shall, so far as practicable, be uniform for farms similarly situated upon the basis or classification prescribed by the Secretary of Agriculture, but in the case of any farm for which such average sales are 300 pounds or less, such average sales shall be exempt from any percentage reduction thereof and such farm shall receive an apportionment equal to such average sales; or

"(2) Such basis as the Secretary of Agriculture deems fair and just and will apply to all farms to which an apportionment is made under this paragraph 2 uniformly on the basis or classification adopted. In making an apportionment to a farm under this paragraph, due consideration shall be given to the quantity of potatoes produced and sold in the past by the operators who will operate such farm for the allotment year for which the apportionment is made, the quantity of potatoes produced on such farm and sold in the past, and the acreage of the farm available for the production of potatoes and which the operators are currently equipped to devote to the production of potatoes.

"SEC. 206. Not in excess of 5 percent of the quantity of potatoes apportioned to any State pursuant to section 204 of this title shall, upon application therefor, be available for apportionment by the Secretary of Agriculture to farms operated by persons engaged or evidencing a desire to engage in the production and sale of potatoes in such State and which farms are ineligible to receive an apportionment under section 205 or in respect to which the Secretary of Agriculture determines that the apportionments made pursuant to section 205 are inequitable: *Provided*, That apportionments under this section shall be made upon such basis as the Secretary of Agriculture deems fair and just and which will, so far as practicable, apply to all such farms uniformly upon the basis or classification prescribed by the Secretary. Any quantity not apportioned under this section shall be available for apportionment under section 205 of this title.

"SEC. 207. If an apportionment is made to a farm under section 206 of this title for any allotment year, for each succeeding allotment year that the operation of such farm is continued by the operators who operated it during the allotment year for which such apportionment was made, the apportionment to such farm shall be made upon the basis provided in section 206 of this title but shall be made from the quantity available for apportionment under section 205 of this title.

"SEC. 208. For the purposes of the apportionments to be made pursuant to sections 204, 205, 206, and 207 of this title, the District of Columbia shall be considered as a part of the State of Maryland.

"SEC. 209. (a) The Secretary of Agriculture, or any agent or agency designated for such purpose by the Secretary of Agriculture, shall, upon application therefor, issue for each farm tax-exemption stamps for an amount of potatoes equal to the apportionment made to such farm pursuant to sections 205, 206, and 207 of this title: *Provided*, That under such regulations as the Secretary of Agriculture shall prescribe he shall refuse to issue such tax-exemption stamps to any applicant in any allotment year in which such applicant is not a bona fide producer of potatoes. Each such tax-exemption stamp, during the period of its validity as determined pursuant to subsection (c) of this section, shall establish an exemption from the taxes imposed by subsection (a) of section 202 of this title for the amount of potatoes stated on the face of each such stamp.

"(b) The right to tax-exemption stamps shall be evidenced in such manner as the Secretary of Agriculture may by regulations prescribe, and such tax-exemption stamps shall be issued in such form or forms, and under such terms and conditions as may be prescribed jointly by the Secretary of Agriculture and the Secretary of the Treasury.

"(c) The Secretary of Agriculture shall establish and define potato-producing regions for the continental United States upon the basis of the marketing periods for potatoes produced in such regions during an allotment year, and shall from time to time by regulation and upon the basis of such marketing periods for each such region, determine and fix the period during which tax-exemption stamps issued, or pursuant to subsection (g) of this section transferred, to producers in such regions for any allotment year shall be valid, provided that all tax-exemption stamps shall be valid for a period of at least the allotment year for which they are issued.

"(d) If any tax-exemption stamp is erroneously issued, the person to whom such stamp is so issued shall, upon demand by the Secretary of Agriculture in writing and mailed to the last-known address of such person, be obligated to return such stamp or pay to the Secretary a sum equal to the amount of the taxes

imposed by subsection (a) of section 202 of this title upon the amount of potatoes covered by such stamp, at the rate in effect at the time such stamp was issued.

"(e) Any sale, assignment, pledge, or transfer, and any agreement or power of attorney to sell, assign, apply, pledge, or transfer made or entered into by any person of his right to or claim for tax-exemption stamps or any part thereof not accompanied by actual delivery of such stamps shall, for all purposes, be null and void; except agreements between landlords and share-tenants or share-croppers which, in accordance with such regulations as the Secretary of Agriculture shall prescribe, provide for a division of the tax-exemption stamps received or to be received by any such landlord, any such share-tenant or any such share-cropper, or any or all of them, in accordance with their respective shares in the potatoes or the proceeds thereof to be produced by them.

"(f) Where a farm is operated by share-tenants, or with the aid of share-croppers, tax-exemption stamps issued for an apportionment made to such farm shall be used by the landlord, the share-tenants, and/or the share-croppers in accordance with their respective shares in the potatoes produced on such farm, during the allotment year for which such apportionment is made, or the proceeds of such potatoes, and the Secretary of Agriculture shall issue regulations protecting the interests of share-croppers and tenants in the issuance and use of such tax-exemption stamps.

"(g) If accompanied by delivery thereof, tax-exemption stamps may be transferred or assigned in such manner and upon such terms and conditions, including conditions governing the consideration which must be given therefor, as the Secretary of Agriculture may determine are reasonably necessary to prevent (1) transfers and assignments which would tend to depress the market price for potatoes produced in any potato-producing area, (2) speculation in tax-exemption stamps, or (3) fraud or coercion in the transfer of such stamps, or which the Secretary of Agriculture finds to be necessary or desirable to facilitate the identification of tax-paid or tax-exempt potatoes or which the Secretary of Agriculture finds to be necessary or desirable to protect the interests of tenants and share-croppers in the issuance and use of tax-exemption stamps.

"SEC. 210. Tax-exemption stamps issued to a person, and a person's right to and claim for, tax-exemption stamps shall be exempt from the claims of the creditors of such person and from any and all process for the enforcement of such claims. The Secretary of Agriculture shall by regulation provide for the issuance to, and/or use by, the person who by devise, bequest, or descent becomes the owner of potatoes planted by a person dying during an allotment year, of the tax-exemption stamps which have been, or would have been, issued to such deceased person for such allotment year.

"PACKAGING

"SEC. 211. (a) To facilitate the collection of the tax upon the first sale of potatoes imposed by subsection (a) of section 202 of this title, all potatoes harvested on and after December 1, 1935, and sold in the continental United States, during any period such tax is in effect, shall, in accordance with such rules and regulations as the Commissioner with the approval of the Secretary of the Treasury shall prescribe, be packed in closed and marked containers to which shall be attached or affixed tax stamps or tax-exemption stamps equal in face value to the amount of tax per pound in effect on the potatoes contained therein: *Provided*, That, subject to such regulations as the Commissioner with the approval of the Secretary of the Treasury may prescribe, packaging may be postponed beyond the time of the first sale of potatoes which are to be stored in bulk, or which are to be graded, at such places as may be designated by regulations prescribed by the Commissioner with the approval of the Secretary of the Treasury. The time and method of such packaging and the time and method of attaching or affixing such stamps and the time and circumstances under which packages may be broken shall be established in accordance with such regulations as the Commissioner, with the approval of the Secretary of the Treasury, may prescribe as desirable or necessary to facilitate the collection of the taxes levied by this title. In prescribing and approving rules and regulations for the packaging of potatoes and the attaching or affixing of stamps, the Commissioner and the Secretary of the Treasury shall give due weight to the customs of the industry.

"(b) To facilitate the collection of the tax upon a change in the form of potatoes imposed by subsection (a) of section 202 of this title, the Commissioner, with the approval of the Secretary of the Treasury, is authorized by regulation to prescribe appropriate means of identifying potatoes, the change of form of which is subject to such tax, and for the identification of the products of such potatoes.

"RULES AND REGULATIONS

"SEC. 212. The Commissioner, with the approval of the Secretary of the Treasury, shall prescribe and publish such rules and regulations as he may deem needful in administering provisions of this title relating to the revenue including rules and regulations for the issue, sale, custody, production, cancelation, destruction, and disposition of tax stamps and the cancelation and destruction of tax-exemption stamps, and the substitution or replacement of tax stamps in cases of loss, destruction, or defacement thereof.

"SEC. 213. The Secretary of Agriculture is authorized to make such rules and regulations as may be necessary to carry out the powers vested in him by the provisions of this title.

"SEC. 214. (a) All producers, warehousemen, processors, carriers, retailers, factors, handlers, and any other person who the Commissioner has reason to believe to have information with respect to potatoes produced, or sold, or subject to a tax on a change in the form of potatoes, may be required, under regulation prescribed jointly by the Secretary of the Treasury and the Secretary of Agriculture, to make such returns, render such statements, give such information, and keep such records as they may deem necessary for the proper administration of this title.

"(b) Any person willfully failing or refusing to file such a return, render such statement, give such information, or keep such records, or filing a willfully false return, or rendering or giving willfully false statements or information or willfully keeping false records, shall be guilty of a misdemeaner and upon conviction thereof, shall be punished by a fine of not more than $1,000 or by imprisonment not exceeding 1 year, or both.

"REFUNDS

"SEC. 215. (a) No refund of any tax, penalty, interest, or sum of money paid shall be allowed under this title unless claim therefor is presented within 1 year after the date of payment of such tax, penalty, interest, or sum.

"(b) No suit or proceeding shall be maintained in any court for the recovery of any tax under this title alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner illegally or wrongfully collected until a claim for refund or credit has been duly filed with the Commissioner according to the provisions of law in that regard and the regulations of the Secretary of the Treasury established in pursuance thereof. No suit or proceeding shall be begun before the expiration of 6 months from the date of filing such claim unless the Commissioner renders a decision thereon within that time, nor after the expiration of 2 years from the date of payment of such tax, penalty, or sum, unless such suit or proceeding is begun within 2 years after the disallowance of the part of such claim to which such suit or proceeding relates. The Commissioner shall, within 90 days after such disallowance, notify the taxpayer thereof by registered mail.

"(c) The amount of the taxes imposed by subsection (a) of section 202 paid by a person, which taxes would not have been paid had the tax-exemption stamps to which such person was entitled been delivered to such person prior to the payment of such taxes, shall be refunded to such person.

"APPROPRIATION

"SEC. 216. (a) The proceeds derived from the taxes imposed by this title are hereby authorized to be appropriated to be available to the Secretary of Agriculture for administrative expenses, for all purposes of the Agricultural Adjustment Act, as amended, for refunds of taxes, and for other payments under this title. The Secretary of Agriculture and the Secretary of the Treasury shall estimate from time to time the amount of taxes which will be collected under this title during a period following any such estimate not in excess of 4 months, and the Secretary of the Treasury shall, out of any money in the Treasury not otherwise appropriated, advance to the Secretary of Agriculture the amounts so estimated. The amount of any such advance shall be deducted from such tax proceeds as shall subsequently become available under this subsection: *Provided*, That all taxes imposed by section 230 of this title collected upon potatoes coming from the possessions or territories of the United States shall not be covered into the general fund of the Treasury of the United States but shall be held as a separate fund and paid into the treasuries of the said possessions and territories, respectively, to be used and expended by the governments thereof for the benefit of agriculture.

"(b) The administrative expenses provided for under this section shall include, among others, expenditures for personal services and rent in the District of Columbia and elsewhere, for law books, periodicals, newspapers, and books of reference, for contract stenographic reporting services, for the purchase or hire of vehicles, including motor vehicles, and for printing and paper in addition to allotments under the existing law.

"(c) The Secretary of Agriculture may advance or transfer to the Treasury Department, to the Post Office Department, and to any other department or agency, out of funds available for administrative expenses under this title, such sums as are required to pay administrative expenses of, and refunds made by, such departments or agencies in the administration of this title.

"(d) There is hereby authorized to be appropriated to be available to the Secretary of Agriculture such sums as may be necessary for administrative expenses, for refunds of taxes, and for other advances or payments under this title.

"GENERAL AND PENAL PROVISIONS

"SEC. 217. If at any time the Secretary of Agriculture finds that any product or products manufactured from potatoes is of such low value, considering the quantity of potatoes used for its manufacture, that the imposition of the taxes imposed by subsection (a) of section 202 of this title would prevent wholly or in large part the use of potatoes in the manufacture of such product or products or that potatoes used for the feeding of livestock are of such low value that the imposition of such taxes would prevent wholly or in large part the sale of potatoes for any such use, the Secretary of Agriculture shall proclaim such finding and thereafter in accordance with regulations prescribed jointly by the Secretary of Agriculture and the Secretary of the Treasury, the sale, or change in form, of potatoes for such use or uses by the purchaser thereof shall be exempt from the provisions of subsection (a) of section 211, and from the taxes imposed by subsection (a) of section 202 of this title until such time as the Secretary of Agriculture, after further investigation and due notice and opportunity for hearing to the interested parties, revokes such proclamation: *Provided*, That the right to any such

exemption shall be evidenced in such manner as joint regulations of the Secretary of Agriculture and the Secretary of the Treasury shall prescribe. If such purchaser uses any potatoes sold to him free of tax under this section or uses any product of such potatoes, for other than an exempt use as above specified, then he shall be liable for a tax in the same manner as if such potatoes were sold by him at a first sale.

"SEC. 218. The Secretary of Agriculture is authorized, in order to carry out the provisions of this title, to appoint, without regard to the provisions of the civil-service law, such officers, agents, and employees and to utilize such Federal officers and employees and, with the consent of the State, such State and local officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers, agents, and employees so appointed.

"SEC. 219. (a) For the more effective administration of the functions vested in him by this title, the Secretary of Agriculture is authorized to utilize committees and associations heretofore or hereafter established pursuant to subsection (b) of section 10 of the Agricultural Adjustment Act, as amended, and to establish regional, State, and local committees and associations of producers of potatoes.

"(b) The Secretary of Agriculture, out of any funds appropriated for administrative expenses under this title, is authorized to advance funds to the proper fiscal officer of associations established or utilized pursuant to subsection (a) of section 219 of this title, for expenses incurred or to be incurred in the administration of this title, with the approval of the Secretary of Agriculture by such associations. Payment of such expenses of such associations shall be made upon such evidence and in such manner and at such time or times as the Secretary of Agriculture may direct, and the accounting therefor by the associations shall be solely administrative and to the Secretary of Agriculture only.

"SEC. 220. Any person who knowingly sells, or offers for sale, or knowingly offers to buy, or buys, potatoes not packaged as required by this title, or any person who knowingly sells, or offers for sale, or who knowingly offers to buy, or buys, potatoes to the packages of which are not affixed or attached tax-exemption stamps or tax stamps as required by this title shall, upon conviction thereof, be fined not more than $1,000. Any person convicted of a second offense under the provisions of this title may, in addition to such fine, be imprisoned for not more than 1 year.

"SEC. 221. Any person who, in violation of the regulations made by the Secretary of Agriculture, speculates in tax-exemption stamps, and any person securing tax-exemption stamps from another person by fraud or coercion, shall, upon conviction thereof, be fined not more than $1,000 or sentenced to not more than 1 year's imprisonment, or both.

"SEC. 222. Whenever any potato container, to which are affixed tax stamps or tax-exemption stamps, is emptied, it shall be the duty of the person in whose hands the same is to destroy utterly the stamps affixed thereto. Any revenue officer may destroy the tax stamps or tax-exemption stamps affixed to any emptied potato package.

"SEC. 223. Any person who willfully violates any provision of this title, or who willfully fails to pay when due any tax imposed under this title, or who, with intent to defraud, falsely makes, forges, orders, or counterfeits any tax stamps or tax-exemption stamps made or used under this title or who uses, sells, or has in his possession any such forged, ordered, or counterfeited tax stamps or tax-exemption stamps or any plate or die used, or which may be used in the manufacture thereof, or has in his possession any tax stamp or tax-exemption stamp which should have been destroyed as required by this title, or who makes, uses, sells, or has in his possession any paper in imitation of the paper or other substance used in the manufacture of any such tax stamp or tax-exemption stamp, or who reuses any tax stamp or tax-exemption stamp required to be destroyed by this title, or who places any potatoes in any package which has been theretofore filled or stamped or otherwise identified under this title without destroying the tax stamps and tax-exemption stamps previously affixed to such package, or who gives away or accepts from another, or who sells or buys any emptied package which had been previously filled and stamped or otherwise identified under this title without destroying the tax stamps and tax-exemption stamps previously affixed or attached to such package, or who makes any false statement in any application for tax-exemption stamps under this title, or who has in his possession any tax-exemption stamps or tax stamps, obtained by him otherwise than as provided in this title, shall, upon conviction, be punished by a fine not exceeding $1,000 or by imprisonment for not exceeding 6 months, or both.

"SEC. 224. Any person who willfully violates any regulation issued or approved pursuant to this title, for the violation of which a special penalty is not provided by law, shall, upon conviction thereof, be punished by a fine not exceeding $200.

"SEC. 225. All provisions of law, including penalties, applicable with respect to the taxes imposed by sections 600 and 800 of the Revenue Act of 1926, except section 1121 of the Revenue Act of 1926, and except section 614 of the Revenue Act of 1932, shall, insofar as applicable and not inconsistent with the provisions of this title, be applicable with respect to all taxes imposed by this title.

"SEC. 226. In order to facilitate the making of apportionments and the collection of the taxes imposed by this title, every producer who sells potatoes during any allotment year, or who affects a change in the form of potatoes, shall keep such books and records as the Commissioner, with the joint approval of the Secretary of the Treasury and the Secretary of Agriculture, shall by regulations require and such books and records shall be open to inspection by any authorized agent of the Secretary of Agriculture or the Commissioner.

"SEC. 227. Whenever any potatoes, upon the sale of which a tax is required to be paid, are sold, without the use of the proper stamps, or whenever a change in the form of potatoes upon which a tax is required to be paid occurs, without the payment of such tax, it shall be the duty of the Commissioner, within a period of not more than 2 years after such sale or change in the form, upon satisfactory proof, to estimate the amount of the tax which has been omitted to be paid, and to make the assessment therefor, and certify the same to a collector. The tax so assessed shall be in addition to the penalties imposed by law.

"EXPORTS

"SEC. 228. Under such rules and regulations as the Commissioner, with the approval of the Secretary of the Treasury, may prescribe, the taxes imposed under subsection (a) of section 202 of this title shall not apply in respect to potatoes sold for export to any foreign country or for shipment to a possession or Territory of the United States, and in due course so exported or shipped. Under such rules and regulations the amount of any such tax erroneously or illegally collected in respect to such potatoes so exported or shipped may be refunded to the exporter or shipper of the potatoes instead of the taxpayer if the taxpayer waives any claim for the amount so to be refunded.

"IMPORTS

"SEC. 229. In order to secure equality between domestic and foreign producers of potatoes and in order to prevent the taxes imposed by subsection (a) of section 202 from resulting in disadvantages to producers of potatoes in the continental United States, the Secretary of Agriculture is hereby authorized and directed to, from time to time by orders and regulations—

"(a) For each allotment year or any part thereof that the taxes imposed by subsection (a) of section 202 of this title are in effect, establish quotas for the entry or the importation into the continental United States of potatoes produced in any Territory or possession of the United States, or any foreign country. Such quotas shall be based upon that percentage of the annual average quantity of such potatoes brought or imported into the continental United States during the years 1929–34, inclusive, which is equal to the percentage that the quantity proclaimed by the Secretary of Agriculture under section 203 of this title is of the annual average of the quantities of potatoes sold in the continental United States during the years 1929–34, inclusive; and

"(b) Allot the quotas provided for by subsection (a) to the importers of such potatoes in the United States in such manner as he may deem fair and equitable, having due regard to the respective amounts of potatoes imported during the years 1932–34, inclusive, by such persons.

"SEC. 230. After such quotas have been established, potatoes imported or brought into the continental United States in excess of any such quotas shall, in addition to any import duties, be subject to an internal-revenue tax equal to the amount of the tax then in effect on the first sale of potatoes produced and sold in the continental United States. The tax levied by this section shall be represented by tax stamps and shall be paid by the owner or importer prior to release from customs custody and control, or entry into the continental United States.

"SEC. 231. During any period the tax imposed by subsection (a) of section 202 is in effect all potatoes imported or brought into the continental United States from any possession or Territory of the United States or from any foreign country shall, prior to release from customs custody and control, in accordance with such rules and regulations as the Commissioner, with the approval of the Secretary of the Treasury, shall prescribe as necessary or desirable to facilitate the collection of the taxes levied by this title, be packed in closed and marked containers. The time and method of such packaging and the time and method of attaching or affixing the stamps required by the preceding section shall be established in accordance with such regulations as the Commissioner shall prescribe. All sales of such potatoes, after release thereof from customs custody and control or entry in the continental United States, shall be in packages in the same manner and under the same terms and conditions as required for the sales of potatoes harvested and sold in the continental United States.

"SEC. 232. The provisions of sections 229 and 230 shall not be applicable to potatoes produced in the Republic of Cuba and imported and entered for consumption into the continental United States during the period from December 1 to the last day of the following February, inclusive, in any years: *Provided*, That if the Secretary of Agriculture at any time finds that the importation of potatoes from the Republic of Cuba during such period is, or threatens to result in, unduly depressing the potato market in or for any potato-producing area of the continental United States, he shall proclaim such findings and the provisions of sections 229 and 230 shall be applicable to all potatoes thereafter imported into the continental United States from the Republic of Cuba.

"SEC. 233. This title may be cited as the "Potato Act of 1935."

CALL OF THE HOUSE

Mr. GILCHRIST. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently there is not a quorum present.

Mr. TAYLOR of Colorado. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 165]

Andrews, N. Y.	Eicher	Lamneck	Reed, N. Y.
Arnold	Ferguson	Lesinski	Richardson
Bankhead	Fernandez	Lewis, Md.	Rogers, N. H.
Berlin	Fish	Lord	Rudd
Blanton	Fletcher	Lucas	Sadowski
Brown, Mich.	Gambrill	McFarlane	Sanders, La.
Buckbee	Gasque	McGroarty	Sandlin
Buckley, N. Y.	Goldsborough	McLean	Schneider
Bulwinkle	Goodwin	McMillan	Seger
Burnham	Gray, Pa.	Maas	Shannon
Cannon, Wis.	Griswold	Marcantonio	Stewart
Carter	Hancock, N. C.	May	Stubbs
Cartwright	Hartley	Montague	Sullivan
Cavicchia	Hess	Montet	Sutphin
Claiborne	Higgins, Conn.	Nichols	Sweeney
Cochran	Hoffman	Norton	Thomas
Cole, N. Y.	Hollister	Oliver	Thompson
Cooper, Ohio	Hook	Parks	Tobey
Corning	Imhoff	Perkins	Underwood
Dear	Keller	Peyser	Wadsworth
Dietrich	Kennedy, Md.	Rabaut	Wearin
Dockweiler	Kimball	Rayburn	Weaver
Doutrich	Kniffin	Reece	Wilson, La.

The SPEAKER. Three hundred and thirty-seven Members have answered to their names, a quorum.

On motion of Mr. TAYLOR of Colorado, further proceedings under the call were dispensed with.

AGRICULTURAL ADJUSTMENT ACT AMENDMENTS

Mr. JONES. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, the problem involved in the amendments now being considered is a national one, for which relief can be granted only in a national way.

The potato growers of the United States are in a desperate condition. It is difficult for those who have not been brought in intimate touch with this situation to know how desperate it is. Potatoes constitute the fourth food crop in value in the United States. There are nine other commodities in the basic commodity plan. One of them has only 10 percent of the value of potatoes, yet this industry is left out and its situation is growing more desperate every day.

The bill which is presented in this amendment has been considered with the greatest care, first by group meetings locally and then by group meetings throughout the United States. Two hundred and fifty of these meetings have been held in which the bill has been discussed line by line. Every word has been explained, and in these meetings practically all, with the exception of four or five, have endorsed this bill.

I am not going to undertake to go into details. It will be realized what the situation is when I say to you that in two counties in my district the losses, as estimated by the Department of Agriculture, for the last 2 years have been over $5,000,000. My colleague, Mr. DARDEN, who is deeply interested and whose interests are similar to mine, is unable to speak as only one from Virginia may be heard for lack of time. He has requested that I say that the losses in his district equal mine, and he heartily favors this amendment. It is not sectional to Virginia. In Maine this year the loss has been from $15,000,000 to $20,000,000. In other sections there is a similar condition.

The most careful study by the Department of Agriculture, by Members of Congress, by groups of potato growers, have evolved this as the only plan that can solve the situation. If there are inconveniences, I have sufficient faith in the patriotism of the American people to believe that whatever the inconveniences may be the people are willing to respond for the general benefit that will come to the Nation as a whole from the passage of a measure of this kind.

The burden upon the consumer has been carefully estimated by the University of Wisconsin. They state that if the relief granted here were granted it would not amount to more than 88 cents for a family in the year.

We are asking you gentlemen to consider this burden, to consider the plight of these people who are now upon a poverty level, and we ask you to pass the bill.

[Here the gavel fell.]

Mr. JONES. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. MARSHALL].

Mr. MARSHALL. Mr. Speaker, as a member of the Committee on Agriculture of the House I have endeavored to pursue a sane and conservative course in the consideration of the measures referred to our committee, having in mind not only the welfare of the farmer himself but also the welfare of every citizen of the United States.

The particular measure we are now considering in this brief space of time was considered in our committee at length, and, finally, under pressure, was reported out by the margin of one vote. Then, the motion to ask the Rules Committee for a rule was voted down in the Committee on Agriculture. In the other legislative body the Committee on Agriculture gave no consideration whatever to this measure and less than an hour's debate was given to it on the floor of the Senate; yet we are at this moment about to enact into law a bill which affects seriously and materially every person in the United States who raises as many as 5 bushels of potatoes within a year. I submit that this is not the kind of legislating we should carry on.

At the time the Bankhead cotton bill was under consideration I opposed it very seriously and with all the power at my command. I opposed the Kerr tobacco bill, and I rise in opposition to this measure for the same reason that I opposed the cotton bill and the tobacco bills. I said then that I would oppose those measures even if they affected agricultural commodities raised in my district. Potatoes are raised in my district. I am opposing this bill.

This bill is fundamentally wrong. The Constitution of the United States provides that you can levy taxes only for the purpose of raising revenue. I submit it is self-evident and uncontroverted that the purpose of levying a tax under the cotton bill, under the tobacco bill, and under this potato bill is not to raise revenue, for that would defeat the purpose of the bill. In other words, we are proceeding here to do by the levying of a tax that which the Constitution of the United States provides we cannot do. Now, if the time has come when that provision of the Constitution is obsolete and we do not want to obey it longer, then let us bring the issue out in the open and amend the Constitution in an orderly manner and not by innuendo, by legislation, by indirection, and by inference. Let the people of the United States know that you are amending the Constitution when you seek to do it.

I do not take the position that the document should never be amended, but I am opposed to its being amended in this manner. The sponsors of this bill admit that its constitutionality is in doubt, but they want us to add one more car to the train of unconstitutional legislation. They want to ride along until the Supreme Court knocks it out, and undoubtedly that is what will happen, because that is one arm of our Government still operating under its own power.

Mr. Speaker, I am not a prophet nor a son of a prophet, but I did say certain things in opposition to the cotton bill which have proven true. I want to make a prediction now that if the cotton bill is continued on our statute books, before many more moons the farmers of the South who raise cotton will be coming to this Congress petitioning us to give them a protective tariff preventing the shipment of cotton from South America to the New England States to operate the textile mills of New England.

I have consistently supported legislation in the interest of agriculture so long as the program provided remained voluntary, and I have just as consistently opposed compulsory control of the industry.

This bill, by a prohibitive tax, does in a compulsory manner control production and sale of potatoes on the part of the farmer who raises them.

If this bill is passed and enforced, it will be the most unpopular of all the unsound legislative enactments to date.

[Here the gavel fell.]

Mr. JONES. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BOILEAU].

Mr. BOILEAU. Mr. Speaker, I want to say at the outset that a great deal of misinformation has been disseminated

with reference to the provisions of this bill. May I say further that many statements have been made with reference to the provisions of this bill that are grossly unfair. I do not accuse anyone of deliberately misstating facts, but I do believe that many Members do not understand the bill, or they would not make the statements which have been made during the consideration of the bill in committee or the statements which have been made among the Members prior to the matter being brought upon the floor of the House.

I have the highest regard for the gentleman from Ohio [Mr. MARSHALL]. I know of no Member of this House for whom I have a higher regard. He made a statement here a moment ago that this bill affects every farmer who grows more than 5 bushels of potatoes. This may be literally true, because it will help the producer of potatoes whether he grows 5 bushels or 5,000 bushels for sale. There is nothing in the bill that will discriminate against any grower on account of size. So far as affecting growers of less than 5 bushels of potatoes is concerned, may I say that there is nothing in this bill that in any sense of the word controls the amount of potatoes which a farmer may produce. He may produce as many as he wishes, but if he sells more than 5 bushels of potatoes, of course, he will have to come in under the allotment. He will obtain his allotment and get his tax-exempt certificates. He will have an exemption which will enable him to sell his fair share of the crop without paying any penalty or tax whatsoever.

Mr. MARSHALL. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from Ohio.

Mr. MARSHALL. Is it not true that anyone who raises more than his quota, due to good weather, for instance, and desires to market the extra bushel or so, is compelled to pay a tax of 45 cents?

Mr. BOILEAU. That is absolutely true. Anyone who raises more than he should raise, according to his fair proportion of the crop, will be forced to pay a tax. That is the only way to stabilize the industry and make potato growing profitable.

Mr. Speaker, I want to say to the Membership of the House that the reason potatoes have been so low in price for the last several years is because of the fact that more potatoes have been produced than the market could consume. The records of the Department of Agriculture show very conclusively that when we have a very large acreage, a very large yield, and a bumper crop of potatoes the farmers did not get anywhere near as much for their crop as they received when there was a reasonable-sized crop.

The trouble with the potato industry has been that the farmers have produced such a tremendously large surplus of potatoes that they have been forced to sell the potatoes for the cost of sacking and the cost of transportation. There has not been a profit in it for the farmers, and I for one believe that the potato producers are entitled to just as much consideration as the producers of tobacco, cotton, wheat, corn, or anything else.

Mr. Speaker, I want to say to the Membership of the House that I, as a member of the Committee on Agriculture, have gone along with the cotton men in every instance; I have gone along with the tobacco men in every instance; I have supported the wheat program, the corn program, the hog program. Not a single one of those programs has meant much to the farmers of my community, but, on the contrary, every time we passed one of those bills the farmers of my community have been compelled to pay an increased price for cotton cake, livestock feed, and everything else. This is one program, however, that will benefit the people of my State and community. I submit that if the other programs are fair, if they are constitutional, as I believe them to be, then this program is fair and is constitutional, and I therefore solicit the same support from you people that we or the potato-producing States have given you in connection with every bit of farm legislation that has been before this Congress. [Applause.]

[Here the gavel fell.]

Mr. DOXEY. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. BIERMANN].

Mr. BIERMANN. Mr. Speaker, the hearings on this bill disclose that there are about 30,000 farmers in the United States who produce potatoes commercially.

Mr. BOILEAU. Will the gentleman yield?

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

Mr. BOILEAU. The gentleman knows there are about 500,000 farmers who raise potatoes commercially.

Mr. BIERMANN. That fact was not disclosed in the hearings.

Mr. BOILEAU. Yes. The hearing disclosed there were 30,000 large growers of potatoes.

Mr. BIERMANN. I will amend my statement to that effect. There are 30,000 large producers of potatoes in the United States. There are about 3,000,000 farmers and people in towns who raise potatoes, and for the benefit of the 30,000 large raisers this bill proposes to regiment and to irritate 3,000,000 raisers of potatoes in the United States.

The first year every raiser of potatoes in the United States, whether he wants to or not, must come in on this program. He must apply for and get an allotment.

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

Mr. BIERMANN. Pardon me, but I have not time to yield. If the gentleman will get me more time I shall be pleased to yield.

Mr. FULMER. The farmers have the right to vote on whether or not they want to come in under this bill.

Mr. BIERMANN. They do not have any such right the first year. I refer the gentleman from South Carolina to the language on page 97 of H. R. 8492, "at least 30 days prior to the beginning of each allotment year after the first allotment year", there shall be a referendum, but the first allotment year there is no referendum. Every one of these 3,000,000 raisers of potatoes in the United States has to come in on this program the first year, and these allotments—

> Shall be apportioned by the Secretary of Agriculture to farms on which potatoes have been grown within such State during any one or more years within the period 1932–34, inclusive. Such apportionment to any farm shall be made upon application therefor.

That is the language on page 101 of the bill. If a farmer is just an incidental raiser of potatoes or if some woman having three or four lots in some town is an incidental raiser of potatoes and he or she forgets to apply for an allotment, he cannot legally raise potatoes beyond what he consumes himself and 5 bushels besides.

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

Mr. BIERMANN. I have only a brief time.

Mr. RANKIN. With respect to this election, the farmers who fail to qualify the first year, as I understand it, would not be qualified to vote the second year on whether this program should go into effect or not.

Mr. BIERMANN. I think that is correct.

Mr. RANKIN. And the small producers who fail to qualify would be shut out.

Mr. BIERMANN. Yes.

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

Mr. BIERMANN. Excuse me, but I have only 5 minutes.

I refer the House to page 101, with respect to the allotments which show that if some widow in your town has two or three lots that she wants to put into potatoes, unless they were in potatoes in 1932, 1933, or 1934, she cannot put them in potatoes.

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

Mr. BIERMANN. I must decline to yield.

Mr. BOILEAU. That is not a correct statement.

Mr. BIERMANN. I refer the gentleman to page 107, which discloses the fact that all potatoes harvested on or after December 1, of this year, have to be packed in closed and marked containers. I ask you, who are the representatives of 3,000,000 potato raisers in the United States, How would your farmers like it, if they raised 10 bushels or more of potatoes for sale, to be compelled to pack them in closed and marked containers and on them affix tax stamps or tax-exemption stamps? You people who are familiar with potato raising know that the size of the crop is very largely depend-

ent upon the season. One year a man may raise 150 bushels of potatoes to the acre in my country and the next year 300. If he exceed his allotment, and I refer you to page 96, he has to pay 45 cents a bushel on his excess. [Applause.]

Mr. DOXEY. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Speaker, 3 minutes is not very long to speak on as important a subject as this, but I wish to call your attention to just two things.

This bill will or will not increase the price of potatoes. If it increases the price of potatoes, which is, frankly, the object of it, it will benefit those who grow them.

The gentleman who has just left the floor stated that if you did not grow potatoes last year you could not grow them this year. The gentleman knows very well, because he is a member of the Committee on Agriculture, that 10 percent of the total——

Mr. BIERMANN. I did not say that.

Mr. CUMMINGS. I have only 3 minutes and cannot yield.

Ten percent of the total production of potatoes is to be held in a jackpot to take care of that very situation, and you also know that the amount of the increase in price to the consumers of potatoes will not amount to anything.

When I first came to Congress a couple of years ago I was a grower of potatoes and shortly before I left home I sold two carloads of potatoes at 45 cents a hundred. My wife went to the store in the Roosevelt Hotel, where we live, and purchased 25 cents' worth of potatoes and she got just five spuds, although I had sold a carload for 45 cents a hundred or practically 22 cents a bushel. If you multiply by three the price that the growers receive for their potatoes, you would not hurt the consumer, but you would make it possible for the man who grows our potatoes to receive some money.

This ought not to be a one-man Congress or a one-man agricultural proposition. I have said to the people of my district that the members of the Committee on Agriculture, of which I am a member, have never divided along party lines, but I may say to you that on the reporting out of this bill we came nearer to dividing on party lines than we have in the three sessions I have served here, and I do not know whether this is for political purposes in an effort to catch the votes in the cities, where they do not grow potatoes, or not. A man said to me yesterday, "I have not a single man in my district who grows potatoes", and I said, "Have not we gone along with you on everything you wanted?" If a man comes to this House and thinks he can vote only for the measures that represent his particular district, then he is not representing the people of the United States. We must have prosperity that reaches all of the people, and it is only fair that the man who grows potatoes should have his protection. The cotton man in the textile factory receives his tariff, and it has been well said here that this agricultural program so far as the farmers are concerned is their tariff protection. We have voted tariff protection for the factories and for the people in the East, and the people in the East should vote for this agricultural program. When you try to put it on a narrow, personal basis and say, "My people do not grow potatoes and it is going to increase the cost of them", you should use a little horse sense and "do unto others as you would have others do unto you." [Applause.]

Mr. JONES. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, if this proposal really aided the majority of the potato growers of the country there would be a strong sentiment for it. However, that is not the case. The greater number of potato growers are not in favor of the tax. The potato growers in my county have recorded their opposition. It is true the proposal helps the larger growers of potatoes temporarily, but it leads them into a false security. Eventually they will find they have been led astray through the loss of a market for their product.

If there was ever legislation that might be termed "soaking the poor", it is this proposal.

There are few rich folks who eat potatoes, with the possible exception of Mae West; they are looking out for their figures and eat potatoes sparingly. [Laughter.]

Potatoes are eaten by men who work on the railroads; they are eaten by farm hands, the truck drivers, people who work out of doors. These are the real consumers of potatoes.

What has this administration done for the consumers of this country? It has increased the price of clothing. It has increased the cost of meat until today in the large centers of population there are meat strikes. It has increased the cost of food and other necessities of life.

Now you propose to increase the cost of potatoes to the poor families of the country—many of whom are on the public relief rolls.

The artificial raising of the price of foodstuffs without bringing about increased earning capacity for the masses can only spell tragedy for millions of consumers. The Democratic leaders should do some real honest-to-goodness thinking. You Democrats are responsible for the increased cost of living without a corresponding increase in the income of the consumers. You will be held responsible when this becomes one of the real issues of the next campaign. You have complete control of the Congress and the executive branch of the Government and rightly must assume that responsibility.

The A. A. A. legislation is responsible for several millions being on the relief rolls. Large armies have lost their jobs in the industrial centers. Larger numbers have lost their work on the farms through the restriction policies. This entire bill should have been defeated if we were to act fairly for the great mass of our population.

It is time to call a halt to these fake economic experiments which are proving so expensive to the people of the country and which are steadily turning our country into a second edition of Russia. I hope for a lucid moment and the rejection of this potato tax—a tax on the basic food of the poorest people in our land. [Applause.]

Mr. JONES. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker, however erroneous my judgment and conclusions may be on any matter that arises here in the House, at least I have always endeavored to scrupulously state the facts. Potatoes are the fourth food crop in the Nation. It is the only major crop that has had no program, and consequently it has suffered more than any other crop I know of. This bill was passed by the Senate sometime ago, with only 5 votes against it. Here it is in a nutshell. It was drawn by growers, approved by growers, sent out in 33 States, and read line by line at largely attended meetings and there approved, and its preparation was collaborated in by at least 25 or 30 Members of the House. It calls for no processing tax. It simply provides that the size of the crop shall be determined by the Secretary of Agriculture. Allotments are then made to States and individuals based on past performances. There is not an unfair word or line in it to any State in this Union or to any grower. It merely provides that after a man gets his allotment, if he then sells in excess of that allotment, he must pay a tax.

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

Mr. WARREN. I yield for a moment.

Mr. SISSON. I am right in understanding that this bill is imposed on all growers in the whole United States for the first year?

Mr. WARREN. Yes; who sell potatoes. It is good for 1 year only, and then it requires a two-thirds vote of the growers to say whether it shall be continued for another year.

Mr. SISSON. Will the gentleman yield for another question?

Mr. WARREN. I cannot yield at this time. The plight of the potato farmer has been pictured here to the House, and I wish I had time to go further into it. I hold in my hand a picture showing that 5,000,000 bushels of potatoes were dumped on the ground in the State of Maine last month. Potatoes last month were selling in the State of

Maine for 10 cents a barrel, when it cost 35 cents to buy the barrel to put them in. The whole picture in North Carolina, Virginia, and other States has been one of tragedy and bankruptcy. Everywhere they are selling far below the cost of production.

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

Mr. WARREN. Not now. The quotations in today's paper show that potatoes are selling on Long Island for 50 cents a hundred pounds, in the State of New Jersey for 50 cents a hundred pounds, in Virginia there is no demand, and in Idaho they sell for 45 cents, while in Nebraska they sell for 62 cents. Yet they are selling in the chain stores in Washington today for $1.90 a hundred.

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

Mr. WARREN. In just a moment. I shall try to yield if I can later. There is a minority report which has been circulated in the House, signed by seven or eight gentlemen, including about six on the Republican side. That report is full of errors and distortions. If that report were correct, if it even were approximately correct, I would stand here today and move to table this measure. In the first place, in their efforts to prejudice the House against this measure, they quote from a report of the Secretary of Agriculture dated May 9. The gentlemen who signed that report knew that the official report on this bill was dated May 20, a copy of which I hold in my hand, and that the report they were referring to was a report on an entirely different bill, with an entirely different number.

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

Mr. WARREN. It is stated in that report that the new bill, which is almost identical with the one now under consideration "has been substantially improved and strengthened", as a result of suggestions by the Department.

And it further states:

> It is felt that the revised bill may meet more effectively the problems faced by the potato industry.

The minority report states that it is a bill for 30,000 growers. They knew that there are 2,900,000 people who grow potatoes in this country, but at the same time there are only 633,000 who sell them. This bill deals only with those who sell. The report talks about the consumer. They know that there is no tax in this bill that is going to be passed on to the consumer. Not one single penny under the provisions of this bill will or can be passed on to the consumer, because at least 90 percent or more are going to be sold tax free under the allotments they get. They recommend marketing agreements, when they know they have been tested out and spurned by every potato grower in the country. The papers today state that the Governor of New York and the Governor of New Jersey are in conference to try to do something for the desperate condition of the growers of those two States, but they can meet forever as far as any marketing agreement is concerned and never get relief.

They challenge the constitutionality of the bill and the gentleman from Ohio, that great friend of the farmers, Mr. MARSHALL, who stated that he had gone on and taken a "conservative" attitude on these measures, challenges the constitutionality of this and cites the Bankhead Cotton Act and the Kerr Tobacco Act and yet yesterday afternoon as I sat here and faced them, those five gentlemen who signed this minority report, which is under discussion, stood up and voted for the conference report, which included the Bankhead bill and the Kerr-Smith bill. They place themselves in the untenable and ridiculous position of questioning the constitutionality of this measure, and then vote for the very measures they cite against it.

Who, Mr. Speaker, is the battalion of death lined up against this bill? The unkindest cut of all comes from the State of Iowa. Notwithstanding that $71,000,000 was paid out to that State in rental benefit payments, and nothing will be paid out under this bill, with their chief crop, as a result of the program, higher today than it has ever been since 1929, they come here and band themselves together, to deny relief to the bankrupt potato grower. With 15 or 20 other States this year making a desperate voluntary effort to reduce their acreage, Iowa comes in and increases its acreage 7 percent, and increases its production to the excessive amount of 53 percent. It desires unbridled production at the expense of all other States who have made an honest to God effort to curtail their production.

I call the attention of Members of the House and those who are interested in the agricultural program to the fact that those gentlemen who signed the minority report have, in almost every instance, with the exception of the gentleman from Iowa [Mr. GILCHRIST] consistently opposed and fought all of this control legislation; everyone of them. Yet in spite of the referendum held in the districts of the gentleman from Ohio [Mr. MARSHALL] and the gentleman from Pennsylvania [Mr. KINZER], where farmers have passed upon it in the counties of Champaign, Greene, and Warren, in Ohio, and Lancaster in Pennsylvania, they have overwhelmingly endorsed the tobacco program in spite of the votes of their Congressmen against it. The gentlemen are still debating and quibbling over a proven and acknowledged success.

I will tell you who is also against this bill. Every big chain store in this country; every unscrupulous contractor with his nefarious practices; every middleman who does a questionable business has consistently fought it from the very beginning.

Mr. DUNN of Pennsylvania. Will the gentleman yield?

Mr. WARREN. I cannot yield.

Mr. MARSHALL. Will the gentleman yield? I ask that for the reason that the gentleman referred to me a half dozen times in his remarks, and I would like to make one brief statement.

Mr. WARREN. I yield for a second.

Mr. MARSHALL. The gentleman has quoted me as having taken certain positions in regard to agricultural legislation. I want to again go on record that I have supported voluntary cooperation and control of farm commodities, but I have consistently opposed compulsory control, and this is compulsory control.

Mr. WARREN. That is all that I stated. I stated that the gentleman had opposed the cotton bill and the tobacco bill, and yet he voted for the conference report yesterday, in favor of continuing both of those.

Mr. MARSHALL. Will the gentleman yield just for a moment?

Mr. WARREN. I cannot yield any more.

Mr. MARSHALL. That is an unfair statement.

Mr. WARREN. If that is an unfair statement, then I will yield. I am not criticizing the gentleman. He is a fine and able Member of the House, who has my respect. I am talking about his point of view—his attitude on agricultural matters.

Mr. MARSHALL. It is unfair for this reason: There were more things in that conference report, like all the other legislation you bring in here. You have to sometimes compromise with the unsound in order to support the part that is meritorious.

Mr. WARREN. Oh, the gentleman does not deny it.

Mr. MARSHALL. I do not deny it.

Mr. WARREN. The gentleman stood there and voted for the conference report, which contained those things. I plead with the House to give the potato farmer a chance. He thinks and believes he will get it under this bill. [Applause.]

The SPEAKER. The time of the gentleman from North Carolina [Mr. WARREN] has expired.

Mr. JONES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the conference report and any of the amendments in disagreement on the bill H. R. 8492.

The SPEAKER. Is there objection?

There was no objection.

Mr. JONES. Mr. Speaker, since the question has been raised, I wish to say that this bill simply covers Irish potatoes, and it does not cover sweetpotatoes.

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

Mr. HOPE. Mr. Speaker, I regret very much that I find it necessary to oppose this legislation. I am aware of the fact that during the past 2 years there has been much distress among the potato growers of this country. This has been particularly true in the large surplus-producing sections. The situation has been less acute in those areas where most of the production has been sold and consumed locally. I would like very much to support constructive legislation which I could feel would be beneficial to all potato producers. However, I regard the present bill as a most unfortunate approach to the problem. It is regrettable that there is so little time for a discussion of the measure, because it is my firm belief that if this measure could be adequately and thoroughly discussed on the floor there would not be 50 votes in the House in favor of it.

There are at least 3,000,000 farmers in this country who produce potatoes. In addition there is considerable production in town and city gardens, most of which, however, does not enter into the channels of commerce, being planted mainly for home consumption. Of the 3,000,000 farmers who produce potatoes it is estimated that not more than 30,000 produce over 10 acres each. The average production of these 3,000,000 farmers is approximately 100 bushels each.

This bill is supported and advocated by the 30,000 large producers. It may help them. Unquestionably it will assist them in obtaining a monopoly of the potato production in the country because the bill, if enforced at all, will drive out of existence many small producers and will put unbearable burdens upon others. Designedly or by chance, the large commercial potato growers have hit upon a plan under this bill which will remove a large part of the competition furnished by the small farmer who grows an acre or two of potatoes.

What will happen if this bill is enacted? In the first place, it will be necessary to determine how many potatoes were sold in this country, and in each State and county during the base period as described in the bill. Then a quota will be given each State and each county. The county quota will be allotted to the various growers within the county based upon their sales during the base period or such part of the base period as may be used by the Secretary of Agriculture in making the allotments.

The Department of Agriculture very frankly admits that it does not at this time have anything like adequate data upon which to base State and county allotments. It will be difficult, if not impossible, to secure full and accurate information along this line. The result is that these allotments must necessarily be based largely upon guesswork. The exception to this rule will be in the case of the heavy producing areas. In those areas records of carload shipments will enable the Department of Agriculture to obtain accurate information as to sales. In areas, however, where most of the sales are local and where shipments have been made by truck, it will be practically impossible to obtain accurate information as to sales. The result will be that the large producing areas will be able to secure the full quota to which they are entitled and the general farming areas will not be able to furnish the proof which will enable them to receive a fair quota.

It will of course be the effort of the Agricultural Adjustment Administration to see that every State and county receives a fair quota and I have implicit confidence that as far as it is possible to do so the bill will be administered fairly in that regard. It can readily be seen, however, that those areas where figures are now available will have a very great advantage when it comes to making actual allotments.

After the State and county quotas are determined, then an individual allotment will have to be made to each producer. This allotment will be based upon his past sales. Practically all of the large producers will have data and figures which will enable the Secretary of Agriculture to give them a fair allotment. Most of the 3,000,000 potato producers, however, will have no figures whatever to prove their production and sales during the base period. In many cases they sold the potatoes to their neighbors, to grocery stores in neighboring towns, directly to housewives or to buyers who came along and hauled them away in trucks. In such cases the producer will have no records showing the amount of his sales and certainly will be at a disadvantage when it comes to getting an allotment when compared to the large producer who has kept books and has an exact record of both production and sales.

When the producer receives his quota it means that he can produce and sell that many potatoes tax free, but that for every bushel which he sells over his quota he will be taxed at the rate of 45 cents a bushel. If he does not get an allotment he will have to pay 45 cents a bushel tax on every bushel which he sells. It is not expected that there will be any taxes collected as a result of this measure, because the tax is prohibitive. The man who does not have an allotment will not be able to sell any potatoes. The man who produces more than his allotment will not be able to sell this excess.

There are no exemptions in the bill except that if the producer of potatoes can show that in the past he has not produced more than 5 bushels of potatoes he may be given an exemption in that amount. Even then, however, he must go to the trouble of getting the exemption and must furnish figures to prove that his sales have been less than 5 bushels annually in the past.

Furthermore it is provided in the bill that all potatoes sold must be packaged in whatever manner may be determined by the Secretary of Agriculture. It is expected that approval will be given by the Secretary to all standard forms of packaging used in the large production areas, such as barrels, covered baskets, burlap bags, and so forth. In many sections, however, potatoes have in the past been sold in bulk or in open boxes or containers. This will no longer be possible if this bill is put into effect. Even the producer who has his 5-bushel exemption will have to package his potatoes and place an exemption stamp upon them, although they may be sold to his nearest neighbor.

It seems that it will be utterly impossible to enforce a measure of this kind. Even if enforceable the cost of enforcement would be tremendous. The minimum estimate of the Department of Agriculture as to the cost of the program for the first year is $12,000,000. It may amount to much more. These figures, as the report of the Department states, do not include the expense of the Treasury Department in enforcing the act and collecting the tax. This cost might run into many millions more. Inasmuch as it is not contemplated that any tax will be paid, the cost of enforcing the act will have to come out of the Federal Treasury or be taken from funds set aside for other agricultural programs.

It is worthy of note that in the course of hearings which were held on this measure not a single representative of any of the general farm organizations of the country appeared on behalf of the bill. Every one of these organizations numbers many thousands of potato producers among its members, and yet not a single organization has endorsed this measure or appeared before the committee in favor of it. This is very unusual. I stated that no general farm organization had appeared in favor of this legislation. On the contrary, the National Farmers Union, one of the three largest general farm organizations of the country, appeared before the committee, through its legislative representatives, in opposition to the bill. Likewise, representatives of the Farmers Union from important potato-producing States, like Michigan, appeared in opposition.

This measure may or may not be beneficial to the large commercial potato producer. If it does benefit him, it will be at the expense of 3,000,000 small producers. These 3,000,000 producers are the backbone of the farm population of this country. They are the farmers for whom we should enact legislation. They are the men and women who maintain the farm homes of this country, who produce its food and fiber and who are indispensable in the economic and social structure of the Nation. This bill is a blow at the welfare and prosperity of that type of farmer.

Mr. JONES. Mr. Speaker, I yield 1 minute to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Speaker, if the original Agricultural Adjustment Act passed in 1933 was right, and it has been very beneficial in all the agricultural regions of this country, then these amendments are right and proper; yes, even this potato amendment known as the Warren potato bill.

The fears expressed about the small grower amount to simply nothing. He has nothing to fear; the only effect will be to raise the price of his potatoes. There will be no great attempt to enforce this law except in the big commercial producing centers. That is where production must be controlled.

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

Mr. PIERCE. No; I have not time.

We have either got to control production of agricultural products or the American farmer is on the road to peasantry. There can be no question about it. Real work has been done in the hog, corn, wheat, tobacco, and cotton programs. Prices are better. This is simply an agricultural product that has had no program. Potatoes should have assistance. I am asking you to vote for the Warren potato bill now before us in these Senate amendments.

[Here the gavel fell.]

Mr. JONES. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. BUCKLER.]

Mr. BUCKLER of Minnesota. Mr. Speaker, 1 minute is not time enough for a farmer to start to make a speech. I am going to ask you Congressmen here to give me 4 minutes additional. I have not had much time this session, and I am going to use my 1 minute begging you to give me 4 minutes more. It is no use to attempt to make a speech, as it takes a farmer 1 minute to get started.

Mr. Speaker, I ask unanimous consent to proceed for 4 additional minutes to say something about this potato amendment to the A. A. A. amendments which are before us.

The SPEAKER. The time is within the control of the gentleman from Texas.

Mr. JONES. Mr. Speaker, I am sorry I have not the additional time to yield the gentleman.

Mr. BOILEAU. Mr. Speaker, I ask unanimous consent that the gentleman from Texas may be given 4 additional minutes that he, in turn, may yield this additional time to the gentleman from Minnesota.

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

Mr. PETTENGILL. Mr. Speaker, I object unless a like amount of additional time is granted to those in opposition to the bill.

The SPEAKER. Objection is heard. The time of the gentleman from Minnesota has expired.

Mr. JONES. Mr. Speaker, I ask unanimous consent that the time for debate on this motion be extended 6 minutes. This is all I shall ask for, 3 minutes to be yielded to the gentleman from Minnesota and 3 minutes to those opposed to the bill.

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

There was no objection.

Mr. BUCKLER of Minnesota. Mr. Speaker, I am surprised at some of the Members here being in opposition to this bill, but I do not blame you city-bred fellows who were born with gold spoons in your mouths and eating potatoes costing you almost nothing for many years, potatoes and everything else the farmer grows. I do not blame you fellows from the agricultural districts for sitting here in Congress, I do not blame you for wanting to come here and draw $10,000 salaries, but I do blame the farmers back in the country for sending you here. [Laughter.]

I have been sitting here all this session listening to you, gentlemen, especially on this side, who have been hollering against this agricultural program.

You talk about the small potato growers. How much better would it be for the farmer to sell 10 bushels at 50 cents a bushel than to sell 20 bushels at 25 cents a bushel and save himself and family a lot of labor, time, and expense raising the extra bushels. These potatoes that are produced by the small grower are generally picked up in the fields by the women and children of the country, for which you fellows down in the city pay practically nothing so far as the farmer is concerned. You are holding up these farmers in front of you as a screen. You are using the farmers as a blind to protect your position which really is opposed to the farmer. The potato farmers are not going to get hurt by this legislation. It is true that he cannot sell as much, but he will get more money.

Here is Iowa, getting more money benefits than any other State in the Union on her hogs and corn.

You are entitled to it, but you are out of place when you come down here and try to beat the potato growers out of a little money. [Applause.]

You gentlemen on the other side have been fighting this agricultural program all winter. I happen to be a farmer myself; therefore I would like to tell you of an experience I had in the potato business a few years ago. I put 6,000 bushels of potatoes in the cellar. In the spring I hired some men to sack and sort three carloads and shipped them down to Kansas City. Two carloads were reported back and I got an expense bill for $1.95 but they got the potatoes. They did not report the other carload and I did not ask them to, because I thought if they did they would ask me for some more money. I let it go at that. [Applause.]

[Here the gavel fell.]

Mr. JONES. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, on last Monday a quaint custom reminiscent of the "horse and buggy" days, about which there were some slighting statements made a few weeks ago, was reenacted on the floor of the House. A new Congressman from Alabama was sworn to uphold and defend the Constitution.

In the last few months we have seen two philosophies advocated regarding the duty of Congressmen toward the enactment of legislation in respect to that oath. One of them is that we should pass bills without regard to doubt as to their constitutionality, however reasonable. The other, as expounded by the Chairman of the Committee on Military Affairs, is that it is as much a violation of the oath of a Member of Congress to vote for a bill which he believes to be in contravention of the Constitution as it would be for him to violate an express provision of the Constitution. The latter philosophy is the one to which I subscribe.

Now, let us take this potato bill and strip it of all its chicanery and subterfuge. Who can say for a minute that the Federal Government in Washington may say, under the Constitution, to the sand-ridge farmer in my State how many potatoes he may raise and sell at the corner grocery store? I say the bill is without the Constitution, and we are bound by the Constitution. The tax of 45 cents per bushel is a tax in name only. It is in reality a prohibition. It is not levied to raise revenue but to control production. That must be admitted by everyone. And when the test comes, the Supreme Court will cut through the subterfuge even as they did in the child-labor case and declare the law unconstitutional.

Let us go on and scrutinize this proposition in its practical aspects. The State of Indiana is a deficiency State. It does not produce as many potatoes as it consumes. You are saying to the people of Indiana that they must import their potatoes from far distant centers and pay enormous transportation charges that do not go into the pockets of the producers, when these same potatoes may be raised in their own back yard.

Further, if this bill is enacted into law, the producer of potatoes in Indiana will be denied the market which is literally at his door in order to create and maintain a perpetual monopoly for the few large growers in the heavy-producing areas.

Consider another thing. It has been said here that this will not be enforced against the 3,000,000 small potato growers. Why, bless your souls, are you going to make criminals

of the small potato growers by putting on the statute books an act which we as Members of Congress know cannot be enforced? Why start out with that sort of a proposition? You will find John Smith with 10 bushels of potatoes and no quota. He will sell those potatoes and will not pay the tax because it is prohibitive. Are you going to make a criminal out of him? Are you going to put him in violation of the laws of the United States, arrest him, require him to give bond, put him in jail, fine and imprison him because he raises a few potatoes and sells them in order to get some money to buy shoes to put the youngsters in school? Bootlegging of potatoes will soon be the order. The effort to enforce the prohibition laws will seem as child's play compared with the enforcement of this law if it is enacted.

Mr. Speaker, I say that this will not work. It cannot be enforced. Why, for the preferment of about 30,000 people, you are going to regulate, control, and regiment 3,000,000 of our farmers, and all this from Washington. Another serious assault on the economic liberty of our people is threatened. What a jolt some are going to get when they awake to a realization that our people love economic liberty as much as they love civil, political, and religious liberty.

[Here the gavel fell.]

Mr. JONES. Mr. Speaker, I yield 3 minutes to the gentleman from Maine [Mr. BREWSTER].

POTATOES

Mr. BREWSTER. Mr. Speaker, the potato growers of Maine ask for the adoption of the potato-control legislation as a simple act of justice to those who contribute to the production of the fourth food crop of the United States. Throughout the period of control programs the potato growers of the United States have gone steadily astern. They have witnessed 14 other major and minor agricultural crops placed under control programs. Many of them are far less important as a food crop than potatoes. Even peanuts are now included, with an annual value one-tenth that of potatoes. They find these other crops now at or above 100 percent of what is called the "parity price."

Meanwhile, they find potatoes going steadily down grade until they have this last year approached 50 percent of their parity price. The culminating disaster has come in the last few months when Maine has witnessed its magnificent crop of potatoes being marketed at 10 cents a barrel, or less than 1 cent a peck, after carrying this crop throughout the winter.

More than 5,000,000 bushels of potatoes were ultimately dumped upon the ground this past month in a desperate attempt to save the southern crop from disaster and clear the market for the orderly distribution of the crop of this present year.

This situation represents a loss of more than $20,000,000 to potato growers in Maine, already hard hit by the depression. Before them seems to lie no prospect of relief, unless it is accorded to them by the pending legislation.

The causes for this condition are not far to seek. In the other sections where control programs have been operating in the major agricultural crop—such as corn, hogs, wheat, cotton, tobacco—there has been a steady increase in the production of potatoes contributing to the tremendous overproduction of this past year, which has resulted in disaster for all alike. As other crops have been restricted potatoes have increased.

It is a matter of gratification that many of the Representatives from other sections primarily concerned with other crops have cooperated in the formulation of this legislation and are supporting it as a measure of justice to the potato growers of the United States.

No discussion of this measure would be complete unless reference were made to the service rendered to the potato growers of the United States by the gentleman from North Carolina, Hon. LINDSAY C. WARREN, who has been instant in season and out of season in laboring to bring this measure to the position it occupies today. For the past 9 months the major portion of his time has been dedicated to formulation of this measure and its repeated revision in conferences with representatives of the potato industry from all sections of the United States and in expounding its provisions and its imperative necessity to his colleagues in this House without regard to party or to section. This measure very appropriately bears his name and will stand as a tribute in its beneficent operation to his seasoned statesmanship in formulating this measure and piloting it to successful passage.

It is a matter of keen regret that Iowa in particular should be the center of opposition to the enactment of this legislation, both through certain leaders in triple A, in the administration, and through their Representatives upon the floor of this House.

Maine has received $2,235 from the processing taxes, to date, as benefit payments. Meanwhile Maine has contributed to the processing taxes more than $5,000,000.

Iowa has received back in benefit payments, under the corn-hog program, more than $70,000,000, to date, and now sees hogs selling at $12 a hundred. This is an increase of 600 percent in the price formerly received.

It is astounding to anyone with the slightest conception of American justice to witness Iowa Representatives fighting potato-control legislation upon the floor of this House, when it is further realized that the Iowa crop of potatoes, according to the August 1 report, this year shows an increase of 53 percent over 1 year ago. This is the highest increase for any State in the Union.

Iowa, more than any other State in the Union, has reason to appreciate and understand the beneficent effects of control legislation. How can Iowa Representatives justify the denial to farmers elsewhere, and to the other major food crops of some measure of the relief which has proved so satisfactory to Iowa hog raisers?

This potato-control legislation represents the painstaking work of many months in formulating a program. It is a result of repeated conferences by growers from all sections of the United States, together with Representatives in Congress and representatives of the Agricultural Adjustment Administration who have been consulted at every step.

In the opinion of most competent critics, this legislation represents the most equitable apportionment of quotas among the various sections that has been suggested in any control programs to date. The legislation is also believed to be less open to constitutional question than any of the other programs that have been evolved. This legislation has been endorsed by great growers' meetings in 33 States, and has been approved, in addition, by representatives of many other sections.

No processing tax is involved. All alike have been agreed that no further burdens should be added to the consumers of the United States.

The minority report opposing this measure states that—

> There is no adequate showing either in the hearings or elsewhere that any excess of production has seriously affected prices.

The author of this report is respectfully referred to the hearings before the Subcommittee of the Committee on Agriculture, where, on page 143, it is stated by Porter R. Taylor, Chief General Crops Section, Agricultural Adjustment Administration, as follows:

> It is widely recognized that potato growers as a whole receive a larger total return during seasons of medium or short crops than they do during seasons of large crops.

Following this statement, Mr. Taylor submitted complete and detailed statistics demonstrating conclusively the correctness of his statement.

There is submitted herewith for the information of this House the detailed report of the production of potatoes in the United States for a period of 8 years, together with the farm price and the value of the potato crop. The compilation is ranked in accordance with the production for the 8 years between 1922 and 1929 and demonstrates rather conclusively that as the production of potatoes goes up, the price received for the total crop goes down.

SCHEDULE A

United States production—Farm price and value of potato crop ranked in accordance with production from 1922 to 1929

Year	Total United States production	Seasonal weighted average farm price per 1,000 bushels	Farm value
	Bushels		
1925	297,567,000	166.3	$494,854,000
1926	322,350,000	136.3	439,363,000
1929	327,652,000	131.5	430,862,000
1923	366,356,000	91.5	335,216,000
1927	368,813,000	108.9	401,637,000
1924	384,837,000	71.5	275,158,000
1922	419,288,000	68.6	287,632,000
1928	425,626,000	57.2	243,458,000

There is also to be found in the records of the Department of Agriculture an interesting and impressive demonstration of the inaccuracy of the statement in the minority report.

On June 9, 1933, the United States Department of Agriculture issued a press release containing the following illuminating paragraph:

Perhaps the most forcible demonstration of the tendency, for moderate supplies to outsell excessively large supplies, is to be found in a comparison of production and total value of potato crops. In 1924 the national potato production was around 387,000,000 bushels, of which 232,000,000 bushels were sold for an average of 78 cents per bushel. The total value of the crop was $180,960,000. In 1925 the total potato production was 299,000,000 bushels, of which 179,000,000 bushels were sold, but the average price per bushel was $1.83, and the total value of the crop was $327,570,000. Thus a decrease of 22 percent in supply brought an 80-percent increase in total value of the potato crop.

Similar cases could be cited without end.

It is sometimes intimated that the difficulty of the potato growers is a result of the decline in the consumption of potatoes. The figures seem to indicate rather clearly that the consumption of potatoes varies from year to year in accordance with market conditions, but that there has been no marked change in the taste for potatoes of the people of the United States according to the following table showing the per capita consumption of potatoes in the United States for a period of 14 years:

SCHEDULE B

Per capita consumption of potatoes in the United States from 1919–32

[Figures from U. S. Department of Agriculture]

	Pounds
1919	122
1920	151
1921	126
1922	170
1923	145
1924	146
1925	114
1926	122
1927	137
1928	145
1929	120
1930	118
1931	128
1932	118

Average for 14 years, 133 pounds.

These figures from the Department of Agriculture seem to show a fluctuation attributable to other factors than the preference of the consumer for potatoes as a food.

The legislation is simply calculated to give to the producer a fair price for his product consistent with the reward received for his labor by every other producer in the United States.

The measure is most carefully safeguarded against abuse of any kind. The consumer has benefited to a very small extent from the disastrous prices received this year by the growers of potatoes. The consumer likewise will be very little prejudiced by the provisions of this bill in its endeavor to assure that a fair price is received by the producer of potatoes and that economic health and sanity are restored in this great industry which means so much to the prosperity of the United States.

Every grower will be benefited, whether he be large or small, by the equitable price which he will receive for the product of his land. Meanwhile the smaller producers have a special exemption to take care of their particular case.

No reason is readily apparent why it is so inequitable or impracticable to accord an exemption of 300 pounds of potatoes to each small producer, and yet so entirely just and right to accord an exemption of 300 pounds of pork to each small producer. It is suggested that the value of the potatoes is negligible. Yet 300 pounds of pork was only worth $6, 2 years ago.

The parallel is curiously convincing as to the inequity or difficulties that are presented by an exemption of this kind.

The potato growers of Maine and of the United States submit their case to this Congress in full confidence in the sense of justice and fairness by all sections and all citizens to this most important crop. [Applause.]

[Here the gavel fell.]

Mr. JONES. Mr. Speaker, I yield 8 minutes to the gentleman from Iowa [Mr. GILCHRIST]

Mr. GILCHRIST. Mr. Speaker, I am especially pleased to have the views of the gentleman from Maine [Mr. BREWSTER] about Iowa. The gentleman from Maine has one county in his district that raises 12.28 percent of all of the potatoes produced in the United States of America—one-eighth or more of all the potatoes—and still he comes in here and likens this proposal to the corn-hog program. The present proposal is one by compulsion where they take farmers by the nape of the neck and tell them what they must not do. And if they do it, they put a prohibitive tax upon their potatoes. The corn program and the hog program are purely voluntary, and I can advise the gentleman that thousands of our farmers in Iowa have refused to go into it. I am opposed to this compulsion. The corn-hog program is not for the benefit of a small area—it covers the whole country.

The gentleman from Maine has in his district one county—one county mind you—which produces one-eighth of all the potatoes produced in the whole of the United States, and still he says:

You folks must give up your potato production; you must let us have this same percentage of production that we now have; we are to continue to produce one-eighth of all the potatoes in America; but we want you to let us go over there and seize your local market. Your local market is a good one.

Mr. Speaker, the reason why this market is a good one is because we do not overproduce.

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

Mr. GILCHRIST. I cannot yield. We have considered this bill for 5 or 6 months, and because of the peculiar and extraordinary way in which the legislation has been brought before the Congress I now have only 8 minutes to discuss it.

Mr. BIERMANN rose.

Mr. GILCHRIST. I do not care to yield to my colleague from Iowa either. I wish I had time to yield.

Why, the gentleman from Wisconsin [Mr. BOILEAU] has in his district five counties which, according to the figures for 1931, which have been published by Wisconsin through its own department of agriculture—I have tried to get the latest figures, the latest I can get are for 1931—the gentleman has five counties in his district that produce 2.11 percent of all the potatoes in the United States.

Then there has come before us here today our good friend, the gentleman from Virginia [Mr. BLAND], who stated before our committee that two counties represented by him are about the largest potato-growing districts in the United States. If so, then they also produce 12 percent of all potatoes in the United States; but I think the gentleman may be somewhat in error in that regard and perhaps only 2 percent of the whole are produced in those two counties. Somerset County, Pa., according to the statements made at the hearing raises as much as one-third of all the potatoes raised in New Jersey, and if this is true, then that single county raises 7 percent of all the potatoes in America.

The proof before the committee—hearings, page 162—was to the effect that two counties in Long Island—Nassau and

Suffolk—produced more than 2 percent of the potatoes in the United States.

Maine, I have already referred to, in which a single county raises 12.28 percent.

These 11 counties produce or sell 25.39 percent of all the potatoes raised or produced in America; and, of course, their representatives are here today asking that they be given a perpetual patent right to raise and sell this vast preponderance of potatoes, and the bill was carefully drawn so as to give them what they want. If this bill goes over, then there will never come a time when the Secretary can change the quotas that he gives to the various States, unless it should occur under certain peculiar language in this bill which is meaningless, which nobody has interpreted, and which nobody can interpret.

An apportionment formula is presented by section 204 under which the Secretary must allot the production of potatoes among the several States. This formula is worded so that it will give the highest figures possible, because it compels the selection of 4 of the best years from 1927 to 1934, inclusive. This formula is imperative except that if the Secretary finds that it would result in an unfair apportionment, then he has a differential, or leeway, of 2 percent, provided such unfair and inequitable apportionment is caused by differences in "production practices" or "marketing practices" among several States. It is plain, however, that there are no such differences. What "production practices" are referred to? What "marketing practices" are referred to? Nobody knows. I have asked many, but all admit that they cannot interpret these words. I have asked the drafting service in vain. The gentlemen who are for the bill want to continue that sort of a program. They want to keep forever patent and exclusive rights that certain States will get under this apportionment. The allotment, when once instituted, will be "frozen", and the talk about a 2-percent differential is useless. In this respect the present proposal differs from the precept laid down on page 135 of the Agricultural Yearbook for 1935, as follows:

> If the program (adjustment program under A. A. A.) is to be continued, it is essential that it operate so as not to "freeze" agriculture in its present form, but instead leave it sufficient flexibility to change and shift with changing individual needs and economic conditions.

Mr. Speaker, the principle of this bill is discussed in the minority report, and reference has been made to that report. Every word in that report is true. It has been carefully compared and is correct. There was one typographical error in that report. This error was corrected in ink in some of the copies that were circulated. This occurred in connection with the letter to the chairman of the committee written on May 9, 1935, by the Acting Secretary of Agriculture, and the quotations contained in the minority report are from this letter and are correct. But the date of the letter was erroneously printed as being in 1932 and not in 1935. Why do gentlemen try to take advantage of such an obvious typographical error?

Mr. Speaker, the cost of operating under this bill will be enormous. It has been pointed out by the Acting Secretary that it will take $12,000,000 just to put it into effect the first year, and this does not include the printing and distribution of stamps and the policing under and enforcement of the bill. There is going to be an enormous amount of expense in enforcing this measure. They will station policemen and detectives and secret service men throughout the United States, and it is stated in the letter from the Department of Agriculture that the cost of policing will be in addition to the $12,000,000. Then the Acting Secretary says that there will also be the cost of "other activities." What? How much? To whom will this money go?

Then there will be the extra costs to the producer. These will be heavy. He will have the expense of getting affidavits and getting his allotments. He will have to go to some central place to do this. He will have to keep books. How many farmers keep books showing production or "production practices or marketing practices"? He will be compelled to get sacks or barrels or other containers. The old-style market gardener cannot sell potatoes without putting them into sacks or barrels. The farmer cannot longer bring his potatoes to town in a lumber wagon and carry them into the merchant's cellar. These barrels will cost him 12 cents or more per bushel. The sacks will likewise cost probably from 6 cents to 12 cents each. Who is going to pay all of this extra and new and additional expense?

Not one of the great Nation-wide agricultural societies has appeared before the committee to urge the passing of this bill. The Grange did not; the Farm Bureau did not. But Mr. Edward Kennedy, secretary of the Farm Union, made a splendid statement in opposition to potato control, and he states in a letter to me that the National Farmers' Union does not favor the bill; that representatives from the Farm Union potato producers in Michigan, Indiana, and Ohio appeared before the committee in opposition to its passage; that his membership in Baldwin County, Ala., who produce 3,000 carloads of potatoes for the market, have voted 99 to 1 to oppose the passage of the bill.

I have in my files letters from many sources in opposition. And when the farmers of the United States once wake up and realize that they will be compelled to put postage stamps upon their potatoes they are going to make the welkin ring with protests. Vote for this bill, and then go home and explain it to them if you can. One of them came before the committee and protested the injustice of just a few States or localities controlling potato production, and he said (hearings, p. 33):

> Let us reverse the thing. Would you be in favor of going on here and saying to the people of our country that live down here in the central section of the United States: "We want to produce your potatoes in Maine. You must pay 50 cents a hundred for transportation of them down there when you can grow them at home in your back yard?"

The history of this legislation is unique. The other body attached the potato section to the A. A. A. bill that had been passed by the House, but the potato section was never before a committee in the other body, nor was any study of it made over there. It now comes back to the House with no opportunity for debate except for the short space of 30 minutes on a side. The potato section of this bill was introduced in the House as a separate bill entirely from the A. A. A. amendments. We had hearings in our committee for 5 or 6 months. We thought the bill would go to the floor in the regular way; but if we can gather anything from the conduct of this legislation, then we are safe in saying that those who sponsor the bill do not want it debated here to any considerable length.

While the bill was before the House committee I was privileged to write the report for the minority of the committee. This report was signed by eight members, including those in both parties. It refers to 30,000 large potato growers, the reference being to those who grow 10 acres or more. There are many more who sell potatoes commercially, but nobody knows just how many. I have permission to attach hereto the minority report, as follows:

BILL UNJUST AND NOT NEEDED

The scheme of this bill is inappropriate and unjust to an overwhelming percentage of people who raise potatoes. Under it the tail is made to wag the dog. There are but few commercial potato growers who will be benefited by the bill as compared to many millions of our population who plant potatoes and sell them as occasion may require or as the result of the yield may determine. The hearings showed that there are only about 30,000 large potato growers who may be called commercial growers, while there are some three or four millions of people who raise potatoes and who want to sell any production that the harvest will bring to them. For example, one State alone, in 1933, shipped 22.2 percent of carload lots of potatoes, and in such State there is a comparatively small area of commercial potato growers. Indeed a very large percentage is confined to one county only. Now for the benefit of a few folks in such a county, and in order to give them a perpetual patent right to grow potatoes, three or four million people in the United States are to be regimented and compelled to reduce the small yield that they are now getting. For the few the many will be forced to withdraw from growing the most common of all vegetables.

The plan is not voluntary. It is compulsory. Every woman who has a small garden patch will be compelled to pay 45 cents per bushel for any excess above her allotment that she may desire to sell or trade to the corner grocer. There is a free allotment of 5 bushels only, but she cannot sell or trade even this 5 bushels without first going to the trouble and expense of establishing a quota based on her past experience and of submitting to allot-

ments which the Secretary will impose upon her. She will be required to go to the county seat or to some other central location in order to establish her allotment, and in doing so present by affidavit or in some other way the evidence showing her past experience in potato growing. She will be compelled to put all of her potatoes into packages and put stamps and tags upon them. Even as to the 5 bushels of free allotment that a magnanimous (?) Government allows her, she will nevertheless be required to purchase packages for them and to secure and put "exempt" stamps on the packages. The expense of this "freedom" will put her out of any market, and the trouble attending it will disgust her. So it will be also with nearly every farmer in America, almost all of whom raise a small amount of potatoes.

All potatoes above the allotment allocated to any producer must pay a tax of 45 cents per bushel; but, of course, nobody believes that such a tax will be paid by anyone. This bill is not designed to raise revenue, because it is plain that no one can afford to raise potatoes and pay the large expense attending compliance plus a tax of 45 cents per bushel before selling them. The sponsors of the bill do not want it to raise revenue. They want it in order to curtail production. Common sense teaches us that it is not a revenue measure. Nobody in the administration and nobody in the Department has asked for the bill and nobody there really wants it. The fact is, that the Department has already damned it with faint and faltering praise. (See excerpts hereinafter set forth from a letter of the Acting Secretary of Agriculture written to the Chairman of the Agricultural Committee.)

There is no adequate showing either in the hearings elsewhere that any excess of production has seriously affected prices. For example, the latest edition of the Agricultural Year Book (1935) shows that the average yield of potatoes in the State of Maine in 1934 was 335 bushels per acre and the average price of this crop was 24 cents per bushel so that the value of 1 acre of production was $80.40 per acre. In 1933 the yield in Maine was 280 bushels per acre and the value was 70 cents per bushel; so that the value of an acre's worth of potatoes was $196. This is not a bad income to get from 1 acre of land. It must be remembered also that a single county in Maine produces such a preponderance that the remaining fraction within that State is not of any great consequence by comparison. Enough is enough, and more than enough is too much.

New Hampshire is separated from Maine by an imaginary line only, but the price of the crop there in 1934 was 61 cents per bushel, and the yield per acre was 185 bushels, so that the value of the crop from a single acre amounted to $112.85.

The same authority shows that in North Carolina in 1933 the yield was 95 bushels per acre of a value of 87 cents per bushel, amounting to $82.65. In 1934 the average yield per acre was 116 bushels of a value of 64 cents, making $74.24 to the acre. These are mere examples. They can be duplicated and multiplied many times and the same results will be obtained in almost every instance. These figures are taken from the Agricultural Year Book of 1935 just published, where other statistics and data will be found, all leading to the same conclusion.

In the year 1933–34 the weighted average price received by producers of potatoes as a whole in the United States was 82.3 cents per bushel; and in 1934–35 it was 51.7 cents per bushel, but this happens to be the lowest price received by producers in recent years, except in the disastrous ones of 1931–32 and 1932–33, when the prices of all farm commodities were ruinously low. Indeed, for many years, as shown by such Year Book, the weighted average price per bushel received by producers was a good one, and one that returned to farmers fair prices. The inevitable result of this showing is that there is no need for the bill and that there is no need for subjecting three to four millions of our citizens to regimentation, loss, and expense in order that a few thousand of our people shall be given a perpetual privilege and a practical monopoly to raise potatoes and market them at extravagant prices. The vegetable gardens and the back yards and small acreage tracts will be forced out of business.

"For whosoever hath, to him shall be given, and he shall have more abundance; but whosoever hath not, from him shall be taken away even that he hath."

THE CONSUMER

The consumer has some interest in this question. There are 125,000,000 people in this country who eat potatoes. The housewives in the towns and cities are not going to be satisfied to pay the price that it is designed to impose upon them by those who sponsor this bill. One of the great troubles with regard to agricultural commodities lies in the spread between the price that the farmer gets and the price that the consumer pays. The price that the consumer paid for potatoes in the city of Washington during the past year or so has been about 2½ cents or even 3 cents per pound, amounting to $1.50 or $1.80 per bushel. If Congress or the Department would turn their attention to this spread in price as between producer and consumer, and diminish it in favor of the consumer or the producer, many proposals similar to the present one would never be made.

CROP REGIONAL IN NATURE

This crop is one which comes into the market from different sections at different times, so that the Department has divided the country into sections known as "surplus late potato States", "other late potato States", "intermediate potato States", and "early potato States." Section 5 (b) of the bill recognizes, and the fact is, that crop production is regional in nature. There is no reason why potatoes marketed early in the year should be prevented from having a favorable price commensurable with demand and conditions then existing, or why the producers of late potatoes should be regimented in favor of other producing localities. Instead of giving any locality an artificial advantage, all localities should be allowed to have the ones which nature has given them. They are entitled to enjoy all of the peculiar conditions which surround and attach to them. There is no reason why the ninety and nine who do not raise surpluses should be penalized in favor of others who greedily glut the regional markets. Under the bill these surplus producers want artificial privileges extended to them. They want to curtail and rob the great majority of any relative advantages that may attach to such majority, and at the same time these surplus men want to retain their relative superior facilities for production. They want the people who do not overproduce to give them a share of the superior advantages in price levels and marketing facilities which such people have. These few surplus growers want to arrange it so that they can be on a par with people who do not grow any excess and with the rest of the world as to markets and as to prices and as to seasonal advantages; they want to be on a par as to everything except as to relative production facilities and they selfishly demand the right to keep this relative advantage. It is not so with regard to the other basic agricultural crops, and no producer of such other crops has ever asked for such relative advantages, or asked to retain any relative advantage as against his fellow producer.

There has been a satisfactory market and price level elsewhere than in the few localities which now want to take advantage of the higher prices which moderate growers have received in localities which do not grow potatoes to excess.

MARKETING AGREEMENTS

Hundreds of thousands, perhaps millions, of our people sell their potatoes without putting them into commercial channels. These hundreds of thousands of our folks sell them directly to their neighbors; by delivering them to grocery stores in exchange for commodities; by sales made by gardeners and hucksters who distribute them around the cities and towns; by roadside stands; and by shipments direct to retailers and hotels. In this respect the business of selling potatoes as practiced by hundreds of thousands of our people is unique and is not comparable with other basic agricultural crops, and this situation should not be interfered with under such regimentation and compulsion as this bill exacts.

Indeed, the facts are that if any relief is needed in the localities which produce surpluses then marketing agreements and orders should be used to meet the requirements of that peculiar local situation. This would seem to be a happy and ideal solution of the difficulty if any exists because (1) the geographical area of the surplus producing localities is limited in each case; (2) definite channels exist through which production could be distributed; (3) these localities are within striking distance of important markets.

Recognizing these facts, and on May 9, 1935, the Honorable R. G. Tugwell, Acting Secretary of the Department of Agriculture, in his letter already referred to, discussed the potato situation and suggested that the plan proposed by the bill involved administrative problems of major importance which had never been encountered in other programs, referred to the fact that the sums collected as imposed by the bill could not be reasonably estimated; that the authorized appropriation would not be adequate; that there would be no actual funds available to the Secretary under the A. A. A. allocation; that the first year's operation of the Potato Act would entail a cost of not less than $12,000,000; that this minimum estimate covered merely the expenses of the administration during the first year; that the cost of printing and distributing stamps as well as enforcement and other activities of the Bureau of Internal Revenue had not been included within this estimate; that the expenses would be relatively high because of the inherent nature of the problems involved in such a far-reaching program for a commodity like potatoes which are produced under such a wide variety of conditions. And he suggested further that the potato industry could operate during 1935 under the marketing agreement and licensing provisions of the Adjustment Act. If this can be done in 1935, there is no reason why it cannot be done afterward or whenever the occasion requires, and without the enactment of the present proposal.

The provision of the bill which pretends to grant a small exemption from taxation is a very curious one and is drawn with excessive care and skill. It is supposed that an exemption of 300 pounds is to be allowed free from taxation. But even if this exemption is granted every small grower he will be required to put his potatoes into expensive packages and to get exempt stamps and attach the stamps to the packages and otherwise comply with vexatious preliminaries. But strictly speaking there is no such an exemption. As a matter of fact, there is no exemption given to persons. There is language which will allow certain farms a free allotment up to 5 bushels, being farms from which average sales are 300 pounds or less per year. This exemption might as well be out of the bill. The value of 300 pounds is negligible. Perhaps a farm will thus be allowed to grow $3 worth of potatoes untaxed. Bear in mind that a farm is not an individual. Likewise, the allotments go to farms and not to individuals. This is all skillfully worked out in order to save every advantage to the big farm and to the big producer. There is no exemption that might be availed of by a young lad who is the son of a farmer and who wants to grow a small quantity of potatoes. There is no exemption as to tenants or field croppers, unless the exemption is consummated through the landlord or owner of the farm.

To speak of it as an exemption is a misnomer because the language in subsection 1 of section 8 of the bill allows no exemption whatever unless the farm produces less than 300 pounds of pota-

toes. In case any farm for which average sales are 300 pounds or less then such average sales shall be exempt from any percentage reduction and the farm shall receive an apportionment equal to such average sales. Why is less consideration given to the poor grower of potatoes than to the grower of cotton or to the man who raises hogs? The values of exemptions allowed in all other allotment bills are substantial in amount and might run up to hundreds of dollars. The intention here is to discriminate against the small potato grower, and to tax the poor man's food without allowing any practical exceptions whatsoever. If there is any liberality to be indulged with reference to any commodity on earth, it is the commodity which the bill describes as "Solanum tuberosum" because they are used three times a day on every workingman's table. Why allow the cotton and the hog man substantial sums and not allow anything to the poor gardener or farmer or woman who raises as much as 301 pounds of "spuds" in the back yard?

ALLOTMENTS AND BOOTLEGGING

What is above set forth concerning exemptions could be more properly said about allotments. The Secretary will be given an elaborate formula for fixing allotments. He will be given hundreds of thousands, more or less, field men to go out and traverse the country from Maine to California and to ascertain facts regarding individual potato production; the Secretary will also be given a hundred thousand, more or less, clerks to apply the formula to the facts; and the allotments will then be made to farms. If you have a 5-bushel farm only, then your allotment will not be cut down under 300 pounds. The scheme is unfair as well as inequitable. It is unworkable. Potatoes will be bootlegged everywhere, and the rising generations of farmers and gardeners will be taught to violate the law, and a dangerous spirit of lawlessness will be engendered which will bear fruit in a race of criminals and a harvest of crime. Indeed, the proponents of the bill have been candid in stating that they expect considerable bootlegging.

REFERENDUM

One of the most curious as well as unfair things about this bill is the provision regarding the referendum. This provision would be laughable if it were not so serious in the event that the bill ever becomes law. This referendum ought to be a real one or else there should be none whatsoever. Subparagraph (c) of section 5 on page 5 of the bill provides for a referendum only as to the future continuance of the plot or scheme. But the joker is that every producer is entitled to 1 vote for every 60 pounds of potatoes apportioned to him during the preceding allotment year. In other words, and in order to perpetuate their patent rights and special privileges, a few producers, a few counties, a few localities in a few States which now produce high percentages of the whole crop will be allowed to vote by bushel and not per capita. We are to return to the old system of property and production suffrage and not individual suffrage. If you produce 20,000 bushels of potatoes, you get 20,000 votes. The intention is, of course, to destroy any influence the small potato growers might have in determining the future course of this act, and to continue forever and forever, world without end, the subjection of the small man.

As stated, one State last year produced almost (not quite) one-fourth of the potatoes that were shipped in carload lots and the overwhelming production in that State is limited principally to a single county. Now, under the contrivance or scheme arranged in the bill that county will be enabled to plug its vote and will have almost, if not quite, absolute sovereignty with relation to this potato business. Nothing more deadly or more inequitable could be proposed in America. The big boys will wear the crown and the ordinary citizen or poor gardener, knowing the facts and knowing the conditions which surround the referendum, will not go to the trouble and expense of attending the polls because he knows in advance that he will have no chance whatsoever. He will have no incentive to attend. We might as well pass a law right in the beginning which will provide that a certain few counties in a certain few States shall hereafter have perpetual enjoyment of the potato business in this country. After the passage of this bill never again can three or four million American citizens regain any right to raise or sell potatoes in their own small way in their own small communities or to trade potatoes to storekeepers for the necessities of life.

But Congressmen should remember that there is an electorate at home. American citizens should not be despoiled in this manner. The rank and file of our people do not know about the bill or do not understand what the provisions of the bill are. But when they wake up and learn about these provisions, a vast amount of explanation will be necessary to be made by those who are responsible for taking away from American citizenship the right to vote and to raise and trade and sell a few Irish cobblers.

As a matter of fact, the bill ought not to have been reported with this provision, because the Committee on Agriculture struck it out by record vote and substituted an amendment whereby the referendum vote would not allow such preponderance to be given to potato magnates, but would give 1 vote to each producer whether he be a big man or a little one. Under this amendment men would vote and not bushels. The bill as now reported was never voted out or approved by the Committee on Agriculture.

FINES AND IMPRISONMENTS

Many sections of the bill relate to fines and imprisonments. How much of an exaggeration is it to say that they will soon be "hanging men—yes, women, too"—for the growing of Irish cobblers? Every woman who produces a few potatoes (even though she does not sell them) may be required under section 17 to make returns and render statements and give information and keep records such as the Secretary of the Treasury or Agriculture may deem necessary for the administration of the bill. If she fails to do this, then she may be punished by a fine of $1,000 or she may be sent to the penitentiary for 1 year and an unrelenting judge may impose both such fine and imprisonment all for the heinous crime of her having failed to make statements or returns or to keep records.

In fact there are several pages of the bill which have to do with penal provisions. Under section 23 a fine of $1,000 may be imposed upon any person who offers to sell or who even offers to buy potatoes which are not packaged; or who offers to sell or offers to buy potatoes (even though they be packaged) upon which stamps are not affixed. When your friend the home gardener comes to your kitchen door next year with a basket of new potatoes on his arm, you should set the bulldog on him and drive him off the premises, because you must not even offer to buy his potatoes or to look at them which might indicate your intention of buying. You may be fined $1,000 if you do buy them in unpackaged form, or if you do buy them without seeing that stamps (either exempt or nonexempt stamps) are affixed. And if he or you commit such a heinous offense a second time, you will be imprisoned for a space of not more than 1 year. You cannot speculate in tax-exempt stamps unless you are subjected to like fine and imprisonment. You must be sure to destroy the stamps that are on the packages, and if you fail to so destroy them you will be violating the regulations and will be subjected to fine and imprisonment. If you willfully fail to pay the tax or if you willfully violate any provisions or if you have in your possession any paper "in imitation" of that used in the manufacture of stamps or if you place any potatoes in a package which has theretofore been filled or stamped without destroying the previous stamps, you will again be punished by like fine and imprisonment. Yet this is proposed for America.

CONSTITUTIONALITY

The bill, if enacted, will be unconstitutional. It is plain that it is not a taxing bill. The tax is so high that it cuts off, and is intended to cut off, any possibility that it will ever raise revenue.

Those who propose the bill admit that it is not bottomed on the commerce clause of the Constitution, but claim that it can be handled under the power which Congress has to lay and collect taxes and excises in order to pay the debts and provide for the common defense and general welfare of the United States. But, as stated above, it is not expected that any taxes or excises will be collected. This is abundantly shown on the face of the act itself and even by the report filed by Mr. COOLEY for the majority of the committee. It will be seen that the necessity of aiding potato farmers is emphasized in the report of Mr. COOLEY, and he says:

"The approach to this problem incorporated in the bill is deemed to be the most feasible method of meeting the problem * * *."

The tax is really a penalty. It is not an excise. No one expects that excises will be raised.

Our experience with the second Child Labor Act is sufficient to convince anyone that the bill will be illegal if enacted. The first Child Labor Act was bottomed upon the commerce clause of the Constitution, and even it was held to be unwarranted and void. The second Child Labor Act was bottomed upon the excise and tax provisions of the Constitution exactly as the present proposal is. When that law came before the Supreme Court the Government defended upon the ground that it was a mere excise under the broad powers of taxation conferred upon Congress. But the Court held that the law was not a good-faith attempt to impose taxes or excises; but that it was an attempt to regulate the internal affairs of the State; and, among other things, said that it (the Court) would be blind not to see that the so-called "tax" is imposed for the purpose of stopping child labor; and that there comes a time in extending so-called "tax" laws that the act loses the character as such and becomes a mere penalty (*Bailey* v. *Drexel Furniture Co.*, 259 U. S. 20). We might here add the forceful language of Judge Dawson in a case decided in his Federal court last April involving a similar attempt of Congress, as follows:

It is impossible for anyone who has any respect for constitutional limitations to contemplate this law with complacency. It is the plainest kind of an attempt to accomplish an unconstitutional purpose by the pretended exercise of constitutional powers. The garment used to hide the naked unconstitutionality of the act was fabricated from the taxation and commerce clauses of the Constitution; but neither congressional recitations of purpose, nor the formal dress of a statute, is conclusive upon the courts.

Why go through the motions of enacting such an unlawful proposition as is contained in this potato bill?

STATEMENT OF THE DEPARTMENT

The Department of Agriculture has not asked for the enactment of this bill. A letter by the Acting Secretary written to the chairman in May was before the Agricultural Committee, but is not included in the hearings. Of course the Department will administer the bill if Congress enacts it. Among other things this letter says:

"The plan involves administrative problems of major importance which have not been encountered in other programs. Among these special problems are the large number and wide distribution of potato producers, the seasonal and perishable character of the commodity, and the marketing methods used which include both regular commercial distribution and direct sale by the grower to wholesalers, retailers, and consumers."

The letter also refers to the cotton and tobacco program and says that the initial program for these commodities was based on the processing tax and benefit provisions of the A. A. A.; that a

high proportion of the producers voluntarily cooperated before compulsory allotments were authorized and that the voluntary signing of these contracts served as a referendum; but that no such opportunity will be available to potato raisers under this bill because a benefit program is not contemplated.

And with regard to the cost of administering and enforcing this bill, and which subject has already been discussed in this report, this letter states:

"It appears that the first year's operation of the Potato Act will entail a cost of not less than $12,000,000. This minimum estimate for effective operation covers merely the expenses of the Agricultural Adjustment Administration during the first year of the act. The cost of printing and distributing stamps, as well as enforcement and other activities of the Bureau of Internal Revenue have not been included in the $12,000,000. It is apparent that the administrative expenses are likely to be relatively high because of the inherent nature of the problems involved in a far-reaching program of this type for a commodity produced and marketed under such a wide variety of conditions as potatoes. The administrative expenses for a program of this type for potatoes will probably be higher in proportion to the benefits likely to be received by producers than in the case of any of our present programs."

Another quotation is as follows:

"It must be borne in mind that the operating details of the program outlined in this legislation will be more complex than in the case of any other commodity for which similar action has been taken. Because at no time between producer and consumer are potatoes changed in form, and because many producers can and do follow the practice of selling direct to retailers and consumers, the problems of enforcement should not be minimized."

GENERAL STATEMENT

The program proposed in this bill is unlike other agricultural programs. Many of its provisions in addition to those herein referred to are unjust and unreasonable and unworkable. It offends against the rights of millions of men and women to grow potatoes. The plan is compulsory. The proposed tax is so excessive that it will never be paid. There is no need for the bill. There is no referendum as in other programs at the first installation of the plan; and the provisions of the bill as reported concerning referenda in the future put perpetual control in the hands of a few potato magnates. These few large producers will dominate the activities of three or four millions of our people. The consumers' rights are in nowise protected. The crop is regional and the bill arrays the producer of potatoes in one section against the producer in other sections. It takes away the rights which local producers have in local markets, and forces them to give up the advantages which they have, but does not correspondingly force the big growers to give up the advantages which they still retain by way of relative production capacity or relative volume.

A system of espionage will be necessary. Spys will be sent scurrying about the country, but even then there will be more bootlegging of potatoes than there ever was of whisky in prohibition days. There is no adequate exemption from taxation for the small growers as in other similar control bills. The provisions for fines and imprisonments remind one of Baron Jeffreys, the infamous English judge, and of the scandalous and cruel sentences which he habitually imposed for trivial offenses.

The bill contravenes constitutional limitations, and Congress has no power to enact it. On account of the large number and wide distribution of producers and of the character of the commodity the plan is not workable, and the cost of administration will be enormously higher relatively than in case of any other control program. This expense is prohibitive.

The bill should not be enacted.

FRED BIERMANN.
CLIFFORD R. HOPE.
CHARLES W. TOBEY.
L. T. MARSHALL.
AUG. H. ANDRESEN.
FRANK E. HOOK.
J. ROLAND KINZER.
FRED C. GILCHRIST.

Mr. JONES. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska [Mr. COFFEE].

Mr. COFFEE. Mr. Speaker, potatoes in my district are a major crop, and the growers have indicated a keen desire to have this bill passed. For the last 5 years we have been producing potatoes below cost of production with the exception of 1 year. The growers are in desperate circumstances. This situation confronts the industry. On practically all of the other major crops a control program is in operation, and in general parity prices are being approached on them. There is no program whatever on potatoes, the fourth food crop in importance in the United States. This bill will make potatoes a basic commodity and will prevent those in other sections of the country who have curtailed their production of other crops from increasing their potato acreage. This surplus production has demoralized prices and brought bankruptcy to the potato growers who depend upon that crop as their principal means of income. Whether the price is low or high, approximately 210,000,000 bushels of potatoes are sold for consumption. Our normal production should be about 325,000,000 bushels. The difference is used for seed purposes or consumption on the farm.

The latest Government estimate for the potato crop this year is 375,000,000 bushels, which means a production of approximately 50,000,000 bushels too much. It is this surplus that has continued to wreck the potato industry. This bill will provide the legislative machinery which will give the potato growers an opportunity to control production to conform to the demand, and will insure the growers a fair price for their product.

Under this bill if a surplus is produced a better grade of potatoes will be shipped. The No. 1's and possibly the No. 2's will go to market and the commercials will be kept off of the market because of the tax. This will mean the consumer will get good potatoes at a fair price and the grower will get a fair price for those he sells. The increased cost to the average consumer will probably not exceed 90 cents per year. However, it will mean the difference between bankruptcy and prosperity to the potato growers. The higher-quality product which the consumer will get will amply repay him for the small extra cost.

The gentleman from Iowa stated it would probably cost $11,000,000 to administer this program the first year. I want to call your attention to the fact that the average potato crop is worth around $300,000,000, and the cost of administration would amount to about 3½ percent of the value of the crop. After the first year it will require two-thirds of the potato growers in a referendum vote to continue the program another year. This bill has been endorsed by practically all of the potato growers' associations throughout the United States, and has been carefully drawn in conformity with their wishes in collaboration with the Department of Agriculture.

I hope the House will approve this measure and give the potato growers an opportunity to receive some benefit from the Agricultural Adjustment Act.

Mr. JONES. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Speaker, it does seem to me that, as a matter of consistency and fairness to the agricultural interests throughout the country, when we have put some 13 different crops on a legislative-control basis, we should put potatoes with them. I do not see how we can in fairness refuse to grant this legislation for the potato growers of this country.

The potato industry of our country thoroughly deserves this consideration. I certainly hope and trust that the House will adopt this amendment and give the potato growers this encouragement. [Applause.]

Mr. JONES. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. JONES] to recede and concur with an amendment.

The question was taken; and on a division (demanded by Mr. HOPE) there were 113 ayes and 100 noes.

Mr. HOPE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 174, nays 165, not voting 90, as follows:

[Roll No. 166]

YEAS—174

Amlie	Burch	Cullen	Eagle
Ayers	Caldwell	Cummings	Eckert
Barden	Carmichael	Daly	Edmiston
Beam	Cary	Darden	Ellenbogen
Beiter	Celler	Dear	Evans
Bland	Chandler	Deen	Faddis
Bloom	Chapman	Delaney	Flannagan
Boileau	Clark, Idaho	DeRouen	Ford, Calif.
Boland	Clark, N. C.	Dickstein	Ford, Miss.
Boykin	Coffee	Dingell	Fuller
Boylan	Cole, Md.	Dorsey	Fulmer
Brewster	Cooley	Doughton	Gasque
Brooks	Cooper, Tenn.	Doxey	Gehrmann
Brown, Ga.	Costello	Drewry	Gildea
Brunner	Cox	Driver	Goldsborough
Buchanan	Cravens	Duffy, N. Y.	Green
Buck	Crosby	Duncan	Greever
Buckler, Minn.	Cross, Tex.	Dunn, Pa.	Gregory

Hamlin	McKeough	Pierce	South
Hildebrandt	McLaughlin	Plumley	Spence
Hill, Ala.	Maloney	Quinn	Stack
Hill, Knute	Mansfield	Ramsay	Starnes
Hill, Samuel B.	Marcantonio	Ramspeck	Steagall
Hull	Martin, Colo.	Randolph	Taylor, Colo.
Imhoff	Maverick	Rayburn	Terry
Johnson, Okla.	Mead	Reilly	Tolan
Johnson, W. Va.	Miller	Richards	Tonry
Jones	Mitchell, Tenn.	Robinson, Utah	Turner
Kee	Monaghan	Rogers, Okla.	Umstead
Kelly	Montet	Ryan	Vinson, Ga.
Kerr	Moran	Sabath	Vinson, Ky.
Knutson	Moritz	Sanders, La.	Warren
Kocialkowski	Murdock	Sanders, Tex.	Werner
Kopplemann	Nichols	Sandlin	West
Kvale	O'Brien	Sauthoff	White
Lambertson	O'Connell	Schneider	Whittington
Lambeth	O'Day	Scrugham	Wilcox
Lea, Calif.	O'Leary	Sears	Williams
Lewis, Colo.	Owen	Secrest	Wilson, La.
Lewis, Md.	Palmisano	Sirovich	Withrow
McAndrews	Parsons	Smith, Conn.	Wood
McClellan	Pearson	Smith, Va.	Woodrum
McCormack	Peterson, Fla.	Smith, W. Va.	
McGrath	Pfeifer	Snyder	

NAYS—165

Adair	Dunn, Miss.	Kahn	Robertson
Allen	Eaton	Kenney	Robsion, Ky.
Andresen	Ekwall	Kinzer	Rogers, Mass.
Andrew, Mass.	Engel	Kleberg	Romjue
Arends	Englebright	Kloeb	Russell
Ashbrook	Farley	Lanham	Schaefer
Bacharach	Fiesinger	Larrabee	Schulte
Bacon	Fitzpatrick	Lee, Okla.	Scott
Bell	Focht	Lehlbach	Seger
Biermann	Gassaway	Lemke	Shanley
Binderup	Gavagan	Lesinski	Short
Blackney	Gearhart	Lloyd	Sisson
Boehne	Gifford	Luckey	Snell
Bolton	Gilchrist	Ludlow	Somers, N. Y.
Burdick	Gillette	McGehee	Stefan
Cannon, Mo.	Granfield	McLean	Taber
Carlson	Gray, Ind.	Mahon	Tarver
Carpenter	Gray, Pa.	Mapes	Taylor, S. C.
Casey	Greenway	Marshall	Taylor, Tenn.
Castellow	Greenwood	Martin, Mass.	Thom
Cavicchia	Griswold	Mason	Thurston
Christianson	Guyer	Massingale	Thomason
Church	Gwynne	Meeks	Tinkham
Citron	Haines	Merritt, Conn.	Treadway
Colden	Halleck	Michener	Turpin
Collins	Hancock, N. Y.	Millard	Utterback
Colmer	Harlan	Mitchell, Ill.	Wallgren
Connery	Hart	Mott	Walter
Crawford	Harter	Nelson	Wearin
Crosser, Ohio	Healey	O'Malley	Welch
Crowe	Higgins, Mass.	O'Neal	Whelchel
Crowther	Hobbs	Patman	Wigglesworth
Culkin	Hoeppel	Patterson	Wolcott
Darrow	Hollister	Peterson, Ga.	Wolfenden
Dempsey	Holmes	Pettengill	Wolverton
Dies	Hope	Pittenger	Woodruff
Dirksen	Houston	Polk	Young
Ditter	Huddleston	Powers	Zimmerman
Dobbins	Jacobsen	Rankin	Zioncheck
Dondero	Jenckes, Ind.	Ransley	
Driscoll	Jenkins, Ohio	Reed, Ill.	
Duffey, Ohio	Johnson, Tex.	Rich	

NOT VOTING—90

Andrews, N. Y.	Eicher	Lamneck	Reed, N. Y.
Arnold	Fenerty	Lord	Richardson
Bankhead	Ferguson	Lucas	Rogers, N. H.
Berlin	Fernandez	Lundeen	Rudd
Blanton	Fish	McFarlane	Sadowski
Brennan	Fletcher	McGroarty	Schuetz
Brown, Mich.	Frey	McLeod	Shannon
Buckbee	Gambrill	McMillan	Smith, Wash.
Buckley, N. Y.	Gingery	McReynolds	Stewart
Bulwinkle	Goodwin	McSwain	Stubbs
Burnham	Hancock, N. C.	Maas	Sullivan
Cannon, Wis.	Hartley	May	Sumners, Tex.
Carter	Hennings	Merritt, N. Y.	Sutphin
Cartwright	Hess	Montague	Sweeney
Claiborne	Higgins, Conn.	Norton	Thomas
Cochran	Hoffman	O'Connor	Thompson
Cole, N. Y.	Hook	Oliver	Tobey
Cooper, Ohio	Keller	Parks	Underwood
Corning	Kennedy, Md.	Patton	Wadsworth
Dietrich	Kennedy, N. Y.	Perkins	Weaver
Disney	Kimball	Peyser	Wilson, Pa.
Dockweiler	Kniffin	Rabaut	
Doutrich	Kramer	Reece	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Gingery (for) with Mr. Fenerty (against).
Mr. Fernandez (for) with Mr. Tobey (against).
Mr. Bulwinkle (for) with Mr. Buckbee (against).
Mr. Hancock of North Carolina (for) with Mr. Hook (against)
Mr. Stubbs (for) with Mr. McFarlane (against).
Mr. Kramer (for) with Mr. Corning (against).
Mr. Weaver (for) with Mr. Wilson of Pennsylvania (against).

General pairs:

Mr. Blanton with Mr. Doutrich.
Mr. Cochran with Mr. Carter.
Mr. Schuetz with Mr. Cooper of Ohio.
Mr. Fletcher with Mr. Hartley.
Mr. Sumners of Texas with Mr. Lord.
Mr. Rudd with Mr. Reece.
Mr. Parks with Mr. Thomas.
Mr. O'Connor with Mr. Stewart.
Mrs. Norton with Mr. Reed of New York.
Mr. Oliver with Mr. McLeod.
Mr. Montague with Mr. Perkins.
Mr. McSwain with Mr. Maas.
Mr. Bankhead with Mr. Hess.
Mr. McMillan with Mr. Kimball.
Mr. Arnold with Mr. Fish.
Mr. McReynolds with Mr. Hoffman.
Mr. Disney with Mr. Cole of New York.
Mr. May with Mr. Higgins of Connecticut.
Mr. Patton with Mr. Andrews of New York.
Mr. Sullivan with Mr. Goodwin.
Mr. Kennedy of New York with Mr. Burnham.
Mr. Gambrill with Mr. Lundeen.
Mr. Ferguson with Mr. Frey.
Mr. Richardson with Mr. Lamneck.
Mr. Berlin with Mr. Lucas.
Mr. Brennan with Mr. McGroarty.
Mr. Rabaut with Mr. Claiborne.
Mr. Dietrich with Mr. Sadowski.
Mr. Hennings with Mr. Sutphin.
Mr. Thompson with Mr. Kniffin.
Mr. Sweeney with Mr. Keller.
Mr. Kennedy of Maryland with Mr. Underwood.
Mr. Smith of Washington with Mr. Rogers of New Hampshire.
Mr. Dockweiler with Mr. Eicher.
Mr. Merritt of New York with Mr. Cartwright.
Mr. Cannon of Wisconsin with Mr. Buckley of New York.
Mr. Peyser with Brown of Michigan.

Mr. JOHNSON of Texas changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

Mr. JONES. Mr. Speaker, I ask unanimous consent that in respect to all of the amendments adopted this morning a motion to reconsider may be considered as having been made and that motion laid on the table.

The SPEAKER pro tempore (Mr. BOEHNE). Is there objection?

There was no objection.

H. R. 8492—EXTENSION OF REMARKS

Mr. MARTIN of Colorado. Mr. Speaker, I am in favor of the motion of the gentleman from Texas [Mr. JONES], the chairman of the House conferees, to concur in Senate amendment no. 163 to the agricultural adjustment bill, known as the "Warren potato-control bill"—H. R. 6082.

This bill, Mr. Speaker, was reported favorably by the House Committee on Agriculture after exhaustive hearings, but we have not been able to bring it to a vote in the House. When it became known that the Warren bill had been added as an amendment to the farm bill in the Senate, with only 5 votes against it, I was one of 38 Members of the House who signed a letter to all Members urging them to vote to concur in the Senate amendment.

But, Mr. Speaker, my support of this legislation and my commitment to such legislation generally, long antedates even the introduction of the Warren bill in the House of Representatives.

When the first farm-relief bill was up for consideration in the House on March 22, 1933, I made the following statement on the floor of the House:

> In my campaign in Colorado last year I disseminated a very brief statement of my principles. My pledge to the farmers I think I can claim as a model of brevity, if nothing else. Here it is:
>
> "The farmers make up nearly 40 percent of the population of this country, but their organizations have never succeeded in getting a single piece of legislation on the Federal statutes. Why not give the farmers' program a trial? I will."
>
> I say to you gentlemen that I am here today to redeem that pledge.

Mr. Speaker, in obedience to that pledge I have supported every measure for farm relief which has come before the House, including the Bankhead cotton bill, the Kerr tobacco bill, the Jones-Costigan sugar bill, and all amendments which have been made to the original Agricultural Adjustment Act. I shall continue to do this until it has been demonstrated that such legislation is basically unsound or is no longer needed to help rescue agriculture from the impoverished plight in which it was found on March 4, 1933, and from

which, thanks in large part to the farm legislation enacted under this administration, it is slowly emerging.

Speaking to the motion before the House, Mr. Speaker, I want to say that the Warren potato-control bill has the practically unanimous support of the potato growers of the State of Colorado. They have endorsed it in their county organizations, in their State organizations, and in mass meetings of potato growers. In one of these meetings where a poll was taken, the sentiment of the growers was reflected in a vote of 532 for the Warren bill to 2 against. At a State-wide meeting of farm organizations, cooperative associations, and control committees, representing more than 25,000 individual farmers, the 147 representatives present unanimously passed a resolution endorsing the Warren bill. This meeting was held at the invitation of the Colorado State Farm Bureau.

Mr. Speaker, I regret to note strong opposition to the potato control amendment among Members representing farm States and farm districts, and especially Representatives from such States and districts which have been heavy beneficiaries of the wheat and corn-hog programs and of the cotton and tobacco programs. I am at a loss to determine how these gentlemen distinguish between such measures and the potato bill. All at once they have become much concerned about what will happen to the little potato grower under the provisions of this bill. They overlook what has already happened to him and what is happening to him now, which is that his potatoes are not worth digging out of the ground. I can understand, Mr. Speaker, Members from the big cities and representing industrial constituencies voting against a bill which it is said will curtail the production and raise the price of potatoes, but who do not take into account the fact that potatoes are only cheap when the farmer sells them, not when the consumer buys them. Potatoes are cheap on the farm, not in the market. It is my understanding that every one of these farm production regulation bills has broken the grip to some extent of the profiteers and given the grower something of a break on the products of the farm. I am supporting this bill in the hope that it will do the same thing for potatoes that has been done for cotton, tobacco, wheat, corn, hogs, and sugar.

Mr. Speaker, in case of doubt, and I think some of the representatives of farm constituencies who are opposing the potato amendment are in doubt and are fearful that it will hurt the little fellow, I want to remind these Members of the old saying that the tail goes with the hide. Also there is a rule of the game that when you are for the main proposition, you may have to swallow some things that go along with it. This is the philosophy which has determined my action on the entire recovery program, whether industrial or agricultural. I may also call the attention of these Members to the fact that on yesterday we concurred without division in Senate amendments strengthening the cotton- and tobacco-control bills. There ought to be some consistency in our action on these kindred matters.

Once we divide our forces, we will eventually be beaten in detail. We should support this proposition with the same unanimity we accorded to the measures for the stabilization of other agricultural commodities. If in practice it develops unnecessary hardships and inequities, these can be corrected. If on the whole it is objectionable, all that is required to end it is for it to fall short of a two-thirds vote on a referendum of the growers themselves to continue it. This is democracy in action in the field of economics.

It is claimed that this bill is for the benefit of 30,000 commercial growers out of some 3,000,000 potato growers in the United States. I can scarcely feature the Secretary of Agriculture undertaking to administer the law for the benefit of 30,000 as against 3,000,000. This does not add up in the simplest political mathematics, nor does such a proposition find support in the philosophy and record of the Secretary of Agriculture. If I interpret the philosophy and read the record of the present Secretary of Agriculture aright, the preservation and not the destruction of the little fellow on the farm is his primary concern. In this connection, it is a significant fact that all of the crop-control programs, under the administration of Secretary Wallace, have been continued in effect by the overwhelming vote of the farmers themselves. Not in a single instance have they failed by overwhelming majorities to vote for an extension.

It has been a novel experiment in American legislation to pass laws, the continued force and effectiveness of which rests upon an annual vote of the people affected by the laws. Regardless of what may be said against it, it is a worth-while experiment in economic self-government. I want to repeat what I have said before in debate on farm legislation, that I support such measures, not with the idea in mind that the farmer shall live and move and have his being with a policeman at his elbow, but in the hope that it will show him the way to the control and regulation of his most important calling, which is the basic industry of our national life.

For the first time in American history the farmers' program is getting on the Federal statutes. It appears to be working. The Warren potato bill is a part of that program.

Mr. MICHENER. Mr. Speaker, the potato-control bill has no place attached as a rider to the bill amending the Agricultural Adjustment Act. Legislation dealing with those amendments passed the House, went to the Senate, and the Senate has added an amendment, including the entire potato-control bill.

The Agriculture Committee of the House spent months in consideration of the potato-control bill, and on August 5 reported the bill to the House. The committee was sharply divided, as shown by the majority and minority reports. This is a big question so far as the farmers, and also the consumers, of the country are concerned. In these days we pass legislation without consideration; while this may be the custom of late, yet I condemn it. Today we are compelled to vote on this entire potato-control bill after 1 hour of general debate, and without any opportunity to amend. Naturally, the time for debate must go to members of the committee, and it is preposterous that we should pass such far-reaching legislation when a member of the committee is allowed only 8 minutes to explain the entire bill. You could not even start to read the bill within that time.

The hearings before the committee show that there are approximately 30,000 large potato growers who are really commercial growers, while there are approximately 4,000,000 people who raise potatoes and most of whom sell some potatoes—possibly only a few bushels in most instances.

The State of Maine, the greatest potato-growing State in the Union, in 1933 shipped 22 percent of carload lots of all potatoes shipped in this country. A large percentage of the potatoes in Maine are grown in one county—Michigan potatoes for shipping are grown in but a few counties.

This is a commercial potato growers' bill, and it is conceded that it is framed in behalf of the 30,000 commercial growers as against the 4,000,000 general growers and the 125,000,000 consumers.

This legislation would not be so bad if it were voluntary and not compulsory. This is just another case of where the farmer is regimented. If this bill becomes a law, every potato grower, big and little, who desires to grow any potatoes for sale will be given an allotment. Every farmer, and every farmer's wife who grows potatoes in the garden, who might want to sell a few bushels, must register and receive his or her permit. This is not all. The potatoes cannot be sold in bulk. They must be graded, sorted, placed in packages, and on every one of those packages must be placed a stamp issued by the Government, much in effect like boxes of cigars and cigarettes that bear internal-revenue stamps today. Failure to do all this makes the farmer a criminal.

This is not all. The farmer must file affidavits, statements, and surveys, and convince the administrators of the act as to the number of bushels of potatoes sold over a given period, and the allotment allowed him will be based largely upon the number of potatoes produced on that particular farm during the given period. The farmer who has not been growing any potatoes to sell will have a difficult time in changing or rotating his crops. The allotment will attach to the farm and not to the farmer. In other words, if one farmer has not been in the habit of growing potatoes

for sale and he sells his farm or rents it to another farmer, who is a potato farmer, he will be estopped from growing the kind of crops he is used to growing and wants to grow, because of this compulsory potato-control law.

After the farmer receives his allotment certificate showing how many potatoes he may sell in a given year, if he sells more than his allotment certificate provides, he must pay a tax of 45 cents a bushel on every bushel beyond the allotment.

This is not all. If he knowingly sells or attempts to sell beyond the allotted amount, or without a permit, he may be sent to the penitentiary for 1 year and fined $1,000. Is there any person within the sound of my voice who thinks for a minute that the potato growers of this country will ever submit to any such domination by any bureau or bureaucrat from Washington?

This law would be entirely impossible of enforcement. There would be more bootlegging than anyone can imagine and the moral effect on the young folks of the country of such an impossible arrangement would be distressing at least. The advocates of the bill admit this bootlegging and it has been admitted on the floor here today that this law cannot be enforced in every locality, but that it can be enforced in the large commercial potato-growing sections. Possibly they can have Government agents and snoopers enough in one county in Maine, where they grow nothing but potatoes, to see that the law is adhered to. The district which I represent is not a commercial potato-growing district. Every farmer grows a few potatoes for his own use and always hopes that the yield will be such that he will have a few to sell, and the few growers who grow with the intent of selling would not be materially helped by this harsh legislation.

Again the constitutional question comes up, and I am convinced that, like the A. A. A., this law will be held unconstitutional. The constitutionality is attempted to be justified under the taxing clause, but who is there among us who would say that the purpose of this bill was to raise revenue to run the Government? In fact, the bill provides for an appropriation of $12,000,000 for the basic part of the first year's enforcement, and this will not begin to cover the expense. The 45 cents a bushel tax on all bushels sold above allotment is punitive entirely and for the purpose of controlling production and if all farmers comply with their allotment no tax will be raised. If we want to change the Constitution, let us do it in a constitutional and upright way rather than constantly seeking to escape and get around what we are satisfied in our own hearts is the basic law of the land. Again let us remember our oath of office.

The people of the country have had some little experience with crop control during the last 2 years. Fourteen basic crops are under Federal control, but mark this well, only two, cotton and tobacco, are compulsory. The others are optional. The farmers may take advantage of the hog and corn or wheat program if they desire, but up to date there is no compulsion. I have insisted and believe that the purpose of the A. A. A. is to eventually bring all of these voluntary commodities under compulsory control. The cotton grower today is absolutely controlled whether he likes it or not. As a result he is losing his foreign market, cotton workers are thrown out of work, clothing costs more, and in the end the artificial structure will fall upon him.

The tobacco grower is also under involuntary control. It must be observed that these commodities are regional and the task of controlling is, therefore, minimized. Potatoes are grown in every State in the Union and in every county in the State; that is, to some extent. The very thought of making all these potato growers who might want to sell a few bushels keep books, make annual reports, and so forth, is beyond comprehension. Yet that is just what this bill does, and if the poor farmer does not comply with the law he has confronting him that maximum of 1 year in the penitentiary and a $1,000 fine.

I have been asked about the packages above referred to—just what kind of containers and the size of the package in which the farmer must place his potatoes before offering them for sale. This bill leaves these matters to regulation. Therefore, if the professor in charge should think it wise that all potatoes sold should be placed in cellophane packages and possibly flavored with the scent of perfume, the farmer could not sell unless he complied. This may be extreme, but it is possible, and all laws should be enacted having in mind the possibilities as well as the probabilities.

To get back where I started, I am sure we must all agree, whether or not we favor this legislation, that the whole matter is so serious that it should not be disposed of under the whip and spur of the leadership and within 1 hour and without opportunity to change or amend. I am just as sure as I am that I am talking, that if this House had the opportunity at this time, it would not permit the inclusion of the unreasonable penalties above referred to, and I cannot for the life of me understand how Members will vote for this drastic, unreasonable, uneconomic, unconstitutional, and arbitrary legislation without proper consideration.

If this bill becomes a law and our farmers are compelled to operate under it, there will be a justified resentment on the part of the small farmers everywhere, and we cannot blame them.

Representing an agricultural district, I am vitally interested in increasing the price of farm products to the cost of production plus a reasonable profit. Representing many consumers, I am just as vitally interested in seeing to it that the consumer gets the products of the farm at a price which he can afford to pay. Both of these objectives may be obtained if the consumer has a job at a reasonable wage, and the spread between what the farmer gets and what the consumer pays represents legitimate handling costs.

This condition is not going to be helped any by a lot more red tape to be complied with by the farmer before the consumer can get the potatoes. Any law that makes it impossible for every general farmer to sell his few surplus bushels to the purchaser in the community who wants to buy them will do a specific injury not only to the farmer but to the consumer as well. The users of potatoes will have a right to complain if this bill ever becomes a law, and I misjudge the temperament of the average American farmer if he does not rise up in protest, when again he is confronted by another investigator or inspector from Washington, with a voluminous portfolio of blanks—red sheets, yellow sheets, and white sheets—affidavits and seals, permits and stamps, and is compelled not only to fill out all the required blanks but, in addition, is instructed as to how he must keep books and account for all potatoes grown and marketed. This whole thing is just impossible.

Mr. KINZER. Mr. Speaker, the potato amendment, added by the Senate to H. R. 8492, the Agricultural Adjustment Act amendments, now before the House, was never discussed or considered in this body. This amendment seeks to control, regiment, and limit the three to four millions small potato growers and farmers for the sole benefit of about 30,000 large commercial producers of potatoes.

Under this amendment every grower is required to secure his or her allotment quota from the potato-control authority to be set up under this amendment. He must then secure the tags, stamps, and specially designated wrappings and containers before he may offer for sale one single potato. This amendment imposes a tax of 75 cents per 100 pounds of potatoes, or about 45 cents per bushel, which is twice the price potatoes are now bringing. It is not a tax provision, nor is it intended as such, its purpose being none other than to absolutely and completely prohibit the independent production and sale of this staple food. The amendment further provides that in the referendum the potato producer shall be entitled to one vote per bushel for each bushel of potatoes he produces, thus giving complete control of this industry into the hands of a very few large producers, less than 30,000 in number, as against the three or four millions of our citizens who raise a small patch of potatoes for their own use and who have up to this time enjoyed the right and privilege of sale and barter for the small surplus they may have to dispose of. The enactment of this potato amendment will directly affect more of our citizens than any control legislation heretofore passed.

A smaller percentage of potatoes are handled through interstate commerce than of any other agricultural commodity. Every farm, every truck garden, and every back yard, I may ask, grows some potatoes, and because of the large number of persons engaged in raising potatoes this amendment would be impossible of proper administration. It will cost over twelve millions of dollars to administer this potato-control program the first year, and will require a Federal representative in every township of every county in every State of our Union.

I know that the potato growers of my district are very outspoken and positive in their opposition to this amendment which takes away the last vestige of independence from every farmer, every gardener, and truck raiser in our land.

Mr. DITTER. Mr. Speaker, the potato amendment to the Agricultural Adjustment Act affects every home in the country. The cost of potatoes touches the pocketbook of every American housewife. In the home of the most humble and lowly citizen potatoes constitute a chief part of the meal. We are called upon to further increase the cost of living which has already reached a point where protests are heard from all sides. It is a further extension of the program of crop control which has already proved a very effective method for America to surrender its world position of preeminence in cotton production. It is based on the false philosophy of artificially creating scarcity in the midst of plenty. It is predicated on the theory that a famine will produce prosperity.

There might be some justification for requesting the legislation, even though I would oppose its enactment, if it held out any hopes of benefit to the average farmer without placing an undue burden on the shoulders of the average citizen. But such is not the case. This potato-control amendment is for the sole benefit of the large commercial growers at the expense of the average farmer and of every household in the land. The purpose of the amendment is to provide profits for a comparatively few commercial potato growers and saddling this profit for big business on the small farmer and the consuming public. It is estimated that there are 30,000 commercial growers and 4,000,000 average or general growers of potatoes in the country. These figures speak for themselves.

A study of the amendment discloses that every potato grower who contemplates selling them will be given an allotment. This means that he must secure permission from the Federal Government and comply with prescribed rules and regulations. The potatoes must be sorted and graded and labeled. They must be packed according to rule and may not be sold in bulk. Then the grower must submit to surveys and examination by Government officials and convince their masters by affidavits and statements as to the number of potatoes they should be permitted to sell. Picture if you can the small farmer and his wife confronted by officialdom in all its power in order to sell or exchange a few bushels of potatoes at the country store. If the farmer fails to meet the conditions he becomes a criminal under the provisions of this amendment.

But this is not all. Should a bountiful harvest provide a larger yield than the allotment made by the Government official, the farmer is required to pay a tax of 45 cents on every bushel over the allotment. In other words, the amendment provides a penalty for those who harrow and cultivate the field and places a premium on the presence of the potato bug and other obstacles to a good yield. This will be a strange lesson for the frugal and industrious farmer of Pennsylvania to learn.

I am convinced that the proposal is unconstitutional. An effort is made to abort the taxing clause to give the measure a cloak of constitutionalty. This is subterfuge of the worst character. No one will attempt to claim that the purpose of the amendment is to raise revenue. It is a compulsory control measure to limit the production of potatoes, to destroy the competition provided by the average farmer in the potato market, and to give the commercial grower a monopoly at the expense of the consuming public.

The attempted enforcement should prove an interesting experience. It will provide a new chapter in the narrative of the art of bootlegging. Liquor-law enforcement will shade into insignificance in comparison with potato-control enforcement. Will the farmer or the farmer's wife be the culprit? Why not charge the fertilizer salesman as an accessory? Imagine the results of an army of inspectors, investigators, and snoopers turned loose on an innocent and unsuspecting countryside seeking those whom they may devour, or should we say those who would sell potatoes to devour. The contemplation of attempted enforcement is ridiculous.

And all this so that farmers will not grow potatoes and so that upon the family budget there will fall another weight of expense in the ever-mounting cost of providing necessary foodstuffs. I cannot bring myself to the support of such harmful and extravagant legislation.

LEAVE TO ADDRESS THE HOUSE

The SPEAKER pro tempore. Under special order, the gentleman from Georgia [Mr. CASTELLOW] is recognized for 15 minutes.

Mr. CASTELLOW. Mr. Speaker, due to the limited time at my disposal, I ask Members to refrain from requesting me to yield until at least I have finished my statement.

I realize what the legislative program is. Consequently, I could not fail to be cognizant of the importance of time to the House. Yet the people back home cannot realize the situation. The fact is back there they feel that we have as much time here as they have at home; in fact, they think we have 24 hours a day here the same as they have, whereas in reality time here is as precious as water is in Ethiopia, and the keepers of the well are indeed vigilant; but I say this to the Membership of the House, that all of the water should not be reserved for the generals, because, believe it or not, as Ripley would say, before this war is over you are going to need some privates.

The only possible reason for bringing the matter I have in mind up for discussion in this House is to illustrate what may happen to you, your district, or your State under a centralized government, a bureaucratic government. I want to talk to you briefly regarding a State of this Union concerning which some of you, at least, may need enlightenment. I desire to discuss especially one of the Thirteen Original Colonies, now the State of Georgia, the only State in this Union that has never gone Republican, the State that has held high the Democratic banner ever since there has been a Democratic Party.

When the great State of Texas, that now furnishes us with a Vice President, that furnishes the chairmen of five of the important committees of this House; when the State of North Carolina, furnishing the chairman of the most important committee, the Committee on Ways and Means, and the chairmen of other committees; when the State of Tennessee, which contributes, among other chairmen, the chairman of the committee upon which I have the honor to serve, and in addition thereto furnishes this body with its splendid Speaker, whom we all respect and love—when all of these States that have been so honored by Democracy were resting blissfully in the camps of the Republican Party in 1928 Georgia still held high the Democratic banner.

That is the State of which I wish to speak. Although she has remained loyal in season and out, conditions now impel me to direct attention to the reward she has received from our great party for her unusual and faithful services. You all know there are certain funds allotted for the building of public roads in the various States of the Union. I called upon the Bureau of Public Roads yesterday and asked if there was any State in this Union which had its funds "hung on a hook" except the State of Georgia, and the answer was in the negative. "Your State", said he, "is the only one." So this presents a most unusual situation—a situation in which we, as a Casabianca, remained constant at our post while others of less loyalty deserted. Can it, therefore, be surprising that we are sadly disappointed when the only distinction accorded us is that of being the only State in the Nation whose road allotment is "hung on a

hook" and that so high it cannot be reached by even the most strenuous effort? All it seems we can now do is, as a well-trained poodle, stand on our hind legs and beg for that which, in justice, is truly ours.

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

Mr. CASTELLOW. I ask the gentleman to excuse me.

Mr. TARVER. Just for a moment.

Mr. CASTELLOW. I yield to my colleague.

Mr. TARVER. To state that it is "hung on a hook" at the behest of the Republican chief of the Bureau of Public Roads and of a Republican Secretary of Agriculture.

Mr. CASTELLOW. I thank the gentleman for his contribution.

So why, I am constrained to ask, should Georgia be singled out for such treatment? The only way to account for such unusual treatment is, to my mind, supplied by an analysis of the political situation in America as suggested in 1916 upon the second election of President Woodrow Wilson. It is not difficult to recall that the entire Nation was in suspense since no one could foretell whether a Democrat or a Republican would occupy the White House until practically the last vote in California had been counted. Upon the announcement of the result in that State, the tension being relieved, I ventured at that time certain conclusions with which I had been impressed by the occurrences described. It occurred to me that the situation in California was rather similar to that of a young, beautiful, cultured, and most attractive debutante who had as her rival admirers two most distinguished and wealthy suitors. She had not indicated in any way her preference and was known to be rather fickle in her affections. So these admiring gentlemen vied with each other as to which could supply the lady with the most beautiful bouquet of flowers, the most delicious candy, and give her an outing in the finest automobile. This was her enviable position. I presume it is needless to mention the names of the suitors, for you know by the description they were none other than the Democratic and Republican Parties.

Now, what about Georgia. She reminded me of a splendid old lady who was not only married, but had reared for her country a large number of very worthy citizens, who kept the home fires burning and administered to the wants of a certain distinguished gentleman who said, "Why should I bother to bring flowers, boxes of candy, and other desirable luxuries to this lady, for surely she is my wife, we have been married for lo these many years, so why should I worry to supply the attentions of other years?" Another gentleman of the community, who in other circumstances might have been an ardent suitor, suggested that there was no reason why he should supply flowers, candy, and other tokens of affection, since the lady was married to another. [Laughter.] So, this splendid old lady is left to supply that without which no home can long survive, but who is concerned with her cares so long as she slings the pots and pans, nurses the babies, and keeps the trousers creased.

This illustration, to my mind, typifies the respective positions as occupied by California and Georgia. And, judging from Mr. Farley's speech of adulation recently delivered in San Francisco, in which he declared, "It was this State that kept Woodrow Wilson in the White House in 1916. It was California that insured the nomination of Franklin D. Roosevelt in 1932, and the vote of this State confirmed magnificently the action of your delegates to the Chicago convention", it seems that California is still the beautiful debutante while Georgia likewise occupies her position as faithful spouse. But, let it be remembered that we are not in quest of compliments but only asking that simple justice be done.

Is there anyone within the sound of my voice, on the floor of this House or in the galleries, who would believe that such treatment as has been accorded Georgia would ever have been visited upon California by either a Democratic or Republican administration? The fair but fickle State of California, concerning which there is constant doubt as to whether she will go Democratic, Republican, or Townsend, would never be accorded such treatment. Heretofore government favoritism has not been so important, for until recently the chief functions of the Federal Government were to provide national defense, supply a monetary system, and transport our mail, leaving little opportunity for partiality. It is quite different now, since the National Government has invaded practically every field of human activity. By the exercise of partiality and punitive measures our very existence might be jeopardized. It, therefore, behooves us to keep a watchful eye on the compass and evidence at least some concern as to the possible port of destination.

I would say to this administration, as TOM BLANTON said to KNUTSON a few days ago, "Do not bite the hand that feeds you", and that is what is now being done to Georgia. Eight of the Georgia delegation on the 22d day of July addressed a letter of protest to the White House covering the situation. If it has ever reached there, we have received no such indication. If the mail generally is traveling that slowly, gentlemen, I think we had better send a radiogram or something else to Brother Farley to please come home. [Applause and laughter.]

Public Resolution No. 11 of the Seventy-fourth Congress provides that—

> Except as hereinafter provided, all sums allocated from the appropriation made herein for the construction of public highways and other related projects (except within or adjacent to national forests, national parks, national parkways, or other Federal reservations) shall be apportioned by the Secretary of Agriculture in the manner provided by section 204 (b) of the National Industrial Recovery Act for expenditure by the State highway departments under the provisions of the Federal Highway Act of November 9, 1921.

The congressional acts of 1921 as embodied in the United States Code, title 23, section 13, expressly provide that the construction of all Federal-aid highways shall be done in accordance with the laws of the State and under the direct supervision of the various State highway departments. Section 1502 of title 95 of the Georgia Code of 1933 constitutes the State highway department as the agency of the State to discharge all duties arising under any act of Congress allotting Federal funds to be expended upon public roads in Georgia.

It is, therefore, apparent that the Bureau of Public Roads has no authority to initiate a program. Yet, they have assumed to do the very thing by indirection which the law prohibits their doing directly. They have demanded that the highway department of Georgia construct across the Oconee River at Balls Ferry a bridge costing approximately $280,000. For reasons satisfactory to the State highway department, the request of the Federal bureau was refused and thereupon, apparently in an effort to coerce the State highway department, the Federal bureau declined to approve any and all projects suggested by the highway department. Mr. Clark Howell, editor of the Atlanta Constitution, endeavoring to secure a speedy adjustment of this unfortunate situation, was instrumental in arranging a conference between the Governor and Mr. MacDonald, Chief of the Bureau of Public Roads.

In Mr. Howell's report of the conference, as contained in the Atlanta Constitution of July 20, 1935, the following appears:

> Then the Governor said: "I understand, Chief MacDonald, that it is Balls Ferry or nothing; that unless we consent to the building of this bridge Georgia's $19,000,000 highway allotment will not be released." "Correct", said Mr. MacDonald, "with the further understanding that we would insist upon satisfactory efficiency in the engineering force of the highway department."

Now, whose money is this that is being withheld, and by whom, in the last analysis, will be supplied? By the printing press or by taxes imposed upon the people of these United States, among whom are the citizens of Georgia? We may expect to bear in the future, as we have in the past, our full and complete share of these burdens. Then by what process of reasoning can anyone justify the withholding of funds which are not a gift nor a donation but belong absolutely to the people of Georgia?

Can it be imagined that there will ever be a more urgent necessity for the building of roads in our State than exists at this time? Consider, for example, my home county of Randolph, which has 720 miles of roads, and at the time I left there, last Christmas, only 6 miles were paved. Whose bonds are being issued, except bonds upon Georgia, just the

same as upon other States? We have issued, according to the statement of the Treasury up to August 10, over $29,000,000,000. Georgia's part of this indebtedness is $690,000,000, whereas the State has only issued and now has outstanding $4,178,000 in bonds.

What about this indebtedness? How much of this rests upon my little county with only 17,174 population? Four million of those bonds floated by the United States Government my little county of Randolph is responsible for. That is equal practically to the entire individual bonded indebtedness of the State of Georgia. Where are we going? What of the Government after you have mortgaged every farm, every store, and every home in the county—every home in my county of Randolph—and imposed upon us $4,000,000 of bonds, and then say to us, with 720 miles of public roads and $19,000,000 allotted to our State, "You cannot get a dollar of it"? They respond, "Your road department does not suit us." Well, it suits the people of Georgia. At least, it seems so. No one says it is illegal. Our road department in Georgia handles more of the revenue raised by the people of Georgia than all the other instrumentalities of the State combined, and we are not kicking. Why should someone else kick?

Let us see how the bonds of Georgia are selling. They are selling today higher than the bonds of the State of New York. They are selling higher than the bonds of the State of Illinois. They are selling higher than the bonds of California.

What about the municipalities of Georgia? The bonds of the little town in which I live, with less than 3,500 people, are selling today higher than the bonds on the City of New York.

The SPEAKER pro tempore. The time of the gentleman from Georgia [Mr. CASTELLOW] has expired.

Mr. RICH. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 10 minutes.

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

There was no objection.

Mr. HOEPPEL. Will the gentleman yield?

Mr. CASTELLOW. I yield.

Mr. HOEPPEL. I would like to say for the information of the gentleman that as long as we vote "must" legislation in this Congress we will always be the servants of these bureaucrats here. We ought to stand on our own feet and be independent.

Mr. CASTELLOW. This is the first time I have made any public or private utterance against what is going on. The departments have treated me very nicely, most cordially, and I have no complaint against them, but I hope there is an element of justice in the make-up of every man.

Now, let us see what is happening and where we stand. I was just remarking that the bonds of the little town where I live, Cuthbert, Ga., with less than 3,500 people, are selling today higher than the bonds on the city of New York, higher than the bonds on the city of Chicago, higher than the bonds on the city of San Francisco. Are we worthy of credit? It seems that the business world thinks so, and that we know how to manage our business. Then who is it that would be a self-constituted guardian and to say to us that we cannot manage our affairs? The people who are investing in these things, and who have the money to do it, are most critical, as you know. That is the estimate they have placed upon the credit of Georgia, upon the credit of her municipalities and her counties. So why is it that anyone would seek to impose themselves as a self-constituted guardian upon the people of Georgia? I have told you of our Democracy. I miss our good friend from Missouri, Mr. SHANNON, when I think of Thomas Jefferson.

I believe in the cause he believes in. I believe that I am a Jeffersonian Democrat. There is something else, however, I am even more proud of, and that is that I am a Patrick Henry Democrat. [Applause.] I will tell you another thing, John Paul Jones was not so bad.

I know the figures I have given are not making any impression upon you, at least I so apprehend. They are not making any impression upon your constituents back home, I fear, because we are so near-sighted we cannot see around the corner; but I will tell you what is going to make an impression upon you, and that speedily, upon every Member of this House and every constituent, and that is when you undertake to impose tax laws which will raise sufficient revenue to meet the expenditures we are making and the bonds we are floating. Sooner or later the ghost of high taxes, in one form or another, will be sitting by the fireside of every home in this Nation, even the humblest.

It may start with the millionaires, with the multimillionaires, but it will wind up in the poorest home and be fastened on everyone in this country finally before this debt is liquidated. It is all right to give away money in certain circumstances and conditions, it is all right to spend money under certain circumstances and conditions, but as long as the people, such as those in Randolph County, are riding over dusty roads in dry weather and muddy roads in wet weather, things are not right. One of the men in the department told me: "I have been through your county. You do not go over your roads, you go through them, through the dust in dry weather and through the mud in wet weather." He said: "I know all about that, CASTELLOW."

I said: "Why can you not, and why will you not give us some relief? This is our money, it belongs to us. What justification is there for the spending of it except the two purposes enumerated, to relieve unemployment and to build roads? When will there ever be more unemployment in our country than we have now to be relieved? If you are ever going to give us money to use for this purpose, why do you not give it to us now? If it is to build roads, why not build them now? What justification, what excuse can there be from any standpoint for further delay?" What I have said of Randolph applies with equal force to many of our neighboring counties.

It is in the interest of fairness that I speak. Our Democratic leaders knowing we have always been with the Democratic Party presume, of course, we always will. I apprehend that in this assumption they are correct; but this only accentuates our grievance, for to be rebuffed by those we have so faithfully served is indeed disappointing.

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

Mr. CASTELLOW. I yield.

Mr. PIERCE. If the gentleman presented this in a clear light to MacDonald, the head of the Roads Bureau, I cannot understand how he has treated the gentleman so, for I have found him fair. I cannot understand how he has treated the gentleman so if the gentleman's case is just and he presented it properly.

Mr. CASTELLOW. I am glad the gentleman from Oregon mentioned that. Not only have I presented it personally, but also in company with other Members of our delegation.

Mr. PIERCE. One further question, if the gentleman will yield.

Mr. CASTELLOW. Certainly.

Mr. PIERCE. What reason does he give for withholding this vast sum of money from the gentleman's State?

Mr. CASTELLOW. I have discussed it. He insists that the bridge to which I have referred must be built, and also contends that our highway department is unsatisfactory.

Mr. PIERCE. I have had much to do with McDonald; I am surprised.

Mr. CASTELLOW. I have, too, I may say to the gentleman from Oregon, but he has gotten into a hole and will not admit it; he will not come out, and he will not let us out. That is the situation.

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

Mr. CASTELLOW. I yield.

Mr. CULKIN. Does not the situation the gentleman complains of arise from the fact that the present Governor of Georgia does not agree with the economic policies of the President? Is not that the basic fact?

Mr. CASTELLOW. It may be that the gentleman has put his finger on the spot. [Applause.]

I do not desire to discuss the Governor, nor even state as to whether or not I am one of his supporters, for this is beside the question. The truth of the matter is the first time he ran I did not vote for him. But he has done some worth-while

things in Georgia. He has given us $3 tags, not only on Ford cars, but on trucks. He has reduced the taxes in the State and, at the same time, I believe, has reduced the indebtedness of the State. He has given us an efficient administration. In regard to the road situation, the complaint from Washington is, among other things, that the highway department has not a sufficient number of competent engineers, and also that the salaries paid are inadequate. The people of Georgia, however, feel that the number employed is sufficient and the salaries commensurate with those paid by private industry.

Quoting from an editorial in the July 21, 1935, issue of the Atlanta Constitution, the following appears:

The Constitution again takes opportunity to commend the efficiency of the Georgia Highway Board under Chairman Wilburn. The State has never had a more capable highway commission.

[Applause.]

[Here the gavel fell.]

Mr. CULKIN. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

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

Mr. YOUNG. Mr. Speaker, I object.

The SPEAKER pro tempore. Under the special order, the gentleman from Indiana [Mr. LUDLOW] is recognized for 10 minutes.

Mr. LUDLOW. Mr. Speaker, the first session of the Seventy-fourth Congress will soon become history. Adjournment not later than a fortnight is forecast, and to one who thinks in terms of sympathy for humanity, whose heart beats in rhythm with the heartbeats of 125,000,000 people, there must inevitably come, when he contemplates the existing situation, a feeling of sadness, a sickening sense of hopelessness, over the prospect that the session will come to an end without anything of an effective nature being done to keep America out of war.

According to my way of thinking the Congress of the United States is not as war conscious as the world outlook justifies. I believe that if it were as war conscious as it should be it would take up for immediate consideration some of the neutrality measures that are pending, for example, the splendid neutrality bills of Representative KLOEB, of Ohio, and Representative MAVERICK, of Texas, and that it would not allow this session to expire without placing this salutary, war-preventive legislation on the statute books. One of these measures, that of Mr. KLOEB, has been favorably reported out of the House committee on foreign affairs, but it seems to be halted by some unseen influence, to be hung up on a hickory limb, as it were, and I have a strong presentiment, an ominous foreboding, that it will still be hanging there, high and dry, when the gavel pounds out adjournment.

WAR REFERENDUM THE BACKLOG

I believe that if the Congress were as war conscious as the world situation justifies it would lose no time in passing House Joint Resolution No. 167, the war-referendum resolution I have introduced, which is designed to minimize the possibility of America being dragged into unjustifiable wars. The neutrality bills are excellent, and should be passed, but the war referendum constitutional amendment I have proposed is the backlog of war-preventive measures. It has the strength and stability to keep America out of wars that we should not enter. It has the potency to keep us out of wars that are sought by international financiers, political buccaneers, and munitions racketeers.

I firmly believe that it would keep us out of all wars except when the cause is everlastingly righteous and just. The constitutional amendment I have proposed is very brief and simple, comprised in two short sections. It provides—except in the case of invasion—that there shall be no declaration of war except when the people so decide in a national referendum and that, in the event of war, all war properties, munitions plants, and so forth, shall be taken over by the Government for the period of the emergency, thus removing the profit incentive to war.

Mr. MORITZ. Will the gentleman yield?

Mr. LUDLOW. I yield to my friend from Pennsylvania.

Mr. MORITZ. The gentleman's position is that a constitutional amendment should be adopted so that the fathers and grown sons would have a voice in declaring war?

Mr. LUDLOW. Yes.

Mr. MORITZ. So that those who fight the battles will have a chance to vote whether they want to fight or not?

Mr. LUDLOW. So that those who have to suffer and, if need be, die, and who have to pay the awful costs of war will have something to say as to whether or not war shall be declared.

Mr. MORITZ. That is, in contradistinction to Members of Congress, who are mature men, usually, and if they vote for war they usually do not have to go to war anyway?

Mr. LUDLOW. The gentleman has stated the situation precisely.

Mr. BOYLAN. Will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from New York, whom I have learned to esteem as one of the greatest humanitarians in this legislative body.

Mr. BOYLAN. I think the gentleman has been entirely too modest in speaking about his referendum. I think he ought to bring out the details of it a little more to permit the membership to know exactly what would be accomplished.

Mr LUDLOW. I should be glad to do that if I had the time.

Mr. HOUSTON. Will the gentleman yield?

Mr. LUDLOW. I gladly yield to the gentleman from Kansas [Mr. HOUSTON], who was a member of the Fighting Marines in the World War and who knows what war is.

Mr. HOUSTON. Could not a lot of pensions be eliminated in the future by preventing wars? The great expense that taxpayers are burdened with in future years to come would be eliminated if we could prevent these wars.

Mr. LUDLOW. The gentleman from Kansas has made a very important point. I agree with him that anything that prevents war is not only a great humanitarian blessing but it is a great economic benefit as well.

Mr. HOUSTON. Does not the gentleman further believe that it is inopportune for a mere handful of men in the Congress of the United States to declare war without giving the people who are to answer the call a chance to express their opinion?

Mr. LUDLOW. I will say that the gentleman has accurately and impressively stated the incentive and the purpose of this resolution.

Mr. HOUSTON. I am very much in favor of the gentleman's resolution and would like to see it passed at this session.

Mr. LUDLOW. I thank the gentleman.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Oklahoma, who was a private in the Thirty-sixth Division in the overseas service during the World War. He, too, knows the meaning of the word "war."

Mr. JOHNSON of Oklahoma. It is a fact, however, that this House has passed the first bill of its kind that has ever been passed by any Congress, a bill which has teeth in it, and if passed by the Senate would actually take the profits out of war; however, it has not received consideration by the other body.

Mr. LUDLOW. I may say to the gentleman from Oklahoma, and I am just giving the Members of the House my opinion, which is that a statute to take the profits out of war does not answer the purpose as a preventive of war for the reason that the same forces which impel Congress into a declaration of war will at a moment's notice make a scrap of paper out of a statute. When war comes the forces that drive the Congress to declare war will immediately wipe off of the statute books all statutes that conflict with their purpose. That has been demonstrated in the past. It takes something with more permanency and more stability than a mere statute to answer the purpose. It requires, as I conceive it, a constitutional amendment, and that is what I propose.

Mr. JOHNSON of Oklahoma. I may say I agree with the gentleman and am in sympathy with his resolution; however,

the bill which passed the House proposed to take over the munition factories in case of war.

Mr. LUDLOW. I do not intend, by anything I say, to disparage the purposes and objectives of that great statesman and soldier, Chairman McSWAIN, of the Military Affairs Committee. I simply make the point, which is my own belief, that a statute does not answer the purpose.

Mr. JOHNSON of Oklahoma. I agree with the gentleman. The morning papers say that the body at the other end of the Capitol has permanently ditched, for this session, the Nye bill, or any other bill which seeks to eliminate war.

Mr. LUDLOW. I have been so busy I had not noticed that article.

Mr. MAVERICK. Will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Texas, who was severely wounded in the service of his country and who was cited for gallantry in action and extremely meritorious service.

Mr. MAVERICK. The gentleman favors national defense, does he not? but is not this bill an effort to keep us out of wars, especially offensive wars, where, without the consent of the manhood and womanhood of America, boys are sent off to foreign fields to be killed? Personally, I hope we stay out of any more wars. We want to stay out of wars.

Mr. LUDLOW. Yes. I do believe in national defense, and by that I mean adequate national defense. The gentleman has well stated the purpose of my proposed amendment. It is designed to keep America out of war.

Mr. MAVERICK. I want to commend the gentleman on his effort to keep us out of war and staying out of war, instead of declaring war and then taking the profits therefrom.

Mr. LUDLOW. I thank the gentleman.

Mr. MAVERICK. And I might add that taking the profits out of war, considered by itself, never works. That is one of the reasons for a war—to make profits or gain territory. You are to be complimented for seeing the point—that our duty is to build up our country from within, and that will be job enough for us all. Some people misunderstand your resolution; they say, "Why, before we voted we would be beaten by a foreign country." This is not true. There is nothing to keep us from defending ourselves, and your resolution for the constitutional amendment merely provides that before we send our boys thousands of miles off—probably to invade some other nation or to fight someone else's war—that the people can decide. Your proposal also conscripts all property necessary for a war, if we are forced into one. In other words, it seems to me that this further provision is another deterrent of war, and that you believe the lives of our citizens are as important as war property.

Mr. Speaker, I believe that the distinguished gentleman from Indiana [Mr. LUDLOW] deserves great credit for so forcibly bringing this subject before us.

Mr. HOEPPEL. Mr. Speaker, I ask unanimous consent that the gentleman may speak for 5 additional minutes.

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

There was no objection.

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

Mr. LUDLOW. I yield to the gentleman from California, a soldier of both the Spanish-American War and the World War, who served over 21 years in the Army. He knows a lot about war.

Mr. HOEPPEL. Mr. Speaker, I would like to make an observation, and I regret there are so few Members of the House present when the gentleman from Indiana is delivering such a remarkable and able address on a question of so much moral and human interest. I am heartily in favor of the gentleman's joint resolution and think it should be enacted, and as the gentleman from Kansas has just stated, it should be enacted especially from an economic standpoint. We would not be in the unfortunate condition in which we are now placed if we had had the gentleman's bill on the statute books in 1917.

Mr. LUDLOW. I thank the gentleman for his contribution.

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

Mr. LUDLOW. I yield to my friend from Pennsylvania.

Mr. FOCHT. My friend suggested a moment ago that we should first have the sanction of the people before Congress acted in the matter of declaring war. The gentleman was here when the last war was declared.

Mr. LUDLOW. I was upstairs in the press gallery.

Mr. FOCHT. The gentleman was here observing things as well as any Member of the House at that time, and is it not a fact that war was virtually declared before Congress had any such suggestion from the President? Had we not violated every law of neutrality with respect to the conduct of nations before we ever came here, and is it not a question of the diplomacy of the State Department whether we have war or not, and is not that a good place to begin?

Mr. LUDLOW. I will state to the gentleman that, irrespective of the factors that make for war, in my opinion, the right to declare war ought to rest with those who have to suffer and die and bear the awful burdens of war.

Mr. FOCHT. The gentleman is correct; but at the same time——

Mr. LUDLOW. With reference to what the gentleman has stated, I do know that quite a number of Members of this House who voted for war have appeared at the hearings and have submitted statements to the effect that if it had to be done over they would not vote for war.

Mr. FOCHT. They voted for war because they were in war and they would not desert the flag. The thing to do is to have great caution exercised by the State Department; and this thought has been expressed, I believe, to Mr. Hull, and I think he is proceeding with great care. However, the gentleman will find that that is where war will come, and you will come here some day and you will be called upon to choose between deserting the flag or sending your troops and your Navy to Europe. This is what will happen unless we are very careful, and I am stating that based upon my previous experience; we are drifting that way very fast.

Mr. LUDLOW. I may say to the gentleman that when that fateful times comes, according to my idea, the question should be submitted to the citizenship of this country, so that every citizen may go into the ballot booth with only his God as his witness and register the verdict of his judgment and his conscience. [Applause.]

Mr. FOCHT. I am very much in accord with the gentleman and also with the gentleman from Kansas [Mr. HOUSTON].

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

Mr. LUDLOW. I would like to be obliging, but my time has virtually expired, and I should like to go ahead.

Mr. CHRISTIANSON. Will the gentleman yield just for a question?

Mr. LUDLOW. Yes.

Mr. CHRISTIANSON. I notice that legislation that comes here with the label "must" attached to it generally passes. Does not the gentleman believe that if the administration would get back of the movement for peace we would be more successful in securing the passage of these measures?

Mr. LUDLOW. I thank the Almighty God that we have in the White House a peace-loving President. [Applause.]

Mr. CHRISTIANSON. If he answers that description, why did he send our Navy on an immodest and indecent excursion into the Pacific to bulldoze the Japanese?

Mr. LUDLOW. But I can imagine a situation where we might have a dictator or a tyrant in the White House, and I believe, under those circumstances, he would have such power inherent in his office that he could maneuver us into war, and one purpose of this resolution is to place the power of declaring war where the decison will rest neither with the President nor the Congress, and where all of the people of the United States shall act and vote on the question, and I believe if this is done we shall not be maneuvered into war until it is the composite judgment and conscience of the people that we should go to war, and I think that is as it should be. [Applause.]

Mr. CHRISTIANSON. I feel that a similar confidence was not justified in 1916.

Mr. LUDLOW. Before we legislators return to Washington for the regular session of Congress on January 3 half of the nations of the earth may be at war. If the world bursts out in flame following our congressional adjournment, would we not then feel blameworthy over the inaction of the present session, over our failure to take adequate steps to protect America from involvement? Certain it is that the factors that are making for war will not declare a holiday when our Congress adjourns. Italian war lords will continue to manufacture chemicals to burn the feet off of Ethiopians. Italy will continue to train and regiment 8-year-old children for cannon fodder. Ethiopians will continue their plans to poison wells so that Italian boys, drinking of the polluted waters, will die in spasms.

Ethiopians will continue their defensive plans to turn swarms of tsetse flies loose on Italians to kill them with sleeping sickness or to convert them into idiots and maniacs. Italy will continue to manufacture giant bombs to be dropped from airplanes over Ethiopian centers of population to blow black men, women, and babies to bits. If Japan should espouse the cause of Ethiopia, as now seems possible, American financiers who have made loans to Italians will begin their subtle propaganda to line up America on the side of Italy in order to protect their investments. The munitions racketeers, who coin filthy dollars out of human blood, will begin to sense the possibility of colossal profits. Almost before we know it a hundred hidden sinister forces will spring into action to drag America into war. Regardless of the question of humanity that is involved, would it not be the part of prudence to do something to save our country from being caught in such a trap? The enactment of neutrality measures would be an effective step in that direction. The adoption of the war referendum resolution would be a real preventive of war.

Before entering into a detailed argument in support of that resolution I desire to quote from a recent article in the Indianapolis Star, as follows:

> War within the next 7½ years, in which the United States will participate, was predicted by Col. O. P. Robinson, of Fort Benjamin Harrison, at the formal installation of Indianapolis Chapter, No. 32, Military Order of the Purple Heart, last night. "I would retire right now and sit on the front porch and watch the world go by, but I see war in the offing, and I want to be in it," Colonel Robinson said.

Colonel Robinson is commander of the Eleventh Infantry, one of the most efficient officers of the United States Army, and a man of keen discernment. The Indianapolis Star is an excellent and accurate newspaper, with which I was connected for 10 years as its Washington correspondent. The statement of Colonel Robinson fills me with foreboding, because I know it is not an idle remark. I know that it reflects the deliberate opinion of a seasoned officer and a man of vision, that war is approaching, and that nothing can head it off.

I wish now to read a recent dispatch to the Associated Press from Rome, Italy. It is as follows:

> ROME, July 3.—Most Ethiopian soldiers go barefooted, so the Italian Army has prepared a type of chemical which, sprinkled on the ground, will burn through even shoe leather. The chemical can be sprinkled by tanks.
>
> During a trial of the substance near Rome a photographer inadvertently started to walk across ground sprinkled with the chemical. An officer grabbed him and rushed him to a watering trough. The soles of his shoes were burned away.

Having brought to your attention these ominous prophecies and this up-to-date illustration of the damnable hellishness of modern warfare, I ask you, ladies and gentlemen of the House, whether you think we are doing our duty to humanity when we allow week after week, month after month, to go by and to permit adjournment to come upon us without taking any steps to keep America out of war?

War at this moment is brooding over Europe and Africa. There are ominous flashes in the Orient.

Events all around the world presage war. The war lords are strumming the strings of war and preparing for another mass slaughter. Dictators Hitler, Mussolini, and Stalin, and a numerous host of lesser real and would-be and imitation dictators are rattling their swords and bidding war to strike. The insane race to build up armaments which usually precedes war is on at full tilt. The war bug has bitten the leaders of many countries, and the same insanity that swept civilization into the World War and nearly destroyed it is at this very minute sweeping the world to the brink of another war. A survey of world conditions in all their naked and hideous reality shows just one thing beyond any possibility of doubt. It shows that all this saber rattling, this rivalry to surpass in armaments, this pulling and hauling by selfish interests, whether those interests be nations seeking territorial or economic advantages or war profiteers seeking to feather their individual nests, is leading toward another major war which may suck into its maelstrom every leading nation of the world. The situation abroad today indicates a larger threat of conflict than was true 30 days before the World War broke out. The stage is being set for war, and all that is needed to start the conflagration is the striking of a match like the assassination of the archduke at Sarajevo 21 years ago.

Should not the awful possibilities of the world situation sink in on us and cause us to pause and think?

Presently, after the stage has been completely set, after the minions of hate and selfishness have got in their devilish work, after the war fever has reached the boiling point, after all the trappings and trimmings have been fixed to the satisfaction of the war god, the Members of the Congress of the United States will be faced with the necessity of voting on a declaration of war, and in all human probability that means just one thing. It means war. It means bald, stark-naked war to which will be pledged every ounce of American resources and the destruction of every American life, if necessary.

UNFAIR TO MEMBERS OF CONGRESS

Why do I say it means war? Because 531 men and women, comprising the Congress of the United States, cannot stand up under the impact of the terrific pressure that will be brought to bear to force a declaration of war, and it is unfair to them to ask them or to expect them to do so. They are not the ones who should decide this question. The decision should be made, not by the agents but by the principal, and in this case the principal is the 125,000,000 people who comprise the American Nation. No one has more respect for Members of Congress than I have. In a long career as a newspaper correspondent and Congressman I have found nearly all of them to be honest, right-minded, and patriotic. But they are human. Being patriots, there is nothing they shun more or abhor more than the imputation of being "yellow." Being lovers of their country, they shrink from the word "traitor." And they know that if they resist the forces that have set the stage for war, they will be branded as "yellow" and they will be seared and burned by the opprobrious epithet of "traitor."

The Constitution of the United States, aptly described as "the greatest chart of liberty ever struck from the brain of man", is deficient in this one respect: It never should have lodged in the Congress the power to declare war, but it should have reserved that power to all of the people themselves forever. There is no higher, no more important, no more sacred act of sovereignty than the issuance of a declaration of war. The Constitution should so have arranged that this power will not be delegated to any man or set of men. It should so have arranged that when war is declared it shall be the solemn, consecrated act of the people themselves; and, after all, who has a better and a more fundamental right to decide whether there shall be war than the very people who have to suffer and die and pay the awful costs of war? To deny them that right is to deny that there is such a thing as justice. [Applause.]

MOST MAJESTIC FIGURES IN HISTORY

I believe I am a faithful student of Jefferson and Lincoln. I try to be. At least I love both of them. I believe they are the two most majestic figures in American history, and I am convinced beyond the shadow of a doubt that if those two great commoners were living today they would advocate a

plebiscite on war. I believe if Jefferson could have discerned the future and could have seen how the stage of war would be set by ambitious schemers and selfish interests in the years to come the great seer and patriot, who wrote into the preamble of the Declaration of Independence the precious doctrine that "all men are created equal" would have insisted that there should be placed in the Constitution a provision that all men shall be equal when it comes to deciding whether the cause is sufficient to justify this Nation's entrance into the awful holocaust of war.

A proposal to go to war is one that is too vital to the lives, to the families, to the firesides, to the well-being of all Americans to be decided by persons acting in a representative capacity. It is a proposal that reaches out to all that is near and dear to the people; and in all righteousness and in all justice it should be decided by the principal; that is, by the people themselves and not by their agents.

The people to decide whether or not America should go to war are the men and women who will have to support war if war comes—the men who will have to die and the women who will have to do most of the suffering. They should decide this question in the secrecy of the ballot booth with only God as their witness. In the privacy of the booth, untrammeled and unafraid, they can register the dictates of their consciences, and the verdict of the referendum will then be the true composite thought and judgment of the people. For thousands of years statesmen have harped on the phrase "Vox populi est vox Dei." If the voice of the people is truly the voice of God, why not give the people an opportunity to find that voice and make it articulate in the most important of all decisions—a war referendum?

A PLEA FOR JOHN CITIZEN

I am making a plea here today for Mr. and Mrs. John Citizen and their children. If war comes, John will do the fighting and maybe the dying, and Mrs. Citizen and the children will do a lot of suffering. I am speaking now of John Citizen, the common man, who was so close to the hearts of Jefferson and Lincoln. As the Constitution now stands, when war comes I, as a Member of Congress, can vote to tear John away from his family and send him to war against alien people 10,000 miles from home, but John and his wife and children do not have a thing in the world to say about it. That simply is not right. It smacks too much of the comic strip, where Mutt sends Jeff out to do all the tough jobs. Why am I, a Member of Congress, any better qualified to decide whether the exigencies require a declaration of war than any one of the hundreds of thousands of equally patriotic and well-informed John Citizens who now have absolutely no say, being only the private citizens who have to go to war and die if need be?

There is nothing new about this proposition for a plebiscite on war. I imagine it is about as old as recorded time. In my mind's eye I can see one of the many war widows of Mecedonia 3 centuries before Christ standing on the bank of the Euphrates with arms upraised toward heaven, exclaiming in anguish before she throws herself into the turbulent waters: "By what right, O God, did Alexander the Great conscript my husband and hurl him against the sharp spears of Darius' men without giving him or me a chance to say anything about it?"

If we look backward over the pages of the past until history becomes lost in the mists of antiquity, we find it ever has been the same; that widows have been weeping their hearts out and children have been suffering because tyrants and scheming selfish interests have been forcing men to war without "giving them a chance to say anything about it." To my way of thinking this is an abhorrent violation of the rights of man.

This proposal reaches to the very fundamentals of equality as defined in the Declaration of Independence. It makes me indignant to think that a man, just because he happens to hold an official station, may order me out to be shot and killed without consulting me, and in the interest of justice, in the interest of perpetuating the principles of equality on which this Nation arose in majesty out of the oppressions of the past it is time to revise the fundamental law of the land so that every citizen of the Republic, however poor and humble, shall have an equal right with every other citizen to decide whether or not this Nation shall go to war. [Applause.]

PRESIDENT'S POWER TO DECLARE WAR

Another thing we should take into consideration in connection with this matter is the power that now actually resides in the Chief Executive to declare war. It is true that the Constitution vests in Congress alone the power to declare war, but as a practical matter that power can easily be usurped by any President who is bent on war, and the people have no protection against such usurpation. Fortunately, we now have in the White House a peace-loving President who is striving to preserve America's neutrality and to keep us out of future conflicts, but suppose the next President should be a man of the opposite type—a tyrant with a longing for dictatorial powers—what then? How long do you think it would be until a President of that headstrong type could maneuver us into war?

Some idea, I think, may be obtained from the way the Congress has abdicated its powers to the President in an economic emergency far less vital to the Nation than war would be. Say what we will, Congress during the economic depression through which we are now passing has surrendered its authority to the President as completely as if it had adopted a formal resolution saying "We hereby abdicate our powers in favor of the President, to be exercised by him as he sees best during the period of the emergency."

Having done that in an economic situation, how much more certain is it that the Congress would yield, lock, stock, and barrel, to the President in a graver crisis, when the atmosphere of war has been created. The possibility of such a situation should be removed for all time by the adoption of this war referendum resolution (H. J. Res. 167), which would give the power of declaring war to the people, where sovereignty rightfully abides.

What are we, anyway? Are we willing to be weak and servile slaves and to have our destinies and our very lives controlled by scheming and unprincipled selfish interests? Or are we freemen, standing on the rights that God gave us?

WOMEN DEPRIVED OF RIGHTS

And there is another point I would like to make: Why should not the women have some say about this important business of declaring war? Slowly, by almost imperceptible degrees, women have advanced through the centuries to the point where they at last have the right of suffrage. Having with much travail attained that high plane, why should they not have an equal right with the men to decide whether this country shall go to war? Certainly, women have a vital interest at stake. War robs them of their husbands and takes away their sons whom they have watched over with the solicitude known only to a mother's heart from the cradle to manhood, and piles on them an avalanche of heartbreaking woes. Who is there, realizing what war means to a wife and mother, that dares stand up and say that women do not have an inherent right to a vote on war? Yet women are singularly penalized at the present time in being denied a voice in respect to war. Of the 531 Members of Congress, 524 are men, with a masculine viewpoint, and only 7 are women, and in the war-declaration machinery as it now exists, women are so oversloughed by numbers that they virtually have no voice at all in giving expression to whatever may happen to be the feminine viewpoint.

Objection will be urged to a war referendum on the ground that in a national emergency too much time might be required to refer the question of war to a decision by the people. There is nothing to it. I cannot escape the conclusion that this objection is more imaginary than real; that often it is advanced more as a herring drawn across the trail than as a bona fide objection. In the first place, my proposed amendment to the Constitution specifically provides that in the case of invasion or attack the referendum shall not apply at all. If a foreign nation should invade our shores and attack our citizens we would be in war already

and there would be no occasion for a plebiscite, but if there is no invasion then there would be a Nation-wide referendum and a majority of all votes cast would decide the question of peace or war. This is good American doctrine. From the earliest days of the Republic we have proclaimed that America is a country of majority rule.

REASONS FOR OMITTING REFERENDUM IN FIRST INSTANCE

The time required to take a referendum need not be long. In fact, if circumstances should require, it may be very short.

I think I can understand why the fathers of America did not provide for a referendum on war when they framed the Constitution. I think the reason they did not is very simple and very apparent. At that time the means of communication were very limited. The telegraph had not been invented. Even the pony express was far in the future. Letters mailed on the Atlantic seaboard would be 6 months reaching the farthermost frontiers, if they got there at all. Travel by horseback over the forest trails or in stagecoaches over mud roads was very slow and tedious. Members of Congress spent months going from their homes to the Capitol at Washington, and mileage at the rate of 20 cents a mile was allowed to Members to defray tavern and other expenses on the way. The framers of the Constitution knew that under such circumstances a referendum on war was impracticable, if not impossible, so they placed the power to declare war as near to the people as they could under the circumstances then existing and lodged it in the Congress.

Now it is different. The fast train roars its way across the continent in 100 hours, the airplane in less than one-fourth of that time. The telephone and the telegraph have annihilated space, and the President, sitting in the White House at Washington, can talk directly to every citizen in America. Under the circumstances now existing, I know what Thomas Jefferson, the great protagonist of liberty, the great champion and defender of equality among men, would say. He would say:

"Let us have a referendum on war in which every citizen shall have an equal voice with every other citizen in determining this fateful step."

That he and Washington and Franklin and Adams and all the other patriots who labored so gloriously to establish a free Nation should say anything else if they were alive today is inconceivable.

The true objection to a war referendum has been eliminated by fast trains, by air mail, and radio. Sitting in the Ways and Means Committee room at the Capitol, I literally spoke to all of America on this war-referendum proposal, my voice reaching the farthermost confines of the country. I had hardly ceased speaking when telegrams and letters of approval were on the way to me from far-distant points, thousands of miles away. Communication with every nook and corner of continental America was not only rapid—it was instantaneous. If the President of the United States were to go on the radio and tell the people of the United States that the time had come to take a plebiscite on war and that circumstances required speedy action, how much time—or rather how little—do you think that process would require? On this very point Admiral Samuel McGowan gave expert testimony before the War Policies Commission in 1931.

There seems—

He said—

> to be a very general misapprehension as to the time required to hold a referendum. The United States has long since graduated out of the stagecoach and pony-express class and there is no reason whatever why in this day of railroads and airplanes and telegraph and telephone and radio we could not refer the question of war or peace to the people of the country and have their answer back within a week—indeed, within 48 hours, if absolutely necessary.

This is the testimony of a great officer who was paymaster general of the United States Navy and head of the Bureau of Supplies in the world's greatest war and who had a very practical vision of war problems. Since he testified all of the agencies of transmitting the written and spoken word have been further developed so as to quicken communication, and in my opinion there is no longer the slightest reason to raise the time factor as an objection to a war referendum. It would be a very exceptional situation, indeed, when there would not be time, not only for one referendum but for several referendums, though, of course, one referendum would be all that would be required. It would be in order to enable the agent to get the principal's last instructions. It would be finding out from the stockholders at home, who are the people, what they want the directors to do in this meeting in Washington, called the Congress of the United States. A declaration of war is not an idle and inconsequential thing. It signs the death sentence of the fine young manhood of the United States, and certainly it is important enough a matter to entrust to the composite judgment and conscience of America. [Applause.]

TAKE PROFITS OUT OF WAR

Now, one word in regard to the second part of my proposed constitutional amendment, which is designed to take the profit out of war, and I am through. The hearings before the Nye Senate committee, which has been investigating the munitions racket, furnish the most positive evidence of how those who profit by war foment strife, thumb their noses at solemn treaties and embargoes, encourage wars, and corrupt governments in order to enrich themselves. These hearings show that over 23,000 American millionaires were made during the World War and one munitions firm has so far reaped a profit of 1,143,725 percent on its investment. My constitutional amendment proposes that in the event of war the President shall immediately conscript and take over for use of the Government all war properties and shall pay the owners, during the period of the emergency, 4 percent, based on tax values assessed in the year preceding the war. This provision conforms to the fifth amendment to the Constitution which prohibits the Government from taking privately owned property without compensation, and at the same time it fixes a rate of compensation commensurate with the common sacrifice that ought to be shared by all in the time of war's distress. The owners of war properties, dreaming of fabulous profits to begin when war is declared, will have a rude awakening if the amendment I have proposed is adopted. They will find that on the declaration of war they will become the servants and not the masters of the state; that thenceforth all their properties and resources will be used during the period of the war for the benefit of the state and for a nominal interest return of 4 percent on prewar tax valuations, and that they will share with the rank and file some of the burdens and the sacrifices of war, which is as it should be.

My amendment, in short, takes the profit out of war, and when the profit is extracted from war there will be few wars.

A MAJOR SERVICE FOR HUMANITY

I believe the incorporation into the Constitution of the amendment I have proposed would be a major service to humanity. I believe it would protect us from the threat of war, which now hangs over the Nation like a pall. I believe it is as good a plan as human ingenuity could devise to save America from unholy and unjustifiable wars in all the years to come. I am for this plan because I believe it would usher in a long era of peace, when we of America may devote ourselves to a thorough job of attending to our own business, cultivating friendly relations with all the nations of the world, and interfering with none; showing once more some regard for spiritual values; ordering our future course along lines of usefulness rather than destruction; and rehabilitating our happiness and prosperity while we strive to forget the sorrows and bind up the wounds of the last war.

Those who are proposing this resolution are actuated by an earnest desire to do something worth while for humanity in this dark and troubled period when our people are suffering terribly from the economic strangulation caused by the last war, and the world is rocked with rumors of wars to come.

I believe I am not stretching the facts when I say that there is a mighty volume of public sentiment favoring this war-referendum resolution—a sentiment not yet altogether active but almost universal among our people. The National Broadcasting Co. and the Columbia Broadcasting System gave me time to speak over their networks of 110 stations,

and I was astonished by the swelling chorus of approval from every walk of life and every section of the Union. From the highest to the lowest, running the whole gamut of society, have come warm words of encouragement and endorsement.

Frank B. Kellogg, ex-Secretary of State, and coauthor with Aristide Briand of the Kellogg-Briand Peace Pact, endorses the resolution and prays for its passage. His vision of the world and his knowledge of the causes that make for war and peace tell him that this referendum proposal is fundamentally sound and right and if embedded in our Constitution would be a real and true protection to save the human race from woe and misery. Three great archbishops of the Catholic Church—Curley, of Baltimore; Drossaerts, of San Antonio; and McNicholas, of Cincinnati—and numerous bishops of that faith urge the passage of this resolution as a measure of vital interest to humanity.

Eminent leaders of every Christian denomination in America are back of this measure. Four of the greatest rabbis in America—Israel, of Baltimore; Wise and Goldstein, of New York, and Feuerlicht, of Indianapolis—are among its ardent champions. Mrs. William E. Ochiltree, president of the American War Mothers, whose sons so valiantly served the Nation in the last war, is tremendously interested in this resolution. The leaders of the great brotherhoods of organized labor, knowing how the working people are ground by the cruelties and the insufferable burdens of war, are pleading with you to report this resolution.

There is no doubt that this resolution reflects the heart and soul of America. There is no doubt that it reaches straight into the heart of the common man and finds a lodgment there. There is no doubt the people of America yearn for the peace and security this resolution would establish in place of the everlasting uncertainty, the confusion, worry, and dread that now harry the souls of peace-loving citizens. For the people of America, like the people of all countries, are inexpressibly weary of war; they are weary of its heartaches, of its unspeakable sorrows; they are weary of the pain it puts in the hearts of mothers. [Applause.]

Countless thousands of American citizens have had their attention attracted to this proposal and they are looking to it as a way out of the wilderness. Innumerable individuals have written their endorsements, and no one could read their letters without knowing that their words come direct from the heart. Many large associations and groups have approved it unanimously in resolutions which they have sent to Washington. In one city over 2,000 school children have signed petitions urgently requesting its enactment. I wish I could shake the hand of every signer of the petitions that have come to me and tell him that my heart meets his in trying to find the way to permanent peace. I wish I could answer every one of the thousands of letters I have received, but such a task is manifestly impossible.

LEAST CONSPICUOUS OF GOD'S CREATURES

And beyond these whom I have described as leaders among men are many other people who are among the least conspicuous of God's creatures, people with hearts and feelings but devoid of education, who say in their letters, "This is the first time I have ever written to a Congressman, but I just had to let you know that I endorse all you are trying to do." There are times when the tongue cannot speak and the pen cannot write the language of the heart, and many of these correspondents write falteringly, violating all rules of punctuation and spelling, but saying enough to make themselves articulate in their earnest, almost pathetic desire that there shall be no more wars and that the common people, who have to do the fighting and the suffering and dying, shall at least have something to say as to whether America shall enter future conflicts.

The resolution that is before you today already has penetrated deep into the consciousness of America. It has established itself in the hearts of many of our countrymen as a great and righteous principle that should be recognized and vitalized in the form of an amendment to the Constitution of the United States.

Mr. Speaker, as far as finite vision can discern, some wars are foreordained and inescapable, as, for instance, the War of the American Revolution, which forged into our social structure great principles of right and justice, and the War between the States, which was destined to write in blood—and tears—the fate of the institution of slavery.

But, Mr. Speaker, some wars—in fact, most wars—are not unavoidable. Most wars are caused by ambition and hate and greed and selfishness, and are initiated by plots and machinations that are in the highest degree antisocial and antipathetic to every principle of humanity. It is to protect our children and our children's children and the America of posterity from such ungodly wars that this amendment is directed. [Applause.]

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

Mr. MONAGHAN. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. The gentleman from Montana makes a point of order there is not a quorum present. The Chair will count.

Mr. MONAGHAN (interrupting the count). Mr. Speaker, I withdraw the point of order.

Mr. TABER. Mr. Speaker, I think we ought to have a quorum here to consider such important business, and I make the point of order there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifty-four Members present, not a quorum.

Mr. TAYLOR of Colorado. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 167]

Andrews, N. Y.	Doutrich	Kerr	Plumley
Arnold	Eicher	Kimball	Rabaut
Bankhead	Fenerty	Kniffin	Reece
Bell	Ferguson	Lambeth	Reed, N. Y.
Berlin	Fernandez	Lamneck	Rogers, N. H.
Binderup	Fish	Lewis, Md.	Rudd
Blanton	Flannagan	Lord	Sadowski
Brewster	Fletcher	Lucas	Schneider
Brown, Mich.	Fulmer	McGroarty	Schuetz
Buckbee	Gambrill	McLean	Shannon
Buckley, N. Y.	Gassaway	McLeod	Smith, Va.
Bulwinkle	Gifford	McMillan	Stewart
Burnham	Gillette	McSwain	Stubbs
Cannon, Wis.	Goldsborough	Maas	Sullivan
Carter	Goodwin	May	Sutphin
Cartwright	Gray, Pa.	Meeks	Sweeney
Chapman	Greenwood	Merritt, N. Y.	Thompson
Claiborne	Haines	Miller	Turner
Clark, Idaho	Hamlin	Montague	Underwood
Cochran	Hartley	Montet	Wadsworth
Cole, N. Y.	Hennings	Murdock	Wearin
Cooper, Ohio	Hess	Nichols	Weaver
Corning	Higgins, Conn.	Norton	White
Darden	Hoffman	Oliver	Wilson, Pa.
Dietrich	Hook	Parks	Wolfenden
Disney	Keller	Perkins	
Dockweiler	Kennedy, Md.	Peyser	

The SPEAKER. Three hundred twenty-three Members have answered to their names—a quorum is present.

Mr. TAYLOR of Colorado. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. CROSSER of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Is there objection?

Mr. DEROUEN. I feel constrained, Mr. Speaker, to object.

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on H. R. 9053.

The SPEAKER. Is there objection?

There was no objection.

THE FARMERS' RIGHTS AND MR. SULLIVAN

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HILDEBRANDT. Mr. Speaker, my attention has been drawn to a typical piece of misleading reasoning from a

reactionary source—another article of Mr. Mark Sullivan devoted to an attack on the A. A. A.

In remarks on another recent occasion I discussed Mr. Sullivan's unfair insinuations against the President, referring to the whispering campaign under the heading of "The Great Conspiracy." Mr. Sullivan is still busy trying to misrepresent facts and he does so with considerable skill and subtlety. It is on this account that he should be answered.

Discussing the Agricultural Adjustment Administration, Mr. Sullivan says:

For myself there is no economic advantage, no amount of benefit checks from the Government that would reconcile me to letting the Government take away from me the right to decide what crops I may raise on my farm.

His article is headed "Farmer's Right to Raise the Crops He Prefers."

All this is very plausible, and it is easy for people to be deceived by such a specious argument. It is, however, on the same principle of the claim of a man that he has a right to drive where he pleases and as fast as he pleases—unhindered by traffic lights, policemen, and city regulations. He could contend that it is his inalienable right to decide how he will travel. The argument would not get him very far, I suspect. We are too firmly convinced that the public welfare requires restrictions on traffic. We are too well aware that it would be disastrous not to maintain and enforce such restrictions.

The same principle applies to raising food. Instead of letting production of farm products be carried on in the hit-or-miss, unregulated, unscientific manner of the past, we have come to the sensible conclusion that there must be intelligent control. No matter how much Mr. Sullivan may write about the right of a farmer to raise anything he wants to in any way he wants to, the fact remains that it is no kindness to the farmer to permit production of crops for which there is no demand. If the market is already oversupplied, and the Government has the statistics to show this, why should it not tell him that he cannot be allowed to go on overproducing?

The thoughtful, clear-thinking farmer will appreciate this attitude on the part of the Government and recognize that it is better for his productivity to be gaged by the public needs and demands. Instead of going blindly ahead producing the crops he prefers, he will see the wisdom of producing something else for which needs and demands really exist.

It was another matter in the early days of the Republic, when there was no likelihood of overproduction, to allow unrestrained production, but we are living in a highly complicated period when conditions have totally changed. "No man liveth unto himself"; just as we certainly will not permit uncontrolled traffic that would mean countless accidents and deaths, so we will not consent to industrial and agricultural practices that would mean financial loss and even actual suffering. People with contagious diseases are quarantined so they cannot spread sickness. Health regulations are extensive and are usually strictly enforced.

Is it not equally as important to properly govern production of food and other agricultural products?

As a matter of fact, we must look forward to increased control in social matters in the interest of the welfare of the whole people. Let us face this fact and look at it in its right light. And let no earnest, conscientious farmer be fooled by the sophistry of Mr. Sullivan.

EXTENSION OF REMARKS

Mr. GILCHRIST. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein excerpts from the committee report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALENDAR WEDNESDAY

The SPEAKER. The Clerk will call the committees.

The Clerk called the committees, and when the Committee on Public Lands was reached:

Mr. DEROUEN. Mr. Speaker, I call up the bill S. 578, authorizing the Secretary of the Interior to permit citizens of Bear Lake County, Idaho, to obtain timber from Lincoln County, Wyo., for domestic purposes, and I ask that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman that the bill be considered in the House as in Committee of the Whole?

Mr. TABER. I object.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. STACK in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of a bill of which the Clerk will read the title.

The Clerk read the title of the bill.

The bill is as follows:

Be it enacted, etc., That section 8 of the act entitled "An act to repeal the timber-culture laws, and for other purposes", approved March 3, 1891, as amended, is amended by adding the following paragraph:

"The Secretary of the Interior is authorized to grant permits subject to the provisions of this section, to citizens of Bear Lake County, Idaho, to cut and remove timber on the unappropriated public domain in Lincoln County, Wyo., for domestic use in Bear Lake County, Idaho."

The first reading of the bill was dispensed with.

Mr. DEROUEN. Mr. Chairman, this bill has passed the Senate. All it does it proposes to amend section 8 of the act entitled "An act to repeal timber-culture laws, and for other purposes", approved March 3, 1891, as amended, so as to permit the residents of Bear Lake County, Idaho, to cut timber on public land in Lincoln County, Wyo., for domestic and other purposes, and to remove the timber so cut to Bear Lake County, Idaho.

In other words, it permits the cutting of timber, taking it from one State into another State. That is all it does.

Mr. TABER. Will the gentleman yield?

Mr. DEROUEN. I yield.

Mr. TABER. Is it customary to permit people to take timber from the public lands for private use without compensation?

Mr. DEROUEN. Yes; I think so.

Mr. TABER. I never heard of it being done before; it may be that it has been done. This is what this bill does: It permits the taking of timber from public land for private purposes without compensation.

Mr. BACON. Will the gentleman yield?

Mr. DEROUEN. I yield.

Mr. BACON. If that is the purpose of this bill, it is setting a very dangerous precedent.

Mr. DEROUEN. Here is a county that has no timber within its confines. Right across the line there is plenty of timber. This is not for commercial purposes. This is for the purpose of allowing people who live around there to cross the line and get a few sticks of timber.

Mr. TABER. I can see why it might be all right to let people take out dead timber and cut it up for firewood, to clear up the forests, but I just cannot follow the idea of allowing people to cut down timber on public lands for private use, unless there is some very good reason for it.

Mr. GREEVER. Mr. Chairman, will the gentleman yield?

Mr. DEROUEN. Yes.

Mr. GREEVER. I might say to the gentleman from New York [Mr. TABER] that the use to which this timber is put is for logs to construct houses or barns or something of that kind. On national forests, the forester goes in and marks the logs, and there is a certain fee paid for them in each case, so far as I know. In the case of domestic timber, there is certain dead timber that they are allowed to take out and that is the way it is handled. There is no charge for that. In answer to the gentleman's question about whether this has been done before, it has been done on several occasions. By reference to the report, the gentleman will see that it was done in July 1908, under the act of March 3, 1891, and on March 3, 1901, March 3, 1913, and March 3, 1919, and on February 22, 1922.

Mr. BACON. Mr. Chairman, will the gentleman yield?

Mr. DEROUEN. Yes.

Mr. BACON. Then, I understand the gentleman from Wyoming to say that it can only be taken under the careful regulation of the Federal forester?

Mr. GREEVER. Yes; on national forests, the forester in that district has certain rules and regulations which govern. Merchantable timber is paid for at a certain rate per foot.

Mr. BACON. The timber to be cut is timber cut only with the permission and under the direction of the Federal forester?

Mr. GREEVER. That is true, and the timber that is used for firewood is such that it would ordinarily constitute a fire hazard, and they are very glad to get it taken out.

Mr. BACON. I think we ought to be very careful in protecting the public forests, and in conserving them.

Mr. GREEVER. Yes. I think, that is, taking firewood out is a conservation measure.

Mr. BACON. If the gentleman can assure us that no precedent will result from this to warrant the exploitation of our Government forests, I think that puts a different aspect on the bill.

Mr. GREEVER. I have never seen any tendency of that kind.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. DEROUEN. Yes.

Mr. ROBSION of Kentucky. Do I understand the gentleman to say that the person who cuts this timber will pay the Government a fair price for the timber?

Mr. GREEVER. That has always been the practice in removing house logs or logs for construction from national forests. They pay a certain definite rate.

Mr. ROBSION of Kentucky. Is there anything in this bill that would permit them to take the timber without paying?

Mr. GREEVER. I do not know.

Mr. ROBSION of Kentucky. I might say to the gentleman that I passed down through the Tennessee Valley, where the Government acquired quite a lot of land, and they had cut hundreds of ricks of wood and burned it off without making any disposition of it. I don't think it would be so bad to let a fellow have a log or two to build a house.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. DEROUEN. Yes.

Mr. CULKIN. And now, having burned off that timber I suppose Prof. Rex Tugwell will reforest it? Is that the procedure?

Mr. ROBSION of Kentucky. I don't know what the procedure is.

Mr. TABER. Mr. Chairman, will the gentleman yield for another question?

Mr. DEROUEN. Yes.

Mr. TABER. Do I understand that these people pay for their timber?

Mr. DEROUEN. Certainly, they pay, except as I said I think it is customary in those western States to pick up dead timber, and the gentleman from Wyoming [Mr. GREEVER] has explained that feature of it.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. DEROUEN. Yes.

Mr. CULKIN. Is there not sufficient timber for commercial purposes in this area without going into the reserves?

Mr. DEROUEN. I do not think this is intended for commercial purposes. I explained all that.

Mr. CULKIN. Is there not sufficient available timber for commercial purposes without going into the reserves?

Mr. DEROUEN. It seems not.

Mr. CULKIN. And the gentleman thinks that conservation will not be affected unfavorably by this particular cutting?

Mr. DEROUEN. I do not think it would be affected.

Mr. CULKIN. Can the gentleman say that?

Mr. DEROUEN. I can say so; yes. The Department tells me so.

Mr. CULKIN. The gentleman's assurance, together with the assurance of the gentleman from Wyoming [Mr. GREEVER], rather convinces me.

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

Mr. DEROUEN. Yes.

Mr. PIERCE. So far as the item on page 2 of the report concerning the transportation of timber from public lands in Idaho to Malheur County, Oreg., I can state that there is no timber in Malheur County, and they have had no timber from Idaho. One of the items on page 2 of the report provides that privilege should be given to cut the ripe, dead timber in Idaho and use it in Malheur County.

Mr. CULKIN. But is not the absence of timber in Malheur County to be corrected by the genial professor, Rexford Tugwell? Is he not going to reforest that?

Mr. PIERCE. There is no timber there in the county and it will not grow in the county.

Mr. MEAD. Will the gentleman yield?

Mr. PIERCE. I yield.

Mr. MEAD. The fact that Rexford Tugwell's name has been mentioned, and the fact that we know he is a conservationist, together with the fact that I understand Senator BORAH, quite a constitutionalist, introduced this bill, ought to allay any opposition from that standpoint.

Mr. PIERCE. Yes; on the part of our friends on the Republican side.

Mr. CULKIN. May I ask the gentleman a further question?

Mr. PIERCE. Certainly.

Mr. CULKIN. Is not Rexford Tugwell's entry into the field of conservation a somewhat recent occurrence? Was he not a political economist, dealing especially in the Russian theory rather than anything to do with nature?

Mr. PIERCE. Oh, I think he knows. I have talked with him. Is the gentleman well acquainted with him? I have met him. He is a most entertaining and brilliant and able gentleman.

Mr. CULKIN. I think he has a very charming personality.

Mr. PIERCE. I can certify to his knowledge and courage.

Mr. TABER. Will the gentleman yield?

Mr. DEROUEN. I yield.

Mr. TABER. Would the gentleman be willing to accept an amendment which would provide that no live standing timber shall be taken from the public domain without compensation?

Mr. DEROUEN. Yes. That is a good amendment. I accept that amendment.

Mr. TABER. If the gentleman would accept that amendment I would not object to the bill.

The CHAIRMAN. If there is no further debate, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 8 of the act entitled "An act to repeal the timber-culture laws, and for other purposes", approved March 3, 1891, as amended, is amended by adding the following paragraph:

"The Secretary of the Interior is authorized to grant permits subject to the provisions of this section, to citizens of Bear Lake County, Idaho, to cut and remove timber on the unappropriated public domain in Lincoln County, Wyo., for domestic use in Bear Lake County, Idaho."

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment by Mr. TABER: On page 2, after line 2, insert "*Provided*, That no live standing timber shall be taken without compensation."

Mr. DEROUEN. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. CROSSER of Ohio. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. CROSSER of Ohio. Mr. Chairman, in the time granted me I wish to read a letter which will be of interest to the Members of the House. It is as follows:

RAILWAY LABOR EXECUTIVES' ASSOCIATION,
Washington, D. C., August 14, 1935.

Hon. ROBERT CROSSER,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN CROSSER: Representatives of the railway workers of the United States have become increasingly disturbed during the past few weeks over the danger that this Congress will

adjourn without having enacted into law pending bills providing for the establishment of a system of railroad retirement annuities.

An overwhelming majority of the Members of both Houses of Congress and the President of the United States are in favor of the passage of H. R. 8651 and H. R. 8652. It is with confidence in your continued interest that we ask you, and through you the Congressmen supporting this program, to make a special effort to postpone adjournment of this session of Congress until after action upon these bills.

The need is great, much greater than we can hope to express; 1,000,000 railway workers and their wives and families are hoping and praying that this legislation will be passed. Congress ought not to adjourn without enacting this legislation.

Respectfully yours,

TIMOTHY SHEA,
E. J. MANION,
V. S. GAUTHIER,
Legislative Committee, Railway Labor Executives' Association.

[Applause.]

Mr. RANDOLPH. Will the gentleman yield?

Mr. CROSSER of Ohio. I yield.

Mr. RANDOLPH. There is a petition being circulated now, is there not, to not adjourn until such legislation is considered?

Mr. CROSSER of Ohio. I have signed such a paper.

Mr. RANDOLPH. And I have signed it, too.

Mr. CROSSER of Ohio. And I am ready to stay here until such legislation is enacted.

Mr. MEAD. Will the gentleman yield?

Mr. CROSSER of Ohio. I yield.

Mr. MEAD. I would like to have the gentleman state the present status of the bill and what seems to be holding it up.

Mr. CROSSER of Ohio. The bill was reported favorably from the Committee on Interstate and Foreign Commerce, a week or 10 days ago. I have been unable since then to bring the bill before the House for action, either by a rule or otherwise. I think it is high time that a measure of this character, where 95 percent of the membership of the House, in my opinion, are whole-heartedly in favor of it, should be given consideration. We are not insisting upon telling Members how to vote, but according to every principle of justice and democracy we should have a vote by the House on the legislation to which the letter refers.

Mr. HOUSTON. Will the gentleman yield?

Mr. CROSSER of Ohio. I yield.

Mr. HOUSTON. I favor this legislation, and will support it, of course, but in the last few weeks I have received dozens and dozens of letters from railroad men, asking that this legislation be enacted at this session of the Congress.

Mr. CROSSER of Ohio. I have had the same experience.

Mr. LUNDEEN. Will the gentleman yield?

Mr. CROSSER of Ohio. I yield.

Mr. LUNDEEN. I wish to say I have signed a petition not to adjourn until this legislation is passed, and much other legislation. I am heartily in favor of these bills. Pass the adjusted-service certificate for the veterans of the World War, the Frazier-Lemke bill; give us adequate and genuine social security. H. R. 2827, for unemployment, old age, health, accident, and maternity insurance, will give us real social security. I will vote against adjournment until we get some action.

Mr. MICHENER. Will the gentleman yield?

Mr. CROSSER of Ohio. I yield.

Mr. MICHENER. Has the gentleman taken the matter up with the President and received his suggestion? because if he does that, it can be passed.

Mr. CROSSER of Ohio. I have done everything I can do.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. CROSSER of Ohio. I yield.

Mr. ROBSION of Kentucky. Has the gentleman's committee requested the Rules Committee to grant a special rule for this bill?

Mr. CROSSER of Ohio. The committee, through myself, has asked for it; yes.

Mr. ROBSION of Kentucky. And has the Rules Committee accorded the gentleman a hearing?

Mr. CROSSER of Ohio. We have not got a hearing yet.

Mr. ROBSION of Kentucky. I am for the gentleman's bill, and have a great many letters favoring the bill.

Mr. RICH. Will the gentleman yield?

Mr. CROSSER of Ohio. I yield.

Mr. RICH. Is this not on the must program?

Mr. CROSSER of Ohio. I have nothing to do with making the programs.

Mrs. GREENWAY. Will the gentleman yield?

Mr. CROSSER of Ohio. I yield.

Mrs. GREENWAY. What does the gentleman wish us to do?

Mr. CROSSER of Ohio. I want the Membership of the House to stay here in session until this legislation is passed. [Applause.]

Mr. RANDOLPH. Will the gentleman yield further?

Mr. CROSSER of Ohio. I yield.

Mr. RANDOLPH. How many names are now on the petition?

Mr. CROSSER of Ohio. I do not know. I did not circulate the petition myself.

[Here the gavel fell.]

Mr. DEROUEN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STACK, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 578, and directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

Mr. DEROUEN. Mr. Speaker, I move the previous question on the bill and the amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

CREDITS AND DEBITS OF THE COTTON PROGRAM

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein an address delivered by Chester C. Davis, Administrator of the A. A. A., delivered at Delta Day program, Stoneville, Miss., on Tuesday, August 13, 1935.

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

There was no objection.

Mr. WHITTINGTON. Mr. Speaker, under leave granted me to extend my remarks in the RECORD I include the following address delivered by Hon. Chester C. Davis, administrator of the Agricultural Adjustment Act, at Delta Day program, Stoneville, Miss., Tuesday afternoon, August 13, 1935:

It is a fine thing to be back in the South today. I take it that this meeting, the sixteenth Delta Day program, is an expression of your interest in your own agricultural problems, and their broader relationships with the farming problems of the Nation and the world.

I recall another meeting in the South nearly 9 years ago. It was not so large as this, but it proved to be a gathering of great significance. That was a conference at Memphis in March 1926, at which farm leaders in the South and West began to put aside sectional differences and combine their forces in an effort to get equality for agriculture.

The result was the great drive for the McNary-Haugen bill which, after the deflection of 1928, finally reasserted itself in 1932 and bore fruit in the form of the Agricultural Adjustment Act.

After a 2-year struggle to make use of the machinery which Congress afforded the farmers, they now have developed a national program for agriculture, making a good beginning toward overcoming discriminations and fighting their way back to recovery.

But the national program which farmers have been forging for themselves has brought some problems of long standing into clearer focus.

For one thing, farmers are now face to face with the fact that economic sectionalism is still alive and is fighting to retain its special privileges.

In addition, some international aspects of agricultural problems have come into bold relief. This is true of all our main crops, and is especially true of our export crops, notably cotton.

Consequently some of the opposition to the adjustment program is sectional in its origin and is expressed in a defense of tariff preferences which the farmers' programs seek to offset. Another criticism purports to show that loss of farm exports is entirely the result of the adjustment program.

As a matter of fact, these criticisms are closely related. The plain truth is that the sectional and industrial enemies of agricultural adjustment are trying to discredit the entire effort by ignoring the real fundamentals that have cut down foreign trade and by focusing attention solely upon the decline itself. They ignore the real reasons for the decline and set up a pretense that the adjustment program is the only reason.

Farmers by now should be fairly familiar with these tactics. They include newspaper scareheads over the seemingly horrible fact that this country imported during the year ending June 30, 1935, enough meat for just one meal and one small extra sandwich; as much corn as is produced in two good Illinois counties in a year; and enough butter—following a year of the most disastrous drought in our history—to feed our people for just 3½ days. Such arguments are applauded by the claptrap of industrialists, who have opposed every important agricultural program ever offered. These arguments ignore the fact that for once in their lives the farmers are getting real price effects of tariff rates which ordinarily are purely fictitious, and that now agriculture's buying power is on the climb, due partly to benefit payments made to those cooperating in the adjustment program and partly to price advances.

The opposition has been concentrated upon the cotton program. The claim is made that through this program this country is sacrificing its export trade in cotton. Specifically, it is contended that the American farmers are handing their foreign markets over to Brazil and other foreign cotton countries. The responsibility for most of this is placed at the door of the 12-cent cotton loan, and the rest of it is laid to the adjustment program and the Bankhead Act.

I know that the South and, to a lesser extent, the entire Nation has a deep interest in these questions. It is my purpose today to discuss frankly some of the international aspects of the American cotton problem.

Now, there are certain fundamentals in any thorough study of the cotton problem. These are sometimes waved aside by certain groups who would naturally serve their own interests even above the interests of other groups who are much more important to the national economy. Let us keep these real fundamentals in sight, whatever herrings are drawn across our path. There are two of these fundamentals that are particularly important.

One of these fundamental factors is the vital matter of income to the cotton producer himself. Too often in these involved discussions of international trade and export balances the cotton producers themselves are the millions of forgotten men. These must not be forgotten, not only because of their sheer numerical preponderance over other groups that are much smaller, though often noisier, but because of their vastly greater importance to the Nation's business and because of the greater effect of their prosperity or poverty on the Nation as a whole.

That is the important group, these millions of cotton producers. They have a larger investment in the cotton industry than any other group. They and their families are the most dependent upon it; they would be the most lost without it. They are of the most importance to the Nation. A sustained fair income to this group is the most important consideration, and a fundamental that cannot be dodged.

Another fundamental factor in any study of the cotton problem is the soil of our cotton farms. The most valuable of all our national resources is the fertility of our farms. That must be protected and maintained. Gins and warehouses and docks and mills may be built up and torn down; the fertility of our soil, the basis of the industry and of life itself, must be preserved. Any program that has to do with cotton must consider this as one of the fundamentals.

Remember, then, these two fundamentals. One is the cotton producers themselves and a sustained income for them; the other is the conservation of our most valuable national resource, the soil fertility of our farms. I believe there is no argument that these are the main considerations. And yet, only last week I read a long article in a prominent national magazine—I want to talk about that at greater length a little later—which did not even mention either of these fundamentals. It talked of exports, as do so many of our cotton people today. Assuredly our exports are an important factor in the problem, but any study of cotton exports should keep these two fundamentals always in the foreground. I do not mean to belittle the export factor. What I do mean to do is to emphasize the importance of the actual fundamentals—of which the exports are, after all, only a servant.

Now, any discussion of cotton exports comes quickly around to the cotton loan. Since the cotton loan seems to be blamed right now for so much of the current decline in exports, let us review briefly the history and development of these loans.

As I have said, the Adjustment Act was based upon the concept that with a reduction of surpluses and adjustment of supply, prices would respond upward. In a complex economic society it is difficult to follow any precise pattern. We have at all times attempted to maintain a degree of flexibility that would permit rapid adjustment of current programs to meet changing needs and new conditions. It was in this spirit that the policy of the commodity loans was adopted.

You people remember that in late September of 1933, after the plow-up campaign, the early speculative surge had receded and cotton was selling around 9 cents in the country markets. The full effects of the adjustment program and other recovery policies had not yet become manifest. Now, in order for the producer to obtain these later benefits of the recovery program it was important to enable him to carry his cotton until such time as prices responded to the efforts that had been made. These were the conditions which prompted the loan of 10 cents a pound on the 1933 crop.

In the succeeding season, the second year of the adjustment of cotton production, another unforeseen condition arose which made it advisable to offer producers the opportunity to carry their cotton and not be compelled to dump it on the market during the harvest period. This unforeseen condition was the development of labor difficulties in the textile industry which had curtailed buying and tended toward sales stagnation and was creating an unusual degree of uncertainty in the market. Therefore the 12-cent loan was made available.

During the past two seasons when each of these loans was in effect, ample stocks were held by merchants and consuming establishments to meet the probable requirements of the world for American cotton. From a carry-over of 11,754,000 bales at the beginning of the season in which the 10-cent loan was made, the end season carry-over has been reduced to approximately 9,000,000 bales at the beginning of the current season. It should be borne in mind that of these stocks approximately 5,000,000 bales are firmly held under Government loans and in the 1933 cotton producers' pool. About 1,750,000 bales are in consuming establishments throughout the world, leaving about 1,000,000 bales in the hands of the trade in this country to compete with the crop that will be moving to market during the next few months.

While there is no intention or purpose on the part of this administration to recede from its fixed determination to increase the incomes of the farmers of America, yet it is extremely desirable that, insofar as possible, the conditions of a free market obtain and that there be no unnecessary barriers to obstruct the movement of agricultural commodities into consumptive channels. I think it is important that we stick to the principle of accomplishing our objectives by means of adjustment of supply. It should be recognized by producers and interested trades alike that the purpose of commodity loans is to assist producers in the orderly marketing of their crop, and not to fix prices.

Now, this loan has been called a pegged, or an established, price, because at times it has acted like one. As such it is important. But even an established price is a temporary thing, and narrowing the cotton problem down to that one thing is to blind many of our people to all other factors in the problem—and there are many, many other important factors. Today's price is only one factor after all.

I would ask the cotton industry not to attach as much significance to an established immediate and temporary price for cotton, implemented by Government action through the loan, as to an established principle for cotton, implemented by Government action through the adjustment program. A price for today is one thing; a permanent principle is another. You have had prices before—and they have been taken away. Let us peg a principle this time, and dare the critics of a cotton program to drag the principle down.

The principle that I speak of—and this principle is boldly inscribed in the Adjustment Act—is that American farmers are entitled to enjoy from their labor a living standard comparable to that enjoyed by other producing elements of society. That is the parity principle. It means that the price of a bale of cotton is not to be determined by its value to the export trade of the United States but by its value to the man who produced it. The individual rights of a cotton farmer must not be sacrificed to demands that he produce at a loss in order to maintain the Nation's exports.

This established principle I speak of is that a bale of American cotton must buy for its producer what it is really worth to him, not what it is worth to a Brazilian peon, a Sudanese sheik, or a Chinese coolie. This principle that has been pegged for American agriculture insists that the two fundamentals I mentioned a moment ago be recognized and that cotton exports, or any other phase of cotton, be studied in the light of a sustained income to the producer and the maintenance of our producing plant, the farmers themselves, and their farms.

Now, I am not minimizing the value of our cotton export business. There is a value to the Nation in that export business which we all recognize. We want to maintain and preserve that value by all means. But remember it is the value of that export business that we want to maintain, not just the exports themselves for their own sake. If we pay such a terrific price for these exports at the expense of the fundamentals I have mentioned, then we have lost whatever value they might be to us.

Before I go further, let me explain that it is unthinkable either to abandon our exports or to sell out our cotton farmers and the fertility of our farms for a 5- or 6-cent price. Either of these alternatives is intolerable. One of these alternatives involves snapping our fingers at our cotton export, and that must not be. The other alternative involves turning our back on the cotton farmers and selling our soil fertility across the ocean in order to maintain the mockery of a valueless export market, and that is even more unthinkable.

Now, bearing in mind that I have said that both of these, in my opinion, are unthinkable, let me say that if it did come to either of these extremes I would give up the last bale of our

cotton export and see every exporter padlock his doors before I would sell out the producer and his farm. The established principle for agriculture, which I mentioned a moment ago, will not allow the millions of cotton farmers and the fertility of their soil to be sacrificed upon the altar of 5-cent cotton.

Of course, to go to a domestic basis in cotton—which I repeat is unthinkable—would be to reduce production so far that it would throw some families off their farms and onto Government care. This idea is shocking as I state it; but, remember, many of our industries, who would not produce below cost of production as they ask the farmer to do today, did just that very thing and we tolerated it whether we liked it or not. With the aid of the various controls over production which corporate industry exercised, nonagricultural employers cut down production and maintained price levels to the extent that millions of people were plowed out of factories and onto Government aid.

The adjustment programs, of course, would spread this reduction uniformly over the belt instead of crowding out some individuals completely and leaving others unscathed as industry did. But I believe this is entirely unnecessary—I have said it is unthinkable—because there are so many other factors than today's established price in the problem of our cotton exports. Do not be confused by those who can see nothing else. And if they refuse to see anything except the two alternatives I have mentioned, either a starvation price or loss of our exports, tell them you will accept the loss of exports. Then they will quickly find a way out and will attack the problem where it can be solved.

Those who clamor for unrestricted production and resulting ruinous prices for American cotton often argue that any other plan will result in a permanent loss of our foreign markets. Let me suggest that a program of unrestricted production such as they advocate might, in the long run, prove to be the most disastrous procedure that could be followed in connection with the permanent maintenance of our export markets for cotton. Our ability to compete with foreign countries in the production of cotton depends in large measure on our relative efficiency of production, which, in turn, is closely linked with the fertility of our soils. It seems probable that a balanced agricultural production in our Southern States such as can be accomplished through the present adjustment program, will make it possible for us to conserve and improve the fertility of our soils and maintain the efficiency of our producing plant, whereas continued unrestricted production of cotton might so deplete our soil resources as to destroy our ability to compete with foreign cotton powers.

In order to see the agricultural program in its true perspective it is essential to bear in mind the circumstances under which it was conceived. Prices of farm products generally, including cotton prices, had gone into a tailspin. Farm buying power had collapsed. Factories all over the country were idle. A wave of panic swept the banks. The people were dismayed by fears that the depression might prove a bottomless pit.

The Roosevelt policy of raising prices was adopted to bring the Nation out of that state of terror and collapse, and it was understood from the beginning that these measures could not be carried through without some costs to someone. No one ever expected that this country could sell as large a volume of cotton abroad at 12 cents as at 5 cents per pound. The Government knew there would be some economic casualties. Some toes would be trod upon. And we expected to hear from their owners.

The outcries against higher farm prices by textile and flour millers, packers, and other processors, who had become accustomed to buying cheap raw materials, was expected. No one knowing the situation anticipated that the most hostile would do otherwise than fight farm measures in Congress and in the courts, as they actually have done. Some temporary disadvantages, too, were expected as to employment in the handling trades. The handlers generally had been operating on the basis of the high-volume production, which, because of constant declines in foreign outlets, had piled up farm products at home, wrecking the farmers' prices.

After 2 years, it is important to review the results thus far, to see whether the benefits actually do outweigh the costs. It is important to examine closely the items which are charged on the debit sides of the program, to see whether they are genuinely due to the program or are properly chargeable to other causes.

On the credit side for the Roosevelt policies there has been an increase in gross farm cash income of cotton growers from cotton and seed from $464,000,000 in 1932–33 to $862,000,000 in 1933–34 and $839,000,000 in 1934–35. Business and industry all over the South have felt the stimulating effects of this improvement. The farmers' referendum vote of 9 to 1 in favor of continuation of the Bankhead Act is proof that, despite the costs I have mentioned, the growers do not want to abandon the recovery plans they have begun.

What are the actual economic costs? Much publicity is given to loss of export trade. One principal argument being made against the cotton program on this score is that the higher price of American cotton have encouraged increasing production of cotton in other countries. The other is that foreign cotton-consuming nations are turning away from our cotton to foreign growths to supply their needs, and that hence our market is being displaced.

In support of the first point, sweeping conclusions are being drawn from temporary changes in production in foreign countries, notably Brazil.

There is appearing currently in a widely circulated national weekly an interesting and readable series of articles which is deeply critical of the American cotton policy. These articles describe the development of the Brazilian cotton industry during the past 3 years. We have followed with great interest and concern this Brazilian development. It should be noted that the impetus for the expansion of cotton production in Brazil began in 1931, before the adjustment program, beginning with the devaluation of the Brazilian money and the depressed condition of coffee prices. Some of you know that many difficulties are being experienced in Brazil which were not described in this first article and which characterize the rapid expansion of any new industry. However, this magazine story contains a statement which, in my judgment, should be read by every southern cotton producer in considering the widely advertised threat of Brazilian cotton:

"Brazil, with her present social and economic order and regimen of rural life, can produce and is now producing cotton at money costs enabling her, if need be, to put that cotton on shipboard for Europe or the Orient at prices, in British pence or Japanese yen, that would leave Brazil a justifying profit while the same prices would be taken as meaning wreck, ruin, and bankruptcy north of the Gulf of Mexico."

If the Brazilian farmer can do this, is there anyone who claims that our southern cotton farmers should experience "wreck, ruin, and bankruptcy" in a bitter competitive price struggle to maintain a high volume of cotton exports?

As to cotton production in other countries generally, even including Brazil, there is little evidence that the absence of any American cotton program would have stopped the upward trend in foreign acreage. There was an increase of 9 percent in foreign cotton acreage in 1933, but these increased plantings preceded and did not follow our cotton program that year. In 1934 cotton acreage in foreign countries increased less than 5 percent and production increased only 3.4 percent, and during all these years the supply of American cotton, as I mentioned before, was crowding the world markets. There was always plenty of cotton, and there is today.

It is claimed in this cotton-export argument that foreign cotton-consuming countries are substituting cheaper growths for American cotton. It is true that our sales abroad have declined, but it is important to know to what extent this is chargeable to the American cotton program and to what extent to other causes.

The fact is that our difficulties in keeping up our exports began long before the triple A—and those difficulties touched other commodities than cotton, too, let it be remembered. These difficulties may as well take off their masks; we know them. They are the barriers to foreign trade that have existed for a long time—tariffs, embargoes, and quotas. We have always wanted to sell abroad, but we have been more and more unwilling to accept any goods in return. It may be all right for a debtor nation to count on selling without buying; the policy simply will not work for a creditor nation.

Price? That has had less effect on the falling off of our cotton exports than might be supposed. Our biggest cotton export year was 1926, when the average December 1 farm price was 12½ cents a pound. Then in 1932, when the average December 1 farm price was 6½ cents, our exports were 2,000,000 bales less. There are other factors than price in the wood pile, you see.

And if abstract explanation, however emphatic, doesn't make this fact apparent I will be as specific as you please. During the past few months I have had several visits from representatives from Germany who wanted to buy cotton. They were pleading for a chance to take it—at going prices—if they could pay for it in German goods. I didn't argue price with them; they didn't argue price with us. They told me, and I believe it is true, that they have no exchange to pay us for cotton unless they can sell us something in return. Now, just let me suggest right here that if the export situation is so desperate as to make some people consider asking our cotton producers to sell cotton at starvation prices perhaps it is desperate enough for us to consider removing those exchange barriers. Which alternative appeals to you?

Germany has been our largest importer of cotton for the past 10 years. Let's put that big customer of ours and his problems under glass and look at them a minute. We see that our cotton exports to Germany for the 1934–35 year dropped below the level of the year before. It dropped enough to account for 35 percent of our total decrease in cotton export. But Egypt's and India's cotton exports to Germany dropped, too. We must not overlook that. What about Brazil? Yes, there is part of the answer—and again it proves the point because we find that Germany bought Brazil's cotton because special arrangements between Brazil and Germany made it possible for Germany to pay for that cotton with goods she shipped to Brazil.

Now, I know it is sometimes pointed out that our industrial exports have increased while our agricultural exports have fallen off. What about that? Let's take Germany again. From 1930 to 1934 our cotton exports to Germany slumped 65 percent—and during the same period and to that same country our exports of machinery and vehicles fell off 73 percent, metal and metal goods about 55 percent, and nonmetallic mineral over 50 percent.

We must remember that many foreign countries in their fever for self-sufficiency, with the war scare always over their heads, have resorted to tariffs and embargoes and quotas and other import restrictions so that they will be forced to expand their own production of food and raw materials. This is particularly true of European countries, which are industrial countries, you know, and which used to buy our farm goods.

They want to grow their own instead of buying ours. France, for example, about-faced from a wheat-importing country to a wheat-exporting country, and Germany cut pork purchases away down. But it is different in the case of those countries that buy our industrial goods. Those countries are largely agricultural countries and are not worrying so much about self-sufficiency.

Unless this country wishes to face permanent injury to its cotton export trade, it must face the fundamental fact that we cannot sell unless we buy. The critics of the cotton program can go on telling the farmers that they should junk their control programs, maintain tariff protection for industrialists, and resume permanently their production at starvation prices for export markets that are gone. But if the cotton growers are as smart as I think they are, they will not listen to them.

When this Nation wants to abolish the tariff system which impedes export trade, then the farmers will talk about discarding their adjustment programs. But, unless I miss my guess, not before.

In conclusion, let me revert to earlier reference to attacks being made in the courts by processors on the farmers' programs.

Because it is so strongly committed to the principle of equality for agriculture, and because the existence of the tariff system so clearly necessitates compensatory assistance for the farmers, the present Congress has made a great effort to amend the act to meet every decisive point raised by any lower court which has held the act unconstitutional. The heart of the pending amendments is to be found in the sections in which Congress legislates specific rates of processing tax, both past and future, and validates past adjustment programs, contracts, and payments. Thus Congress speaks its intent directly and clearly, removing, as far as the English language can, any question of invalid delegation of legislative power.

Because of the union of the farmers of West, North, and East with those of the South in the struggle for economic equality, I believe you will be interested in a resolution, published in the Sioux City Tribune, which was adopted as "The Farmers' Creed" by farmers of four Midwest States meeting there August 3. This creed is worth remembering because it probably is representative of a general feeling among farmers. I wouldn't be surprised if it came very close to expressing the sense of this meeting here today. I quote the creed:

"*Resolved*, We believe in the Constitution of the United States of America, and in constitutional processes. We believe that what we need is not a new constitution, but a better understanding of the one we have. We believe that, reasonably interpreted and construed, it can meet all our needs and enable us to come to an orderly solution of our problems without sacrifice of those ideas and ideals that are American. If, by any chance, contrary to our expectations, we find the Constitution in any respect a bar to a just and workable solution of our problem, we shall remember that the Constitution contains within itself provisions where a well-considered change in our fundamental law can be made in a well-ordered manner. But such change should be made only as a last resort and should be only such as harmonizes with the American spirit and with American institutions."

RAILROAD RETIREMENT LEGISLATION

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the railroad-retirement-pension plan.

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

There was no objection.

Mr. HOUSTON. Mr. Speaker, the people of the Fifth District are vitally interested in everything which improves the condition and elevates the purchasing power of the railroad man. The cities in my district, such as Newton, Wellington, Wichita, El Dorado, and McPherson, depend largely for their prosperity upon the well-being of those men who make continued operation of railway transportation possible. A railroad retirement act which provides adequate annuities to those who have completed years of toil should have the support of every man interested in the welfare of his fellow being.

The decision of the Supreme Court of the United States, rendered by a vote of 5 to 4, under date of May 6, 1935, holding invalid the law passed in 1934, was based on the statement Congress did not, under the interstate commerce clause of the Constitution, have the power to establish a railroad retirement system to be supported by a tax levied specially for that purpose. Two bills have been introduced at this session, in the Senate by Senator ROBERT WAGNER, of New York, and in the House of Representatives by Congressman CROSSER, of Ohio. One of these bills establishes a railroad retirement system and provides that the prescribed annuities shall be paid out of the Public Treasury. Under the decisions of the Supreme Court, such a plan is entirely constitutional.

Another bill, entirely separate from the bill setting up the retirement plan, has been introduced levying an income tax upon employees of 2 percent of their wages and an excise tax of 4 percent upon the carriers upon their pay roll. Annuities to be paid under the plan specified in the new bill cover too much ground to be explained in this brief address, but I shall be glad to send to any address a copy of the bill when reported by the House Committee on Interstate Commerce.

Speaking generally, an employee who is now 65 years of age or who hereafter becomes 65 years of age, may retire and receive an annuity based upon the wages received by him for a service period not exceeding 30 years. The highest annuity possible is $120, diminishing as the wages received and the service period may decrease. Employees may also retire without regard to their age after 30 years of service, but in such case an annuity is not due and payable until the employee reaches the age of 65, unless an employee is willing to accept a reduced annuity on account of prepayment.

Mr. Speaker, employees who have served 30 years and who are hereafter discharged on account of physical or mental disability receive their full annuity without postponement or deduction.

The administration now in power is doing its utmost to meet the daily problems of human existence as and when they arise and as the matter shall require. To that end we are compelled to use our constitutional power as Members of Congress to appropriate large sums of money for the purpose of promoting the general welfare. In no other way does it seem possible at this time to keep money in circulation and to compel idle capital to do its part in the necessary work of national recovery and reconstruction.

Such activities as the Social Security Act, whose name bespeaks its purpose, the agricultural program of the administration protecting agriculture, the Railroad Retirement Act, all call for the exercise of the Federal taxing power in such a way as may be fair and reasonable but to the fullest extent. In this onward march, the embattled ranks of organized capital are fighting to the last ditch. But he who guides the destiny of the nations—"has sounded for the trumpet that shall never call defeat. Be quick my soul to answer him, be jubilant my feet, for God is marching on."

FRATERNAL ORDER OF ORIOLES

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include therein a speech delivered by my colleague the gentleman from New York [Mr. BEITER].

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

There was no objection.

Mr. RICHARDSON. Mr. Speaker, recently the Representative from the Forty-first District, New York, Mr. BEITER, delivered an address, at the convention of the Fraternal Order of Orioles, at Reading, Pa. I ask unanimous consent that his address be printed in the RECORD.

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

It is a very great privilege to be invited to address this splendid organization at its silver anniversary in this historic city, and it seems eminently fitting to bring to you the story of the success of this great order of ours.

For 25 years American citizenship has been enriched, American patriotism has been fostered, and American liberties have been protected by a fraternal order which may rightfully claim a high place of honor among American institutions. Supported by its great army of members, the principles and ideals of the Fraternal Order of Orioles have woven themselves into the very fabric of our Nation, and have supplied strength and permanence to the foundations of national character.

The other day I heard the story of a woman who said to a companion: "That is a beautiful new hat you have." "Yes," said the lady, "It is 10 years old. Seven years ago I pressed it; 5 years ago I dyed it; 3 years ago I adorned it with a new ribbon; and about a month ago I exchanged it in a restaurant."

Now, the Fraternal Order of Orioles has had no such record. It has been a consistent, progressive organization and has gone on to a consummation of great achievement.

The interests that hold our organization together are the highest and noblest that ever animated human beings. The Fraternal Order of Orioles is founded upon four cardinal principles—liberty, integrity, fraternity, and equality, and when we devote our minds to the study of their beautiful teachings, the spirit and sentiment which inspires them penetrates our being, and unconsciously we learn to model our lives more and more in harmony with their truth.

If this order, like America, is but true to her founders, and the pure and stalwart traditions they have bequeathed, it will be

merely the fulfillment of her natural destiny that she shall become not merely in name but in actual fact the guardian of liberties and the evolver of a purer and more complete form of liberty.

And with that gift of liberty, shall she not bring, too, ideals of the pursuit of happiness finer and purer than those too often followed by its membership and her citizens today?

The second cardinal principle—integrity—embodies the desire to promote the physical, mental, social, and moral welfare of the members of our great order; advancing the spirit of fraternal love in the relations of daily life; ministering to the needs of the sick, poor, or distressed; watching at the bedside of the dying; performing the offices of love and respect for the dead; comforting and providing for the material wants of the widow; and emulating the principle of the Golden Rule.

But the one principle which represents the heart and soul of a true Oriole is fraternity. What a dreary place this world would be if we had no true friends whom we could trust, who are ever ready to protect our good name and defend our character, and who will fight for us and even die for us if necessary.

Every true Oriole should be like a great rock in a weary land, under whose shelter the way-worn traveler may rest from his toilsome journey and find new courage and refreshment for the days to come.

The last cardinal tenet of our order is equality. We are on the threshold of a newer and better age when men will be less selfish and more interested in the welfare of their fellow men; when they will realize that the individual is a part of the great social fabric, and what unfavorably affects one hurts all.

The right of the strong and ruthless to deny others an equal opportunity in the struggle for subsistence and for happiness, remorselessly trampling and crushing the weak, and appropriating their savings and property, is being challenged and denied as never before.

We are beginning to realize also that to aid in ushering in a new and better era, it is not necessary to be wealthy or powerful, but that the humble workers in the home and in the community are a potent factor in whose united efforts lies a vast potentiality.

America does not lack the means of self-support. We have ample resources for the maintenance of all our people in greater comfort and security than any people have ever enjoyed.

The dangers confronting the American today, the obstacles still retarding our recovery, arise within our borders. We are faced with the absolute necessity of ending certain evils and weaknesses in our methods of making money and governing ourselves. The vast majority know this job must be done; but they do not know how to do it. They must trust to leadership in business, in politics, and in fraternalism.

In the book Ta Hsueh (the Great Learning), we find a unifying conception of world order which seeks to lay its foundation in the psychology of the individual. This book was written 2,000 years ago by Tseng Ts'an, a disciple of Confucius, later incorporated in the Li-Ki by the Han scholars, and finally chosen, as one of the four books to be studied by every schoolboy, by the scholars of the Sung Dynasty. Dr. Sun Yat Sen in his "Sanmin Doctrine" also regards this book as containing a most profound political philosophy. The passage I wish to refer to reads as follows:

"In ancient times, those who wished to make clear their virtue before the world would first put their country in order; those who wished to put their country in order would first bring about right relationships in their family; those who wished to bring about right relationships in their family would first cultivate their own self; those who wished to cultivate their own self would first rectify their own heart; those who wished to rectify their own heart would first make their will sincere; and those who wished to make their will sincere would first try to attain knowledge and they would attain knowledge by studying matter.

"When matter is studied, then knowledge may be attained; when knowledge is attained, then the will becomes sincere; when the will is sincere, then the heart is rectified; when the heart is rectified, then the self is cultivated; when the self is cultivated, then there exist right relationships in the family; when right relationships exist in the family, then the country is in order; when the countries are in order, then there is peace in the world."

It will be seen that in the first paragraph quoted above a rational world order is first stated as the object, and then the writer proceeds to describe the method by which this object is to be attained—not only by attending to smaller units of human society of which the individual is the irreducible element but also extending the study of the individual from his conduct to his mind in the last analysis. The problem of virtue is thus reduced to a problem of knowledge, which is thus seen to be the final basis of world order. In the second paragraph the reverse process from cause to effect is again successively traced, from knowledge as the starting point to the attainment of that, while in individual conduct chivalry consists in helping the weak and defenseless, the dictum that might is right should be accepted as the rule in our relationships.

And so the Fraternal Order of Orioles moves forward to the new and higher ideals; to weigh the material in the scales of the personal and measure life by the standard of love; to prize health as a contagious happiness, wealth as a potential service, reputation as a latent influence, learning for the light it can shed, power for the help it can give, station for the good it can do; to put one's best into all one does; to crowd out fear by devotion to duty, and to see present and future as one; to treat others as one wishes to be treated; to make no gain by another's loss, and buy no pleasure by another's pain; to harbor no unkind thoughts of others; to say nothing unkind for the sake of amusement, and nothing false to please others; to take no satisfaction in the failings of others; and bear no malice toward those who do wrong.

Thus, with liberty, integrity, fraternity, and equality as our principles, our banner proudly floats on the breezes of both our Canadian friends on the north and the good old U. S. A. as a welcome beacon to the tempest-tossed mariner on the troubled waves.

"Then up with our banner; a standard more fair
Never flashed in the sunshine nor swayed in the air;
Sing out the praises of our great order
From Canada south to the Mexican border."

LEAVE OF ABSENCE

Mr. POWERS. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New Jersey [Mr. SUTPHIN] be given an indefinite leave of absence on account of illness.

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

There was no objection.

FORT STANWIX NATIONAL MONUMENT, N. Y.

Mr. DEROUEN. Mr. Speaker, I call up the bill (S. 739) to provide for the establishment of a national monument on the site of Fort Stanwix, in the State of New York.

The Clerk read the title of the bill.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

Mr. RICH. Mr. Speaker, reserving the right to object, I think this bill ought to be given some consideration from the standpoint of the Federal Government taking over lands now belonging to the State of New York. Mr. Speaker, I object.

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

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

Mr. SISSON. I may say to the gentleman from Pennsylvania that this matter has been taken up with all patriotic societies, the Daughters of the American Revolution and others in the State of New York, and there is nobody absolutely opposed to it. Furthermore, it is essential that this bill be passed at this particular time in order fittingly to observe the anniversary of the Battle of Fort Stanwix, which was a turning point in the American Revolution.

This bill does not call for any appropriation. It just establishes this as a national monument.

I hope the gentleman, from patriotic reasons, will not object to the passage of this bill.

Mr. RICH. Mr. Speaker, I may say to the gentleman from New York that at the present time the State of New York owns this monument. This bill asks that the Federal Government take over this property and maintain it.

Mr. SISSON. If the gentleman will yield just a moment, the Federal Government cannot take away a square inch of property from the State of New York unless the State of New York grants it to the Federal Government. The gentleman ought to understand that; everybody else does.

Mr. RICH. I may say to the gentleman from New York that many States want the Federal Government to take over property they now own because they want the Federal Government to bear the expense of upkeep. I know the State of New York has only this one request at the present time, but if we object to it the result will be the saving of millions and millions of dollars to the Federal Treasury, for there are many other monument or park bills to come up this afternoon from other States in other sections of the country that do not pay any taxes to the Federal Government. I think it would be setting a good example to refuse this request.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana that the bill be considered in the House as in the Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That when title to the site or portion thereof at Fort Stanwix, in the State of New York, together with such buildings and other property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes, shall have been vested in the United

States, said area and improvements, if any, shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people and shall be called the "Fort Stanwix National Monument": *Provided*, That such area shall include at least that part of Fort Stanwix now belonging to the State of New York.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may require on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof.

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes", as amended.

Mr. RICH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I may say to my colleague, the gentleman from New York, that this bill requests the Interior Department to take over the Fort Stanwix National Monument which is now owned by the State of New York. This seems to be a very popular thing for all States to do, for you will find many bills to be called up this afternoon requesting the Federal Government to take over additional monuments or parks. In the last 2 or 3 years certain States have asked the Federal Government to take over as many as 6, 8, or 10 monuments within their boundaries. It is going to be necessary for the Federal Government to maintain every one of these monuments it takes over. In hardly an instance is there a case that does not require the acquisition of additional ground, and in many cases the construction of buildings is required, and other improvement of the property. This in itself is going to mean an additional drain on the Federal Treasury.

If we look at this from the standpoint of New York State and we consider they have made a few similar requests, we might overlook it, but I believe we will be doing a great good—I know we will be doing a great good so far as the Federal Treasury is concerned, if we prohibit any additional parks or monuments being taken over at the present time. So much money is going to be necessary for these improvements and maintenance that I sometimes question whether we ought to put the Federal Treasury further and further into debt.

A bill has been reported by the Committee on the Public Lands formulating a committee to go over the United States and set a policy as to what monuments shall be taken over. We do not give consideration to this fact, and any individual Member of Congress who desires brings in a bill establishing a monument and we generally give consideration to it and pass the bill regardless of cost to the taxpayers of the country.

Looking at this from the standpoint of the Treasury, some of these things are worth while, but I question today when the Treasury is so far in debt whether we ought to saddle onto the backs of the taxpayers any more indebtedness, and this will be the result, for the States want to get out from under their present burden of carrying these monuments.

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

Mr. RICH. I yield to the gentleman from New Jersey.

Mr. KENNEY. The board that will be appointed under the bill, as reported by the gentleman's committee and passed by the House, would have to report back to the Congress, and we would still need legislation providing for these monuments, even after this board had examined into the matter.

Mr. RICH. I presume the gentleman is right. The only point I bring out is that if we have men who are trained and who are going to give study and thought to these monuments and the value of them to the Federal Government, from an historical and other standpoints, then we would be able to act more intelligently than we are at present.

[Here the gavel fell.]

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

Mr. Speaker, may I say to the gentleman from Pennsylvania [Mr. RICH] that there are certain places in a great many of the States, not only the State of New York but other States, which are shrines, and we want to forever have them enshrined in the hearts of the American people as national monuments. This is a national matter, not a State matter, and, incidentally, does not involve the appropriation of a single penny. Conceivably, perhaps, some time in the future the Congress might, if there is an acquisition or a donation of certain land, see fit to establish something there that might call for an appropriation of money. I do not know. At any rate, as to the question of whether this should be a State or a national matter, I say that Fort Stanwix and all these other shrines do not belong to the people of the State of New York, or the people of the States; they belong to the American people. The State of New York, having consented in this case, I think it is very fitting at this time that the Federal Government acquisition should be authorized.

Mr. RICH. Will the gentleman yield?

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

Mr. RICH. Is it not going to cost the Federal Government money to maintain this property?

Mr. SISSON. No appropriation is asked for.

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

Mr. Speaker, I make this observation for the benefit of the Members of the House. The current appropriation for the monuments in national parks amounts to $92,000. I think it is a good investment in patriotism, and I hope we will for succeeding generations perpetuate the memory of Washington and all of those who served with him in the Revolutionary battles.

Mr. SNELL. Will the gentleman yield?

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

Mr. SNELL. I did not understand what the gentleman said about the $92,000. That cannot be for all the national parks.

Mr. MEAD. I received a communication from the clerk of the Appropriations Committee, and I quote the following paragraph:

The National Parks Service has a general appropriation for administration, maintenance, protection, and development of national historical parks and monuments. For the fiscal year the estimate for that purpose is $92,300. This is the fund from which the Saratoga Park would be administered if and when it is authorized.

Mr. SNELL. I understand that is just for the small historical parks. As far as our State is concerned, of course, I should like to take that over; but we are adopting a policy here which may be detrimental in the future. There are at least 20 bills to take over national parks and erect monuments throughout the United States. It may be all right to do that at some time, but at the present time when we are trying so hard to get money enough to pay our expenses it seems to me that it is a poor policy for this House to adopt. I am glad to have the opportunity to make this statement pertaining to my own State; then there is nothing political or sectional about it.

Of course, I am opposed to taking over all of these parks in every part of the United States that the people want to saddle on the Federal Government in order to get away from maintenance expenses. Eventually they are going to ask for improvement and that monuments be built, which will mean a large Federal appropriation.

Mr. MEAD. I am in thorough accord with the statement made by the gentleman from New York. However, I believe we ought to establish a national policy. These parks are either national or they are not. If we do establish a national policy, we ought to decide whether or not we shall allow the Federal agency, in this case the National Parks Service, to determine whether or not this, that, or the other battlefield should be included and perpetuated as a national shrine. If the approval of the Federal agency is given, if it is of real historical value and if it is a national monument, then I believe it is a good investment in patriotism

and the obligation of the Federal Government rather than of the State government to carry on the activity.

Mr. SNELL. May I ask the gentleman one more question? A short time ago we passed a general bill giving the Secretary of the Interior, Mr. Ickes, authority to take over or acquire any of these national parks or monuments or places that he thought were of national importance. Why would not that general bill cover all of these special bills, provided Mr. Ickes wants to take them over?

Mr. MEAD. These special bills, I may say to the gentleman, require acceptance under certain conditions. There is involved the question of donations to the Federal Government of land or the donation of money for the acquisition of the land.

[Here the gavel fell.]

Mr. SNELL. Mr. Speaker, I ask unanimous consent that the gentleman may have 3 additional minutes.

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

There was no objection.

Mr. SNELL. This general authorization covered all of that. It covered acquisition by gift and various other ways. Personally, I was opposed to that bill, but we have authorized and given authority to the Secretary to do all of these things. Now why is it necessary to pass these special bills? I should like to have the gentleman give me some information on that point.

Mr. MEAD. The special bills have been referred to the Secretary of the Interior and the Secretary in some cases has passed upon them and suggested amendments. I do not believe that this action would be taken by him if he were already empowered to achieve the objective contained in the measure.

Mr. SNELL. I should like to have some one tell me the necessity for passing these special bills?

Mr. MEAD. I yield to the gentleman from New Jersey for that purpose.

Mr. KENNEY. The bill referred to by the gentleman from New York [Mr. SNELL] gave the Secretary of the Interior the right to make a study of historical sites in this country, but it did not give him the power to acquire those sites without coming back to Congress for additional legislation.

Mr. MOTT. The bill the gentleman is speaking of does give the Secretary of the Interior the right to acquire these places by any means he pleases. It gives him the right of eminent domain practically.

Mr. KENNEY. It gives him the right to acquire these parks from donated funds.

Mr. MOTT. The gentleman is speaking of the Maverick bill?

Mr. KENNEY. Yes.

Mr. MOTT. The Maverick bill gives the Secretary of the Interior the discretion to acquire any property in the United States he pleases.

Mr. KENNEY. Out of moneys which are in the fund set up under a companion bill.

Mr. MOTT. No; out of moneys in the Treasury of the United States and the only thing he has to do is to go before the Appropriations Committee and put these items in a general appropriation bill.

Mr. KENNEY. But the Congress has to appropriate the money, and no property acquired or contracted for will obligate the general fund of the United States Treasury for the payment of such property, unless or until Congress has appropriated money which is available for that purpose.

Mr. MOTT. But Congress has nothing to do with the acquisition of the site.

Mr. SISSON. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

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

There was no objection.

Mr. SISSON. Mr. Speaker, I should like to say to my colleague, the distinguished minority leader, in reply to what I think was a very fair and pertinent statement that the Secretary of the Interior has made an investigation at least of this particular bill and has made a favorable report upon it to the committee. The Secretary commented upon the fact that this is a very important and historical site and a very important historical monument and recommends the passage of the bill.

Mr. SNELL. Was that report made before the general legislation was passed?

Mr. SISSON. The report is dated March 9, 1935.

Mr. SNELL. That was several months before we passed the general legislation.

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

Mr. SISSON. I yield.

Mr. CULKIN. Who has the fee to this land now, if the gentleman knows?

Mr. SISSON. The State of New York has the fee to some of it and certain private individuals own some of it and it is contemplated that the private individuals will donate their land without any payment for it.

Mr. CULKIN. Is it the desire of the people of that area and the people who have the fee to this land to convey it to the Government and have they gone on record with respect to it?

Mr. SISSON. They have gone on record informally through the Rome Chamber of Commerce, where this is situated, and through the various organizations they have there.

Mr. CULKIN. The gentleman introduced this bill?

Mr. SISSON. I did; yes.

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

Mr. SISSON. I yield to the distinguished gentleman from New York.

Mr. SNELL. Let me say to my friend from Utica, N. Y., that I am informed by the committee that all of these favorable reports were made prior to the time this general legislation was passed by the House, and I am absolutely honest when I say that I can see no reason for passing these special bills when the power is already lodged in the Secretary of the Interior to do what the gentleman wants to have done.

Mr. SISSON. Let me say to the gentleman, and I am sure he is just as much interested in the matter of inspiring patriotism as I am or anyone else, at this particular time it would be very unfortunate if this Congress were to adjourn without passing this particular bill, because there is to be a series of patriotic celebrations there and these people believe that this should be a national monument before that time.

Mr. SNELL. Then the gentleman is going to ask for an appropriation right away for a national monument?

Mr. SISSON. No; there is no appropriation asked.

Mr. SNELL. But the gentleman says they are going to ask for one.

Mr. SISSON. I have not said we are going to ask for one, but I stated it might be that some future Congress might see fit to make one.

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

Mr. SISSON. I yield.

Mr. MOTT. I am going to vote for the gentleman's bill, and I am going to vote for all of the similar bills reported unanimously by the committee; but I may say to the gentleman that there is now no real necessity for this specific legislation, because under the Maverick bill the Secretary of the Interior can now do just what this bill provides. Now, the Maverick bill was a very, very bad bill. It did not come out of the Committee on the Public Lands with a unanimous vote at all. It had no business going on the Consent Calendar, and it should never have passed this House by unanimous consent. I could not be on the floor on the day it came up, or I certainly would have objected to it. It gives the Secretary of the Interior legislative, autocratic power to use the people's money in almost any way he pleases in connection with the acquisition of historical sites. It is a bad bill and ought to be repealed at the next session. However, the gentleman's bill for the acquisition of this particular piece of land, I think, is a meritorious measure, and I would much rather acquire the land through enactment of this bill than have the Secretary of the Interior acquire it under the blanket authority which the Maverick bill gives him.

[Here the gavel fell.]

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. McFARLANE) there were—ayes 45, noes 24.

Mr. RICH. Mr. Speaker, I object to the vote on the ground there is no quorum present.

The SPEAKER. Evidently there is not a quorum present.

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

The question was taken; and there were—yeas 209, nays 73, not voting 147, as follows:

[Roll No. 168]

YEAS—209

Amlie	Eagle	Lemke	Richardson
Ashbrook	Eckert	Lesinski	Robertson
Ayers	Edmiston	Lewis, Colo.	Robinson, Utah
Beam	Ellenbogen	Lloyd	Rogers, Okla.
Beiter	Englebright	Luckey	Ryan
Biermann	Evans	Lundeen	Sanders, La.
Bland	Faddis	McAndrews	Sandlin
Bloom	Fitzpatrick	McClellan	Sauthoff
Boehne	Focht	McCormack	Schneider
Boileau	Ford, Miss.	McFarlane	Schulte
Boland	Fuller	McGehee	Scott
Boykin	Gavagan	McGrath	Sears
Boylan	Gehrmann	McLaughlin	Secrest
Brown, Ga.	Gildea	McReynolds	Shanley
Brunner	Goldsborough	Mahon	Sirovich
Caldwell	Granfield	Maloney	Sisson
Carpenter	Gray, Pa.	Mansfield	Smith, Conn.
Cary	Green	Marcantonio	Smith, Va.
Casey	Greenway	Martin, Colo.	Smith, Wash.
Castellow	Greever	Mason	Smith, W. Va.
Celler	Gregory	Massingale	Snyder
Chandler	Griswold	Maverick	Somers, N. Y.
Chapman	Haines	Mead	South
Citron	Hancock, N. Y.	Merritt, N. Y.	Spence
Coffee	Hart	Mitchell, Ill.	Stack
Colden	Healey	Mitchell, Tenn.	Starnes
Cole, Md.	Hildebrandt	Monaghan	Stefan
Colmer	Hill, Knute	Montet	Taylor, Colo.
Cooley	Hobbs	Mott	Terry
Cox	Hoeppel	Nelson	Thom
Cravens	Houston	O'Connell	Thompson
Crawford	Huddleston	O'Connor	Tolan
Crosby	Hull	O'Day	Tonry
Cross, Tex.	Imhoff	O'Leary	Turner
Crosser, Ohio	Jacobsen	O'Neal	Umstead
Crowe	Jenckes, Ind.	Owen	Utterback
Culkin	Johnson, Okla.	Palmisano	Wallgren
Cullen	Johnson, W. Va.	Parsons	Walter
Daly	Jones	Patman	Warren
Darden	Kee	Patterson	Wearin
Dear	Kelly	Patton	Werner
Deen	Kennedy, N. Y.	Pearson	West
Delaney	Kenney	Peterson, Fla.	Whelchel
Dempsey	Kleberg	Peterson, Ga.	Whittington
DeRouen	Kloeb	Pfeifer	Wilcox
Disney	Kocialkowski	Pierce	Wilson, La.
Dobbins	Kopplemann	Polk	Wood
Dorsey	Kramer	Ramsay	Woodrum
Driscoll	Kvale	Ramspeck	Zimmerman
Driver	Lambeth	Randolph	Zioncheck
Duffy, N. Y.	Lanham	Rankin	
Dunn, Miss.	Larrabee	Reilly	
Dunn, Pa.	Lee, Okla.	Richards	

NAYS—73

Allen	Ditter	Lambertson	Seger
Andresen	Dondero	Ludlow	Short
Andrew, Mass.	Eaton	Mapes	Snell
Arends	Ekwall	Marshall	Taber
Bacharach	Engel	Martin, Mass.	Taylor, S. C.
Bacon	Gearhart	Merritt, Conn.	Taylor, Tenn.
Binderup	Gilchrist	Michener	Thurston
Blackney	Gingery	Millard	Tinkham
Bolton	Gray, Ind.	Moritz	Treadway
Brewster	Guyer	Pettengill	Turpin
Burdick	Gwynne	Pittenger	Welch
Carlson	Halleck	Plumley	Wigglesworth
Cavicchia	Hollister	Powers	Wolcott
Christianson	Holmes	Ransley	Wolverton
Church	Hope	Reed, Ill.	Woodruff
Collins	Jenkins, Ohio	Rich	Young
Costello	Kahn	Robsion, Ky.	
Darrow	Kinzer	Rogers, Mass.	
Dirksen	Knutson	Russell	

NOT VOTING—147

Adair	Brennan	Bulwinkle	Claiborne
Andrews, N. Y.	Brooks	Burch	Clark, Idaho
Arnold	Brown, Mich.	Burnham	Clark, N. C.
Bankhead	Buchanan	Cannon, Mo.	Cochran
Barden	Buck	Cannon, Wis.	Cole, N. Y.
Bell	Buckbee	Carmichael	Connery
Berlin	Buckler, Minn.	Carter	Cooper, Ohio
Blanton	Buckley, N. Y.	Cartwright	Cooper, Tenn.
Corning	Gifford	McGroarty	Sabath
Crowther	Gillette	McKeough	Sadowski
Cummings	Goodwin	McLean	Sanders, Tex.
Dickstein	Greenwood	McLeod	Schaefer
Dies	Hamlin	McMillan	Schuetz
Dietrich	Hancock, N. C.	McSwain	Scrugham
Dingell	Harlan	Maas	Shannon
Dockweiler	Harter	May	Steagall
Doughton	Hartley	Meeks	Stewart
Doutrich	Hennings	Miller	Stubbs
Doxey	Hess	Montague	Sullivan
Drewry	Higgins, Conn.	Moran	Sumners, Tex.
Duffey, Ohio	Higgins, Mass.	Murdock	Sutphin
Duncan	Hill, Ala.	Nichols	Sweeney
Eicher	Hill, Samuel B.	Norton	Tarver
Farley	Hoffman	O'Brien	Thomas
Fenerty	Hook	Oliver	Thomason
Ferguson	Johnson, Tex.	O'Malley	Tobey
Fernandez	Keller	Parks	Underwood
Fiesinger	Kennedy, Md.	Perkins	Vinson, Ga.
Fish	Kerr	Peyser	Vinson, Ky.
Flannagan	Kimball	Quinn	Wadsworth
Fletcher	Kniffin	Rabaut	Weaver
Ford, Calif.	Lamneck	Rayburn	White
Frey	Lea, Calif.	Reece	Williams
Fulmer	Lehlbach	Reed, N. Y.	Wilson, Pa.
Gambrill	Lewis, Md.	Rogers, N. H.	Withrow
Gasque	Lord	Romjue	Wolfenden
Gassaway	Lucas	Rudd	

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. Burch with Mr. Crowder.
Mr. O'Brien with Mr. Gifford.
Mr. Buchanan with Mr. Lehlbach.
Mr. Rayburn with Mr. Wolfenden.
Mr. Steagall with Mr. McLean.
Mr. Vinson of Georgia with Mr. Withrow.
Mr. Tarver with Mr. Buckler of Minnesota.
Mr. Sanders of Texas with Mr. Wadsworth.
Mr. Vinson of Kentucky with Mr. Tobey.
Mr. Romjue with Mr. Reed of New York.
Mr. Cannon of Missouri with Mr. Wilson of Pennsylvania.
Mr. Cooper of Tennessee with Mr. Kimball.
Mr. Doughton with Mr Goodwin.
Mr. Connery with Mr. Cooper of Ohio.
Mr. Drewry with Mr. Andrews of New York.
Mr. Flannagan with Mr. Buckbee.
Mr. Doxey with Mr. Doutrich.
Mr. Gasque with Mr. Burnham
Mr. Fulmer with Mr. Lord.
Mr. Greenwood with Mr. Reece.
Mr. Samuel B. Hill with Mr. Thomas.
Mr. Lea of California with Mr. Stewart.
Mr. Hill of Alabama with Mr. McLeod.
Mr. Miller with Mr. Perkins.
Mr. Lewis of Maryland with Mr. Maas.
Mr. Dies with Mr. Hoffman.
Mr. Cochran with Mr. Carter.
Mr. Blanton with Mr. Fenerty.
Mr. Oliver with Mr. Cole of New York.
Mrs. Norton with Mr. Fish.
Mr. Montague with Mr. Hartley.
Mr. Bulwinkle with Mr. Higgins of Connecticut.
Mr. Bankhead with Mr. Hess.
Mr. Williams with Mr. Arnold.
Mr. Lucas with Mr. Quinn.
Mr. McMillan with Mr. Berlin.
Mr. Cartwright with Mr. Dickstein.
Mr. May with Mr. Buckley of New York.
Mr. Farley with Mr. Claiborne.
Mr. Dietrich with Mr. Gassaway.
Mr. Schuetz with Mr. Eicher.
Mr. Fletcher with Mr. Hamlin.
Mr. Kerr with Mr. Hennings.
Mr. Underwood with Mr. Meeks.
Mr. Moran with Mr. Nichols.
Mr. Weaver with Mr. Kniffin.
Mr. Murdock with Mr. Stubbs.
Mr. Hook with Mr. Gambrill.
Mr. Sullivan with Mr. Rudd.
Mr. Johnson of Texas with Mr. Gillette.
Mr. Rabaut with Mr. Duncan.
Mr. Corning with Mr. Brennan.
Mr. McSwain with Mr. Adair.
Mr. Schaefer with Mr. Barden.
Mr. Thomason with Mr. Lamneck.
Mr. Brown of Michigan with Mr. White.
Mr. Bell with Mr. Scrugham.
Mr. Brooks with Mr. McGroarty.
Mr. Cannon of Wisconsin with Mr. Dockweiler.
Mr. Harter with Mr. Ferguson.
Mr. Rogers of New Hampshire with Mr. Fernandez.
Mr. Sumners of Texas with Mr. Higgins of Massachusetts.
Mr. Harlan with Mr. Carmichael.
Mr. McKeough with Mr. Kennedy of Maryland.
Mr. Sutphin with Mr. Sweeney.
Mr. Kelly with Mr. Frey.
Mr. Hancock of North Carolina with Mr. Sadowski.
Mr. Ford of California with Mr. Clark of Idaho.
Mr. Parks with Mr. Cummings.
Mr. Clark of North Carolina with Mr. Duffey of Ohio.

The result of the vote was announced as above recorded.

On motion of Mr. DEROUEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ORDER OF BUSINESS

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent for 3 minutes to make a statement to the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker and Members of the House, In view of the proceedings of the House today and yesterday, I feel an obligation as majority leader to make a statement to the House.

The imperatively necessary business of the House, business that we have absolutely got to transact before we can adjourn in an orderly way, will require at least 8 or 9 days of real hard and continuous work. I am not going into details or enumerate the measures. I am confident we can get through and adjourn on the 24th of this month, a week from next Saturday, if we are allowed to run along and do business without unnecessary interruptions.

I am not complaining of anybody. All Members have their rights. But if we are going to spend time in useless points of no quorum and useless roll calls, Congress will be in session probably 3 or 4 weeks. In my judgment, it means just that difference as to when we will adjourn.

I am merely trying to courteously advise the House of what is really before us. I feel that there is a public responsibility on all of us, regardless of politics or anything else. I know we all want to adjourn as soon as we possibly can. I firmly believe that we can adjourn by a week from Saturday if we are allowed to proceed in an orderly way, but to do that we must cut out filibustering and frivolous delays, and all long speeches.

Now, this applies to both sides. We have had dilatory motions and speeches and useless calls for a quorum on both sides of the aisle. I make this statement in the kindliest spirit as the majority leader of the House. I firmly believe that if we proceed with the necessary business before us in an orderly way that it is possible to adjourn on Saturday the 24th. [Applause.]

OTTER CLIFFS RADIO STATION, MOUNT DESERT ISLAND

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 7938) to authorize the transfer of the Otter Cliffs Radio Station on Mount Desert Island, in the State of Maine, as an addition to the Acadia National Park, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Louisiana calls up the bill H. R. 7938, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That upon the removal of the Otter Cliffs Radio Station and its relocation on lands within the Acadia National Park as authorized by the act of April 22, 1932 (47 Stat. 91), the Secretary of the Navy be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park all that tract of land containing approximately 12 acres on Mount Desert Island in the State of Maine now occupied by and used by the Navy Department for the purposes of the said Otter Cliffs Radio Station, and the Secretary of the Interior shall be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Navy for naval radio purposes the site of the relocated radio station, with the buildings and improvements thereon, and such surrounding area as may be agreed upon by the Secretary of the Interior and the Secretary of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon including any additions or alterations to the present radio station.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to construct or cause to be constructed in connection with and as a part of the road system of the Acadia National Park, a bridge or causeway and approaches thereto across the inlet or bay lying between the Otter Cliffs and the Black Woods, in the State of Maine, at a point which he may designate as most suitable to the interests of the Federal Government.

Mr. STACK. Mr. Speaker, I move to strike out the last word.

At the close of yesterday our Commander in Chief, Franklin Delano Roosevelt, signed the bill (H. R. 6995) restoring to the Spanish-American War veterans and their dependents what the Economy Act took away from them in 1933. I want to congratulate this House and the Speaker, and our Commander in Chief, for taking care of those gentlemen who fought our battles in 1898.

Mr. MOTT. Mr. Speaker, I make the point of order that the gentleman is not in order.

Mr. STACK. I congratulate the House and President for signing the bill H. R. 6995, and the Pensions Committee of the House, of which I am a member, that worked so hard and faithfully to have it enacted into law.

Congressman SMITH, the author of the bill, worked hard and industriously, as did the other Members, and he, too, is to be congratulated.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

ELIMINATING CERTAIN LANDS FROM CRATERS OF THE MOON NATIONAL MONUMENT, IDAHO

Mr. DEROUEN. Mr. Speaker, I call up H. R. 7930, to eliminate certain lands from the Craters of the Moon National Monument, Idaho, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Louisiana calls up the bill H. R. 7930 and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the north half north half south half section 16, township 2 north, range 24 east, Boise meridian, Idaho, be, and the same are hereby, eliminated from the Craters of the Moon National Monument.

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

The Clerk read as follows:

Committee amendment offered by Mr. DEROUEN: Line 3, after the word "half", where it occurs the first time, insert the word "and"; and in line 3, after the words "north half", where the word "north" occurs the second time, insert the words "of the."

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

EXTENDING MINING LAWS OF UNITED STATES TO DEATH VALLEY MONUMENT, CALIF.

Mr. DEROUEN. Mr. Speaker, I call up the bill H. R. 4024, to amend an act of Congress approved June 3, 1933 (48 Stat. 139), entitled "An act to extend the mining laws of the United States to the Death Valley Monument in California", and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Louisiana calls up the bill H. R. 4024 and asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. TABER. Mr. Speaker, I have not been able to get hold of the bill, and I do not know what it is.

Mr. DEROUEN. Mr. Speaker, I withdraw the bill.

The SPEAKER. The gentleman withdraws the bill.

CULTIVATION IN CONNECTION WITH CERTAIN HOMESTEAD ENTRIES

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 8679) to eliminate the requirement of cultivation in connection with certain homestead entries and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. There is a similar Senate bill on the Speaker's table.

Mr. DEROUEN. Then, Mr. Speaker, I ask unanimous consent to substitute the Senate bill S. 2577.

The SPEAKER. Is there objection?

There was no objection.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to consider the Senate bill in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That, exclusive of Alaska, the provisions of the homestead laws requiring cultivation of the land entered shall not be applicable to existing homestead entries made prior to February 5, 1935, or thereafter if based upon valid settlement prior to said date, and no patent shall be withheld for failure to cultivate such lands: *Provided*, That this act shall not be construed to affect any provision of law requiring the cultivation of lands subject to the reclamation laws, nor to apply to entries made under the Forest Homestead Act of June 11, 1906 (34 Stat. 233).

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

A House bill (H. R. 8679) was laid on the table.

CONVEYANCE OF LAND TO HOT SPRINGS, N. MEX.

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 7024) to authorize the conveyance by the United States to the municipality of Hot Springs, N. Mex., the northeast half of the southeast quarter and the northeast quarter of the southwest quarter of section 6, township 14 south, range 4 west, Hot Springs, N. Mex., and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

Mr. TABER. Reserving the right to object, will the gentleman tell us a little about what this bill is?

Mr. DEMPSEY. Mr. Speaker, for the information of the gentleman from New York, this bill provides that the Secretary of the Interior may sell to the city of Hot Springs, N. Mex., for recreation purposes, 120 acres out of the public domain at the minimum price which he is permitted to sell, which is $1.25. This is land that was formerly open to homestead, but has been withdrawn.

Mr. TABER. Is there any cost to the Government at all?

Mr. DEMPSEY. No. We are paying $1.25 an acre for it.

Mr. TABER. Very well. There is no objection.

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

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the city of Hot Springs, N. Mex., the land on the northeast half of the southeast quarter and the northeast quarter of the southwest quarter of section 6, township 14 south, range 4 west, Hot Springs, N. Mex., for the purpose of enabling such city to establish a permanent recreational site and municipal golf course. Such conveyance shall contain the express condition that if such city shall at any time cease to use such property for such purpose, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

With the following committee amendments:

On page 1, line 4, strike out the word "convey" and insert the word "patent"; page 1, line 5, after the word "Mexico" insert "upon payment by such city of a purchase price at the rate of $1.25 per acre"; page 2, line 1, strike out the words "Hot Springs" and insert "New Mexico principal meridian"; page 2, line 4, insert "subject to the highway right-of-way shown on a map approved by the Department of Interior on December 13, 1933."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to authorize the sale by the United States to the municipality of Hot Springs, N. Mex., the northeast half of the southeast quarter and the northeast quarter of the southwest quarter of section 6, township 14 south, range 4 west, Hot Springs, N. Mex."

A motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LANDS TO THE REGENTS OF THE UNIVERSITY OF NEW MEXICO

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 6871) directing the conveyance of certain lands to the regents of the University of New Mexico, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

Mr. TABER. Reserving the right to object, I do not have that bill. Will the gentleman please explain it?

Mr. DEMPSEY. The bill provides that the Interior Department will convey by patent to the University of New Mexico a portion of a certain section of land for archeological purposes. In other words, for the use of the students at the university. At any time the land is not used for this purpose it reverts to the Federal Government.

Mr. TABER. Is there any cost to the Federal Government at all?

Mr. DEMPSEY. None at all.

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

There was no objection.

The SPEAKER. A similar Senate bill, S. 2247, is on the Speaker's table.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to substitute the Senate bill, S. 2247.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by patent, to the regents of the University of New Mexico, for archeological purposes, that part of the unappropriated lands belonging to the United States located in fractional section 30, township 13 north, range 4 east, New Mexico principal meridian; but if such university fails to use such lands for the purposes herein provided, or attempts to alienate such lands, title thereto shall revert to the United States.

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

A House bill (H. R. 6871) was laid on the table.

COMPENSATION OF REGISTERS OF DISTRICT LAND OFFICES

Mr. DEROUEN. Mr. Speaker, I call up the bill (S. 2361) to fix the compensation of registers of district land offices, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

Mr. TABER. Mr. Speaker, I shall object.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 2361, to fix the compensation of registers of district land offices, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mr. DEROUEN. Mr. Chairman, I yield to the gentleman from Utah [Mr. ROBINSON].

Mr. ROBINSON of Utah. Mr. Chairman, the purpose of this bill is to keep the salaries of registers of the land office in the Western States the same as they are at the present time.

Due to the Taylor Grazing Act, which was passed at the last session of Congress, the fees coming into land offices are very greatly reduced, because that takes from the public domain the homestead acreage. In each office the amount of the fees that came in, came in due to the fact of the homestead entries being filed. The present law provides that each register of the land office shall receive per annum $1,000, plus the fees taken into his office during the year, but under no circumstances shall he receive a salary in excess of $3,600. This bill simply changes the $1,000 to $2,000, so that it makes it possible for the registers of land offices to receive a salary of $3,000, provided they take in the excess from $2,000 to $3,600 during any fiscal year.

Mr. PIERCE. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. PIERCE. Is it a fixed salary of $2,000, whether he takes in the fees or not?

Mr. ROBINSON of Utah. Yes; a fixed salary of $2,000 instead of $1,000, as it has been heretofore.

Mr. TABER. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. TABER. Is it not a fact that those people do not have nearly as much to do as they once had?

Mr. ROBINSON of Utah. The facts are that they will have approximately the same amount of work to do as they always have had. There is a certain amount of work to do in all these land offices. The work is not done by one man; there are a number of individuals in the office. The register will have just as much work to do as he has always had. He will have to be at the office at 9 o'clock and put in all of his time on the work, I think just as much so as he ever has done, only he will not have as much coming in in the way of fees. So we have a situation where the man is doing the same amount of work he formerly did but under present law cannot receive a fair and adequate salary.

Mr. TABER. What is there about the present law that will prevent his getting just as much pay as he ever got?

Mr. ROBINSON of Utah. Because he cannot take fees under the present law, and under the law fixing his compensation he must take in fees sufficient to pay his salary on the fee basis.

Mr. TABER. Does not the fact that the fees do not come in in greater volume indicate there is not nearly so much work to do?

Mr. ROBINSON of Utah. There may not be so much work in the office, but, so far as the register is concerned, he will have just as much work to do as he always has had, yet the office help will be reduced.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield that I may answer the gentleman from New York?

Mr. ROBINSON of Utah. Certainly.

Mr. TAYLOR of Colorado. The Taylor Grazing Act did not withdraw the public domain from homestead excepting where the land was put into a grazing district by the wishes of the local people. The public domain has largely been withdrawn from settlement by Executive order, and the registers of the United States land offices do not get fees from homestead entries, and they have some duties placed upon them by that act. Prior to that general Executive withdrawal from entry of the public domain, those registers made from $2,000 to $3,000 a year, mostly out of the fees of the office. I think most of them were up to the limit. The pending bill simply raises them from the $1,000 they are now getting to $2,000 a year. I think most of these registers are now busy most of the time. Yet they are getting only $1,000 a year. That is not at all a fair compensation for an official that has the responsibility and capability that they should have. They should receive $2,000 a year.

Mr. TABER. Do they not take in fees the same as they used to?

Mr. TAYLOR of Colorado. No.

Mr. TABER. Do they not take in any fees at all?

Mr. TAYLOR of Colorado. I understand they take in a very few small fees, but not at all as they used to get under the homestead laws, because homesteading has been suspended. That was where most of their salary came from heretofore.

Mr. TABER. What do these registers have to do now?

Mr. TAYLOR of Colorado. They have to make a large number of reports and registrations and other duties pertaining to the grazing districts, and close up former entries and perform various other land-office duties, for much of which I understand they get no fees at the present time. But they must keep their offices and records open for inspection, to answer correspondence and personal inquiries about public-land matters. They have questions concerning mineral rights, coal lands, oil permits, leases, and various things of that kind. I do not think they are overworked. But $1,000 a year is not at all sufficient to make it worth while for competent registers to hold those offices and properly perform the duties that devolve upon them.

I feel that this is a very meritorious bill. It limits them to $2,000 a year, when many of them had for many years received $3,000 a year before I passed the so-called "Taylor Grazing Act", which was approved by the President on June 28, 1934. I have described the present status and workings of that law in some remarks that I inserted in the RECORD of June 29, 1935.

Mr. ROBINSON of Utah. I will say this to the gentleman from New York that due to the creation of these grazing districts, which are under the Commissioner of Public Lands, a great amount of work has necessarily been done in the office of the register for which no fee is paid.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. LEWIS of Colorado. Is it not a fact that these land offices are places of public record to which the public constantly comes for information on the subject of land? Are they not similar to recorders' offices? The Land Office has to be kept open, and it is a very busy place so far as it concerns the public going there for information and to consult the records. For this service the register receives no fees.

Mr. ROBINSON of Utah. Yes; that is correct. These offices are open from 9 o'clock in the morning until 5 in the evening every day of the week.

Mr. LEWIS of Colorado. I speak of the Denver Land Office from personal contact and knowledge. As a result of these recent statutes the registers now have no opportunity to charge fees, yet it is essential that the offices be kept open and accessible to the public.

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

Mr. ROBINSON of Utah. Yes.

Mr. TABER. It seems that the Department of the Interior was asked by Senator WAGNER what they thought about the bill, and on April 5 of this year they said:

> Under date of February 25 the Acting Director of the Bureau of the Budget advised that the proposed legislation would not be in accord with the financial program of the President. Accordingly I cannot recommend the enactment of S. 2361.

Mr. ROBINSON of Utah. Yes; I think that is the letter signed by Mr. T. A. Walters.

Mr. TABER. That is the attitude of the superior officers of these registers?

Mr. ROBINSON of Utah. I think it does not reflect the true attitude toward these registers, at least, not in my opinion. I think the Department and the administration feel that these registers should be paid a fair salary for the work they are doing, and that where the fees justify $3,000; it is not any more than an adequate salary.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for a question?

Mr. ROBINSON of Utah. I yield.

Mr. CRAWFORD. The way the bill is drawn, it does not guarantee the register a salary of $3,600, does it?

Mr. ROBINSON of Utah. No; it guarantees him only $2,000.

Mr. CRAWFORD. With the passing of the Taylor Grazing Act, and the withdrawal of public domain from homestead entry, there was taken out from under these men their source of income in the way of fees. Is not this correct?

Mr. ROBINSON of Utah. The gentleman is correct.

Mr. CRAWFORD. Yet these registers have to devote their entire time to the job they are holding serving the public.

Mr. ROBINSON of Utah. Yes; and keep their offices open the same as they have always done, as suggested by the gentleman from Colorado [Mr. TAYLOR].

Mr. CRAWFORD. In some cases now they are receiving less than $2,000 a year for this work.

Mr. ROBINSON of Utah. In a good many cases they are receiving less than $2,000.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I ask recognition in opposition to the bill.

The CHAIRMAN. Does any member of the committee desire recognition in opposition? [After a pause.] The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I am not going to take an hour. I will just consume a few minutes.

Mr. Chairman, it seems to me if there was a need for this bill, the Secretary of the Interior would recommend its passage. On the contrary, the Secretary of the Interior recommends against it. If there was a situation where the registrars of the different land offices were suffering and there was really justification for an increase in salary, the Secretary of the Interior would immediately recommend an increase. The Secretary of the Interior, however, after very careful consideration and going into the situation in detail said:

There are only 23 registrars compensated in this manner. During the fiscal year ending June 30, 1934, 16 of the 23 registrars received fees and commissions sufficient to entitle them to $3,600. The remaining seven received compensation ranging from $1,450 to $2,700, or an average of $2,100.

Then further on he states just what I read a while ago:

On February 16 the Director of the Bureau of the Budget was requested to advise this Department whether a proposed bill similar to S. 2361 would meet with the President's approval. Under date of February 23 the Acting Director of the Bureau of the Budget advised that the proposed legislation would not be in accord with the financial program of the President. Accordingly, I cannot recommend enactment of S. 2361.

This is an opportunity, Mr. Chairman, for the House to stand by the President in connection with his program, and I hope, therefore, that this legislation will be defeated.

Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, I think it is quite necessary, if we intend to keep the registrars in these land offices, that we pass this bill.

Mr. CRAWFORD. Will the gentleman yield?

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

Mr. CRAWFORD. Can habitation of the West be continued without these public land offices?

Mr. MOTT. No; in my opinion, it cannot.

Mr. Chairman, this is the situation: The Congress in passing the Taylor Grazing Act, which I consider one of the most improper bills that was ever passed by the Congress, not only deprived the people of the United States of the right to take up homesteads, a right which they have had for the last 150 years, but it also cut off the revenue whereby under existing law the salaries of the registrars have been paid. If we want to keep these registrars, and they are essential, it will be necessary to pay them. Since the Taylor Grazing Act makes it impossible for them to get their salaries from fees, then we will have to provide for their salaries through some other method. If a registrar is worth anything, he is certainly worth $2,000. By reason of the Taylor Grazing Act it will be impossible for them to receive as much as $2,000 in most cases, and, therefore, we will have to provide some other method of paying them. That is what this bill does, and that is all it does. The Congress not only did an injustice to the people of the United States generally in passing the Taylor Grazing Act, but it did a particular injustice to these registrars, and I think we ought to take advantage of this opportunity to correct that injustice and fix a decent, modest salary for them so that we may continue having land offices.

Mr. WHITE. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Idaho.

Mr. WHITE. Is it not a fact that the registrar of a land office is the keeper of the records of the public lands?

Mr. MOTT. Yes.

Mr. WHITE. Is it not a fact if anybody wants to know anything about the status of certain land with reference to oil or mineral deposits that they have to go to this office?

Mr. MOTT. Yes; it is a very necessary office, and we obviously ought to pay a decent salary to the registrars.

Mr. WHITE. Is it not a fact that in a good many places in the West the registrars of these land offices, since the Taylor grazing bill has been passed, are not getting $1,000 a year?

Mr. MOTT. I understand that is correct.

Mr. MILLARD. Will the gentleman yield?

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

Mr. MILLARD. Why is the Secretary of the Interior against this bill?

Mr. MOTT. I doubt that he is really opposed to it, but the fact that the Secretary of the Interior is against the bill, if he is against it, would not make the slightest difference so far as I am concerned, because I think the recommendations of the Secretary of the Interior have been wrong at least as often as they have been right. The fact that the Director of the Budget says this bill is contrary to the President's fiscal or financial policy likewise has no weight with me, because I have never heard anyone give a satisfactory statement as to what the President's fiscal policy is. Similar statements have been attached to the Secretary's reports in connection with a great many bills; but if the Public Lands Committee were to turn down every bill which he reports as being contrary to the President's fiscal policy, there would be many, many meritorious bills that would not receive consideration in this House at all. I think, in considering this measure, we should disregard the recommendations both of the Secretary of the Interior and of the Director of the Budget, because I believe in this particular instance they are both wrong.

Mr. GREEVER. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Wyoming.

Mr. GREEVER. As a matter of fact, the Secretary recommends in his report that it is necessary to continue these offices for some time. If the registrars are to receive compensation commensurate with their duties, it will be necessary to change the present law. He admits in the report that the bill should pass, and yet makes the recommendation that it should not.

Mr. MOTT. The Secretary of the Interior, who sponsored the Taylor Grazing Act, is the man who has made it impossible for the registrars to receive the salaries to which they are entitled under existing law, and I am glad he admits they should be given a decent salary.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, I do not know of anything I can add except to say that there is no office more necessary today in Oregon than the registers of the land office. We have three of them in Oregon. The income of one of these offices is about $1,000 a year. The income of one of the Oregon land offices is nearly up to the maximum. We can hardly keep good men in these places. They do not draw as much money as the men who, under civil service, are the clerks in the office.

The bill should be passed. I cannot understand why Mr. Walters, the Assistant Secretary of the Interior, should have signed this letter that appears in the report. If I had been handling the bill I would certainly have gone down there and had a talk with him. I do not think the Department understands the necessity of keeping these offices open with efficient men. It is the only place where information can be found for the sheepmen and the cattlemen who are grazing the public domain in the West, consisting of millions of acres. The men who are at the head of these offices should certainly receive as much as the ordinary clerks receive under civil service.

I do not wish to impugn the motives of the Secretary of the Interior, but I cannot think this was ever presented to Secretary Ickes or even to Mr. Walters in its true light.

About 12 or 14 years ago the entire land law was revamped and many offices abolished. Up to that time we have had a receiver and we have had a register and receiver in every office. The receiver was cut out and the expenses cut down. The number of offices was decreased. Oregon passed from 6 offices to 3, where it is now. This bill certainly ought to pass.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. I yield.

Mr. WHITE. Is it not a fact that Congress is passing, from time to time, legislation authorizing additional national forests and is it not also a fact that under the terms

of these acts certain records must be kept and certain advertising complied with to advertise the land, and is it not the duty of the register of the Land Office to perform these services?

Mr. PIERCE. Yes; and for most of it no fees can be collected.

Mr. WHITE. But these records are required by law to be kept and these advertisements are required to be made up to conform with the provisions of the law.

Mr. PIERCE. There are large plats in these offices showing the location of the lands, where the lands came from and the homesteads that have been entered and also showing the forest lines. I do not know what the communities would do without these offices being opened and these men keep their offices open from 9 o'clock until 5.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. I yield.

Mr. LEWIS of Colorado. The total number of these registers is only 23, according to the report.

Mr. PIERCE. I think that is correct.

Mr. LEWIS of Colorado. And the total increase is only $1,000 a year as the maximum.

Mr. PIERCE. It does not mean that much. It means, perhaps, $10,000 and I do not think it could mean more than that.

Mr. LEWIS of Colorado. The possible increase would be only $23,000 and from the gentleman's statement it would be much less than that amount.

Mr. PIERCE. I am sure it would be and they are indispensable to the operations of the Taylor Grazing Act.

Do not vote the bill down.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I very much dislike to disagree with the gentleman from New York [Mr. TABER], with whom I find myself in agreement so often; at the same time I do not want those public servants—and they are necessary public servants—to become victims from an income standpoint of some legislation which we have heretofore passed which deprives them of a part of their established income.

I know that these offices are exceedingly necessary and must be maintained. Whether we agree with the Taylor Grazing Act or would withdraw all the public domain from homesteading I do not think has anything to do with paying public servants a reasonable salary for the services rendered. I think the worker is entitled to his pay, and it is for this reason I am in favor of this bill. It has been my experience that in many cases these land offices will be open at midnight if you want to get certain information with reference to oil leases or any other information pertaining to public lands.

It is a class of work where they stand ready to serve all the time. As I see it, it is not a raise in salary; it recognizes the fact that the salary has been taken away from these people by reason of diminished fees under changed rules and regulations that we have passed; and I hope that the Members of this body will pass the bill and pay these servants what they are entitled to.

The Clerk read the bill for amendment.

Mr. DEROUEN. Mr. Chairman, I move the Committee do now rise and report the bill back to the House, with the recommendation that it do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill S. 2361, and had directed him to report the same back with the recommendation that it do pass.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. TABER) there were 73 ayes and 6 noes.

So the bill was passed.

A motion by Mr. DEROUEN to reconsider the vote was laid on the table.

ROGUE RIVER NATIONAL FOREST, OREG.

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 6678) to add certain lands to the Rogue River National Forest in the State of Oregon, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana to consider the bill in the House as in Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of forest management, watershed protection, and recreational use the north half northwest quarter section 3, the south half northwest quarter section 23, and the west half northeast quarter northeast quarter and the east half northwest quarter northeast quarter section 27, township 37 south, range 3 east, Willamette meridian, of revested Oregon and California land-grant lands are hereby added to and made a part of the Rogue River National Forest in the State of Oregon, subject to all laws and regulations governing national forests: *Provided*, That the Secretaries of the Interior and Agriculture shall jointly appraise and agree on the value of the said Oregon and California land-grant lands and shall certify the same to the Secretary of the Treasury. That the Secretary of the Treasury be, and he is hereby, authorized, upon notice of the appraisal by the Secretaries of the Interior and Agriculture, to transfer an equal amount of money from the national-forest receipts and credit the same to the Oregon and California land-grant fund, subject to all the laws and regulations governing the disposal of money received from the Oregon and California land-grant lands.

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

NEWSPAPER CRITICISM ANSWERED

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

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Mason City Globe-Gazette of August 6, 1935, contained an editorial in which it is stated:

WRIGHT PATMAN, Texas Representative in Congress, who has sought desperately in recent months to tie his overweening inflation ambitions to the tail of the American Legion's kite, is now resorting to the use of Government funds and facilities to vent his spleen on the Legion leaders who refused to truckle to his demands. Before us as we write this is an 8-page pamphlet headed "CONGRESSIONAL RECORD Mailed by the Texan at Government Expense * * *."

Those familiar with Mr. PATMAN know that he isn't now and never was interested in the organization he seeks to dominate. His one idea in the field of economics is printing-press money. * * *

At its Chicago national convention the American Legion went on record unequivocally as opposing a policy of inflation, a policy which would bring ruinously devalued dollars to disabled veterans dependent on a fixed compensation. Legion leaders were no less bound by this mandate than by the mandates calling for immediate payment of the bonus.

The first point I desire to discuss is about the use of Government funds to send speeches that were inserted in the CONGRESSIONAL RECORD through the mails without the payment of postage. The speeches were all paid for by me at a price that gives the Government a profit. The speech was on "Wake Up, Legionnaires." It is true that I have mailed them to every person who requested one and to every person whose name has been furnished to me with a request that a speech be sent.

No one would expect me to sit idly by and permit Commander Belgrano in the American Legion Monthly, and his hired hand, John Thomas Taylor, to abuse and misrepresent me and not attempt to answer him. I could not answer him through the American Legion Monthly, as space was denied me for that purpose. The only way I had to answer was through the CONGRESSIONAL RECORD, and since I was attacked in my official capacity, the distribution of my answer through

the mails was absolutely justified. I expect to continue to send out these speeches.

MASON CITY PAPER GETS $200 A DAY GOVERNMENT BOUNTY

Since the managing editor of this paper, whose personal views I am informed have always been in opposition to the payment of the adjusted-service certificates, has seen fit to bring up the question of postage, I desire to call his attention to the fact that the Government is losing more than $6,000 a month on the Mason City Globe-Gazette. Last year, from June 30, 1934, to June 30, 1935, this publication caused to be transported through the mails 886,203 pounds of newspapers. On every 19 copies transported through the mails the Government collected postage on 4 copies at the actual cost rate of transporting 4 copies through the mails and permitted 15 copies to be sent through the mails free of charge. This arrangement caused the Government to lose $72,125.41 on this one publication, representing the difference between what the publication paid to the Government as postage and what it actually cost the Government to render the service. Therefore the Mason City Globe-Gazette, at Mason City, Iowa, is receiving a $200-a-day bounty or bonus or subsidy from the Government and the people of this country. The managing editor criticizes me for sending a few speeches through the mail defending my official record. Such a criticism is unjustified and certainly comes with very poor grace from one who is using the mails free to carry paid advertisements for which he collects a revenue. More than 100,000 pounds of these publications were mailed by the Mason City Globe-Gazette in the county where published without paying one penny of postage whatsoever, as a newspaper does not pay postage on publications mailed to subscribers in the county where published.

NOT OBJECTING TO NEWSPAPER BOUNTY

I am not objecting to the Government allowing low postage rates to newspapers. It is said that George Washington first advocated it on the theory that the dissemination of knowledge and current information should be encouraged even to the extent of a Government bounty; that such publications receiving such privileges would be under obligation to the Government to furnish correct information and be absolutely fair in every way because they were receiving these benefits at the expense of the Government and the people. I am wondering, however, if the newspapers receiving this bounty aggregating $77,757,821.96 for the fiscal year ending 1934 and a similar sum for the fiscal year ending 1935, realize their duty to the public in receiving these benefits. Nothing should be done, however, that would retard the distribution of current information or that would retard the dissemination of knowledge, even if a loss to the Post Office Department is caused. Unless weekly papers were permitted to enjoy these privileges, and some of the smaller dailies, they would be forced out of existence by the State and national publications, and subscription rates would be so high the public would not pay them. It is not in the public interest for this great means of communication to the people to be in the hands of a few. Therefore the bounty is justified with the understanding that the newspapers recognize and perform a public service by giving their readers full, fair, and complete information on both sides of every public question.

WOULD NOT PUBLISH MY ANSWER

On the 28th day of July I addressed a letter to the editor of the American Legion Monthly and told him that since John Thomas Taylor had misrepresented me in an article in the July issue of the American Legion Monthly that I should be allowed to answer him in an issue of the same publication. This privilege was denied me. Mr. John T. Winterich, editor of the American Legion Monthly, wrote:

> I must honestly say that I do not see where it is either the duty or the obligation of the American Legion Monthly to consider a reply to Mr. Taylor's article over your signature, nor can I agree with you that a denial of your request is unfair.

In other words, it is all right for certain officials of the American Legion to attack me and frank the articles through the mails through their publications, but if I attempt to answer them and have the speeches printed at my own expense with a profit to the Government and send them through the mails in identically the same way, I am charged with the improper use of Government facilities. It would be very pleasing to them if I could not get my answer of their unfair and untruthful attacks to the veterans and the people. Their arguments will not stand the light, and they do not want an answer published.

SUBSIDY ENJOYED BY THE AMERICAN LEGION MONTHLY

During the year ending March 31, 1935, the American Legion Monthly transported through the mails 3,549,456 pounds of publications. It actually cost the Government $334,723.70 to render this service, and the American Legion publication paid only $53,062 in postage to the Government for rendering the service, making a net loss to the Government during this time of $281,661, or a loss to the Government of $23,488 a month, almost $1,000 a day. As I have heretofore said, I am not objecting to special postage rates for the American Legion or any other organization, but I do believe that when a publication is subsidized to the extent of almost $1,000 a day by the Government that the editor of such a publication should feel obligated to give one who has been attacked in the publication an opportunity to reply, thereby giving the readers both sides of the question.

AMERICAN LEGION GREAT ORGANIZATION

Contrary to the editorial, I am not attempting to dominate the American Legion. I am a very humble member of the American Legion, and I do have the interest of the American Legion at heart and will not knowingly do anything to injure it, but will gladly devote time and effort to assist the American Legion because I believe it is one of our greatest and most constructive organizations. In exposing certain elected leaders of the American Legion who have betrayed the rank and file, I am rendering the organization a service and not a disservice as the organization cannot possibly survive if a few members are allowed to use it for their own selfish, greedy interests.

KIND OF PRINTING-PRESS MONEY ADVOCATED

Let me discuss for a moment the kind of printing-press money I am interested in. I advocate in this bill an expansion of the currency, but without necessarily putting one extra dollar of money into circulation. My bill—H. R. 1—provides that the veteran who holds a Government obligation payable January 1, 1945, may deposit his obligation with the Government and receive new money in return for it in identically the same way and manner that Federal Reserve banks are allowed to deposit 1945 Government obligations and receive new money in return for them. If the money that is issued to the banks is good money, the money issued to the veterans will be good money. If it is fair for the banks, it is fair for the veterans. If the money issued to the banks is not printing-press money, the money issued to the veterans will not be printing-press money. The bill further provides that as the veterans are paid the Secretary of the Treasury may cause to be withdrawn an equal amount of Federal Reserve notes, thereby through this push-and-pull provision withdraw as much money from actual circulation as is put into actual circulation. If the editor of the Mason City Globe-Gazette will explain to me why it is unsound for veterans to get money this way and sound for banks to get money the same way, I will quit this fight. The method of payment is secondary with me. Our method was advocated to make the measure popular, since no new bonds, taxes, or interest would be required to make the payment.

AMERICAN LEGION RESOLUTION BOUGHT AND PAID FOR

The last part of the editorial quoted indicates that the editor of this paper is depending on the so-called "anti-inflation resolution" that was passed at the Chicago National Convention of the American Legion in 1933 as a storm center. The Wall Street gang that bought and paid for this resolution are claiming the same thing. Commander Belgrano has never, to my knowledge, made this contention. This is the resolution that Wall Street spent a tremendous amount of money to cause the adoption of. It is the resolution referred to in my speech, "Wake Up, Legionnaires." It is the same resolution that was intended for the Wall Street international bankers' interests. There is sworn testimony,

which I have in my possession—have only one copy and cannot get another one—to the effect that $74,000 in actual money was carried to the Chicago convention in the fall of 1933 and was used to buy the influence of certain leaders of the American Legion to get the so-called "anti-inflation" resolution through the Chicago convention. All the leaders are not guilty; only a few of them are guilty. A thorough investigation should be made by a congressional committee since the American Legion commander, Mr. Belgrano, has had an opportunity to make the investigation through Legion circles, promised to make it through Legion circles, promised to appropriate enough funds to cause the entire subject matter to be investigated, and has failed and refused to do so. The investigation should be made by Congress, the only body that has the power to examine witnesses and compel their attendance for the purposes of such an investigation.

DELEGATE TO ST. LOUIS CONVENTION

I do not expect to attempt to elect a national commander of the American Legion at St. Louis when the national convention convenes next month. My activity in this regard will be confined to voting as one delegate from Texas. I am not expecting to sponsor any candidate for national commander. I am anxious, however, for the kingmakers to be dethroned at the St. Louis convention, that a congressional investigation of Wall Street's connection with important official officeholders and former leaders of the American Legion be requested of Congress, that a resolution be passed endorsing full and immediate cash payment of the adjusted-service certificates, and a commander elected who will discharge John Thomas Taylor immediately and other harmful employees of the American Legion and will conscientiously and sincerely make every effort to carry out the mandate of the convention. I much prefer the opposition of a commander of the American Legion to the payment of the adjusted-service certificates than to have such cooperation as was given to us during this session of Congress—the kind that meant a lot of lip service for the veterans and their cause and a lot of head-and-foot work for Wall Street and international bankers. The politicians inside of the American Legion who are perpetuating the kingmakers in power are rendering the organization the most destructive service.

CLIMBING THE HILL OF RECOVERY

Mr. PETTENGILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein an address delivered by my colleague, Mr. BOEHNE.

The SPEAKER. Is there objection?

There was no objection.

Mr. PETTENGILL. Mr. Speaker, under leave to extend my remarks, I attach copy of an unusually able address given by my friend and colleague, Hon. JOHN W. BOEHNE, Jr., before the Indiana Democratic Editorial Association, at French Lick, Ind., on August 10, 1935. It is a comprehensive review of the progress made toward national recovery under the leadership of President Roosevelt and a brilliant answer to the prophets of gloom.

Mr. BOEHNE's quotation from President Lincoln's first inaugural address with respect to the Constitution and the Supreme Court should be read by all those who attended the recent "grass roots" convention.

Sometime ago your association decided to invite one Member of the Indiana Democratic delegation in Congress to speak for that delegation at your midsummer meetings. This honor has come to me this year, and I want to express to your committee and to your president my sincere thanks for the invitation that has been extended.

It is well-nigh an impossible job for one of the 11 Democrats from Indiana to speak with authority for the other 10. I can say without hesitation that all of them have convictions of their own and are not fearful of expressing them and voting them. On many occasions we do not vote as a unit, but be it said for the Record that all of them are Democrats from beginning to end.

I want to take this occasion to speak for a few moments about the House of Representatives itself, its connection with the executive branch of our Government, and its actions during the past 2½ years.

All of us recall the accusations made against the Congress, particularly the House of Representatives, in 1933, that it had suddenly gone mad, and that it had delegated most of its authority to the executive branch of the Government, that as a matter of fact Congress had become nothing more nor less than a rubber stamp faithfully abiding by the wishes of the autocrat in the White House. In order that we may have a composite picture, may I call to your attention the words expressed by Herbert Hoover, the last Republican President, at Des Moines, Iowa, on October 4, 1932:

"We have fought an unending war against the effect of these calamities upon our people. This is no time to recount the battles on a thousand fronts. We have fought the good fight to protect our people in a thousand cities from hunger and cold."

Evidently the battles he mentioned were not won, because 3 short months intervened and then the collapse came and with it an almost annihilation of confidence in those leaders who had been directing the forces against the enemy in this war. We remember the attempts at recovery made by that administration, but unfortunately these attempts were based on the wrong assumption of pouring in the top, hoping that it would filter through to the bottom and relieve him who needed relief most, Mr. Average American Citizen.

Then on March 4, 1933, we heard the following words from the new President of the United States:

"It is to be hoped that the normal balance of executive and legislative authority may be wholly adequate to meet the unprecedented task before us. But it may be that an unprecedented demand and need for undelayed action may call for temporary departure from that normal balance of public procedure.

"I am prepared under my constitutional duty to recommend the measures that a stricken nation in the midst of a stricken world may require. These measures, or such other measures as the Congress may build out of its experience and wisdom, I shall seek, within my constitutional authority, to bring to speedy adoption.

"But in the event that the Congress shall fail to take one of these two courses, and in the event that the national emergency is still critical, I shall not evade the clear course of duty that will then confront me. I shall ask the Congress for the one remaining instrument to meet the crisis—broad Executive power to wage a war against the emergency, as great as the power that would be given to me if we were in fact invaded by a foreign foe."

The emergency existed, the critical time was at hand, the request was made; and be it said to the credit of a Democratic Congress, broad emergency powers were delegated to the President of the United States in order that he could meet the foe who his predecessor said was in our midst. Within the short period of 100 days 14 major enactments were placed on the statute books, and the country applauded. Why? It applauded because of the speed, the patriotism, the self-sacrifice of individual opinions, and the cooperation with the Chief Executive of the United States displayed by that Democratic Congress. Not until 16 months later, when a partisan campaign was under way, was the cry of "rubber stamp" heard.

The legislation that has been enacted during the past 2 years is well known to all of us. Reform measures have been adopted, but above all the first consideration was recovery. Today the House of Representatives, believing that the most critical period in the history of our country is slowly passing out of sight, is again returning as a deliberative body of legislators, independent of any branch of government, exactly as the founders built it.

During the past few weeks we have witnessed many things which have a direct bearing on the question of whether or not the House of Representatives should remain truly representative of their particular constituency. It is a well-known fact that all of the people cannot assemble together, formulate a public policy, and put it into effect. They must therefore assign these tasks to a few of their number especially chosen for that purpose. These men are the peoples' representatives. At this point, let me make the statement that may be disputed by some but which I believe to be true in every sense of the word. A representative does not go to a legislature to represent the opinions of those who elect him; he goes there to represent them in the business of forming opinions. If his opinions turn out not to be the kind of opinions the voters like, their remedy is to vote for someone else at the next election. It is precisely to meet this situation that the Constitution of the United States provides for congressional elections every 2 years.

It is evident that if you elect a man to Congress and then get 5,000 people to send him telegrams telling him how to vote; if you send a paid lobbyist to him, who threatens him with defeat at the next election if he does not vote for a bill agreeable to the interest of lobbyist's clients; if you send a deputation to his office to demand that in some manner he is to be guided by the deputation's will and not by his own conviction; if you do these things, your man is no longer a representative; he is a delegate. The Democratic Members of Congress from Indiana are not delegates, but Representatives in Congress.

A week before last one of the Representatives from the State of Indiana, after due deliberation and without either administration or utility lobbying, and as a direct result of the devastating evidence presented by two investigating committees, one of which the junior Senator from Indiana is a member, decided that possibly he had cast the wrong vote on a certain important measure, and that in all probability his vote would be changed should an opportunity arise. Immediately certain Indiana Republican papers arose in their so-called "righteous wrath" to denounce him for having had the audacity to do what they termed "switched." I wonder what position these same editors would have taken had the situation been reversed. Suppose a Member had voted for the "death sentence" and later "repented" and decided at his

next opportunity to vote against it. Under those circumstances he would have been called a great patriot and an eminent statesman. The Democrats from the State of Indiana in Congress reserve the right to change their votes any time they please and without intimidation and coercion from any source whatever, and when they deny themselves that right they no longer ought to be Representatives in Congress.

Whenever there is a dull moment on the floor of the House of Representatives, and there are quite a few, because committees are working assiduously to complete the legislative program for this session, we often hear our friends of the minority tell us how terrible conditions are, how the depression is being prolonged by the antics of the majority, and these words were used by the Honorable HAMILTON FISH, Jr., of New York, a self-exposed, solitary, sublimated Republican candidate for the Presidency in 1936.

Just last week I was amused at a syndicated article which appeared in one of the Washington papers written by Raymond Clapper:

"They tell us that Roosevelt, the insidious Communist, is deliberately prolonging the depression. His reckless legislation is ruining the country. He has us hopelessly in debt. Business men are persecuted, harassed, afraid to make a move. Roosevelt has them down with his hands at their throats, and he won't let them get up. Things never will be right until he is thrown out, and along with him his dictatorship and regimentation.

"By the time you have read back to the financial pages, your flesh is creeping and you wonder how it happens that you are still spared from these things.

"If you glance at those business columns of dull statistics, reports to stockholders, trade reports, market tables, you will be able to discern what is happening under this oppressive regime of the camouflaged socialistic dictatorship. Automobile production is higher than in 1928, two and a half times as high as in 1932. Bank clearings for the country are a fourth higher than last year and in New York City they are up almost a third. Building contracts are up almost 20 percent above last year. On the west coast the Pacific Lighting Co. has current earnings of $4.05 a share instead of the $2.27 of last year. From Minnesota, where the United States Supreme Court let them have a farm moratorium, the Northwestern National Life Insurance Co. reports that among 10,000 of its policyholders the average mortgage load has gone down 10 percent in 2 years, and the average wealth of the families has gone up 16 percent. Power production passes the 1929 all-time peak. Steel is doing better than the summer average. Plate mills hit 85 percent capacity. Heavy industry is cheering for the first time in years. Farm prices soared to new highs of many years.

"It is all very confusing. One feels as bewildered as a pup with a flea on each ear."

It seems as though the battle cry of the enemy next year, for lack of any other issue, will be "Back to the Constitution", "Support the Supreme Court of the United States." Is there anyone who believes in the principles of the Democratic Party, who believes in Franklin D. Roosevelt, thinks that an attack is going to be made on the basic law of our land, tearing the work of a century and a half asunder, that the Government of the United States is to be changed from a democracy to an autocracy or even a socialized state, or that the Supreme Court will be abolished? It is interesting to the American people that a few weeks ago the great Republican Party held what was widely advertised as a "grass roots conference" in our neighbor State, in the city where lies all that is mortal of the Great Emancipator and the first Republican President of the United States, Abraham Lincoln, a man whose memory is sacred and whose name is revered by men of all political beliefs. It has seemed queer to me that it was necessary for the Republican Party to go back 74 years before it could find any member of its party who seemed to represent all that was high and noble of that party.

They seemed to have relegated to the scrap heap the doctrines and principles of all of those men who have held high positions and bore the emblem of the Republican Party, and among these I include the indomitable, trust-busting Theodore Roosevelt. I am wondering if these same people who worshiped at the shrine of the Great Emancipator a few weeks ago recalled to mind any utterance which Lincoln might have made bearing on the questions of the day. In order to refresh their memory let me repeat a few words from Lincoln's first inaugural address delivered March 4, 1861, at Washington:

"I do not forget the position assumed by some that constitutional questions are to be decided by the Supreme Court, nor do I deny that such decisions must be binding in any case upon the parties to a suit, as to the object of that suit, while they are also entitled to a very high respect and consideration in all parallel cases by all other departments of the Government; and, while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it, being limited to that particular case, with the chance that it may be overruled and never become a precedent for other cases, can better be borne than could the evils of a different practice.

"At the same time the candid citizen must confess that, if the policy of the Government upon the vital question affecting the whole people is to be irrevocably fixed by the decisions of the Supreme Court, the instant they are made, as in ordinary litigation between parties in personal action, the people will have ceased to be their own masters, unless having to that extent practically resigned their Government into the hands of that eminent tribunal."

I quote this statement to show that the Constitution of the United States is now, as it always has been, in the hands of its friends, the people of the United States, and is not the possession of a proud but prostrate political party that seeks its own resurrection through the demagoguery of some of its prominent adherents.

Next year will be an election year. Between now and then vituperation of the vilest sort will be heaped upon the President of the United States and those who believe in him. As was stated in an editorial of a leading newspaper not so long ago—

"We may like him, or we may not like him. We may think him all-wise, or we may think him blundering. Anyway, he is at the wheel—put there by the greatest national vote ever given an American President. To try to wreck Roosevelt now is insanity. He cannot be wrecked without wrecking the Nation. Run him into the ditch and American industry and labor go with him. Then we are all through—for a longer time than is pleasant to contemplate."

The people elected Franklin D. Roosevelt in 1932 under an overwhelming mandate to reverse the Bourbon policy of his predecessors. In 1934, with an even greater unanimity, they endorsed what he had done and they demanded that he continue. The Democrats of Indiana will not desert the leader of their party and the leader of the people, and will return him and all of his supporters in 1936; and in this battle you, as Democratic editors, will be in the first line of trenches, not defending but going forward with those who have made progress possible in these United States.

WHITMAN NATIONAL MONUMENT

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 7736) to provide for the establishment of the Whitman National Monument, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I object.

The SPEAKER. Under the rule, the House will automatically resolve itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. RAMSPECK in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mr. DEROUEN. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. KNUTE HILL].

Mr. KNUTE HILL. Mr. Chairman, this is a bill to change a local park near Walla Walla in the State of Washington in commemoration of Marcus Whitman, who came out there in 1836, to a national monument. The people are willing to donate the land and the monument now there. It does not cost the Government a cent.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KNUTE HILL. Yes.

Mr. MARTIN of Massachusetts. This is land to be donated to the Government?

Mr. KNUTE HILL. Yes.

Mr. MARTIN of Massachusetts. How much will the maintenance cost?

Mr. KNUTE HILL. It will probably amount to very little.

Mr. MARTIN of Massachusetts. Of course, there will be some expenditure of money or the bill would not be here. How much is it to be?

Mr. KNUTE HILL. I could not say how much that would be; but the gentleman will agree that Marcus Whitman is one of our outstanding historical characters.

Mr. MARTIN of Massachusetts. How many jobs will be created by virtue of this bill?

Mr. KNUTE HILL. I do not think there will be any.

Mr. MARTIN of Massachusetts. Somebody has to take care of the place.

Mr. KNUTE HILL. Probably a caretaker there.

Mr. SNELL. Is not it the intention that eventually the Government will do something to develop this property or put up a monument?

Mr. KNUTE HILL. The monument is already there.

Mr. SNELL. What is the purpose of transferring it to the Federal Government?

Mr. KNUTE HILL. To make a national monument instead of a local affair.

Mr. SNELL. It seems to me that by taking over all of these various monuments in different parts of the country we are cheapening the whole national monument park service.

Mr. KNUTE HILL. You have been doing it in the East and are not we entitled to do it in the West?

Mr. SNELL. I think you are, if we have been doing it in the East, but I am opposed to all such things. I opposed one in my own State today. I am against that policy. I do not think we ought to take care of these parks all over the United States. There are at least a dozen on the calendar at the present time. Various Members come here asking us to take over this or that park or monument. I think it is a wrong policy, and it is cheapening the National Park Service. Individually I am opposed to it in every part of the country, not alone in my own State but in other States of the Union.

Mr. KNUTE HILL. I believe Marcus Whitman was an outstanding historical character, and without him we would not have the Northwest.

Mr. SNELL. I cannot see any reason why the Federal Government should take over all of these and assume the expense of taking care of them. It has never been the policy of the Government up to the past few months.

Mr. KNUTE HILL. I repeat, you have been doing it in the East and I think we are entitled to it in the West.

Mr. SNELL. But the gentleman knows that I am consistent in my opposition. I am opposed to all of them.

Mr. CARLSON. The gentleman stated that it would not cost anything. I read from page 1, line 10, of the bill:

In the event the Secretary is unable to acquire such property, or any part thereof, at a reasonable price, he is authorized and directed to condemn such property or any part thereof, in the manner provided by law.

Mr. KNUTE HILL. I think that has been changed.

Mr. DEROUEN. There is an amendment to that.

Mr. KNUTE HILL. There is no cost to the Government except the maintenance afterward.

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

Mr. KNUTE HILL. Yes.

Mr. PIERCE. Is it not true that this commemorates the life and character of two of the most wonderful of all of the explorers of America, Marcus Whitman and his wife? It is a little matter.

Mr. SNELL. But does not the gentleman know that there are thousands of people in the United States who perhaps might be entitled to have their life and character memorialized by the Federal Government?

Mr. PIERCE. The park is there; it is a national monument, or should be; not a State or local monument. Unparalleled was the ride of Whitman and his wife from the Missouri River into that great Northwest, with nothing except their religious zeal to convert the Indians and civilize them. Then, when they learned of the movement of the British to acquire the Northwest Territory, back Dr. Whitman rode in the wintertime clear into the city of Washington, and it was his influence that probably did more than anything else to save Oregon to the National Union.

Mr. SNELL. Each one in itself is small, but, taken all together, we are making a terrific load for the Federal Government. I appreciate that if you gentlemen decide to put it through you can do it. I am not going to ask for a roll call, but I want to definitely go on record as against this policy.

Mr. TABER. Mr. Chairman, I ask for recognition.

The CHAIRMAN. Is there any member of the committee who desires recognition in opposition to the bill? [After a pause.] If not, the gentleman from New York [Mr. TABER] is recognized.

Mr. TABER. Mr. Chairman, it seems to me it is time for us to stop spending money continuously. We are going to have monuments all over the United States. We are going ahead so fast now that when the committee reports on these bills they do not even ask the Secretary of the Interior, as they did 2 or 3 months ago, whether he would approve the bills or not. There is nothing said about the thing in the report. Under all the circumstances, I hope this House will not approve of this bill. I presume that Marcus Whitman was a great character. I presume that his wife was a great character, but I do not believe it is fair to the people of the United States who have to pay the taxes to put this additional burden on their shoulders. They already have this monument. It is going along all right. It is being maintained all right. Why should we not let it go at that?

Mr. DEROUEN. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, one of the most impressive addresses I ever had the privilege of reading was a speech made by President Harding memorializing the life and services of Marcus Whitman. Out in the three great northwestern States of Oregon, Idaho, and Washington there are very few historical monuments. In the East we find them everywhere. They are maintained by the Government. The site of Marcus Whitman's mission and the place where he trained the Indians is now owned partly by the State of Washington. If we can turn this into a national monument it will be a source of pride to the people of the country and an inspiration to the rising generation.

I certainly think it would be a serious mistake on the part of this House to deny the people of the Northwest the privilege of commemorating the achievements of Marcus Whitman, to whom President Harding in his memorial address gave credit for saving the great Northwest Territory to the Nation.

I hope you will vote for this bill.

[Here the gavel fell.]

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by gift or purchase, the site of the Indian mission established in 1836 by Marcus Whitman on the Walla Walla River in what is now Walla Walla County, Wash., together with such additional land, including a right-of-way to the nearest highway, as the Secretary may deem necessary to carry out the purposes of this act. In the event the Secretary is unable to acquire such property, or any part thereof, at a reasonable price, he is authorized, and directed to condemn such property, or any part thereof, in the manner provided by law.

SEC. 2. The property acquired under the provisions of section 1 of this act shall constitute the Whitman National Monument and shall be a public national memorial to Marcus Whitman and his wife, Narcissa Prentiss Whitman, who here established their Indian mission and school, and ministered to the physical and spiritual needs of the Indians until massacred with 12 other persons in 1847. The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States.

SEC. 3. The Secretary of the Interior is authorized, in his discretion, to construct roads, and mark with monuments, tablets, or otherwise, historical points of interest within the boundaries of the Whitman National Monument.

SEC. 4. Any State, or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets within the boundaries of the Whitman National Monument.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

With the following committee amendment:

On page 1, line 4, strike out the words "or purchase."

The committee amendment was agreed to.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 2, line 16, strike out all of section 3.

Mr. TABER. Mr. Chairman, this bill authorizes the Secretary of the Interior in his discretion to construct roads and mark with monuments, tablets, or otherwise, historical points of interest.

Mr. ROBINSON of Utah. I think the committee will consent that that section may go out.

Mr. TABER. The committee will accept the amendment?

Mr. ROBINSON of Utah. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER.]

The amendment was agreed to.

Mr. TABER. Mr. Chairman, I move to strike out the last word of section 1 for the purpose of asking a question.

Page 1, lines 7 to 10, read:

Together with such additional land, including a right-of-way to the nearest highway, as the Secretary may deem necessary to carry out the purposes of this act.

Does that mean to imply that we are expecting a road to be built there?

Mr. KNUTE HILL. There is already a road built out to the main road going to Walla Walla.

Mr. TABER. The road is already there?

Mr. KNUTE HILL. Yes. It is a country road.

Mr. TABER. Then the bill goes on to state:

In the event the Secretary is unable to acquire such property, or any part thereof, at a reasonable price, he is authorized and directed to condemn such property or any part thereof, in the manner provided by law.

In view of the committee amendment which takes out the words "or purchase", it seems to me that that sentence beginning with "In the event" ought to go out.

Mr. ROBINSON of Utah. The committee has no objection to that.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 1, line 10, beginning with the word "In", strike out the balance of the paragraph.

The amendment was agreed to.

Mr. DEROUEN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 7736, and directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. DEROUEN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. Without objection, the section numbers of the bill will be corrected by the Clerk.

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MEDICINE BOW NATIONAL FOREST

Mr. DEROUEN. Mr. Speaker, I call up the bill (S. 2695) to add certain lands to the Medicine Bow National Forest, Wyo.

The Clerk read the title of the bill.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following-described lands are hereby added to the Medicine Bow National Forest, Wyo., and made subject to all laws and regulations applicable to such forest, and subject to all valid existing rights:

Sections 4 to 9, inclusive; sections 17 to 19, inclusive, township 24 north, range 70 west, sixth principal meridian.

Sections 4 to 9, inclusive; section 18, township 25 north, range 70 west, sixth principal meridian.

Sections 6 and 7; sections 19 to 21, inclusive; sections 28 to 33, inclusive, township 26 north, range 70 west, sixth principal meridian.

South half section 7; south half section 8; south half section 9; sections 16 to 19, inclusive; sections 30 and 31, township 27 north, range 70 west, sixth principal meridian.

Sections 6, 7, 18, 19, and 30, township 28 north, range 70 west, sixth principal meridian.

Sections 1 to 4, inclusive; sections 8 to 17, inclusive; sections 20 to 28, inclusive; sections 33 to 36, inclusive, township 24 north, range 71 west, sixth principal meridian.

Sections 1 to 5, inclusive; east half section 6; east half section 7; sections 8 to 16, inclusive; sections 21 to 28, inclusive; sections 33 to 36, inclusive, township 25 north, range 71 west, sixth principal meridian.

Sections 1 to 30, inclusive; east half and east half west half section 31; sections 32 to 36, inclusive, township 26 north, range 71 west, sixth principal meridian.

Sections 3 to 10, inclusive; sections 13 to 36, inclusive, township 27 north, range 71 west, sixth principal meridian.

Sections 1 to 5, inclusive; sections 8 to 15, inclusive; sections 21 to 34, inclusive, township 28 north, range 71 west, sixth principal meridian.

Sections 35 and 36, township 29 north, range 71 west, sixth principal meridian.

Sections 1 to 31, inclusive, township 26 north, range 72 west, sixth principal meridian.

Entire township, township 27 north, range 72 west, sixth principal meridian.

Sections 7 to 10, inclusive; sections 15 to 23, inclusive; sections 25 to 36, inclusive, township 28 north, range 72 west, sixth principal meridian.

Sections 2 and 3, township 25 north, range 73 west, sixth principal meridian.

Entire township, township 26 north, range 73 west, sixth principal meridian.

Entire township, township 27 north, range 73 west, sixth principal meridian.

Entire township, township 28 north, range 73 west, sixth principal meridian.

Sections 5 to 10, inclusive; sections 15 to 22, inclusive; sections 26 to 36, inclusive, township 29 north, range 73 west, sixth principal meridian.

Section 31, township 30 north, range 73 west, sixth principal meridian.

Sections 1, 12, 13, 24, 25, and 36, township 26 north, range 74 west, sixth principal meridian.

Section 1; east half section 11; sections 12 to 14, inclusive; sections 23 to 26, inclusive; north half section 35; section 36, township 27 north, range 74 west, sixth principal meridian.

Section 1; sections 5 to 8, inclusive; sections 12 to 25, inclusive; sections 27 to 31, inclusive; section 36, township 28 north, range 74 west, sixth principal meridian.

Section 1; east half section 2; sections 11 to 14, inclusive; sections 18 and 19; east half section 23; sections 24 and 25; sections 29 to 32, inclusive; section 36, township 29 north, range 74 west, sixth principal meridian.

Section 36, township 30 north, range 74 west, sixth principal meridian.

Sections 1 to 18, inclusive; sections 20 to 28, inclusive; sections 34 to 36, inclusive, township 28 north, range 75 west, sixth principal meridian.

Sections 2 to 36, inclusive, township 29 north, range 75 west, sixth principal meridian.

Sections 3 to 5, inclusive; sections 8 to 11, inclusive; sections 13 to 24, inclusive; sections 26 to 35, inclusive, township 30 north, range 75 west, sixth principal meridian.

Sections 1 to 28, inclusive; sections 35 and 36, township 29 north, range 76 west, sixth principal meridian.

Sections 2 to 10, inclusive; sections 15 to 36, inclusive, township 30 north, range 76 west, sixth principal meridian.

Sections 20 to 22, inclusive; sections 27 to 35, inclusive, township 31 north, range 76 west, sixth principal meridian.

Sections 1 to 3, inclusive; section 12; east half section 13, township 29 north, range 77 west, sixth principal meridian.

Sections 1 to 3, inclusive; east half section 4; east half section 9; sections 10 to 36, inclusive, township 30 north, range 77 west, sixth principal meridian.

East half section 16; east half section 21; east half section 28; east half section 33; sections 15, 22, 26, 27, 34, 35, 36, township 31 north, range 77 west, sixth principal meridian.

Sections 13, 14, 23, and 24, township 30 north, range 78 west, sixth principal meridian.

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

ROGUE RIVER NATIONAL FOREST, OREG.

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 8312) to add certain lands to the Rogue River National Forest in the State of Oregon.

The Clerk read the title of the bill.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of forest management and municipal watershed protection, the following-described lands are hereby added to and made a part of the Rogue River National Forest in the State of Oregon and shall hereafter be administered subject to all the laws and regulations governing the national forests: Sections 31 to 35, inclusive, township 39 south, range 1 west; sections 2 to 11, inclusive, and sections 14 to 36,

inclusive, township 40 south, range 1 west; section 1, and sections 11 to 36, inclusive, township 40 south, range 2 west, all Willamette base and meridian: *Provided*, That this action shall, as to all lands which are at this date legally appropriated under the public-land laws or reserved for any purpose, be subject to and shall not interfere with or defeat legal rights under such appropriation, nor prevent the use for such public purposes of lands so reserved so long as such appropriation is legally maintained or such reservation remains in force.

SEC. 2. The Secretaries of the Interior and Agriculture shall jointly appraise and agree on the value of all of the above-described lands which were formerly a part of the Oregon & California Railroad land grant and title to which revested in the United States under the provisions of the act of June 9, 1916 (39 Stat. 218), and shall certify such value to the Secretary of the Treasury.

SEC. 3. That the Secretary of the Treasury be, and is authorized, upon receipt of the certificate from the Secretaries of the Interior and Agriculture provided in section 2 hereof, to transfer from the national forest receipts and credit to the Oregon & California land-grant fund as defined by section 10, said act of June 9, 1916, an amount of money equal to the amount certified by the Secretaries of the Interior and Agriculture as being the value of the former Oregon & California Railroad grant lands given a national forest status by the provisions of this act: *Provided*, That the money transferred to the Oregon & California land-grant fund shall be subject to all the laws and regulations governing the disposal of money received from the Oregon & California land-grant lands.

With the following committee amendment:

Page 2, strike out sections 2 and 3; and on page 3, strike out the first five lines and insert in lieu thereof the following:

"SEC. 2. That when the Secretary of Agriculture finds that merchantable timber may be cut without detriment to the purity or depletion of the water supply from such of the above-described lands title to which has been revested in the United States under the act of Congress approved June 9, 1916 (39 Stat. 218), said Secretary is hereby authorized to dispose of such merchantable timber on such lands in accordance with the rules and regulations of the Secretary of Agriculture for the national forests and the entire proceeds of any such sale shall be deposited in the Treasury of the United States in a special fund designated 'The Oregon and California Land Grant Fund', referred to in section 10 of the said act of June 9, 1916, and be disposed of in the manner therein designated."

The committee amendment was agreed to.

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

HOMESTEAD SETTLERS

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 8133) to authorize certain homestead settlers or entrymen who are disabled World War veterans to make final proof of their entries, and for other purposes.

The Clerk read the title of the bill.

Mr. MILLARD. Mr. Speaker, I suggest the absence of a quorum. We have been here since 11 o'clock, 6 hours and 5 minutes. Not more than 50 Members of the House are present. I suggest the absence of a quorum.

Mr. BURDICK. Mr. Speaker, will the gentleman withdraw his point of order?

Mr. MILLARD. No; I cannot.

Mrs. GREENWAY. Mr. Speaker, will not the gentleman withdraw his point of order?

Mr. MILLARD. Mr. Speaker, I give way to my friend from Arizona. Mr. Speaker, I withdraw the point of order.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That any settler or entryman under the homestead laws of the United States who on or after April 6, 1917, and prior to November 12, 1918, enlisted or was actually engaged in the United States Army, Navy, or Marine Corps during the war with Germany, who was honorably discharged from such service, who settled, entered upon, or applied for public lands and who because of physical incapacities is unable to perform the prescribed residential and improvement and other requirements may make proof without further residence, improvement, or cultivation, at such time and place as may be authorized and under such regulations to be issued by the Secretary of the Interior, and receive patent to the land by him so entered or settled upon.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. GILLETTE, indefinitely, on account of serious illness in family.

To Mr. MAY (at the request of Mr. SPENCE), indefinitely, on account of illness.

To Mr. MITCHELL of Illinois, for 1 week, on account of urgent business.

ENROLLED JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly an enrolled joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 290. A joint resolution to amend an act entitled "An act providing for the ratification of Joint Resolution No. 59 of the Legislature of Puerto Rico, approved by the Governor May 5, 1930, imposing an import duty on coffee imported into Puerto Rico", approved June 18, 1934.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 6453. An act to amend the act of May 13, 1934, entitled "An act providing for a study regarding the equitable use of the waters of the Rio Grande", etc., as amended by the public resolution of March 3, 1927; and

H. R. 8963. An act granting the consent of Congress to the State of Connecticut and Middlesex County to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Middletown, Conn.

Mr. MILLARD. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. Evidently there is not a quorum present.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask the gentleman from New York to withdraw his point of order for a moment to permit me to submit a unanimous-consent request.

The SPEAKER. The gentleman cannot withdraw the point of order, for the Chair has already declared the absence of a quorum and the record so shows.

ADJOURNMENT

Mr. TAYLOR of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Thursday, August 15, 1935, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MURDOCK: Committee on Indian Affairs. H. R. 8655. A bill providing for the transfer of certain Government property in Wisconsin to the State; with amendment (Rept. No. 1795). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. S. 2148. An act to provide for the leasing of restricted Indian lands of Indians of the Five Civilized Tribes in Oklahoma; without amendment (Rept. No. 1796). Referred to the Committee of the Whole House on the state of the Union.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 9114. A bill to abolish the oath required of customs and internal revenue employees prior to the receipt of compensation, and for other purposes; without amendment (Rept. No. 1797). Referred to the Committee of the Whole House on the state of the Union.

Mr. CITRON: Committee on the Judiciary. H. R. 7293. A bill to amend the act approved June 16, 1934, entitled "An

act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the act approved June 16, 1933, and for other purposes"; with amendment (Rept. No. 1798). Referred to the Committee of the Whole House on the state of the Union.

Mr. CALDWELL: Committee on Foreign Affairs. House Joint Resolution 365. Joint resolution providing for participation by the United States in the Pan American Exposition to be held in Tampa, Fla., in the year 1939 in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, and for other purposes; without amendment (Rept. No. 1799). Referred to the Committee of the Whole House on the state of the Union.

Mr. SAMUEL B. HILL: Committee on Ways and Means. H. R. 9100. A bill to stabilize the bituminous-coal mining industry and promote its interstate commerce; to provide for cooperative marketing of bituminous coal; to levy a tax on bituminous coal and provide for a drawback under certain conditions; to declare the production, distribution, and use of bituminous coal to be affected with a national public interest; to conserve the bituminous-coal resources of the United States; to provide for the general welfare, and for other purposes; and providing penalties; without amendment (Rept. No. 1800). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE of Maryland: Committee on Interstate and Foreign Commerce. H. R. 9053. A bill to regulate interstate and foreign commerce in petroleum and petroleum products, to establish the Petroleum Administrative Board, and for other purposes; with amendment (Rept. No. 1801). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DIMOND: A bill (H. R. 9130) to authorize the incorporated city of Skagway, Alaska, to undertake certain municipal public works, and for such purpose to issue bonds in any sum not exceeding $12,000, and for other purposes; to the Committee on the Territories.

By Mr. McSWAIN: A bill (H. R. 9131) to promote the efficiency of the Air Corps; to the Committee on Military Affairs.

By Mr. ZIONCHECK: A bill (H. R. 9132) to amend the act granting the consent of Congress for the construction of a bridge across Port Washington Narrows in the State of Washington; to the Committee on Interstate and Foreign Commerce.

By Mr. DEAR: A bill (H. R. 9133) to amend an act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928; to the Committee on Flood Control.

By Mr. BOILEAU: A bill (H. R. 9134) to establish the Department of National Defense, to limit the activities of the national-defense establishments to defense purposes only, to make such establishments instruments of national peace, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. SIROVICH: Resolution (H. Res. 339) for the investigation of financial, operative, and business irregularities and illegal actions by interests inside and outside the motion- and sonant-picture industry; to the Committee on Rules.

By Mr. FADDIS: Joint resolution (H. J. Res. 379) to prevent the importation of certain products; to the Committee on Ways and Means.

By Mr. MARTIN of Massachusetts: Joint resolution (H. J. Res. 380) to suspend the payment of cotton processing taxes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

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

By Br. BOILEAU: A bill (H. R. 9135) granting a pension to Edwin H. Tarbox; to the Committee on Pensions.

By Mr. CULKIN: A bill (H. R. 9136) granting an increase of pension to Ella E. Terryll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9137) granting an increase of pension to Ann J. Gregg; to the Committee on Invalid Pensions.

By Mr. JENKINS of Ohio: A bill (H. R. 9138) granting a pension to John Henry; to the Committee on Pensions.

By Mr. KRAMER: A bill (H. R. 9139) granting a pension to Lily F. Cunningham; to the Committee on Pensions.

By Mr. PETERSON of Florida: A bill (H. R. 9140) granting a pension to Huldah M. Martin; to the Committee on Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 9141) for the relief of James Reed; 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:

9309. By Mr. CULKIN: Petition of the Department of Labor of the State of New York, urging that a joint resolution be passed authorizing the several States to negotiate compacts or agreements to promote greater uniformity in the laws of such States affecting labor and industries; to the Committee on Labor.

9310. By Mr. O'CONNELL: Petition appealing to secure action by Congress and the President to express to the German Government the abhorrence and condemnation of the American people of its policy of oppression and persecution of Jews, Catholics, Protestants, and all minor groups in that country; to the Committee on Foreign Affairs.

SENATE

THURSDAY, AUGUST 15, 1935

(Legislative day of Monday, July 29, 1935)

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

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, August 14, 1935, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Clark	Logan	Robinson
Ashurst	Connally	Lonergan	Russell
Austin	Copeland	McAdoo	Schall
Bachman	Costigan	McCarran	Schwellenbach
Bailey	Davis	McGill	Sheppard
Bankhead	Dieterich	McKellar	Shipstead
Barbour	Fletcher	McNary	Smith
Barkley	Frazier	Maloney	Steiwer
Bilbo	George	Metcalf	Thomas, Okla.
Black	Gerry	Minton	Thomas, Utah
Bone	Gibson	Moore	Townsend
Borah	Glass	Murphy	Trammell
Brown	Gore	Murray	Truman
Bulkley	Guffey	Neely	Tydings
Bulow	Hale	Norbeck	Vandenberg
Burke	Harrison	Norris	Van Nuys
Byrd	Hatch	Nye	Wagner
Byrnes	Hayden	O'Mahoney	Walsh
Capper	Johnson	Overton	Wheeler
Caraway	King	Pittman	White
Carey	La Follette	Radcliffe	
Chavez	Lewis	Reynolds	

Mr. LEWIS. I announce that the Senator from West Virginia [Mr. HOLT] is absent because of illness, and that the Senator from Massachusetts [Mr. COOLIDGE], the Senator from Ohio [Mr. DONAHEY], the Senator from Wisconsin [Mr. DUFFY], the Senator from Louisiana [Mr. LONG], and the Senator from Idaho [Mr. POPE] are necessarily detained from the Senate.

Mr. VANDENBERG. I announce that my colleague the senior Senator from Michigan [Mr. COUZENS] is absent because of illness.