

SENATE

MONDAY, MAY 10, 1937

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Our Father, who art in the very prayer we breathe: Burden us, we beseech Thee, with some holy desire through the strength of which Thou mayest be revealed in us. Grant to our Nation the nobler freedom, the strong pulse of the larger hope which the supreme loveliness of truth and simple goodness can inspire; and upon those who feel an emptiness of heart as though all life had dwindled from its high significance, bestow the comfort of Thy quickened power.

And as our days go by from dawn to dusk may we find Thee not merely in vision or some secret reverie but rather in some silent growth of character, made manifest only in goodness, the goodness as of those who love much though their sins be many and who bear their cross and complain not. We ask it in the Savior's name. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 6, 1937, was dispensed with, and the Journal was approved.

SENATOR FROM TENNESSEE

Mr. MCKELLAR. I present the credentials of Hon. GEORGE L. BERRY, who has just been appointed by the Governor of Tennessee United States Senator from that State. I ask that the credentials be read.

The credentials were read and ordered to be placed on file, as follows:

TENNESSEE,  
EXECUTIVE CHAMBER,  
Nashville.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Tennessee, I, Gordon Browning, the Governor of said State, do hereby appoint GEORGE L. BERRY a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Nathan L. Bachman, is filled by election as provided by law.

Witness: His Excellency our Governor, Gordon Browning, and our seal hereto affixed at Nashville, this 6th day of May, A. D. 1937.

By the Governor:  
[SEAL]

GORDON BROWNING, Governor.

A. B. BROADBENT,  
Secretary of State.

Mr. MCKELLAR. The Senator-designate is present in the Chamber, and I ask that the oath of office be now administered to him.

The VICE PRESIDENT. If the Senator-designate will present himself at the desk, the oath of office will be administered.

Mr. BERRY, escorted by Mr. MCKELLAR, advanced to the Vice President's desk, and the oath of office prescribed by law having been administered to him, he took his seat in the Senate.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting sundry nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. MINTON. 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	Brown, Mich.	Davis	Harrison
Andrews	Bulkley	Dieterich	Hatch
Ashurst	Bulow	Donahay	Hayden
Austin	Burke	Duffy	Herring
Bailey	Byrnes	Ellender	Hitchcock
Bankhead	Capper	Frazier	Holt
Barkley	Caraway	George	Hughes
Berry	Chavez	Gerry	Johnson, Calif.
Black	Clark	Gillette	Johnson, Colo.
Borah	Connally	Green	King
Bridges	Copeland	Gufey	La Follette

Lee	Maloney	Radcliffe	Thomas, Utah
Lodge	Minton	Robinson	Townsend
Logan	Murray	Russell	Truman
Loneragan	Neely	Schwartz	Tydings
Lundeen	Norris	Schwellenbach	Vandenberg
McAdoo	Nye	Sheppard	Van Nuys
McCarran	O'Mahoney	Smathers	Wagner
McGill	Overton	Smith	Walsh
McKellar	Pepper	Steiwer	Wheeler
McNary	Pope	Thomas, Okla.	White

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the junior Senator from Virginia [Mr. BYRD], and the senior Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness in their families.

The Senator from New Hampshire [Mr. BROWN], the Senator from Illinois [Mr. LEWIS], the Senator from New Jersey [Mr. MOORE], and the Senator from Iowa [Mr. GILLETTE] are detained on important public business.

The Senator from North Carolina [Mr. REYNOLDS] is at his home detained on official business.

The Senator from Nevada [Mr. PITTMAN] is detained on important public business in his State.

Mr. AUSTIN. I announce that my colleague the junior Senator from Vermont [Mr. GIBSON] is necessarily absent from the Senate, and that the Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

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

SUPPLEMENTAL ESTIMATE, LEGISLATIVE ESTABLISHMENT (S. DOC. NO. 68)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Senate folding room, amounting to \$5,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES, TREASURY DEPARTMENT (S. DOC. NO. 64)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1937, amounting to \$190,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES, POST OFFICE DEPARTMENT (S. DOC. NO. 66)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting supplemental estimates of appropriations for the Post Office Department (field service), for the fiscal year 1937, amounting to \$1,325,000, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE, NAVY DEPARTMENT (S. DOC. NO. 65)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for public works (Bureau of Yards and Docks) for the Navy Department, amounting to \$160,000, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL AND DEFICIENCY ESTIMATES, DEPARTMENT OF THE INTERIOR (S. DOC. NO. 67)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of the Interior for the fiscal year 1937, amounting to \$513,000, and deficiency estimates for the fiscal years 1931 and 1935, amounting to \$635.19, in all \$513,635.19, together with drafts of proposed provisions pertaining to existing appropriations, and proposed authorization for expenditures from Indian tribal funds aggregating \$9,500, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.



## STRATEGY AND TECHNIQUES OF PROTECTIVE AND REORGANIZATION COMMITTEES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a part of the Commission's study and investigation of the work, activities, personnel, and functions of protective and reorganization committees, being Part 1—Strategy and Techniques of Protective and Reorganization Committees, which, with the accompanying report, was referred to the Committee on the Judiciary.

## RELIEF OF FLOOD SUFFERERS BY GOVERNMENTAL AGENCIES—REPORT OF HOME OWNERS' LOAN CORPORATION (S. DOC. NO. 63)

The VICE PRESIDENT laid before the Senate a letter from the Vice Chairman of the Federal Home Loan Bank Board, reporting, pursuant to Senate Resolution 119 (agreed to Apr. 22, 1937), on the activities of the Home Owners' Loan Corporation in granting assistance to its mortgagors, whose properties were affected by floods along the Ohio and Mississippi Valleys in the early part of 1937, which, with the accompanying paper, was ordered to lie on the table and to be printed.

## PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of New York, which was referred to the Committee on Interstate Commerce:

Whereas the State of New York was a pioneer in the enactment of adequate laws restricting child labor within its borders; and

Whereas the products of free adult labor in the State of New York are at present subject to unfair competition from products of child labor in other States, to the detriment of adult wage earners and employers of the State of New York; and

Whereas by recent rulings of the Supreme Court of the United States, and particularly in the case of *Kentucky Whip & Collar Co. v. Illinois Central Railroad Co.*, decided January 4, 1937, it has been determined that adult wage earners and employers of the State of New York can be adequately protected against the aforesaid unfair competition through exercise by State legislatures and the Congress of the United States of their respective constitutional powers to enact complementary laws dealing with the problem; and

Whereas the Legislature of the State of New York has enacted such legislation dealing with the problem as falls within the field of its constitutional prerogatives; and

Whereas there has been introduced in and now is pending before the Congress of the United States the necessary complementary Federal legislation, namely, a bill to regulate interstate transportation of products of child labor in certain cases (S. 2226), introduced by the Honorable Senators WHEELER and JOHNSON, United States Senators from Montana and California, respectively: Now, therefore, be it

*Resolved (if the assembly concur)*, That the Congress of the United States be, and it hereby is, memorialized to enact the aforesaid bill into law at its present session; and be it further

*Resolved*, That a copy of this resolution be transmitted to the Secretary of the Senate, the Clerk of the House of Representatives, and to each Member of the Congress from New York State.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Colorado, which was ordered to lie on the table:

Whereas there has been introduced in the Congress of the United States a bill known as the Miller-Tydings bill, more commonly known as the Fair Trades Act; and

Whereas the Thirty-first General Assembly of the State of Colorado has recently enacted house bill no. 513, an act "To protect trade-mark owners, distributors, and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand, or name", which is very similar to the said Miller-Tydings bill; and

Whereas the enactment into law of the Miller-Tydings bill would greatly benefit the citizens of the State of Colorado by enforcing cooperation with the State in the provisions of house bill no. 513: Now, therefore, be it

*Resolved by the house of representatives of the thirty-first general assembly (the senate concurring herein)*, That the Congress of the United States is hereby respectfully memorialized and urged to enact the said Miller-Tydings bill into law, and that copies of this memorial be forwarded to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and the Senators and Representatives of the State of Colorado in the Congress of the United States.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the Territory of Hawaii, which was referred to the Committee on Appropriations:

Whereas the business of the judges of the first judicial circuit has increased to an extent making it highly desirable in order to provide means for obtaining speedy justice to increase the number of judges sitting in said circuit; and

Whereas the Legislature of the Territory of Hawaii has passed a bill providing for the increase of said judges from four to five; and

Whereas the funds for the payment of the salary of the additional judge should be provided by the Congress of the United States in the same manner as funds are provided for the payment of salaries of all of the judges of the courts of record of the Territory of Hawaii: Now, therefore, be it

*Resolved by the House of Representatives of the Legislature of the Territory of Hawaii (the senate concurring)*, That the Congress of the United States be, and it is hereby, requested to provide additional funds wherewith to pay the salary of an additional judge for the first circuit of the said Territory; and be it further

*Resolved*, That a certified copy of this resolution be forwarded to the Secretary of the Interior of the United States, to the Attorney General of the United States, to the President of the Senate of the Congress of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to the Delegate to said Congress from Hawaii.

The VICE PRESIDENT also laid before the Senate the following concurrent resolutions of the Legislature of the Territory of Hawaii, which were referred to the Committee on Territories and Insular Affairs:

Whereas it is highly desirable that it be provided by the Congress of the United States that the Department of Labor of said United States arrange for the certification of the citizenship of persons of oriental ancestry who are citizens of the United States upon due application and proof being made, regardless of the presence or absence of intention on the part of such persons to travel in the immediate future; and

Whereas, if such certification is provided for, it will tend to produce greater security and satisfaction in such citizenship and will tend to create better and more loyal citizens of the United States: Now, therefore, be it

*Resolved by the House of Representatives of the Legislature of the Territory of Hawaii (the senate concurring)*, That the legislature reaffirm its request, as contained in Joint Resolution No. 14 of the regular session of the Legislature of the Territory of Hawaii, 1935, that the Congress of the United States of America provide by appropriate and adequate legislation for the certification of the citizenship of all persons residing in the Territory of Hawaii who are citizens of the United States and who apply for such certification of the Bureau of Immigration of the Department of Labor of the United States and furnish due proof of such citizenship, regardless of the presence or absence of any intention on the part of such applicant to travel in the immediate future; and also provide that the possession by an applicant of a certificate of Hawaiian birth, duly issued by the Territorial officials pursuant to law, shall be prima-facie evidence of such citizenship; and be it further

*Resolved*, That authenticated copies of this concurrent resolution be transmitted to the Delegate to Congress from Hawaii, to the Secretary of the Interior and the Secretary of Labor of the United States, and to each of the two Houses of the Congress of the United States of America.

Concurrent resolution declaring that the Territory of Hawaii shall be made a State, and requesting and urging the Congress of the United States of America to pass an enabling act authorizing the people of the Territory of Hawaii to form a constitution and State government to be admitted into the Union on an equal footing with the original States

Whereas the Territory of Hawaii is an integral part of the United States of America and for a long period of years has demonstrated its ability to govern itself; and

Whereas the population and wealth of the Territory exceeds that of several of the States of the Union; and

Whereas the people of the Territory of Hawaii contribute in income taxes to the Federal Government a larger amount than many of the States of the Union; and

Whereas the people of the Territory desire to participate in the Government of the United States freely, fully, and loyally as a sovereign State: Now, therefore, be it

*Resolved by the Senate of the Territory of Hawaii (the house of representatives concurring)*, That the people of the Territory of Hawaii desire that said Territory shall become a State and be admitted into the Union on an equal footing with the original States; and

That the Congress of the United States of America be, and it is hereby, requested and urged to pass an act enabling the people of the Territory of Hawaii to form a constitution and State government to be admitted into the Union on an equal footing with the original States, in form and substance as follows: "An act to enable the people of Hawaii to form a constitution and State government to be admitted into the Union on an equal footing with the original States

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—*

"SECTION 1. That the inhabitants of all that part of the area of the United States now constituting the Territory of Hawaii, as at present described, may become the State of Hawaii, as hereinafter provided.



"Sec. 2. That all citizens of the United States who have qualifications of voters for representatives to the Territorial legislature are hereby authorized to vote for and choose delegates to form a convention in said Territory.

"Such delegates shall possess the qualifications of such electors, and members of the Territorial legislature shall be eligible to election as such delegates, and with no resulting disqualification as such members of the Territorial legislature, the provisions of sections 16 and 17 of the Hawaiian Organic Act to the contrary notwithstanding. The aforesaid convention shall consist of delegates, apportioned among the several representative districts within the limits of the proposed State on the basis of two delegates for each member of the house of representatives of the legislature of the Territory to which each such district is entitled, namely: First district, 8 delegates; second district, 8 delegates; third district, 12 delegates; fourth district, 12 delegates; fifth district, 12 delegates; sixth district, 8 delegates; and in addition thereto, 15 delegates to be elected at large by all the qualified voters of the Territory, making a total of 75 delegates to such convention.

"The Governor of said Territory shall within 30 days after the approval of this act issue a proclamation ordering a primary election for the nomination of candidates for the offices of the delegates aforesaid on a day designated by him in said proclamation, not earlier than 60 nor later than 90 days after the approval of this act, and a final or run-off election not earlier than 30 nor later than 40 days after such primary election.

"The name of no candidate shall be printed upon any official ballot to be used at such primary election unless at least 20 days prior to such primary, a nomination paper shall have been filed in the office of the secretary of the Territory in his behalf, nominating him as a candidate for delegate at large or as a candidate for delegate from the representative district concerned, as may be the case, and signed by not less than 25 qualified electors of the Territory (if the candidate is running for delegate at large), or of the representative district concerned (if the candidate is running for delegate from such district), and the sum of \$25 shall have been paid to the secretary of the Territory, which fee shall be a Territorial realization. No such nomination paper shall contain any reference to or designation of any political party, and the ballots used at such election shall be nonpartisan and shall not contain any reference to or designation of the political party or affiliation of any candidate. The ballots submitted to the voters of each representative district shall separately set forth the names of candidates for delegates from each representative district, and the names of candidates for delegates at large; and shall also instruct the voters to vote for only the number of candidates for delegates from such representative district to which such district is entitled and for only 15 candidates for delegate at large. At such primary election the 30 persons receiving the highest number of votes for delegate at large shall be deemed to be nominated, and shall be eligible to election as candidates for such offices at the final election and of the candidates running for delegates from any representative district, the candidates receiving the highest number of votes, not exceeding double the number of delegates to which such representative district is entitled, shall be deemed to be nominated as candidates for, and shall be eligible for election to such offices at the final election. In case of a tie vote the candidates so tied shall draw lots to determine which of them shall be nominated for the final election.

"Only those persons nominated at such primary election shall be eligible to run for delegates at such final election. The ballots for such final election shall be in substantially the same form as those for the primary election, and the requirements of this act as to such primary election shall, as far as appropriate, apply to such final election.

"Except as otherwise specifically provided by this act, the primary and final elections for such delegates shall be conducted, the returns made, the results ascertained, and the certificates of persons elected to such convention issued in the same manner as is prescribed by the laws of said Territory, regulating elections therein of members of the legislature. Persons possessing the qualifications entitling them to vote for delegates under this act shall be entitled to vote on the ratification or rejection of the constitution, under such rules or regulations as said convention may prescribe not in conflict with this act.

"Sec. 3. That the delegates to the convention thus elected shall meet at the seat of government of said Territory on the second Tuesday after their election, excluding the day of election in case such day shall be Tuesday, but they shall not receive compensation for more than 60 days of service, and, after organization, shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States, whereupon the said convention shall be, and is hereby, authorized to form a constitution and State government for said proposed State.

"The constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide, by ordinance irrevocable without the consent of the United States and the people of said State:

"First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

"Second. The State of Hawaii shall retain all the public property, vacant and unappropriated lands lying within its limits, now

ceded, transferred, and in possession of the United States, except such as are in the possession of and used by a department of the United States, and may dispose of the same as the said State may direct.

"Third. That the debts and liabilities of said Territory of Hawaii shall be assumed and paid by said State.

"Fourth. That provision shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control.

"Sec. 4. That when said constitution shall be formed as aforesaid the convention forming the same shall provide for the submission of said constitution to the people of said Territory for ratification at an election which shall be held on a day named by said convention not earlier than 60 nor later than 90 days after said convention adjourns, at which election the qualified voters of said Territory shall vote directly for or against said constitution, and for or against any provisions thereof separately submitted. The returns of said election shall be made by the election officers direct to the secretary of said Territory, who, with the Governor and chief justice of said Territory, shall constitute a canvassing board, and they, or any two of them, shall meet at the city of Honolulu on the third Monday after said election and shall canvass the same. If a majority of the legal votes cast at said election shall reject the constitution, the said canvassing board shall forthwith certify said result to the Governor of said Territory, together with the statement of votes cast upon the question of the ratification or rejection of said constitution and also a statement of the votes cast for or against such provisions thereof as were separately submitted to the voters at said election, whereupon the Governor of said Territory shall, by proclamation, order the constitutional convention to reassemble at a date not later than 20 days after the receipt by said Governor of the documents showing the rejection of the constitution by the people, and thereafter a new constitution shall be framed and the same proceedings shall be taken in regard thereto in like manner as if said constitution were being originally prepared for submission and submitted to the people.

"When said constitution and such provisions thereof as have been separately submitted shall have been duly ratified by the people of said Territory as aforesaid, a certified copy of the same shall be submitted to the President of the United States and to Congress for approval, together with a statement of the votes cast thereon and upon any provisions thereof which were separately submitted to and voted upon by the people. And if Congress and the President approve said constitution and the said separate provisions thereof, or if the President approves the same and Congress fails to disapprove the same during the next regular session thereof, then and in that event the President shall certify said facts to the Governor of said Territory, who shall, within 30 days after the receipt of said notification from the President of the United States, issue his proclamation for the election of the State and county officers, the members of the State legislature, and all officers provided for in said constitution, all as hereinafter provided; said election to take place not earlier than 60 days nor later than 90 days after said proclamation by the Governor of said Territory ordering the same.

"Sec. 5. That said constitutional convention shall, by ordinance, provide that in case of the ratification of said constitution by the people, and in case the President of the United States and Congress approve the same, or in case the President approves the same and Congress fails to act in its next regular session, all as hereinbefore provided, an election shall be held at the time named in the proclamation of the Governor of said Territory, provided for in the preceding section, at which election officers for a full State government, including a Governor, members of the legislature, one Representative and two Senators in Congress, to be elected at large from said State, and such other officers as such constitutional convention shall prescribe, shall be chosen by the people. Such election shall be held, the returns thereof made, canvassed, and certified to by the secretary of said Territory in the same manner as in this act prescribed for making of the returns, the canvassing, and certification of the same of the election for the ratification or rejection of said constitution, as hereinbefore provided, and the qualifications of voters at said election for all State officers, members of the legislature, county officers, and Senators and Representative in Congress, and other officers prescribed by said constitution shall be made the same as the qualifications of voters at the election for the ratification or rejection of said constitution as hereinbefore provided. When said election of said State and county officers, members of the legislature, and Senators and Representative in Congress, and other officers above provided for shall be held and the returns thereof made, canvassed, and certified as hereinbefore provided, the Governor of the said Territory shall certify the result of said election, as canvassed and certified as herein provided, to the President of the United States, who thereupon shall immediately issue his proclamation announcing the result of said election so ascertained, and upon the issuance of said proclamation by the President of the United States the proposed State of Hawaii shall be deemed admitted by Congress into the Union by virtue of this act on an equal footing with the other States. Until the issuance of said proclamation by the President of the United States and until the said State is so admitted into the Union and said officers are elected and qualified under the provisions of the constitution, the county and territorial officers of said Territory, including the Delegate in Congress thereof, shall continue to



discharge the duties of their respective offices in and for said Territory.

"Sec. 6. That the sum of \$——, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the defraying of the expenses of the elections provided for in this act, and said convention, and for the payment of the members thereof, under the same rules and regulations, and at the same rates as are now provided by law for the payment of the expenses of the Territorial Legislature of the Territory of Hawaii, and the disbursements of the money appropriated by this section shall be made by the secretary of the Territory of Hawaii.

"Sec. 7. That the said State when admitted as aforesaid shall constitute one judicial district, to be known as the District of Hawaii. The district court for the District of Hawaii shall consist of two judges, who shall reside in said district, and who shall each receive an annual salary of \$10,000, to be paid in monthly installments. Regular terms of said court shall be held at Honolulu on the second Monday in April and October, and special terms may be held at such times and places in said district as the said judges may deem expedient. The two judges shall from time to time, either by order or rules of the court, prescribe at what times and in what classes of cases each of them shall preside.

"The two judges may each hold separately and at the same time a session of the court (whether at the same or different terms of court, regular or special) and may preside alone over such session. The said two judges shall have the same powers in all matters coming before the court; and in case two sessions of the court are held at the same time, the judgments, orders, verdicts, and all proceedings of a session of the court, held by either of the judges, shall be as effective as if one session only were being held at a time. The said district shall, for judicial purposes, and until otherwise provided, be attached to the ninth judicial circuit. There shall be appointed for said district one United States attorney and one United States marshal.

"There shall be appointed a clerk for said district, who shall keep his office at Honolulu, and two reporters. The clerk, with the approval of the judges, may appoint two deputy clerks. The district courts of said district, and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties required to be performed by the other district courts and judges of the United States, and shall be governed by the same laws and regulations. The marshal, district attorney, and clerk of the district courts of said district and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the fees and compensation now allowed by law to officers performing similar services for the United States in other districts of the United States; and the laws in force in the Territory of Hawaii, as far as applicable, shall extend over and apply to said State until changed by the legislature thereof.

"Sec. 8. That all appeals taken from the Supreme Court of the Territory of Hawaii, to the United States Circuit Court of Appeals for the Ninth Circuit or to the Supreme Court of the United States, previous to the final admission of such State shall be prosecuted to final determination as though this act had not been passed. And all cases in which final judgment has been rendered in such territorial appellate court in which appeals might be had except for the admission of such State may still be sued out, taken and prosecuted to the United States Circuit Court of Appeals or the Supreme Court of the United States under the provisions of existing laws, and there held and determined in like manner, and in either case in the event of reversal said causes shall be remanded to either the State supreme court or other final appellate court of said State, or the United States district court of said State, as the case may require: *Provided*, That the time allowed by existing law for appeals from appellate courts of said Territory shall not be enlarged hereby, and all appeals not sued out from the final judgments of said courts at the time of the admission of such State shall be taken within 6 months from such time.

"Sec. 9. That all causes pending in the supreme and circuit courts of the Territory of Hawaii and in the United States courts arising under the Constitution, laws, or treaties of the United States, or affecting Ambassadors, Ministers, or consuls of the United States, or of any other country or State, or of admiralty or of maritime jurisdiction, or in which the United States may be a party, or between citizens of the same State claiming lands under grants from different States; and in all cases where there is a controversy between citizens of said Territory prior to admission and citizens of different States, or between a citizen of any State and citizens or subjects of any foreign state or country, and in which cases of diversity of citizenship there shall be more than \$2,000 in controversy, exclusive of interest and costs, shall be transferred to the proper United States district court for final disposition: *Provided*, That said transfer shall not be made in any case where the United States is not a party except on application of one of the parties in the court in which the cause is pending, at or before the second term of such court, after the admission of said State, supported by oath, showing that the case is one which may be so transferred, the proceedings to effect such transfer, except as to time and parties, to be the same as are now provided by law for the removal of causes from a State court to a district court of the United States; and in causes trans-

ferred from the appellate courts of said Territory the district court of the United States in such State shall first determine such appellate matters as the successor, and with all the power, of said Territorial appellate courts, and shall thereafter proceed under its original jurisdiction of such causes. All final judgments and decrees rendered in such district courts in such transferred cases may be reviewed by the United States circuit court of appeals or by the Supreme Court of the United States in the same manner as is now provided by law with reference to existing United States district courts.

"Sec. 10. That all cases pending in the Supreme Court of said Territory of Hawaii not transferred to the United States district courts in said State of Hawaii shall be proceeded with, held, and determined by the supreme or other final appellate court of such State as the successor of said Territorial supreme court and appellate court, subject to the same right to review upon appeal, or error, to the Supreme Court of the United States now allowed from the supreme or appellate courts of a State under existing laws. Jurisdiction of all cases pending in the courts of original jurisdiction in said Territory not transferred to the United States district courts shall devolve upon and be exercised by the courts of original jurisdiction created by said State.

"Sec. 11. That the supreme court or other court of last resort of said State shall be deemed to be the successor of said Territorial appellate courts and shall take and possess any and all jurisdiction as such, not herein otherwise specifically provided for, and shall receive and retain the custody of all books, dockets, records, and files not transferred to other courts, as herein provided, subject to the duty to furnish transcripts of all book entries in any specific case transferred to complete the record thereof.

"Sec. 12. That the courts of original jurisdiction of such State shall be deemed to be the successor of all courts of original jurisdiction of said Territory, and as such shall take and retain custody of all records, dockets, journals, and files of such courts, except in causes transferred therefrom to the United States district court, as herein provided; the files and papers in such transferred cases shall be transferred to the proper United States district court, together with a transcript of all book entries, to complete the record in such particular case so transferred.

"Sec. 13. That all cases pending in the circuit courts of the Territory of Hawaii at the time said Territory becomes a State not transferred to the United States district courts in the State of Hawaii shall be proceeded with, held, and determined by the courts of said State, the successors of said circuit courts of the Territory of Hawaii, with the right to prosecute appeals to the supreme court of said State, and also with the same right to prosecute appeals from the final determination in said causes made by the Supreme Court of said State of Hawaii to the Supreme Court of the United States, as now provided by law for appeals from the supreme court of a State to the Supreme Court of the United States.

"Sec. 14. That the constitutional convention shall by ordinance provide for the election of officers for a full State government, including members of the legislature, two United States Senators, and one Representative in Congress. Such State government shall remain in abeyance until the State shall be admitted into the Union and the election for State officers held as provided for in this act. The Governor and secretary of said State shall certify the election of the Senators and Representative in the manner required by law; and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in Congress of the United States. And the officers of the State government formed in pursuance of said constitution, as provided by said constitutional convention, shall proceed to exercise all the functions of such State officers; and all laws in force in the Territory of Hawaii at the time of the admission of said State into the Union shall be in force throughout said State, except as modified or changed by this act or by the constitution of the State, and the laws of the United States not locally inapplicable shall have the same force and effect within said State as elsewhere within the United States.

"Sec. 15. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the legislature of said Territory or by Congress, are hereby repealed."

And be it further

*Resolved*, That certified copies of this resolution be forwarded to the President of the United States, the Secretary of the Interior, the President of the Senate and Speaker of the House of Representatives of the Congress of the United States, and to the Delegate to Congress from Hawaii.

The VICE PRESIDENT also laid before the Senate a joint resolution of the Legislature of the State of California, favoring the enactment of the bill (S. 419) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education, which was ordered to lie on the table.

(See joint resolution printed in full when presented today by Mr. JOHNSON of California.)

The VICE PRESIDENT also laid before the Senate a letter in the nature of a petition from Local No. 272, West Allis (Wis.) Federation of Teachers, praying for the repeal of the so-called "red rider" relating to the teaching of communism in the public schools of the District of Columbia, which was referred to the Committee on the District of Columbia.



He also laid before the Senate a resolution adopted by the annual meeting of the Women's International League for Peace and Freedom, commending and urging continuance of the investigation being conducted by the so-called Civil Liberties Subcommittee of the Senate Committee on Education and Labor, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by the Toms River Democratic Club, of Toms River, N. J., favoring the enactment of the bill (H. R. 4411) to amend section 601 of the Revenue Act of 1932, as amended, to prohibit the importation of egg products into the United States, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the City Commission of Sandusky, Ohio, favoring the enactment of the bill (S. 1919) to aid the several States in the proper conservation, orderly production, and procurement of natural gas for interstate commerce, and to regulate its transportation, sale, and exchange in interstate commerce in order to insure its fair and equitable distribution and marketing, and for other purposes, which was referred to the Committee on Interstate Commerce.

He also laid before the Senate resolutions adopted by the annual meeting of the Women's International League for Peace and Freedom, at Washington, D. C., and the Women's Auxiliary of Trinity Episcopal Church, of Houston, Tex., favoring the enactment of the so-called Wagner-Van Nuys antilynching bill, which were referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the Society of Virginia Women in New York, N. Y., and endorsed by other women's organizations, favoring the erection of the proposed Jefferson Memorial on a prominent hill on the Virginia side of the Potomac River visible from the Capital City, with the style of the memorial to conform with the architectural styles favored by Thomas Jefferson in his writing and selections, which was referred to the Committee on the Library.

He also laid before the Senate a resolution adopted by the annual meeting of the Women's International League for Peace and Freedom, at Washington, D. C., favoring the appointment of a qualified civilian commission to study and clarify the national-defense policy of the United States, which was referred to the Committee on Military Affairs.

Mr. THOMAS of Oklahoma. Mr. President, I present for appropriate disposition some 300 petitions addressed to the Congress. Each petition is signed by a citizen of the State of Oklahoma. I ask that the petitions, which are designated as the "voters' neutrality resolution", be noted in the RECORD.

The VICE PRESIDENT. The petitions will be received, noted, and lie on the table.

(The petitions presented by Mr. THOMAS of Oklahoma, numerous signed by citizens of Oklahoma, oppose war as an instrument of national policy and pray for the adoption of measures to insure the neutrality of the United States and promote world peace.)

Mr. LA FOLLETTE presented petitions, numerous signed, of sundry citizens of the State of New York, praying for the enactment of legislation to reorganize the judicial branch of the Government, which were referred to the Committee on the Judiciary.

Mr. LODGE presented memorials of sundry citizens of the State of Massachusetts remonstrating against enactment of the bill (S. 1270) to regulate barbers in the District of Columbia, and for other purposes, which were referred to the Committee on the District of Columbia.

Mr. CAPPER presented a memorial, numerous signed, of sundry citizens of Seneca, Kans., remonstrating against the enactment of the bill (S. 25) to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense, and promote peace, which was referred to the Committee on Finance.

Mr. COPELAND presented a memorial of several citizens of the State of New York, remonstrating against any increased appropriations for war preparation until a survey is

made of facts affecting the national defense, which was referred to the Committee on Appropriations.

He also presented resolutions adopted by Bricklayers' Union, No. 28, of Syracuse, and the Common Council of the City of Plattsburg, in the State of New York, favoring the continuation of the Public Works Administration, which were referred to the Committee on Education on Education and Labor.

Mr. JOHNSON of California presented the following joint resolution of the Legislature of the State of California, which was referred to the Committee on Commerce:

Assembly joint resolution relative to memorializing and petitioning the President and the Congress of the United States to include the Santa Maria River flood-control and the Santa Ana River flood-control projects in the national program of work relief

Whereas California has one of the gravest unemployment problems in the United States, due to the fact that the State has become the haven of unemployed from every section of the country; and

Whereas one of the most constructive methods of coping with the unemployment problem is the building of useful and necessary public works which will confer permanent and lasting benefits as well as afford immediate work relief; and

Whereas California is in urgent need of the development, conservation, and stabilization of its water resources to prevent the abandonment of thousands of farms and homes, and to avert tremendous financial losses; and

Whereas the State of California has prepared a comprehensive coordinated plan for the progressive economic development of the water resources of the State, carefully formulated over a period of 14 years, which provides for the control of floods and salinity encroachment, the improvement of navigation, the conservation and stabilization of water supplies for municipal, irrigation, industrial, and mining uses, and for the generation of electric power; and

Whereas the Santa Maria River flood-control, the Mojave River flood-control, and the Santa Ana River flood-control projects are most essential to the State of California; and

Whereas these projects are ready for immediate construction when funds are made available for such purpose; and

Whereas the consummation of these projects will enable many thousands of people to sustain themselves by their present means of livelihood; and

Whereas a greater degree of flood protection in these two river basins is highly desirable; and

Whereas the construction of these projects will give employment to thousands of workers now unemployed, not only in California but throughout the Nation, thereby relieving unemployment in many branches of industry, particularly in the heavy manufacturing industries in the East and Middle West; and

Whereas the public interest, welfare, convenience, and necessity require immediate provision for adequate financing of these two projects: Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California jointly,* That the State of California, through its legislature, recommends the Santa Maria River flood-control, the Mojave River flood-control, and the Santa Ana River flood-control projects to the President and to the Congress of the United States as of first and prime importance to the State of California and respectfully requests that adequate funds be made available for immediate construction of the projects, thereby conferring lasting benefits upon the people of the State of California and affording substantial unemployment relief, all in a manner conforming admirably with the splendid program initiated by the President of the United States to speed national recovery; and be it further

*Resolved,* That the Governor is requested to transmit copies of this resolution to the President and to the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in the Congress.

Mr. JOHNSON of California also presented the following joint resolution of the Legislature of the State of California, which was ordered to lie on the table:

Senate joint resolution relative to memorializing the President and the Congress of the United States to enact legislation proposed by S. 419 and H. R. 2288, providing for the granting of aid by the Federal Government to the several States for the support of public education

Whereas a system of public education in each State of the United States is essential to the welfare of the people of the United States; and

Whereas the adequate financing of public education is necessary to permit the people to enjoy the benefits of free public education; and

Whereas it is imperative that the Federal Government assist in the support of public education to insure the continuance and extension of the benefits derived therefrom; and

Whereas S. 419 and H. R. 2288 now before the present Congress are similar and each would provide, if proper safeguards are inserted to prevent racial discrimination, for desirable aid by the Federal Government for public education: Now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California (jointly),* That the Legislature of the State of California



respectfully memorialize the President and the Congress of the United States to enact one of said measures with proper safeguards; and be it further

*Resolved*, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California in the Congress of the United States, and such Senators and Members of the House of Representatives from California are respectfully urged to support such legislation.

#### REPORTS OF COMMITTEES

Mr. MCKELLAR, from the Committee on Appropriations, to which was referred the joint resolution (H. J. Res. 228) authorizing the payment of salaries of the officers and employees of Congress for December on the 20th day of that month each year, reported it without amendment.

Mr. BROWN of Michigan, from the Committee on Claims, to which was referred the bill (S. 410) for the relief of the legal guardian of Roy D. Cook, a minor, reported it with an amendment and submitted a report (No. 511) thereon.

He also, from the same committee, to which was referred the bill (H. R. 3326) for the relief of Printz-Biederman Co., reported it without amendment and submitted a report (No. 512) thereon.

He also, from the same committee, to which was referred the bill (H. R. 1377) conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claims of Walter T. Karshner, Katherine Karshner, Anne M. Karshner, and Mrs. James E. McShane, reported it with amendments and submitted a report (No. 513) thereon.

Mr. HUGHES, from the Committee on Claims, to which was referred the bill (H. R. 1346) for the relief of James M. Winter, reported it without amendment and submitted a report (No. 514) thereon.

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

H. R. 859. A bill for the relief of the Union Shipping & Trading Co., Ltd. (Rept. No. 515);

H. R. 2218. A bill for the relief of Helen Marie Lewis (Rept. No. 516); and

H. R. 2352. A bill for the relief of Donald L. Bookwalter (Rept. No. 517).

Mr. BLACK, from the Committee on Claims, to which was referred the bill (S. 1448) for the relief of the Northeastern Piping & Construction Corporation, of North Tonawanda, N. Y., reported it with an amendment and submitted a report (No. 518) thereon.

He also, from the same committee, to which was referred the bill (H. R. 3575) conferring jurisdiction upon the United States District Court for the Eastern District of New York to hear, determine, and render judgment upon the claims of Achille Retellatto and Albert Retellatto, reported it with amendments and submitted a report (No. 519) thereon.

Mr. LOGAN, from the Committee on Military Affairs, to which was referred the bill (S. 1046) for the relief of Harold Dukelow, reported it with an amendment and submitted a report (No. 520) thereon.

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 1300. A bill to complete the Point Pleasant Battle Monument, Point Pleasant, W. Va. (Rept. No. 521); and

S. 1567. A bill to amend the act entitled "An act to amend the act entitled 'An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes'" (Rept. No. 528).

Mr. GEORGE, from the Committee on Finance, to which was referred the bill (S. 423) providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or

Marine Corps, who incurred physical disability while in the service of the United States during the World War, reported it with amendments and submitted a report (No. 522) thereon.

Mr. BULOW (for Mr. GIBSON), from the Committee on Civil Service, to which was referred the bill (H. R. 2901) to amend the act of May 29, 1930 (46 Stat. 349), for the retirement of employees in the classified civil service and in certain positions in the legislative branch of the Government to include all other employees in the legislative branch, reported it with amendments and submitted a report (No. 523) thereon.

Mr. AUSTIN, from the Committee on Military Affairs, to which was referred the bill (S. 39) to correct the military records of DeRosey C. Cabell, Thomas McF. Cockrill, James N. Caperton, Junius H. Houghton, Otto F. Lang, Paul B. Parker, James DeB. Walbach, and Victor W. B. Wales, reported it with amendments and submitted a report (No. 524) thereon.

Mr. JOHNSON of California, from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 88) providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Inc., in the city of San Francisco during the year 1939, and for other purposes, reported it with an amendment and submitted a report (No. 525) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (S. 1453) for the relief of Maude P. Gresham, reported it with an amendment and submitted a report (No. 526) thereon.

Mr. ADAMS, from the Committee on Appropriations, to which was referred the bill (H. R. 6730) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1937, and June 30, 1938, and for other purposes, reported it with amendments and submitted a report (No. 527) thereon.

Mr. REYNOLDS, from the Committee on the District of Columbia, to which was referred the bill (H. R. 5142) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. William Hollister, reported it without amendment and submitted a report (No. 529) thereon.

Mr. COPELAND, from the Committee on the District of Columbia, to which was referred the bill (H. R. 4276) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia", and for other purposes, reported it with amendments and submitted a report (No. 530) thereon.

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 2163. A bill to authorize the deposit and investment of Indian funds (Rept. No. 531); and

H. R. 5171. A bill to reimpose a trust on certain lands allotted on the Yakima Indian Reservation (Rept. No. 532).

#### RESERVE UNDER CONTRIBUTORY OLD-AGE PENSION PLAN

Mr. VANDENBERG. Mr. President, at the request of the Senator from Mississippi [Mr. HARRISON], I wish to make an oral report from the Finance Committee for the information of the Senate.

On January 29, 1937, I submitted a concurrent resolution (S. Con. Res. 4) calling upon the Social Security Board for certain reports respecting the reserve system of the old-age pension section of the Social Security Act. On February 22 the Finance Committee held hearings upon the resolution and as a result it was agreed between the Finance Committee and the Social Security Board that a special advisory council should be set up, composed of non-Members of Congress, to cooperate with the Senate Finance Committee and the Social Security Board in surveying this fundamental question of the reserve in respect to social security. Wrapped up with that problem, of course, is the question of how large pay-roll taxes have to be, how soon the benefit payments



can be made, and the whole system which turns upon the question of reserve.

The Finance Committee appointed a subcommittee, with power to act, consisting of the Senator from Mississippi [Mr. HARRISON], the Senator from Virginia [Mr. BYRD], and myself. We have concluded our labors with the Social Security Board. The chairman of the Social Security Board and the chairman of the Finance Committee [Mr. HARRISON] are announcing this afternoon the personnel of the Commission of 24 members to study the complete reserve problem. I desire at this time to state for the RECORD that the personnel of the Commission is as follows:

Six members representing employees: G. M. Bugnizet, secretary, International Brotherhood of Electrical Workers of America, and president of Union Cooperative Insurance Association, Washington, D. C.; Harvey Fremming, president, Oil Field, Gas Well, and Refinery Workers International Union, N. W., Washington, D. C.; John P. Frey, president, Metal Trades Department of the American Federation of Labor, Washington, D. C.; Sidney Hillman, president of the Amalgamated Clothing Workers of America, New York, N. Y.; Philip Murray, vice president, United Mine Workers of America, Washington, D. C.; and Matthew Woll, vice president, International Photo Engravers' Union of North America, and president, Union Labor Life Insurance Co., New York, N. Y.

Six members of the Commission representing employers: Marion B. Folsom, treasurer, Eastman Kodak Co., Rochester, N. Y.; Walter D. Fuller, president, Curtis Publishing Co., Philadelphia; Jay Iglauer, vice president, Halle Bros., Cleveland, Ohio; M. Albert Linton, president, Provident Mutual Life Insurance Co., Philadelphia; E. R. Stettinius, Jr., chairman of the finance committee, United States Steel Corporation, New York, N. Y.; and Gerard Swope, president, General Electric Co., New York.

Twelve members representing the public: J. Douglas Brown, Princeton University, Princeton, N. J.; Henry Bruere, president, the Bowery Savings Bank, New York; Paul Douglas, University of Chicago, Chicago, Ill.; William Haber, member of Unemployment Compensation Commission, Lansing, Mich.; Alvin H. Hansen, University of Minnesota, Minneapolis, Minn.; Lucy R. Mason, general secretary, National Consumers' League, New York, N. Y.; Theresa McMahon, University of Washington, Seattle, Wash.; A. L. Mowbray, University of California, Berkeley, Calif.; T. L. Norton, University of Buffalo, Buffalo, N. Y.; George L. Stocking, University of Texas, Austin, Tex.; Elizabeth Wisner, president of the Association of Schools of Social Work, New Orleans, La.; and Edwin E. Witte, University of Wisconsin, Madison, Wis.

Mr. President, I simply wish to say in concluding this oral report that I can speak only in terms of highest commendation of the cooperation which has existed between the Social Security Board and the Finance Committee of the Senate in proceeding in an orderly way to attempt to attack this fundamental problem in respect to the Social Security Act.

I ask that the entire release, which is now being issued by the Senator from Mississippi [Mr. HARRISON], may be printed in the RECORD at this point.

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

#### SOCIAL SECURITY ADVISORY COUNCIL IS APPOINTED

Senator PAT HARRISON, chairman of the Committee on Finance of the United States Senate, and Arthur J. Altmeyer, Chairman of the Social Security Board, issued the following announcement concerning the creation of an Advisory Council on Social Security:

"At a hearing before the Committee on Finance of the United States Senate on February 22, 1937, it was agreed that the chairman of the Committee on Finance would appoint a special committee to cooperate with the Social Security Board to study the advisability of amending titles II and VIII of the Social Security Act. The chairman of the Committee on Finance has appointed such a special committee, consisting of Senator PAT HARRISON, Senator HARRY FLOOD BYRD, and Senator ARTHUR H. VANDENBERG. It was agreed that this special committee, in cooperation with the Social Security Board, would appoint an Advisory Council on Social Security to assist in studying the advisability of amending titles II and VIII of the Social Security Act.

"It is desired that the Advisory Council on Social Security cooperate with the special committee of the Committee on Finance of the United States Senate and with the Social Security Board in considering the following matters:

"(1) The advisability of commencing payment of monthly benefits under title II sooner than January 1, 1942.

"(2) The advisability of increasing the monthly benefits payable under title II for those retiring in the early years.

"(3) The advisability of extending the benefits in title II to persons who become incapacitated prior to age 65.

"(4) The advisability of extending the benefits of title II to survivors of individuals entitled to such benefits.

"(5) The advisability of increasing the taxes less rapidly under title VIII.

"(6) The advisability of extending the benefits under title II to include groups now excluded.

"(7) The size, character, and disposition of reserves.

"(8) Any other questions concerning the Social Security Act about which either the special Senate committee or the Social Security Board may desire the advice of the advisory council.

"It is understood that the Social Security Board will make all necessary studies and furnish all necessary technical assistance in connection with the consideration of the foregoing subjects. It is further understood that these subjects will be considered jointly by the advisory council, the special Senate committee, and the Social Security Board.

"The special committee on social security of the Committee on Finance of the United States Senate and the Social Security Board join in appointing the following persons to serve as members of an Advisory Council on Social Security:

"Representing employees: G. M. Bugnizet, secretary, International Brotherhood of Electrical Workers of America, and president of Union Cooperative Insurance Association, Washington, D. C.; Harvey Fremming, president, Oil Field, Gas Well, and Refinery Workers' International Union, Washington, D. C.; John P. Frey, president, metal trades department of the American Federation of Labor, Washington, D. C.; Sidney Hillman, president of the Amalgamated Clothing Workers of America, 15 Union Square, New York, N. Y.; Philip Murray, vice president, United Mine Workers of America, Washington, D. C.; Matthew Woll, vice president, International Photoengravers' Union of North America, and president, Union Labor Life Insurance Co., New York, N. Y.

"Representing employers: Marion B. Folsom, treasurer, Eastman Kodak Co., Rochester, N. Y.; Walter D. Fuller, president, Curtis Publishing Co., Philadelphia; Jay Iglauer, vice president, Halle Bros., Cleveland, Ohio; M. Albert Linton, president, Provident Mutual Life Insurance Co., Philadelphia; E. R. Stettinius, Jr., chairman of the finance committee, United States Steel Corporation, New York, N. Y.; Gerard Swope, president, General Electric Co., New York.

"Representing the public: J. Douglas Brown, Princeton University, Princeton, N. J.; Henry Bruere, president, the Bowery Savings Bank, 110 East Forty-second Street, New York, N. Y.; Paul Douglas, University of Chicago, Chicago, Ill.; William Haber, member of Unemployment Compensation Commission, Lansing, Mich.; Alvin H. Hansen, University of Minnesota, Minneapolis, Minn.; Lucy R. Mason, general secretary, National Consumers' League, New York, N. Y.; Theresa McMahon, University of Washington, Seattle, Wash.; A. L. Mowbray, University of California, Berkeley, Calif.; T. L. Norton, University of Buffalo, Buffalo, N. Y.; George L. Stocking, University of Texas, Austin, Tex.; Elizabeth Wisner, president of the Association of Schools of Social Work, New Orleans, La.; Edwin E. Witte, University of Wisconsin, Madison, Wis.

"The advisory council will be called together within the next 30 days for a preliminary discussion of the subjects concerning which advice is sought. At that time a program will be developed for future meetings. It is not expected that any fundamental changes in the act will be recommended at this session of Congress."

The Social Security Board announced that it would not recommend any fundamental changes in the Social Security Act to this Congress but would only make recommendations as regards matters of immediate concern regarding which there appears to be rather general agreement. The Board stated that most of the proposed amendments are designed to improve the administrative features of the act as it is now written.

#### 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. McNARY:

A bill (S. 2365) granting a pension to Jennie Alexander; to the Committee on Pensions.

By Mr. DAVIS:

A bill (S. 2366) granting a pension to Harry A. Croft; to the Committee on Pensions.

By Mr. HUGHES:

A bill (S. 2367) for the relief of the estate of Christian Christensen; to the Committee on Claims.



By Mr. SCHWELLENBACH:

A bill (S. 2368) to provide funds for cooperation with School District No. 2, Mason County, State of Washington, in the construction of a public-school building to be available to both white and Indian children; to the Committee on Education and Labor.

By Mr. THOMAS of Utah (by request):

A bill (S. 2369) to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended, and for other purposes; to the Committee on Military Affairs.

Mr. CLARK. Mr. President, on behalf of the Senator from North Dakota [Mr. NYE], the Senator from Washington [Mr. BONE], the Senator from Michigan [Mr. VANDENBERG], and myself I introduce, for appropriate reference, a bill proposing to amend the present neutrality law.

The VICE PRESIDENT. The bill will be received and referred to the Committee on Foreign Relations.

By Mr. CLARK, Mr. NYE, Mr. BONE, and Mr. VANDENBERG:

A bill (S. 2370) prohibiting the export to belligerent states of articles and materials in which title is retained by citizens of the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. NEELY:

A bill (S. 2371) granting a pension to J. E. Barrows; to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 2372) for expenditure of funds for cooperation with the public-school board at Wolf Point, Mont., for completing the construction, extension, equipment, and improvement of a public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. ADAMS and Mr. JOHNSON of Colorado:

A bill (S. 2373) to authorize the establishment in or near Denver, Colo., of an Army Air Corps Technical School and the acceptance without cost to the United States of certain lands in the State of Colorado for use as a site therefor and for use as an aerial gunnery and bombing range for the Army Air Corps; to the Committee on Military Affairs.

By Mr. BAILEY:

A bill (S. 2374) for the relief of F. A. Gross and others (with accompanying papers); to the Committee on Claims.

By Mr. COPELAND:

A bill (S. 2375) granting an increase of pension to Lillian P. Dowdney; to the Committee on Pensions.

By Mr. MCKELLAR:

A bill (S. 2376) for the relief of Joe D. Dailey;

A bill (S. 2377) for the relief of the Nashville Bridge Co. (with accompanying papers); and

A bill (S. 2378) for the relief of Sam Green (with an accompanying paper); to the Committee on Claims.

A bill (S. 2379) granting a pension to Jacob H. Roberts (with accompanying papers); to the Committee on Pensions.

By Mr. ASHURST (by request):

A bill (S. 2380) to amend the National Stolen Property Act;

A bill (S. 2381) to amend the Criminal Code by providing punishment for impersonation of officers and employees of Government-owned and Government-controlled corporations;

A bill (S. 2382) to amend the Judicial Code in respect to claims against the United States for just compensation;

A bill (S. 2383) to amend the act authorizing the Attorney General to compromise suits on certain contracts of insurance;

A bill (S. 2384) to amend the bank-robbery statute to include burglary and larceny;

A bill (S. 2385) to dispense with unnecessary renewals of oaths of office by civilian employees of the executive departments and independent establishments, and for other purposes;

A bill (S. 2386) to give precedence to certain proceedings to which the United States is a party, and for other purposes;

A bill (S. 2387) to authorize certain officers and employees of Federal penal and correctional institutions to administer oaths;

A bill (S. 2388) to increase the punishment of second, third, and subsequent offenders against the narcotic laws; and

A bill (S. 2389) to provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to transport narcotic drugs, firearms, and counterfeit coins, obligations, securities, and paraphernalia, and for other purposes; to the Committee on the Judiciary.

By Mr. MCKELLAR:

A joint resolution (S. J. Res. 145) to provide for payment for nine airplanes obtained from the Stinson Aircraft Corporation by the Bureau of Air Commerce, Department of Commerce; to the Committee on Appropriations.

#### AMENDMENT TO SECOND DEFICIENCY APPROPRIATION BILL

Mr. ROBINSON submitted an amendment intended to be proposed by him to House bill 6730, the second deficiency appropriation bill, 1937, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 34, after line 24, to insert:

#### "PUBLIC HEALTH SERVICE

"Division of Venereal Diseases: For the maintenance and expenses of the Division of Venereal Diseases, established by sections 3 and 4, chapter 15 of the act approved July 9, 1918 (U. S. C., title 42, secs. 24 and 25) including additional facilities and services at the Hot Springs transient medical center and infirmary, \$189,000."

Mr. ROBINSON. Mr. President, in connection with the proposed amendment, I ask to have printed in the RECORD and referred to the Committee on Appropriations a brief statement or memorandum showing the basis or justification for the amendment.

There being no objection, the statement or memorandum was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

#### JUSTIFICATION FOR MAINTENANCE OF THE TRANSIENT INFIRMARY, HOT SPRINGS NATIONAL PARK, ARK.—FISCAL YEAR 1938, \$189,000

Funds for the operation of the Hot Springs Transient Medical Center Infirmary will be exhausted June 30, 1937. As yet no provisions have been made for the continuation of this activity and an urgent situation exists unless the infirmary can be continued. This infirmary is operated in connection with the Government Free Bathhouse and United States Public Health Clinic, and is utilized for the domiciliary and infirmary care of penniless patients of the latter facility.

The camp was instituted under the auspices of the Federal Transient Bureau and continued under the Emergency Relief Administration of Arkansas. The beneficiaries of this service, being either unable to work or unsafe for employment with other noninfectious individuals, the camp has been continued under the administrative supervision of the United States Public Health Service since the abolition of direct relief, financed by an unexpended balance of funds originally set aside for this purpose, and an additional allotment from the State of Arkansas. These funds are sufficient to carry on the activities until June 30, 1937.

The camp consists of nine barracks or dormitories, a central administration building, kitchen, dining room, recreation hall, and small infirmary. All of these are permanently constructed buildings, located on 33 acres of land and immediately adjacent to the Hot Springs National Park.

The continued operation of this medical center is of the utmost importance to the city of Hot Springs, the State of Arkansas, the country as a whole, and the Federal interests already located in Hot Springs for the following reasons:

The indigent-transient problem in Hot Springs is not a temporary situation or a result of the recent economic crisis. It has existed since the opening of the resort. Thousands of indigent persons come to this small city annually, driven by lack of medical facilities at their home and lured by the reputation of the thermal waters. These patients come from every State in the Union, present every disease known to medical science, and arrive at all seasons of the year ill-clothed and penniless. Less than a century ago they bathed in an open pool on the hillside, just above the main street of the city, until aroused public opinion resulted in the establishment of the first Government free bath house in 1878.

No provisions for medical care were made in this bath house. The patients were permitted to bathe at will, each patient stating the diagnosis of his own condition which was written in the application blank. This procedure was obviously dangerous, not only to the free bathers themselves but to the local and visiting population of Hot Springs and, through the visiting population,



to the country at large. Consider the presence of an undetected case of smallpox among these bathers, self-diagnosed some other condition, and the public health hazard is apparent.

For this reason, the Department of the Interior in 1921 requested the United States Public Health Service, the only agency legally empowered to control interstate health problems, to assume supervision of the free bathers. The Service maintains a clinic in the Government free bath house. Its primary duties in Hot Springs are to examine all applicants to the Government free bath house, to isolate any cases found infected with the epidemic diseases, and to provide treatment for those found venereally infected.

The first two functions could be adequately and efficiently executed; treatment for those venereally infected was rendered inadequate and inefficient because many of the patients were financially unable to provide their own living expenses while availing themselves of the treatment offered. The majority of these people are in the lower wage earning groups; their income suffices only for their daily needs, and illness or incapacity very soon throws them on the kindness of friends, or relatives, or charity.

Therefore, there was a daily procession of patients, largely young people, from isolated communities devoid of medical facilities, with only a few dollars or absolutely penniless. It was impossible for the Hot Springs charities, overwhelmed with their own local problems, to care for this large influx of indigent transients from the other States. As a result, these unfortunate people slept in the adjacent woods or alleys, begged a living from door to door in Hot Springs, sought food from garbage cans, or wandered back to their homes in despair, a public health menace to all in their path and a potential liability to the taxpayer when they should become incapacitated from their untreated diseases.

This hazardous and distressing situation was solved when a transient bureau was located in Hot Springs in November 1933. The present camp and infirmary, as previously stated, is an outgrowth of this bureau. There was a larger number of applicants than ever before in the year immediately following the opening of the transient bureau, when the economic situation throughout the country was most acute. Since that time, however, the annual number of applicants has returned to normal. It is not felt now that the camp attracts an additional number of indigents. Listed below is the daily average number of patients given domiciliary care since the beginning of the fiscal year 1937:

July.....	337
August.....	328
September.....	334
October.....	363
November.....	369
December.....	368
January.....	382
February.....	384
March.....	355

As would naturally be expected there are more applicants from Arkansas than from any other individual State. Approximately 80 percent of the patients come from Arkansas.

The transient medical center is important to the country as a whole because it makes medical care possible for a large group of United States citizens who cannot secure it elsewhere. Without treatment these people continue to be sources of infection to others and potential candidates for the relief rolls, insane asylums, and other institutions as they become incapacitated from their illnesses. The cost of caring for them then is much greater than the cost of providing early treatment.

Section 4 of subchapter XV of the act of July 9, 1918 (40 Stat., 886; U. S. C., title 42, sec. 25), establishing the Division of Venereal Diseases in the United States Public Health Service, provides in part as follows:

"That the duties of the Division of Venereal Diseases shall be in accordance with rules and regulations prescribed by the Secretary of the Treasury: (1) To study and investigate the cause, treatment, and prevention of venereal diseases; (2) to cooperate with State boards or departments of health for the prevention and control of such diseases within the States; and (3) to control and prevent the spread of these diseases in interstate traffic."

It is believed that authority exists in both the second and third clauses of section 4 for the appropriation of funds in support of the United States Public Health Service clinic and transient infirmary at Hot Springs National Park, Ark.

#### SUMMARY

1. For more than 18 years the Public Health Service has operated a venereal disease treatment service at the bathhouse of the National Park Service in Hot Springs National Park, Ark., for the treatment of indigent persons infected with the venereal diseases.

2. For many years persons with venereal diseases have come to Hot Springs for the baths and for treatment. A similar situation does not exist elsewhere in the United States.

3. The provision of domiciliary care by the relief administration in recent years has met a very serious need for maintenance of these indigents and made it possible for them to continue treatment until they become noninfectious.

4. Adequate treatment facilities do not exist in most of the localities from which these patients come. In future years the load should be lightened as the States under the Social Security Act are able to provide adequate treatment facilities.

5. If the present transient infirmary is not continued a serious problem of the interstate spread of venereal diseases will result. Moreover, it would be inhuman to close it at this time. These

ignorant, indigent, and infected persons will continue to come to Hot Springs in large numbers seeking care and treatment which heretofore has been provided. Effective antisyphilitic treatment cannot be given to patients who are half starved.

6. Finally, it is urged that an additional appropriation of \$189,000 be made to the Public Health Service to make it possible to render adequate treatment to indigent transients infected with the venereal diseases who are attracted to Hot Springs National Park, Ark.

#### ORDER FOR CONSIDERATION OF UNOBJECTED BILLS

Mr. ROBINSON. Mr. President, since arriving in the Chamber I have been advised by several Senators of a desire that the calendar be called for the consideration of unobjected bills. Therefore I ask that at the conclusion of morning business the Senate proceed to the consideration of unobjected bills on the calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

#### CROP INSURANCE SYSTEM FOR FRUITS AND VEGETABLES

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from the previous day which will be read.

The Chief Clerk read the resolution (S. Res. 108), submitted by Mr. PEPPER March 21, 1937, as follows:

Resolved, That the Secretary of Agriculture is requested to transmit to the Senate, at the earliest practicable date, a plan and recommendations for the establishment of a system of crop insurance for fruits and vegetables, and to make such studies as may be necessary in connection therewith.

Mr. PEPPER. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

#### SERVICE IN THE CONGRESS—ADDRESS BY SENATOR BYRNES

[Mr. RUSSELL asked and obtained leave to have printed in the RECORD an address delivered by Senator BYRNES at the Presbyterian College of South Carolina on Apr. 26, 1937, on which occasion the degree of doctor of laws was conferred upon him, which appears in the Appendix.]

#### OUR FOREIGN FINANCES—ADDRESS BY SENATOR ELLENDER

[Mr. OVERTON asked and obtained leave to have printed in the RECORD a radio address on the subject Our Foreign Finances, delivered by Senator ELLENDER on May 6, 1937, which appears in the Appendix.]

#### ADDRESS BY CHIEF JUSTICE HUGHES BEFORE AMERICAN LAW INSTITUTE

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD the address delivered by Chief Justice Hughes before the meeting of the American Law Institute at Washington, D. C., on May 6, 1937, which appears in the Appendix.]

#### EFFECT OF SUPREME COURT DECISIONS ON LABOR AND AGRICULTURE—STATEMENT BY SECRETARY WALLACE

[Mr. LOGAN asked and obtained leave to have printed in the RECORD a statement issued on Apr. 14, 1937, by the Secretary of Agriculture relative to the effect of recent decisions of the Supreme Court on labor and agriculture, which appears in the Appendix.]

#### ADDRESS BY HON. JAMES A. FARLEY BEFORE AMERICAN LEGION POST, GALESBURG, ILL.

[Mr. DIETERICH asked and obtained leave to have printed in the RECORD the address delivered by Hon. James A. Farley before the American Legion post at Galesburg, Ill., on Apr. 27, 1937, which appears in the Appendix.]

#### ARMY DAY MESSAGE BY MAJOR GENERAL MOSELEY

[Mr. COPELAND asked and obtained leave to have printed in the RECORD an Army Day message by Maj. Gen. George Van Horn Moseley, which appears in the Appendix.]

#### SERVICE DISABILITIES—ARTICLE BY J. D. CHITTENDEN

[Mr. BULKLEY asked and obtained leave to have printed in the RECORD an article from Foreign Service Magazine, written by Joe D. Chittenden, relative to proof of service disabilities, which appears in the Appendix.]

The VICE PRESIDENT. Morning business is closed.

#### AMENDMENT TO CONSTITUTION—NOMINATIONS OF CANDIDATES FOR PRESIDENT AND VICE PRESIDENT

Mr. STEIWER. Mr. President, I desire to proceed briefly in behalf of the joint resolution (S. J. Res. 131) proposing



an amendment to the Constitution of the United States relating to nominations of candidates for President and Vice President. Before I do so I ask that the clerk may read the joint resolution for the information of the Senate.

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

Mr. STEIWER. Certainly.

Mr. ROBINSON. Does the Senator desire to proceed now or after the conclusion of the unanimous-consent order just entered into? The Senator spoke to me just a moment ago about proceeding.

Mr. STEIWER. I understood the Senator to say it would be agreeable for me to proceed at this time.

Mr. ROBINSON. I shall make no objection, but it will require unanimous consent for the Senator to proceed at this time. Since the Senator spoke to me I received a suggestion from his colleague the senior Senator from Oregon [Mr. McNARY] that there is a desire that the calendar be called today. The Senator may proceed now by unanimous consent or wait until after the calendar has been called.

Mr. McNARY. Mr. President, will my colleague yield?

Mr. STEIWER. Certainly.

Mr. McNARY. I requested the call of the calendar. At this time I ask unanimous consent that my colleague the junior Senator from Oregon [Mr. STEIWER] may be permitted to proceed with his discussion of the joint resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none. The junior Senator from Oregon is recognized.

Mr. STEIWER. Mr. President, may the joint resolution be read?

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read the joint resolution (S. Res. 131) introduced by Mr. STEIWER on April 9, 1937, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:*

"ARTICLE —

"SECTION 1. In each year in which the electors are to be appointed for the purpose of choosing a President and Vice President (1) a primary election shall be held in each State on the third Friday in May, or such other date as the Congress may fix by law, to determine the preference of the members of each political party in that State for the nominees of such party for the offices of President and Vice President; and (2) delegates to national conventions of political parties shall be selected in each State. The manner of holding such elections and selecting such delegates shall be determined in each State by the laws thereof, unless the Congress shall by law provide a uniform system for the United States. The electors in each State in any such primary election shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The necessary expenses of such primary elections, including expenses incident to the nomination of candidates for other Federal, State, and local offices, shall be paid by the United States. The method of making payment and the amount thereof shall be determined in such manner as the Congress shall by law direct.

"Sec. 2. In the selection of nominees for the offices of President and Vice President, by any national convention of a political party, each State shall be entitled to that number of votes for each of such offices which is equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress, and the votes of such State for each of such offices shall be counted for that person receiving the highest number of votes from members of that political party in the primary election in such State. The person having the highest number of such votes cast in any such national convention for either of such offices shall be the nominee of that party for that office. If two or more persons have such highest number, the members of the convention shall select one of such persons as the nominee. The Congress shall have power to enforce this article by appropriate legislation.

"Sec. 3. Sections 1 and 2 shall take effect at the beginning of the next calendar year following the ratification of this article."

Mr. STEIWER. Mr. President, this proposal represents a sincere effort to submit to the American people a plan for a nominating system in place of the out-moded and never-acceptable national convention. It does not, however, supersede the convention, but merely brings it under control and makes it the agency of the parties, and not their master. It brings America nearer to real democracy.

The framers of the Constitution did not contemplate a general suffrage, and did not intend that the whole people

should either select nominees or elect the President and Vice President. Section 1 of article II of the Constitution reflects a contrary purpose, which was indicated in the provision that electors appointed by the States shall meet in their respective States and there express their choice for two persons. The person receiving the votes of the largest number of electors from all of the several States automatically was elected President, and the person receiving the next largest number automatically was elected Vice President. The electoral college has become an empty form, for the electors no longer exercise the unrestrained privilege of selection. They merely record the majority sentiment of the State for which they act.

The development of the American political system completely defeated the original purpose of the Constitution and substituted the political party. In very necessity there must be a means by which the parties select their nominees. The means employed is the national convention, with delegates selected by various means from the several States and Territories. The original plan of free electors, privileged to exercise a judgment in casting their votes for President and Vice President, has been supplanted by one of electors who are to some extent mere servants of a political party.

The evolution from the system originally contemplated in the Constitution to the present system of universal suffrage and popular elections has been toward democracy, but it has introduced many serious problems. Most of these problems cluster about one admitted fact; namely, that the national conventions are wholly outside any control or regulation. The States may, and do, exercise authority over the selection of delegates to the national convention, but the conventions themselves are in a "no man's land" and are controlled by no authority. The purpose of Senate Joint Resolution 131 is to bring the conventions within the authority of government and to provide the system whereby the voters in the different political parties may, by their own direct action, select the delegates to such conventions, and by this means share in the selection of the nominee for President and for Vice President. It would put an end to the absolute control by politicians of selection of Presidential and Vice-Presidential nominees.

The proposed amendment contains a mandatory requirement that in each Presidential election year a Nation-wide primary election shall be held. The resolution also contains a mandatory requirement that in the national convention the votes of the delegates of each State shall be counted in favor of the person who has received the highest vote in the primary in that State, and the further mandatory requirement that the person having the highest number of votes cast in a national party convention shall be the nominee of that party.

The proposal contemplates, in the absence of Federal enactment, that the States shall control the method of holding the primary elections. This election would be held on the third Friday in May until Congress, by law, fixes a different date. The third Friday in May was selected in order to permit the national conventions of the political parties to be held in the month of June, as has ordinarily been done in the past. It is contemplated that names of candidates may be placed upon State ballots under such requirements as the State may impose, but that the delegates from any State shall have their votes counted in the national convention in behalf of the candidate who has received the highest number of votes at the primary election in the State.

The resolution fixes the qualifications for electors in the same manner as the seventeenth amendment to the Constitution, providing for the election of United States Senators. The qualifications are thus fixed by the States, inasmuch as they are identical with the qualifications of electors of the most numerous branch of the State legislatures.

The resolution provides for Federal contribution to the expense of holding the primary election, and imposes upon Congress the duty of determining the method of repaying the States the amounts necessarily expended.

The apportionment of delegate strength among the States is not substantially changed. Section 2 of the resolution



provides that each State shall be entitled to that number of votes in the national convention which is equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress. This is the rule of the electoral college, and with slight modification is the rule now used by the political parties in apportioning voting strength among the several States; that is to say, in the convention. This provision is important in that it does not substantially disturb the relative position of the States as recognized at the present time. It will be conceded that under this system the delegates from the States of large population will represent more voters than the delegates from States of small population. This disparity exists now in the convention system and in the electoral college. Whatever may be the faults of the present basis of representation, it is founded upon a tradition as old as the Constitution, and also it reflects the historic compromise upon which the people of the several States are represented in Congress.

The proposed amendment is practically self-executing, but as a safeguard it contains a provision at the end of section 2 to the effect that Congress shall have power to enforce the amendment by appropriate legislation. This will enable Congress, if it finds it desirable, to provide corrupt-practices acts against abuses, including fraud and misconduct. It would enable Congress also to correct the defects which experience may develop.

Finally, the resolution contains a stipulation that it shall become effective at the beginning of the calendar year following ratification. This is to insure that no State will be taken unawares, and that every State will be afforded an opportunity to enact such legislation as may be necessary to enable its citizens to enjoy the privileges which the resolution is intended to confer upon them.

Numerous arguments may be urged in behalf of the nominating system provided in the proposed amendment, but the arguments which I stress at this time are the following:

First. That in the several political parties the nomination of the highest officers in the people's government is inherently within the right of the people who constitute those parties.

Second. That under the existing system the national conventions are in a legalistic "no man's land", and the public welfare will be served when they are brought under the authority of government.

Third. That a national primary system is preferable to the national conventions for the nomination of candidates.

First, as to the right of the people to control the nominations: This right inheres in the people, because they have not delegated it away. In no other organic law, except the Constitution of the United States, is there found a preamble commencing with the declaration that—

We, the people, \* \* \* do ordain and establish this Constitution \* \* \*

Under no other political system is it equally clear that all authority springs from the people. The nomination of candidates for President and Vice President is essentially the people's own business, but under the existing order it is a business over which they have a very imperfect control. The qualified voters in the general election are permitted to exercise a choice between the various nominees. If the voters in the respective parties could exercise a full control in selecting the party nominee, the people's authority would be made complete. Later in these remarks I will discuss the operations of the national conventions, but for the moment it will suffice to say that no convention has ever been dominated completely by the constituency of the political parties for which it acts. The party chiefs and a limited group of stalwarts who are interested in party affairs, and who can afford the expense of attendance upon national conventions, are gathered in the name of the party. The political agents of corporations and hired ambassadors of privileged groups unite in an effort to lead the national convention in the direction which the political oligarchy of the party may desire to have it led. The voter in November has little to do in selecting the nominee of his party. The choice was made for him and he must accept or reject it. It is almost uni-

versally true that from the time the party system was instituted until the present day the people in November have been free to make one choice only, namely, the choice between the nominees offered to them by the political bosses of the several parties.

The second argument is that it is to the public interest to extend governmental authority over the operations of the national conventions. Such operations cannot be brought under the laws of the several States. It will be conceded that if they are to be brought under control of any law it must be the law of the Federal Government, and the Federal Government, in the view generally accepted, has no jurisdiction under existing constitutional provisions. Constitutional amendment, therefore, is imperative if the vitally important matter of Presidential and Vice-Presidential nominations is to be brought within the control of the Federal Government.

The third argument is that a national primary is preferable to the conventions. The action of the voters in the primary election is more deliberate than action in a national convention and would reflect the will of the people. The result would be prompted less by hysteria and less affected by manufactured emotion. In the primary election the voter may devote weeks, even months, in making his choice. The issues of the election often are discussed at the fireside. Judgments are not influenced by enthusiasm engendered by a brass band or by a woman in green waving a flag. Moreover, it is to the public interest that the method of selection cause the successful nominee to feel responsible to the people and not to the convention politicians.

The objection that the people are not prepared to exercise the duties of elector in the primary election is refuted by the results attained in primary elections within the several States. It must be conceded that voters may make mistakes, but we cannot escape from the controlling fact that the safety of the Nation is in the hands of these same voters in the general election in November. They are not more liable to err in the nomination than in the final selection of President and Vice President. I am persuaded, moreover, that the people will be quick to correct their mistakes. Responsibility induces caution. The privilege of participating in the nomination through the agency of a primary election will arouse widespread public interest, and the experience of making the necessary selections will be a most helpful teacher.

Moreover, the conventions in practice usually do not attain the merit which theory ascribes to them. The history of national conventions in American politics is a history in which a multitude of evils and abuses have been repeated over and over again. Back of the national convention in many States is the State convention, and back of the State convention are the county conventions and local caucuses. These conventions have often been corrupt—delegates have been bought and sold outright. Every known species of fraud is resorted to, and even where there is no fraud the skillful use of patronage often results in successful control of convention sentiment by the political leaders.

In past national conventions the seating of Federal officeholders often gave complete control to the administration in power. Many national conventions have defeated party sentiment and have substituted the wickedness of corrupt manipulators for the rule by the people. In discussing one national convention the senior Senator from Nebraska [Mr. NORRIS] described the process by which the Federal officeholders controlled the result. In referring to the use of patronage to bring about the nomination desired, he said, "Its evils smelled to heaven."

In the 1912 convention it was charged that in one State delegation of forty-odd delegates and alternates there were only five or six who were not Federal officeholders. From another State there came a delegation whose membership sounded like the roster of Federal officeholders in that State. These officeholders are henchmen of the faction in power. Politically they are not free American citizens. Their purpose in the convention is to carry into effect the will of those from whom they obtain their living.



Mr. NORRIS. Mr. President—

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from Oregon yield to the Senator from Nebraska?

Mr. STEIWER. I yield.

Mr. NORRIS. Is there anything in the Senator's joint resolution proposing an amendment to the Constitution which would prohibit officeholders from being selected as delegates?

Mr. STEIWER. There is not. I reached the conclusion that if the people desired to select any certain delegate, that would be their business and their privilege. I have not attempted to restrain them.

Mr. NORRIS. That could occur now. But why cannot the Senator correct the evil of which he speaks—and it certainly is an evil, as everyone knows—if his amendment shall be agreed to at all, by a simple sentence which would prohibit Federal officeholders from being delegates to a national convention?

Mr. STEIWER. It could, of course, be done. I think the Senator knows that the Senator from New Mexico [Mr. HATCH] and I jointly have introduced a bill, similar to one I introduced in an earlier Congress, to prohibit Federal appointees from serving as delegates in any convention having for its object the nomination of a President and Vice President. I would have no objection to the inclusion of the same provision in the proposed amendment. I did not include it merely for the reason that apparently no constitutional amendment is required to accomplish that result. Congress could enact such legislation now, I think, could exclude Federal appointees from such a convention, just as we exclude civil-service appointees from political action. However, it might be better, if we find that the Congress is interested in this proposal, to give it further consideration with the idea of cleaning up the whole situation at one time.

In the national convention of the Republican Party in 1908 there were 980 delegates. The Southern States, which that year gave the Republican nominee no votes in the election, were represented in the convention by 338 delegates. A candidate for nomination having this block of 338 votes could attain it by securing only 153 votes from all other sections of the country. Any other candidate not having the support of the Southern delegates, in order to attain the nomination, would have to secure 491 votes from outside the area of the solid South. In the national convention of the Republican Party in 1928 there were 1,089 delegates, of whom 177 came from the Southern States. In the convention of 1932 there were 1,132 delegates of whom 234 came from the Southern States.

Analysis of these figures shows that the administration in power can control a convention by packing the convention with its own Federal appointees. Control through patronage constitutes a handicap which has never yet been overcome. The administration may be wholly lacking in merit, and may have forfeited the confidence of the people, but still its convention control continues. The seating of Federal officeholders in a convention does not effectuate the public will. It defeats the public will and sooner or later it will bring a crisis to the American Government, the extent of which is beyond our power of calculation.

Misuse of Federal patronage was noted in the Republican conventions of 1908, 1912, 1928, and 1932, and I have no doubt that a careful study of the history of the Democratic Party will disclose that similar abuses occurred in various of the Democratic national conventions. In the last campaign I heard no denial of the newspaper charge that 61 percent of the delegates to the Democratic convention at Philadelphia consisted of Federal officeholders and officers and agents of the Democratic organizations in the various States. Such a group in a true sense does not constitute a convention. It is convened to underwrite and ratify a nomination already made. Without doubt the President would have been nominated at a primary, and for this reason the convention was not guilty of thwarting the will of the Democratic Party. This does not, however, justify a system which on another occasion would operate to defeat the will of the people.

Let no one assume convention abuses have been without their effect upon the course of history. It is unlikely that President Taft would have been nominated in 1908 if the nomination had been made by a primary election. It is most certain he would not have been nominated again in 1912. In 1920 the nominees of the great political parties were not in any sense the selection of the people. It is not too much to say that neither President Harding, nor Mr. Cox would have attained nomination in direct appeal to the people. There was only one means by which Mr. Harding could have been nominated, and that was through the backstage operation of the political leaders who had united in blocking the nomination of all of the three outstanding popular candidates.

In 1928 Mr. Hoover had a strong hold on the imagination of the voters of this country. From the record he made in certain of the primary States, it is reasonable to believe that he might have been nominated under a Nation-wide primary system. But it is equally reasonable to conclude that in 1932 the nomination would have gone to someone else, and Mr. Hoover would not have been offered as a sacrifice in the election of that year. It is idle to speculate on the final net result to America if the convention nominations in years to which I refer had been made by the people in Nation-wide primary elections. The whole subject is, of course, a matter for conjecture. In my own opinion, the welfare of the Nation and its people would have been substantially promoted had the national conventions been abolished or controlled by primary selections a third of a century ago.

The abuses make the national conventions in reality very different from conventions in theory. I cannot conceive of one argument supporting a system of manhandled conventions for the nomination of the highest officers in the gift of the people.

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

Mr. STEIWER. I yield.

Mr. AUSTIN. I wish to make an inquiry, if it does not interrupt the Senator's statement. I was wondering how, in the opinion of the Senator from Oregon, candidates should be put before the people to be voted on in such a national primary. Is there any provision in the proposed amendment of the Senator from Oregon which refers to that subject?

Mr. STEIWER. The amendment leaves it to State action. Some States now have provided the procedure for placing the names upon the ballots. Other States have not. Of course, in those States some action necessarily would have to be taken.

Political power rightfully belongs to the people, and should be exercised by them without hindrance and without obstruction, within the conventions or without the conventions. There is no justification for thwarting the will of the people in the selection of candidates for the Presidency through political manipulation. The abuses within the convention render insignificant the acknowledged but relatively unimportant faults of the primary system which is provided in the resolution under discussion.

The effort to escape from the evils of the national conventions is not a novel one. It did not originate with me. Many bills have been introduced in Congress providing, in one way or another, for a national primary in which the voters could nominate their candidates for President and Vice President. In the Republican minority platform of 1912 there is found a provision for the nomination of candidates for President and Vice President "by direct vote of the people at a primary election held in all States upon the same day." The Progressive Party in the same year declared for the primary system within the States and in connection with Presidential nominations. The Progressive platform of 1924 again advocated the direct nomination as well as the election of the President. President Wilson, in a message to Congress in 1913, urged the passage of a national direct primary law. It is interesting to note that he favored the retention of the party convention, but for the limited purpose of accepting and declaring the verdict



of the primaries, the formation of party platforms, and so forth. The resolution which is the subject of these remarks would carry into effect all the recommendations made upon the high authority of President Wilson.

The preferential primaries employed in a number of States have proved beneficial in demonstrating voter sentiment, but are no solution for the problem which we are discussing. Candidates contest in certain States and refrain from contesting in others, depending upon the strategy of their campaign. The primary elections are not held upon one date, but are scattered over a considerable period of time. The candidate may go from State to State, varying his procedure and technique to fit the local conditions in each State. One group of supporters will present him in one light in one State, and another group of supporters will present him in another light in another State. The result will not be fully satisfactory until there is a uniform primary date, and until aspirants for nomination present their candidacies throughout the Nation. If the national convention is to be retained at all, it is fundamental that the delegates in the convention be compelled by the highest law to cast their votes in accordance with the expressed will of the voters for whom they are privileged to act.

A Nation-wide primary will result in the formation of definite issues, and will make the conventions responsive to the established public sentiment within the political party.

Such a system will at last bring real democracy to the people. Constitutional freedom, including rights of free speech, free assembly, and free press will remain incomplete until the people attain political freedom also by participation in all phases of their own government. Of what value is free speech if the right of the citizen in selecting his highest officials is curtailed by a system in which he has only partial authority? Freedom of speech without power in the selection of the highest officials degenerates into a mere privilege of complaint. But freedom of speech, coupled with political freedom in the nomination of officials and in their election will at last bring a full measure of self-government to the American people.

Throughout the world we have seen the destruction of established authority, and government after government has been torn from its base. Violence and threats of violence are breeders of alarm in many nations. Occasionally in America there are predictions that our constitutional democracy cannot endure, and that the Old World spirit of revolution will be brought to our shores. I answer that in time of uncertainty when prophets of disaster are on every side it is sound policy to increase the contentment of the people and to enlarge their affection for their government. Nothing will contribute more to the enhancement of this affection than the self-rule of Nation-wide primary elections. Revolution will be improbable in a country in which the people are given an undiminished right, both to nominate and to elect their President and Vice President. The American people will not rebel against themselves. Of the many proposals before the Nation, I submit that none will do more than this to insure political tranquillity, and thus to prolong the life of the Republic.

Mr. FRAZIER. Mr. President, will the Senator yield to me for a question?

Mr. STEIWER. I yield.

Mr. FRAZIER. I wish to ask the Senator from Oregon if he has considered, in connection with his amendment or any other amendment doing away with the national conventions entirely as well as the electoral college, and having a national primary election at which to nominate candidates for the office of President and Vice President, and then in the general election vote directly for the candidates?

Mr. STEIWER. Yes, Mr. President; I can answer very directly that I have considered the matter, but upon consideration I reached the conclusion that it would be a less radical step to proceed in the way that has been suggested in this proposal; and I felt that most of the worthy objects that could be attained by the complete abolishment of the convention system could be attained by the system I have suggested. That, of course, is a matter for personal judg-

ment. There are some advantages in retaining the convention from the standpoint of party management.

#### ESPIONAGE IN THE UNITED STATES

Mr. McNARY. Mr. President, the able Senator from North Dakota [Mr. NYE] desires to leave the Chamber at the earliest opportunity, and I ask unanimous consent that he be allowed to proceed to speak prior to the call of the calendar.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the Senator from North Dakota is recognized.

Mr. NYE. Mr. President, I shall address myself very briefly to what I think at this moment constitutes a real challenge to every Member of the Senate.

Garcia & Diaz is the firm name of steamship owners and operators with headquarters at 17 Battery Place, New York. The two partners in this firm have been in this country for 30 years; but it is my information that neither Manuel Diaz nor Marcelino Garcia, the partners in question, is a citizen of the United States. Their steamship operations include ships running between New York and Italy, Spain, Cuba, Mexico, and Central America.

In my possession are photographs of communications very emphatically tending to show that this firm and its members are part of an espionage system, a network serving the Spanish General Franco and his Fascist organization. Translations of some of these communications, which are all written in Spanish, I shall seek to have made a part of the Record in connection with my remarks this afternoon. The photostats from which the translations are made will be referred in time to a proper committee of the Senate for such use as such committee may make of them.

It is plain to be seen from a study of the Garcia & Diaz correspondence that this firm is party to and aware of activities which violate and threaten American neutrality. It is evident as well that these persons would look with favor upon violation of the Monroe Doctrine and encourage the presence of foreign warships in American waters to destroy shipping related to the present Spanish Government, which is recognized by our Government.

The Senate will well remember the *Mar Cantabrico*, a Spanish ship which left the port of New York in early January with supplies intended for the loyalist Government of Spain. This vessel went from here to Mexico before sailing for Spain. Its voyage was interrupted, as will be recalled, by the Fascist forces off the coast of Spain. During the entire time the ship was in American waters it appears to have been spied upon by agents who were reporting to Garcia & Diaz in New York, who in turn were reporting to higher-up agents of the General Franco forces.

Garcia & Diaz, in their correspondence, speak of the Franco Fascist cause and his army as "our cause" and "our glorious army."

It is a pity—

These men wrote in one letter, from which I quote—

that there is not a speedy armed ship in the Strait of Yucatan. If there were, not one of the ships with armaments would get through.

It would be an advantageous place—

They suggested—

because for the provisioning of its needs the ship could be helped in Guatemala, a friendly country.

Garcia & Diaz, the correspondence before me reveals, are in close touch with strange missions which come from abroad. They speak of General Franco and his following as "our compatriots." They express desire to see officers of certain ships supplying the enemy hanged.

That this firm is party to propaganda spreading in this country is hardly to be questioned, according to their correspondence. It seems to me that Garcia & Diaz are engaged in activities that subject them most absolutely to deportation. They and their kind should be no part of us if we would avoid causes which have resulted in such despair in other lands as the senior Senator from Idaho [Mr. BORAH] referred to in his able address in the Senate late last week.



But it appears that Garcia & Diaz are only a small part of a spy ring that is operating in our midst.

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

Mr. NYE. I yield.

Mr. COPELAND. I am much interested in what the Senator says about deportation of these men. I have others in mind. Could their deportation be brought about under our present laws?

Mr. NYE. I understand that it could be.

Mr. COPELAND. The Senator from Pennsylvania [Mr. Davis] could perhaps advise us about that. Under our laws, I understand that if an alien has been here 5 years he may not be deported, except possibly if he commits a crime. Possibly that is what the Senator has in mind.

Mr. NYE. I think if an alien can be proven guilty of violation of our laws he is subject at once to deportation.

Mr. COPELAND. Would the Senator mind if we followed that up for just a moment?

Mr. NYE. Not at all.

Mr. COPELAND. Perhaps the Senator from Pennsylvania [Mr. Davis] can answer the question. The Senator from North Dakota has just suggested that certain aliens who have connived to defeat our laws might be deported in spite of the fact that they have been here 30 years. What is the law regarding deportation? If an alien has been here 5 years, may he be deported if he commits a crime?

Mr. DAVIS. If he came to the United States before 1924, he may not be deported.

Mr. COPELAND. That was my impression.

Mr. NYE. Are we to understand that if an alien came to the United States before the passage of the act of 1924 he may not be deported on any ground?

Mr. DAVIS. I would not say he may not be deported on any ground, but on certain grounds he may not be deported.

Mr. COPELAND. If he committed a crime, could he not be deported?

Mr. DAVIS. If he came in legally before the act of 1924, he could not be deported.

Mr. COPELAND. There was a general amnesty at that time as I understand, under which any alien who was here at that time or who had been here for 5 years, unless proven to be a criminal before he came, could not be deported. I think that is the situation. I merely raise the question because, in connection with certain others, I myself have some grievances, and would be glad to see deportation if it is possible to bring it about.

Mr. NYE. Mr. President, the point I want to make is not at all confined to the issue of deportation. The challenging matter goes far beyond these men, Garcia and Diaz, for, as I was about to make the point, they seem to be only a small part of a spy ring that is operating in our country.

In their letters they make reference to one Cardenas and show an emphatic relationship with him. Cardenas is obviously Juan Francisco de Cardenas, Spanish Ambassador to the United States until 1934. In that year he was transferred to Paris, where he served as Ambassador until the outbreak of the civil war in Spain. With the institution of Franco's rebellion in that unfortunate land, Cardenas returned to the United States and has occupied headquarters in the Ritz Carlton Hotel in New York. Associated with him are Jose de Gregario, a former secretary of the Spanish Embassy here; also one T. Mateos, a former chancellor of the Spanish Embassy here. They have sought to collect funds for the Franco cause, and have carried on in a way to indicate that they constitute the clearing house for the Spanish insurgents in the United States. Their source of income is suspected.

I submit, Mr. President, that the matter is one warranting a searching investigation by the Senate. Such an investigation need not be confined to the persons I have named but might well include all agencies foreign to our country which are participating in the present struggle to win American favor for one cause and another as represented in the lines drawn abroad at the present time.

The documents before me reveal Cardenas to be identified with and to be approving foreign agents of Franco's, and there are free charges that his work here is most inconsistent with our policy of neutrality. He with de Gregario, and perhaps others, representing a pretended foreign state which is not recognized by our Government, appear to be in our midst through the grace of diplomatic passports. Certainly it is not America's desire to have such alleged activities carried on by men who are here upon our own diplomatic invitation.

Cardenas can hardly hope to qualify as a refugee, since he could have had refuge in France, where he was last stationed before the end came to his Spanish government.

Mr. President, I do not desire to speak any further upon this subject today, but I wish to offer for the RECORD, and have included in my remarks, translations of the seven documents to which I have referred in the order in which they will be presented.

I shall hope tomorrow or at a very early date formally to offer in the Senate a proposal for such an inquiry as I have suggested.

The PRESIDING OFFICER. Without objection, the translations of the documents referred to by the Senator from North Dakota will be printed in the RECORD.

The translations of the documents are as follows:

[Translation of exhibit 1]

[Garcia & Diaz, 17 Battery Place, Mar. 5, 1937. SS. Conte di Savoia, 3-6-1937]

SR. DON JUAN CLAUDIO GUELL,  
Conde de Ruisenada, Hotel Fernando Isabel,  
Valladolid, Spain.

DEAR SIR AND FRIEND: We have received (on Feb. 23) your esteemed letter of December 20, which brings us the good news that your father is well in Paris, fulfilling missions of the Burgos Government. We see that you have no recent news from the Baron de Satrustogui. May God will that upon his release from prison he may have been able to find refuge in some embassy.

We are very sorry that Luis Garcia has not been able to get out of Barcelona. It is a bad place and it will be worse when they are attacked, for we know what element is dominating there. We do not go either to Barcelona or any other red port. Our ships call only at Seville on the return trip from Italy and now we have one on the way from here to Pasajes with a load of nitrates. For the other white ports there isn't any freight at all. The greater part of the freight here is for Lisbon, with which port we maintain at least one sailing a month.

The Valencia bandits have done us as much harm as they could. They stole from us on the high seas the *Montomar*, and here they tried to seize the *Navemar* which they also confiscated by decree. The crew, with the exception of the captain, two officers, the first engineer and the steward, made common cause with the Ambassador and after a thousand incidents in the courts we were able to throw them off the ship. We have won the suit twice in the courts from the Ambassador. He says that the ship belongs to his Government and we say that it is ours. At present we are in possession of the ship, having on board those who were faithful to us (captain, two officers, engineer and steward), but we cannot use the ship, which has been tied up here since the end of November because the Ambassador has interposed appeals to the superior courts. But at any rate we foiled the scheme they wanted to carry through at the beginning of December, for they wanted to sail the boat by surprise, with the "loyalists" they still had on board to Veracruz, Mexico, to take a load of arms and munitions, and we stopped them with a judicial expedient. In Valencia they have honored us, not only with the decrees of confiscation of the two ships, but with another (decree) confiscating the company, and still another confiscating all that my partner and I possess "for services given to the Fascist cause."

In Barcelona we have all our people, for whom we have been able to do nothing, and we don't know how they may have fared or how they are faring.

We have received a letter from Benito Picardo of February 3 at Palma de Mallorca. We give you his address there, in case you are interested: Fray Junipero Serra, no. 50-2-2. His wife and children are also there. He tells us that he was imprisoned in Montjuich, from where he got out after a thousand hardships; he succeeded in getting out of Barcelona, buying his escape. Recently we have heard that Don Juan Ferrer is also in Palma, but we have had no confirmation of this yet.

Here we live from hour to hour pending news from Spain. The press, in its majority Jewish, is rather hostile to our cause and while it advances the lies of the Reds (they make an enormous propaganda) it makes efforts to belittle the successes of our glorious army.

The help from Russia is well known, as well as the enormous help from Mexico. It is a pity that there is not a speedy armed



ship in the strait of Yucatan. If there were, not one of the ships with armaments would get through. The place could not be any more advantageous because for the provisioning of its needs the ship could be helped in Puerto Barrios, Guatemala, a friendly country.

Fond greetings from your good friends.

MANUEL DIAZ.  
MARCELINO GARCIA.

[Translation of exhibit 2]

GARCIA & DIAZ,  
17 Battery Place, New York, N. Y., March 4, 1937.  
SEÑOR DON EMILIO SUAREZ FIOI,  
Habana.

DEAR FRIEND: I have just received your interesting letter of the 2d with the note "very confidential", all of which I am going to refer to below.

Betts is vacationing and he will not return until next week, and I communicated at once with his lawyer, Mr. Zito, whom you know, and he promised me that he would cable Bermuda at once asking for the documents they need in Cadiz for the insurance of the *Sodio*. He acknowledges that those Englishmen seem like Zulus, because there is no way to get them to do any work; but this time he says he will insist they do not waste time in sending what is asked of them. When they do not know here whether they sent you the questionnaire, it is certain they have not done so. Every few days I call Zito, and he always tells me he expects them to answer from one day to the next, and now I shall keep after them more often, because of the importance of sending this to Spain at once. You will say whether, when they receive it here, it must be sent to you there. Or do you want us to send it direct to Cadiz or to Paris or wherever you order?

The main thing is that if the insurance is collected it would give life to the company, but it is not good to sing victory ahead of time, but everything must be done to attain this purpose.

Today the papers announce that a ship from Mexico arrived yesterday at Valencia with munitions and arms, and the dispatch comes from Cordoba. If it is true, it cannot be any other than the *Mar Cantabrico*, although it seems almost impossible that it could be there, having left as it did from Vera Cruz on February 19. It seems they are loading the *Motomar* to sail soon.

Edith tells me she wrote two letters to Angeles since you were here, the last one the day before yesterday, which in reality she delayed in answering because of the eighteenth wedding anniversary and the two children's birthdays, and she did not feel altogether well due to colds, etc., but I know she will be punctual in writing in the future.

We are grateful for the passing of the rumor about the person who pretends to represent the company; but, since he could not by any concept be considered as a "pretender", it isn't even worth thinking about it. Your offer, which we appreciate greatly, gives us much tranquillity and satisfaction.

This gentleman who has just arrived is the son of the former manager of the Hidro Electrica, and, according to Cardenas, he comes on a very important official mission. What I have not been able to find out is whether this (mission) is to take interest in the ships or whether it is another (mission), but he has the idea to present himself in the port that you mention before the sailing of our ship, and very confidentially I shall tell you that he has even sent an emissary ahead. We shall advise you as we gain knowledge on confidential grounds.

Concerning the captain, you need fear absolutely nothing; and, really, neither I nor Marcelino (the bigger donkey first) nor Victor have noticed this characteristic that you mention, and perhaps he has not expanded more to you due to the present circumstances over there which, keep in mind only the victory over the "reds" and the rest is secondary.

An embrace,

MANOLO.

[Translation of exhibit 3]

GARCIA & DIAZ,  
New York, February 8, 1937.

(Air mail)

Sr. DON FEDERICO VARELA,  
Care of F. & G. Varela.

Apartado 60, Vera Cruz, Mexico.

MY DEAR FRIEND: I have received your attentive letter of the 4th instant through which you give me the news of the freight on the Norwegian steamer *Cunda* and its sailing from your port last Thursday afternoon and, as the consignees of the linseed which is being transhipped from the *Motomar* are trying to avoid our attachment for freight to your port, and so that they will not surprise us by taking the ship to another port of the United States to unload, we troubled you to ask you to please telegraph us for what port the same had been cleared, which we did by means of our telegram, which says:

"Grateful yours fourth. We beg you telegraph port for which cleared ship which sailed said afternoon", having received at once your answer, which says: "Your letter cleared for Edge-water", which information we truly appreciate.

We hope that when the *Sideral* finishes you will please advise us date of sailing and port of destination, for all of which we wish to express our anticipated thanks.

LXXXI—270

It helps us a good deal to learn from you that as yet there is no sign of receiving freight or of any operation of the two ships at your port.

You have probably learned of the capture of Malaga, which means a great moral and material triumph for General Franco; and we hope that this will be the beginning of the end so that our compatriots will no longer have to suffer and sacrifice themselves as they have been doing until now.

Awaiting your good news, we are,  
Your friends,

(Not signed.)

[Translation of exhibit 4]

GARCIA & DIAZ,  
17 Battery Place, New York, February 15, 1937.  
(Air mail)

Sr. DON FEDERICO VARELA,  
Apartado 60, Vera Cruz, Mexico.

MY DEAR FRIEND: I want to confirm my letter of the 8th instant, as per enclosed copy, and not having received any of your letters in the interim, I write these few lines to inform you that the newspaper *La Prensa* gave the sailing of the *Mar Cantabrico* to Tampico or Spain, as of yesterday Sunday at night, and naturally, as you will have written us on this particular, we shall know how to act when we have the pleasure of receiving your information.

In the interim we have also received advice that the *Motomar* has been alongside the *Mar Cantabrico* transferring part of the freight that the latter took from her, and if it has been possible for you to find out what work in reality took place between the two ships, I have no doubt that you will also have passed on the information on this question in its due time.

I regret bothering you about this matter, but you will understand how important it is for all of us.

I imagine the *Sideral* has sailed from that port with the rest of the linseed that the *Motomar* brought, and again thanking you for all your information, I am,

Yours truly,

MANUEL DIAZ.

[Translation of exhibit 5]

GARCIA & DIAZ,  
17 Battery Place, New York, February 20, 1937.  
(By air mail)

Sr. DON FEDERICO VARELA,  
Care of Sres. F. and G. Varela,  
Apartado No. 60, Vera Cruz, Mexico.

DEAR DON FEDERICO: I am happy to have received your letter of the 17th instant, for I see that you have entirely recovered, and you do not know how glad I am to hear it.

Enclosed is copy of mine of yesterday, which I hope you received in due time.

The explanations you give on the work carried on there on the *Motomar* and the *Mar Cantabrico* serve me as guidance, and now I understand why these steamers were alongside each other.

It would grieve me if it were confirmed about the *Sil*, according to the creditable information that you seem to have received; but this should not seem strange to us having gone to the Cantabrian coast, which you know cannot be watched as closely as the pass at the strait to the Mediterranean.

I appreciate also your cablegram of yesterday, which says:

"Subject first paragraph yours 15th sailed today 800 tons varied material according to mine yesterday."

which at once I passed on to the person who is to warn our government in Spain so that they will be watching the arrival of this ship at these shores. I am awaiting the letter of the 18th, to which you refer in your cablegram, in which you give us details of the freight this ship is taking.

In accordance with your indication, and in order that you would know that we had received the code, I have just sent you the following cablegram:

"Just received your letter February 17. Many thanks," and when in the future we have to communicate with you by cable we will make use of the words that you were so good to prepare.

I am very pleased to see that you so disinterestedly offer yourself to keep us posted about everything going on there, this, of course, encourages me to continue bothering you; but in the same manner I wish to offer myself to you for anything, in case I can be of any service, and without anything further for the moment, I am,

Yours truly,

MANUEL DIAZ.

[Translation of exhibit 6]

[Agencia Maritima Garcia & Diaz, Ltda., Lonja del Comercio Habana. Agentes Generales de la Compania Transatlantica Barcelona. Cable "Amgardiaz", Apartado 1690]

APRIL 8, 1937.

DEAR FRIEND: I am going to refer to the two letters which you wrote us from San Sebastian and Hendaye on February 21 and March 27 respectively, which came together as they sent me the copies from New York yesterday. I am very sorry about the attack you have suffered but I hope by this time you will be fully



recovered and that the rest of your dear family will also be enjoying very good health. Here and in New York we are well except Agustin who was operated on for an ulcer in the stomach, last week, with success, thank God, and little by little he will be recovering if no complications set in.

I was very happy to hear the news of your being named as a substitute member (in the governing body) of the Tras for the management of maritime traffic, because with your help, this matter of so much importance for Spanish economic life and which unfortunately has been neglected for many years, will go in the right direction.

Last night we were very happy because "Avance" gave as official the entrance of the Requetes into Durango at 3 p. m., but perhaps it was not so because the "Diario de la Marina" of today does not mention anything about it. However, I think it will not be long before it happens, and with it the fall, or rather the surrender of Bilbao, because I consider the Basques very clever and before allowing the only thing they have left to be destroyed they will surrender and may God will that I am not mistaken.

At Madrid everything stopped for the moment subject naturally to the campaign in the north and I imagine that if we can conquer Bilbao the capture of Santander and Asturias will not be so difficult.

We have received a very attentive and patriotic letter from Luis from the Austrian front at 2 kilometers from Oviedo and he says that if we went to our district we would be astonished to see so much destruction but that the morale and the spirit of our troops is something remarkable. It seems he is wishing that the attack on Santander would begin, to go to liberate the family that he still has there, as he himself writes to us.

A few weeks ago they killed a son of Manolin, the captain of the *Navemar*, in the Cordoba front, after he had triumphantly entered Malaga at the head of his column as chief of the phalanx and you can imagine what sorrow it caused Manolin, but his daughter writes with so much patriotism that perforce she must have helped him to preserve his tranquillity and to accept the death as a sacrifice to his country.

As there are seemingly still about 40 persons at the Cuban Embassy in Madrid, we continue with the *Arnus* in the same condition, with the reds in possession of the ship and without being able to mobilize it, but we think we are entering a phase of activity in these days and almost anything might happen. It is unfortunate that the politics here goes hand in hand with the nationalist campaign in Spain and until recognition comes I don't think anything radical will be done. It was marvelous about the *Comillas*, and I hope that when the *Motomar* sails they will do the same to it and that they will hang the bandit Dicienta (the captain) from the mast, not to mention the first engineer Bilbao.

You know with how much interest we await news from you, therefore please write as often as possible. De Rider tells me that Evaristo is living in Vigo.

Best regards from Edith and an embrace from your good friend,  
MANOLO.

[Translation of exhibit 7]

GARCIA & DIAZ,

17 Battery Place, New York, N. Y., March 20, 1937.

DEAR MANOLO: Your letter of yesterday received, and we hope that soon you will be able to give us some news on the Spanish lawyer that Jones wishes to consult, as he again called Marcelino yesterday afternoon to ask him whether we had any news from you on this matter. Marcelino had already thought of Bertran y Musitu, and he agrees with you that he would be the man for what Jones wants; but as the latter has the idea to present the case himself personally, it would be preferable to consult one in Habana, if there is one; and from the impression that Jones gets from this interview, it would then be a question of deciding whether to continue with the one from Habana or to make the trip to France to make use of B. & M. when it is time to present the case in London, so don't let this question go, and notify us as soon as possible.

The question you ask on our opinion in reference to the pretension of G. Q. in wanting to make us responsible I already answered in the letter I wrote you yesterday, and precisely on this pretension of G. Q., of which he must be convinced he is not right at all, shows that he is bluffing, and therefore the idea of the P. G. to ask the old man to present the bill in writing with every detail, and as the details that he will be able to give will be very limited, he will realize that he cannot justify the amount he asks, and he will decide to be reasonable.

With your letter we received the ones you enclose from Adolfo, Mary, and Aquilino, and we shall see what it is that Adolfo brings, and we will let you know.

Last night the Fordham University conference was held at Carnegie Hall, and I am sorry that you could not attend it, because it was very good, to say the least. There was not an empty seat in the entire hall. The historian Hilaire Belloc, since he speaks with an English accent, could not be understood very well, but the Jesuit Jaime Castiello speaks perfect English, and he was wonderful. Later a certain Rogers, a journalist who has just returned after 7 months in Spain, where he went as a Loyalist, and said that such were the things that he saw there that he decided to go to Nationalist territory, and he says that the contrast was tremendous. He began to forget himself a little in referring to the Loyalist heads, and he even called them "rats"; and when he arrived at this point, with the excuse that the time was short, the president of Fordham said something to him, and he became a

little more moderate, but he continued lashing and was very good. Marcelino has already spoken with Cardenas this morning in order to try to obtain the speeches so that the Casa de Espana could take care of publishing them, taking out those things that perhaps would not look well in print. The order was perfect, in spite of the fact that the agents of the Friends of Spanish Democracy were outside the building handing out leaflets that I did not want to read.

Nothing more for today.  
An embrace from

MARCELINO VICTOR.

Mr. COPELAND. Mr. President—

Mr. NYE. I yield to the Senator from New York.

Mr. COPELAND. I saw an interview this morning in one of the Washington newspapers in which the Senator was quoted, as he has now stated on the floor, in regard to the diplomatic passports. How do these men hold such passports?

Mr. NYE. It is my understanding that the emissary of any foreign government to our Government is given a so-called diplomatic passport. Evidently, and according to my information, the passports in the cases referred to were not surrendered when the holders left the United States. In the case of Mr. Cardenas, he went to France, and he is now back in this country with a diplomatic passport as a basis for his presence.

Mr. COPELAND. May I ask the Senator, Is there any provision made by the State Department limiting the time when a passport is available and legal and proper to use?

Mr. NYE. I think there is a very definite provision running as to ordinary passports.

Mr. COPELAND. Has the Senator called the attention of the State Department to this matter?

Mr. NYE. I have not.

Mr. COPELAND. I assume that at some later time we will have more information about it?

Mr. NYE. I am sure we will have more information concerning it.

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

Mr. NYE. I yield.

Mr. DAVIS. I have just examined the law applying under the circumstances mentioned in the question the Senator from New York propounded to me just a few moments ago. I find the statement I made was correct, that if an alien had been here for 5 years prior to 1924 he could not be deported unless he was twice convicted of crimes involving moral turpitude and twice sentenced for a period of a year or more. He would have to be convicted under section 19 of the act of 1917.

Mr. NYE. Does the Senator speak of those who have been in this country, let us say, for 30 years, and who have not become citizens as well as those who have become citizens?

Mr. DAVIS. I refer to those who have not become citizens.

Mr. COPELAND. Mr. President, what the distinguished Senator from Pennsylvania says bears out my recollection. I happen to have been a member of the Immigration Committee for 15 years, where this matter was considered and debated; but I have been quite shocked recently to find that there are in the United States aliens who never have applied for citizenship. They are aliens in the true sense and some of them are indulging in subversive acts. I take it from the fuller information given by the Senator from Pennsylvania that unless a given alien has been convicted twice of crime—

Mr. DAVIS. Yes; and sentenced for more than a year in each case.

Mr. COPELAND. And a sentence has been imposed of more than a year in each case, he may not be deported.

I believe in a very liberal interpretation of the immigration laws, and have been inclined to be quite generous, so far as I am concerned, about the admission of foreigners; but if there are men in this country who are indulging in practices which are contrary to our institutions and the genius of our people, and if we now lack the means of ridding ourselves of such offal, it is time that we formulated some legislation which will make it possible for the United States to protect itself against the admission and continued residence in the United States of persons who are aliens and who apparently have no



interest in assuming our citizenship, with all its responsibilities with regard to patriotism, but who continue here to commit acts which are harmful, as I see it, to the best interests of the American people.

Lt. Comdr. CHESTER B. PEAKE

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1313) for the relief of Lt. Comdr. Chester B. Peake, Supply Corps, United States Navy, which was, on page 1, line 6, to strike out "\$39.45" and insert "\$59.45."

Mr. WALSH. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CONSIDERATION OF UNOBJECTED BILLS ON CALENDAR

The PRESIDING OFFICER. Under the agreement entered into earlier in the day, the calendar will now be called for the consideration of unobjected bills. The first business on the calendar will be stated.

The resolution (S. Res. 8) limiting debate on general appropriation bills was announced as first in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 1435) to create a board of shorthand reporting, and for other purposes, was announced as next in order.

Mr. McNARY. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1436) providing for the employment of skilled shorthand reporting in the executive branch of the Government was announced as next in order.

Mr. KING. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SAM LARSON, GUARDIAN OF MARGARET LARSON

The bill (S. 792) for the relief of Sam Larson, guardian of Margaret Larson, a minor, was announced as next in order.

Mr. KING. I ask that the bill go over.

Mr. SCHWELLENBACH. Mr. President, let me say to the Senator from Utah that on a number of occasions, at my request, the bill was passed over, on the ground that the amount carried by the measure was too small and the beneficiaries were not willing to accept it. I now have word from them, however, that they are willing to take the amount provided, and I hope the Senator will withdraw his objection to the bill.

Mr. KING. If it is agreeable to the Senator, I have no objection. I know that he objected repeatedly heretofore and that is why I objected.

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

There being no objection, the Senate proceeded to consider the bill (S. 792) for the relief of Sam Larson, guardian of Margaret Larson, a minor, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of", to strike out "\$7,500" and insert "\$2,500"; and at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Larson, guardian of Margaret Larson, a minor, the sum of \$2,500 in full settlement of all claims of said guardian and minor against the Government of the United States for injuries received by Margaret Larson on August 30, 1935, when she was struck by a truck belonging to the United States Department of Fisheries: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

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

BILLS PASSED OVER

The bill (S. 419) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 532) to promote the safety of employees and travelers on railroads by providing for the inspection and investigation of conditions prevailing in train-dispatching offices and train-dispatching service and for the promulgation of necessary rules and regulations governing the working conditions of train dispatchers was announced as next in order.

Mr. VANDENBERG. I also ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 29) to promote the safety of employees and travelers on railroads by requiring common carriers engaged in interstate commerce to install, inspect, test, repair, and maintain block-signal systems, interlocking, highway grade-crossing protective devices, automatic train-stop, train-control, cab-signal devices, and other appliances, methods, and systems intended to promote the safety of railroad operation was announced as next in order.

Mr. BYRNES. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 847) to prevent the use of Federal official patronage in elections and to prohibit Federal officeholders from misuse of positions of public trust for private and partisan ends was announced as next in order.

Mr. McNARY. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 100) to amend the act entitled "An act to protect trade against unlawful restraints and monopolies", approved July 2, 1890, was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CONSTRUCTION OF RESERVOIRS UNDER RECLAMATION LAWS

The Senate proceeded to consider the bill (S. 47) to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws, which had been reported from the Committee on Irrigation and Reclamation with an amendment on page 1, line 3, after the word "Treasury", to strike out "not otherwise appropriated" and insert "available for relief or work relief", so as to make the bill read:

*Be it enacted, etc.*, That from any funds in the Treasury available for relief or work relief there is hereby authorized to be appropriated the sum of \$500,000 for expenditure by the Secretary of the Interior, under the Federal reclamation laws, in the construction of small storage reservoirs at such locations within the States subject to the Federal reclamation laws as the said Secretary may select, no reservoir to be constructed hereunder the estimated cost of which exceeds \$50,000.

The amendment was agreed to.

Mr. BARKLEY. Mr. President, the Senator who introduced the bill [Mr. O'MAHONEY] is absent. The bill might require some explanation before final passage. In the absence of the Senator from Wyoming, the bill had better go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

The bill (H. R. 114) to provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, for irrigation pumping or other uses, and for other purposes, was announced as next in order.

Mr. KING. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1261) to amend the Interstate Commerce Act as amended, and for other purposes, was announced as next in order.

Mr. McNARY. Over.

The PRESIDING OFFICER. The bill will be passed over.



## RETIREMENT ANNUITIES FOR FORMER PANAMA CANAL EMPLOYEES

The bill (S. 81) to provide retirement annuities for certain former employees of the Panama Canal and the Panama Railroad Co. on the Isthmus of Panama was announced as next in order.

Mr. KING. Let the bill go over.

Mr. WHITE. Mr. President, will the Senator withhold his objection to the bill relating to Panama Canal employees and permit me to make an explanation?

Mr. KING. I yield to the persuasion of my friend.

Mr. WHITE. The bill would grant retirement privileges to 15 or 16 men who were formerly employed on the Panama Canal. In 1921 a retirement act was passed giving retirement privileges to those within the classified civil service. These 15 or 16 men were not classified civil-service employees and were not benefited by that act.

Subsequently, in 1926, another act was passed giving retirement privileges to all employees of the Panama Canal, but that was not retroactive in effect. It happens that these 15 or 16 men, and they are all who are involved, were not reached by either of these pieces of legislation. The bill seeks simply to accord to them the same rights and benefits that were accorded by the two acts mentioned to all other employees on the Canal.

I may say the officials of the Canal Zone approve the legislation, and I know of no opposition to it from any official source. I hope the Senator will permit the bill to be considered and passed.

Mr. KING. Will the Senator advise us whether these men have been in the employ of the Government ever since?

Mr. WHITE. They are not now in the employ of the Government, but they served the Government for many years.

Mr. KING. How many years?

Mr. WHITE. Under the law there must be at least 15 years of service. These men served the entire length of time required under the retirement law.

Mr. KING. Did they make their contributions under the law?

Mr. WHITE. They would be required to do so in order to get the benefits of the retirement act.

Mr. KING. I think the bill had better go over for the present. I shall look into it as soon as I can.

Mr. WHITE. I hope the Senator will do so, because I am sure he will then withdraw his opposition.

The PRESIDING OFFICER. On objection, the bill will be passed over.

## BILLS AND RESOLUTION PASSED OVER

The bill (S. 69) to amend an act "An act to regulate commerce", approved February 4, 1887, as amended and supplemented, by limiting freight or other trains to 70 cars, was announced as next in order.

Mr. BYRNES. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 122) to increase the compensation of certain clerical assistants to Senators and committees by payments from the contingent fund was announced as next in order.

Mr. VANDENBERG. Over.

Mr. COPELAND. Mr. President, I, too, ask that the resolution may go over without prejudice. The last time the calendar was called I stated that I had communicated with the General Accounting Office and had a letter from them stating they were investigating the matter. Some time when the Senator from South Carolina [Mr. BYRNES] and I are both here I will report what they have to say about it.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (H. R. 1254) for the relief of William A. McMahan was announced as next in order.

Mr. McKELLAR. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 602) for the relief of George A. Woody and others was announced as next in order.

Mr. McKELLAR. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3687) to extend the period during which the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act may be carried out by payments by the Secretary of Agriculture to producers was announced as next in order.

Mr. VANDENBERG and Mr. McNARY. Over.

The PRESIDING OFFICER. The bill will be passed over.

## INVESTIGATION OF PRIVATELY OWNED PUBLIC UTILITIES

The joint resolution (S. J. Res. 95) authorizing and directing the Federal Trade Commission to make an investigation with respect to alleged efforts of privately owned public utilities unfairly to control public opinion concerning municipal or public ownership of electrical generating or distributing facilities was announced as next in order.

Mr. KING. Mr. President, I have some amendments to be offered to the joint resolution, and for that reason I ask that it go over.

Mr. NORRIS. Mr. President, the Senator from Utah spoke to me this morning about the matter. The joint resolution went over by agreement on a previous occasion in order that he might perfect his amendments. It is agreeable to me to let it go over, with the understanding that he will be able to perfect his amendments soon. However, I may say to the Senator, based upon what he told me about the proposed amendment, that I believe there will be no objection to it. May we not take up the joint resolution now and adopt a few perfecting amendments which I desire to offer, and then let it go over for further consideration?

Mr. KING. I desire to amend several of the provisions, and I desire also to strike out "\$150,000" and substitute "\$25,000."

Mr. NORRIS. I shall not try to interfere with that, but there are a few perfecting amendments to which there can be no objection. Would the Senator object to considering them at this time?

Mr. KING. No; I have no objection to doing so.

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

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 95) which had been reported from the Committee on Interstate Commerce with amendments.

Mr. NORRIS. Mr. President, as I have said, I desire to offer several perfecting amendments. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, at the end of line 5, it is proposed to insert "or for the purpose of preventing the construction of rural electrification projects", so as to make the paragraph read:

(1) The extent to which any corporation doing, controlling, or supervising any interstate business in supplying electrical energy in the form of power or light or both, however produced, or any corporation holding the stocks of two or more operating public-utility corporations operating in different States, or any one in their behalf or in behalf of any organization of which such corporation may be a member, has, since January 1933, made efforts to control public opinion for the purpose of preventing the establishment, extension, or enlargement of municipal or public ownership of the means by which electrical energy is generated or distributed, or for the purpose of preventing the construction of rural electrification projects.

The amendment was agreed to.

Mr. NORRIS. I send to the desk another amendment and ask that it may be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, line 19, after the word "distributed", it is proposed to insert "or the construction of rural electrification projects", so as to make the paragraph read:

(4) The extent to which any such corporation or those acting on its behalf have made covert efforts to foment litigation and obtain court injunctions against the establishment, extension, or enlargement of municipal or public ownership of the means whereby electrical energy is generated or distributed, or the construction of rural electrification projects.

The amendment was agreed to.



Mr. NORRIS. I send to the desk another amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 4, line 3, after the word "energy", it is proposed to insert the words "or the construction of rural electrification projects", so as to make the paragraph read:

(6) What legislation, if any, should be enacted by Congress to correct any evils or abuses growing out of such practices in the channels or affecting the agencies of interstate commerce with regard to the production or distribution of electrical energy, or the construction of rural electrification projects.

The amendment was agreed to.

Mr. NORRIS. I send to the desk a further amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 4, after line 8, it is proposed to insert a new paragraph, as follows:

(8) The extent to which rural electrification projects financed by the Rural Electrification Administration under the Rural Electrification Act of 1936 have been prevented or interfered with by privately owned public utilities.

The amendment was agreed to.

Mr. NORRIS. I send to the desk another amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 4, line 10, after the word "Commission", it is proposed to insert the words "the Rural Electrification Administration", so as to make the sentence read:

The Federal Power Commission, the Federal Communications Commission, the Rural Electrification Administration, and other agencies of the Government, etc.

The amendment was agreed to.

Mr. NORRIS. I send to the desk another amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, it is proposed to strike out lines 14 to 19, inclusive, as follows:

(4) The extent to which any such corporation or those acting on its behalf have made covert efforts to foment litigation and obtain court injunctions against the establishment, extension, or enlargement of municipal or public ownership of the means whereby electrical energy is generated or distributed, or the construction of rural electrification projects.

And insert in lieu thereof the following:

(4) The extent to which any such corporation, or any corporation or corporations, or those acting in its or their behalf, have interfered with or impeded the activities and orderly administration of any regular or emergency department or agency of the United States Government, in aid of the establishment, extension, or enlargement of any municipally, publicly, or cooperatively owned or projected plant, project, or system for the generation, transmission, or distribution of electric energy; and the extent to which any corporation or those acting in its behalf have made efforts to foment litigation and obtain court injunctions to prevent such Federal aid in the establishment, extension, or enlargement of the means whereby electric energy is generated or distributed.

Mr. WHITE. Mr. President, may that amendment go over for the present?

Mr. NORRIS. Very well. Let it go over and be pending.

The Senator from Utah [Mr. KING] suggested that he wanted to add another "whereas." I should have no objection if the entire preamble should be stricken out. I do not think it amounts to anything, but if it is to remain I have another "whereas" I want to add.

Mr. KING. I think the Senator had better offer it now.

Mr. NORRIS. Very well. Let me first submit a parliamentary inquiry. Is it proper to move to amend the preamble until the joint resolution itself has been acted on?

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that it is not in order now to amend the preamble.

Mr. NORRIS. That is my understanding. I will offer it and read it so that it may be pending. I propose to insert a new "whereas", as follows:

Whereas privately owned public utilities are constantly interfering with and attempting to prevent the establishment of rural-electrification projects under the Rural Electrification Act of 1936.

I now ask unanimous consent, since the matter is being considered by agreement and is to go over, that the joint resolution may be printed in bill form with the amendments which have been agreed to and with the proposed amendment which has gone over at the request of the Senator from Maine [Mr. WHITE] and also the proposed amendment to the preamble. Will that be satisfactory to the Senator from Maine?

Mr. WHITE. Yes.

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

#### ENLARGEMENT OF PAPAGO INDIAN RESERVATION, ARIZ.

The Senate proceeded to consider the bill (S. 1806) to extend the boundaries of the Papago Indian Reservation in Arizona, which had been reported from the Committee on Indian Affairs with amendments.

Mr. KING. Mr. President, will this bill involve the acquisition of privately owned lands?

Mr. THOMAS of Oklahoma. Mr. President, there are two parts of the bill. The first is to take in a small amount of public domain and add it to the Papago Indian Reservation. The second is to authorize the Secretary to buy some land, for which he has the money. All he desires is authority to use the money for this particular purpose.

Mr. KING. Do the Indians desire the acquisition of additional land?

Mr. THOMAS of Oklahoma. I understand that they do.

Mr. KING. Is it necessary for them to have it?

Mr. THOMAS of Oklahoma. I cannot speak as to that; but the Department recommends the passage of the bill, so I take it for granted that it is necessary.

Mr. KING. What will be the cost?

Mr. THOMAS of Oklahoma. About \$40,000 for the land that is to be bought, as I remember. The Department has the money in an appropriation heretofore made by Congress.

Mr. KING. Will the money come out of any tribal funds, or will it come directly from the Treasury?

Mr. THOMAS of Oklahoma. It is part of an appropriation made available by Congress under the so-called Wheeler-Howard Act, as I understand.

The PRESIDING OFFICER. The amendments reported by the committee will be stated.

The amendments were, in section 1, page 1, line 11, after "19", to strike out "20" and insert "30"; and in section 2, page 2, line 19, after the word "privately", to strike out "owed" and insert "owned", so as to make the bill read:

*Be it enacted, etc.,* That whenever all privately owned lands except mining claims within the following-described area have been purchased and acquired as hereinafter authorized, the boundary of the Papago Indian Reservation in Arizona shall be extended to include the west half of section 4; west half of section 9, township 17 south, range 8 east; all of township 18 south, range 2 west, all of fractional township 19 south, range 2 west; and all of fractional townships 18 and 19 south, range 3 west, except sections 6, 7, 18, 19, 30, and 31 in township 18 south, range 3 west, Gila and Salt River meridian. This extension shall not affect any valid rights initiated prior to the approval hereof nor the reservation of a strip of land 60 feet wide along the United States-Mexico boundary made by proclamation of the President dated May 27, 1907 (35 Stat. 2136). The lands herein described when added to the Papago Indian Reservation as provided in this act shall become a part of said reservation in all respects and upon all the same terms as if said lands had been included in the Executive order issued by the President on February 1, 1917: *Provided,* That lands acquired hereunder shall remain tribal lands and shall not be subject to allotment to individual Indians.

Sec. 2. That the Secretary of the Interior be, and he is hereby, authorized to purchase for the use and benefit of the Papago Indians with any available funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the act of June 18, 1934 (48 Stat. 984), all privately owned lands, water rights, and reservoir site reserves within townships 18 and 19 south, ranges 2 and 3 west, together with all grazing privileges and including improvements upon public lands appurtenant to the so-called Manager Dam property, at the appraised value of \$40,016.37.



Sec. 3. The State of Arizona may relinquish in favor of the Papago Indians such tracts within the townships referred to in section 1 of this act as it may see fit and shall have the right to select other unreserved and nonmineral public lands within the State of Arizona equal in area to those relinquished, said lieu selections to be made in the same manner as is provided for in the Enabling Act of June 20, 1910 (36 Stat. 558), or in the discretion of the State of Arizona under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended and supplemented by the act of June 26, 1936 (49 Stat. 842). The payment of fees or commissions is hereby waived in all lieu selections made pursuant to this section.

The amendments were agreed to.

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

#### HARRY BRYAN AND OTHERS

The Senate proceeded to consider the bill (S. 1640) for the relief of Harry Bryan and Alda Duffield Mullins, Elbert Grover and Mattie Jane Facemire Harrison, Wayne B. and Macel Burrows Stanley, Carl Benjamin and Vera Smallridge Hitchcock, William Henderson Coulter, Homer Clay and Grace Holt Isenhart, Osey G. Bosley, Albert Thomas and Myrtle Bell Keaton Helmick, Leslie Lewis and Lula Beatrice Hamric Belknap, Patrick Daniel and Nora Helena Grace Hickey, Everett French Mick, William M. and Ato Norman Young, Albert and Della Workman Groves, Ethel Rollyson Lough, and Ray Earl Bennett, which had been reported from the Committee on Claims with in amendment to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Bryan and Alda Duffield Mullins, for the death of their daughter, Eva Mae Mullins, the sum of \$5,000; to the legal guardian of Elbert Grover Harrison, Jr., the sum of \$11,000; to the legal guardian of Imogene Stanley, the sum of \$500; to the legal guardian of Graynell Stanley, the sum of \$2,500; to the legal guardian of Hazel Marie Hitchcock, the sum of \$5,000; to the legal guardian of Patricia Lea Hitchcock, the sum of \$500; to the legal guardian of Charles Ray Coulter, the sum of \$2,000; to the legal guardian of Harry Robert Isenhart, the sum of \$10,000; to the legal guardian of Carl Gene Bosley, the sum of \$9,000; to the legal guardian of Doris Ruth Helmick, the sum of \$750; to the legal guardian of James Andrew Belknap, the sum of \$1,000; to Patrick Daniel and Nora Helena Grace Hickey, for injuries sustained by Paul Hickey, their son, the sum of \$100; to Everett French Mick, for injuries sustained by Wallace Robert Mick, his son, the sum of \$300; to William M. and Ato Norman Young, for injuries sustained by Harry Jess Young, their son, the sum of \$100; to Albert and Della Workman Groves, for injuries sustained by Norris Blaine Groves, their son, the sum of \$100; to Ethel Rollyson Lough, the sum of \$2,500, and to Ray Earl Bennett, the sum of \$75, said sums to be in full settlement of all claims against the Government for personal injuries and death caused by an explosion resulting from the negligent heating of tar by employees of the Works Progress Administration in Gassaway, W. Va., November 7, 1936. The sums above appropriated to guardians are for the sole and exclusive benefit of the minors for whom such guardians are appointed.

Sec. 2. That the Works Progress Administration is hereby authorized and directed to pay, out of any money allocated by the President for the maintenance and operation of the Works Progress Administration, all hospital, medical, and other expenses necessarily incurred by the above-named claimants as the result of the explosion in Gassaway, W. Va., November 7, 1936.

Sec. 3. That no part of the amounts appropriated in this act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. Any 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. McKELLAR. Mr. President, may we have an explanation of this bill?

Mr. SCHWELLENBACH. Mr. President, this bill grows out of injury to a large number of children and the death of one child as a result of an accident which occurred at Gassaway, W. Va., on the 7th of November of last year.

The Works Progress Administration sent out on a project a couple of men who had had no experience in the particular line of work on which they were engaged. They had two large barrels of tar. In order to make the tar usable they had to soften it, and they put a fire under it. It seems that in the process it is necessary to make a large hole in the barrel to let the gases come out. In this instance the inexperienced men made a very tiny hole. I have here a picture showing the kind of hole they made in the barrel. One of the barrels exploded, and the end came out and

threw the flaming tar away across the street, covering an area about 50 feet in width across the street. A group of school children had stopped there on their way to school, and a large number of them were seriously hurt. They were all hurt to a greater or less extent.

Mr. McKELLAR. Was the tar thrown over them?

Mr. SCHWELLENBACH. The tar was thrown over them. I have here pictures of a number of the injured children. The worst case is the Harrison case. This boy has been in the hospital ever since the accident. He will be in the hospital for 2 years. He probably will have a permanent injury, and will be permanently deprived of the use of his legs. An allowance of \$11,000 has been made in that case.

Here is a photograph of one of the other boys, the Isenhart boy, who is still in the hospital, and will be in the hospital for many months. He has burns all over his back, sides, and arms. He will be permanently deprived of the use of his arms.

These are the most horrible injuries I have ever seen. In my experience in trying personal-injury cases I have never seen injuries of the nature of these. I think, after a mere inspection of the pictures, no Senator will object to the allowances recommended. The amounts suggested by the Department have been reduced. They run all the way from \$11,000 to a large number of small claims.

Mr. McKELLAR. Mr. President, after seeing the pictures, I have no objection whatever, and I think the bill ought to be passed by all means.

The PRESIDING OFFICER. The question is on agreeing to the amendment, in the nature of a substitute, reported by the committee.

The amendment, in the nature of a substitute, 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 for the relief of Harry Bryan and Alda Duffield Mullins, and others."

#### RENEWAL OF 5-YEAR LEVEL-PREMIUM TERM POLICIES

The Senate proceeded to consider the bill (H. R. 5478) to amend existing law to provide privilege of renewing expiring 5-year level-premium term policies for another 5-year period, which had been reported from the Committee on Finance with amendments.

Mr. McKELLAR. Mr. President, may we have an explanation of this bill?

Mr. GEORGE. Mr. President, this is a House bill and provides for the renewal for an additional period of 5 years of the 5-year term insurance issued by the Government to the veterans.

The bill does not involve any cost whatever to the Treasury; it does not place any burden upon the Treasury. At the present time, however, all Government insurance is on the basis of mutual insurance, and these 5-year term policyholders do not quite pay in the necessary amount to carry the liability under their policies; so it may be said that a burden is placed upon other policyholders of Government insurance to the extent that their prospective interest may be affected. But the bill places no burden upon the Government, and merely provides for the renewal of these 5-year level term insurance policies at the rate applicable to the advanced age of the veterans. Many of the veterans are not now able to convert their policies into those of the regular form, and if they were able they would not be in a position to buy as large an amount of insurance as they could carry under the term policies.

Mr. McKELLAR. There was no difference in the committee as to reporting the bill?

Mr. GEORGE. No; the report from the committee was unanimous.

There are a few amendments, Mr. President, that are regarded by the committee as clarifying only.

The PRESIDING OFFICER. The amendments reported by the committee will be stated.

The amendments were, on page 1, line 10, after the word "policy", to strike out "has" and insert "shall have"; on



page 2, line 1, after the word "expired", to strike out "prior to and within 5 months of" and insert "between January 24, 1937, and the expiration of 5 months after"; on page 2, line 3, after the word "enactment", to insert "this amendment to"; and on page 2, line 10, after the words "provisions of", to insert "this amendment to", so as to make the bill read:

*Be it enacted, etc.,* That the last proviso of the first paragraph of section 301, World War Veterans' Act, 1924, as amended (47 Stat. 334; U. S. C., title 38, sec. 512), is hereby amended to read as follows: "Provided further, That at the expiration of any 5-year period a 5-year level-premium term policy may be renewed for a second or third 5-year period at the premium rate for the attained age without medical examination; and in case the 5-year period of any such policy shall have expired between January 24, 1937, and the expiration of 5 months after the date of the enactment of this amendment to this amendatory proviso and the policy has not been continued in another form of Government insurance, such policy may be renewed as of the date of its expiration on the same conditions upon payment of the back premiums within 5 months after such date of enactment; and the Administrator of Veterans' Affairs shall cause notice to be mailed to the holder of any such policy of the provisions of this amendment to this amendatory proviso."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time, and the bill was read the third time and passed.

#### BILLS PASSED OVER

The bill (S. 2111) to provide for the purchase of outstanding cotton pool participation trust certificates, and for other purposes was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. BLACK subsequently said: Mr. President, did some Senator object to the consideration of Senate bill 2111?

The PRESIDING OFFICER. Objection was made.

Mr. BLACK. May I ask who objected to it?

Mr. McNARY. Mr. President, I objected to the bill. I desire to look into it. My attention had not been called to it before, and I wish to have an opportunity to consider it.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 477) to prevent fraud, deception, or other improper practice in connection with business before the United States Patent Office, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over. This bill and the next one are measures to which I desire to give further attention. Similar bills were under consideration before the Patents Committee several years ago, and encountered some disapproval. I should like to examine both bills before action is taken on them.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1883) to amend section 9 of the Trade Mark Act of February 20, 1905, as amended (U. S. C., title 15, sec. 89), was announced as next in order.

The PRESIDING OFFICER. On objection by the Senator from Utah, this bill also will be passed over.

#### MISSOURI RIVER BRIDGE, RULO, NEBR.

The bill (H. R. 193) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr., was considered, ordered to a third reading, read the third time, and passed.

#### MERRIMACK RIVER BRIDGE, HAVERHILL AND GROVELAND, MASS.

The bill (H. R. 5179) granting the consent of Congress to the County Commissioners of Essex County, in the State of Massachusetts, to construct, reconstruct, maintain, and operate a free highway bridge across the Merrimack River between the city of Haverhill and the town of Groveland, Mass., was considered, ordered to a third reading, read the third time, and passed.

#### GOLDEN GATE INTERNATIONAL EXPOSITION, SAN FRANCISCO, CALIF.

The joint resolution (H. J. Res. 310) providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Resolved, etc.,* That all articles which shall be imported from foreign countries for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in the year 1939, by the San Francisco Bay Exposition, or for use in constructing, installing, or maintaining foreign buildings, or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within 3 months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within 3 months after the close of the exposition any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the San Francisco Bay Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for articles imported under the provisions of this act, shall be reimbursed by the San Francisco Bay Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930.

#### LT. CLYDE J. NESSER, UNITED STATES NAVY, RETIRED

The Senate proceeded to consider the bill (S. 1474) to provide for the advancement on the retired list of the Navy of Clyde J. Nesser, a lieutenant (junior grade), United States Navy, retired, which was read, as follows:

*Be it enacted, etc.,* That from and after the date of enactment of this act, Clyde J. Nesser, lieutenant (junior grade), United States Navy, retired, shall have the rank of a lieutenant on the retired list of the United States Navy.

Mr. KING. Mr. President, may I ask the Senator from Massachusetts to explain this bill and the two that follow it?

Mr. WALSH. Mr. President, Senate bill 1474 involves no additional expense to the Government. The officer mentioned in the bill, at the time he was up for promotion, was in foreign waters, and was unable to receive his promotion until after his retirement. The enactment of the bill will give him the additional rank but no additional retirement pay, as he has been in the service as a lieutenant (junior grade) long enough to receive the same pay as a lieutenant (senior grade).

Mr. KING. Does the Department recommend all three bills?

Mr. WALSH. The Department recommends all three bills; yes. In fact, the bills were introduced at the request of the Department.

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair). The question is on the engrossment and third reading of the bill.

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

#### EXEMPTION OF RETIRED MARINE CORPS AND COAST GUARD OFFICERS FROM CERTAIN RESTRICTIONS

The bill (S. 1532) to exempt retired officers of the Marine Corps and Coast Guard from certain restrictions with respect



to holding office under the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the second sentence of section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended, is amended by striking out the words "Army or Navy" and inserting in lieu thereof the words "Army, Navy, Marine Corps, or Coast Guard."

ACCEPTANCE AND CASHING OF PAY CHECKS OF RETIRED NAVAL PERSONNEL, ETC.

The bill (S. 2278) to provide for acceptance and cashing of Government pay checks of retired naval personnel and members of the Fleet Naval and Marine Corps Reserves by commissary stores and ships' stores ashore, located outside the continental limits of the United States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That notwithstanding the provisions of sections 3639 and 3651, Revised Statutes, as amended (U. S. C., title 31, secs. 521 and 543), the Secretary of the Navy, in his discretion, may hereafter authorize the officer in charge of any commissary store or ship's store ashore, located outside the continental limits of the United States, to accept Government checks tendered by retired personnel of the Navy and Marine Corps and by members of the Fleet Naval and Marine Corps Reserves in payment of amounts due by such personnel to any such commissary store or ship's store ashore and to refund, in cash, to the payees of the tendered checks any difference between the amounts due and the amounts of the tendered checks.

BILLS PASSED OVER

The bill (S. 1833) to reserve certain lands in the State of Utah for the Shivwitz Band of Paiute Indians was announced as next in order.

Mr. BARKLEY. Let the bill go over.

Mr. THOMAS of Oklahoma. Mr. President, this bill and the two which follow it—Senate bills 1876 and 1877—were prepared by the Department of the Interior, and were introduced in the Senate by the Senator from Utah [Mr. KING].

The first bill—Senate bill 1833—has for its purpose the addition of two sections of public-domain lands to an Indian reservation. Senate bill 1876 provides for the addition of only 240 acres to the reservation, and Senate bill 1877 is for the addition of only 320 acres. The bills carry no appropriation, but simply provide for adding small tracts of land to these three Indian reservations.

The bills are recommended by the Indian Office and by the Secretary of the Interior. I trust there will be no objection to their passage.

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

Mr. BARKLEY. Mr. President, I have no objection.

Mr. POPE. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1876) to reserve certain lands in the State of Utah for the Kanosh Band of Paiute Indians was announced as next in order.

Mr. POPE. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1877) to reserve certain lands in the State of Utah for the Koosharem Band of Paiute Indians was announced as next in order.

Mr. POPE. Let the bill go over.

Mr. THOMAS of Oklahoma. Mr. President, am I to understand that objection was made to these bills?

Mr. POPE. Yes; I object to them.

Mr. THOMAS of Oklahoma. Does the Senator object to adding a small tract of land, a half section, to an existing Indian reservation?

Mr. POPE. I desire to look into the bills.

The PRESIDING OFFICER. Objection having been made, the bill will be passed over.

SUBSISTENCE FOR ESKIMOS AND OTHER NATIVES OF ALASKA

The bill (S. 1722) to provide subsistence for the Eskimos and other natives of Alaska by establishing for them a permanent and self-sustaining economy, to encourage and develop native activity in all branches of the reindeer industry, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, this seems to be an important bill. Will the Senator from Oklahoma explain it?

Mr. THOMAS of Oklahoma. Mr. President, this is an important bill for the Eskimos of Alaska. The Eskimos live in northern Alaska. It is so cold up there that no one but Eskimos can live there, and possibly a few whites, including missionaries and traders. The Eskimos embrace about 25 percent of the population of Alaska. Only 60,000 persons reside in that Territory. Of these, 30,000 are Indians and Eskimos, and 30,000 are white persons.

In 1892 the Government officials went over to Siberia and imported a number of reindeer for the benefit of the inhabitants of this northern Territory. The reindeer have increased very rapidly and there are now perhaps 750,000 or 1,000,000 of these animals in northern Alaska. They are the only class of animals which can live in that section, because there is no vegetation other than a little moss; yet reindeer can live there.

Mr. McKELLAR. How can they exist in very cold weather?

Mr. THOMAS of Oklahoma. The reindeer thrive in that cold territory.

Mr. McKELLAR. What do they live on? There must be a very large part of the year when they cannot find food on the range.

Mr. THOMAS of Oklahoma. That is correct; but these reindeer know where the lichens grow, and they go there and paw down through the snow and find enough to subsist on through the cold weather. I saw them there last summer. They thrive and are doing well and are multiplying rapidly. But the few white people living in that section have acquired title or claim title to some of these animals. For example, at the town of Teller, about 200 miles north of Nome, there is a slaughterhouse where some of the white inhabitants process the reindeer. At this point reindeer are brought to this slaughterhouse and prepared for shipment to the States.

The pending bill has for its purpose the taking of title to reindeer in northern Alaska and holding the title in the Government for the benefit of the Eskimos. The bill provides for taking over the slaughterhouses and the corrals and pens used in connection with the slaughterhouses. It provides further for the operation of the reindeer industry as a governmental institution for the benefit of the Eskimos. The sale of the carcass of the reindeer and the sale of the hides is about the only means the Eskimos have of subsistence. The hides are used for making gloves.

Mr. McKELLAR. I notice it is estimated it will cost about \$2,000,000 to carry out the proposed legislation.

Mr. THOMAS of Oklahoma. The authorization is for that sum, but the Secretary of the Interior will make an estimate of how much he needs from time to time, and then ask the Congress to appropriate such sums as are thought advisable.

Mr. McKELLAR. Of course, he would have to establish a bureau in Alaska.

Mr. THOMAS of Oklahoma. The Indian Office has a bureau already set up in Alaska. These Indians are under the jurisdiction of the Department of the Interior and under the special jurisdiction of the Commissioner of Indian Affairs. In this particular area there are about 50 Indian agencies, which consist of perhaps a school and a nurse, and here and there a doctor. The service is very meager and very primitive, but it is a beginning, and what the Indian Office provides is the only subsistence these natives have.

Mr. ROBINSON. What has been the expense of maintaining such activities as have been carried on up to the present time?

Mr. THOMAS of Oklahoma. It is very small. I could not give the exact amount but it is very, very small. If the Senator would make a trip to that country he would see nothing that he would consider in keeping with the dignity of the United States Government. This is really an effort to provide a means for the economic existence of this tribe of people, who have been recognized heretofore by



the Congress. Under existing law they are now the wards of the Government.

Mr. ROBINSON. It is intended to make them self-supporting, as I construe the language on reading it.

Mr. THOMAS of Oklahoma. Exactly. The only thing they have to live upon today is the meat of the reindeer and the selling of the hides. Such ivory as they can find along the coast they sell by the pound, and they also process it into little souvenirs which they sell to the tourists and traders.

Mr. McKELLAR. Mr. President, can the Senator say how many of these reindeer have been sold and how the number is ascertained? The Senator said there were about a million.

Mr. THOMAS of Oklahoma. It is estimated that there are about a million in the northern Alaska range.

Mr. McKELLAR. How many of those does the Senator estimate have been taken by these people to whom they do not belong and killed and sold?

Mr. THOMAS of Oklahoma. There is no way of making an accurate estimate. The Eskimos have processed their own animals and have had those brought to the States, where they have tried to sell them to the restaurants and hotels in the States, and they have developed quite an industry. Likewise, the white people who have the reindeer herds have developed quite an industry. There is now a demand in the States for reindeer meat, and it is thought that if this business can be centralized in the Interior Department it can be made into an industry which will afford the Eskimos a means of livelihood.

Mr. McKELLAR. How will the Government go about acquiring these herds? Is anyone who claims title to be paid?

Mr. THOMAS of Oklahoma. Under the bill, if they cannot make an adjustment and agree upon an amount, the Department will have the right of condemnation, the right to go in and take the property under the right of eminent domain.

The bill is urged by the Department as an administration measure and is reported to the Senate by the committee on that basis.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1722) to provide subsistence for the Eskimos and other natives of Alaska by establishing for them a permanent and self-sustaining economy; to encourage and develop native activity in all branches of the reindeer industry; and for other purposes, which had been reported from the Committee on Indian Affairs with amendments. The first amendment of the committee was, in section 2, page 2, line 6, after the word "directed" and the comma, to strike out—

Within 1 year of the date of the approval of this act,

And on line 19, after "(chapter 307)", to strike out—

*Provided*, That not to exceed \$3 per head shall be paid on the average for the reindeer so purchased unless in compliance with the order or judgment of a court, and that prior to the payment of the purchase price the reindeer so purchased shall be actually counted in corrals or through chutes or in some other effective manner: *Provided further*, That in the event actions, suits, or proceedings to acquire any of said property through exercise of the power of eminent domain cannot be concluded within the limitation of 1 year in this section prescribed, such actions, suits, or proceedings may be continued and completed, including all appellant proceedings, without regard to such limitation: *And provided further*, That nothing herein contained shall authorize the Secretary of the Interior to consolidate native-owned herds of reindeer with herds owned by others than natives prior to the purchase or acquisition of such herds of others than natives,

So as to read:

That a necessity for providing means of subsistence for the Eskimos and other natives of Alaska is hereby declared to exist. It is also declared to be the policy of Congress, and the purpose of this act, to establish and maintain for the said natives of Alaska a self-sustaining economy by acquiring and organizing for and on behalf of said natives a reindeer industry or business, by encouraging and developing native activity and responsibility in all branches of the said industry or business, and by preserving the native character of the said industry or business thus established.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to acquire, in the name of the United States, by purchase or other lawful means, including exercise of the power of eminent domain, for and on behalf of the Eskimos and other

natives of Alaska, reindeer, reindeer range equipment, abattoirs, cold-storage plants, warehouses, and other property, real or personal, the acquisition of which he determines to be necessary to the effectuation of the purposes of this act. Any condemnation proceedings undertaken by virtue of the authority granted in this section shall conform, as nearly as may be, to the procedure provided for the condemnation of real estate by the act of August 1, 1888 (ch. 728), or to that provided by the act of February 26, 1931 (ch. 307).

The amendment was agreed to.

The next amendment was, on page 3, line 11, to insert a new section, as follows:

SEC. 3. All persons, other than natives of Alaska, who upon the date of this enactment claim title to any Alaskan reindeer shall, within 1 year after the date of this enactment, file in Alaska, with the duly authorized agent or agents of the Secretary of the Interior, declarations of their ownership. Similar declarations concerning Alaskan reindeer acquired by any person not a native of Alaska by purchase or by gift at any time after the date of this enactment shall be filed as aforesaid within 30 days after the date of such acquisition. Records of all declarations thus filed shall be made and kept open to public inspection in Alaska. If any owner of Alaskan reindeer, to whom the foregoing provisions of this section are applicable, shall fail to file the required declaration within the stated period, he shall be barred thereafter from asserting his claim of title.

The amendment was agreed to.

The next amendment was, in section 7, page 4, line 17, after the word "act", to strike out "in all its branches including the butchering, packing, storage, transportation, and marketing of reindeer, both within and without the Territory of Alaska, and to finance or aid in the financing of such reindeer industry or business in all of its branches, either directly under Government control and operation, or through cooperative associations of the natives, but not otherwise"; and on line 25, after the word "Alaska", to strike out "exclusively", so as to make the section read:

SEC. 7. The Secretary of the Interior is authorized and directed to organize and manage the reindeer industry or business provided for by this act in such manner as to establish and maintain for said natives of Alaska a complete and self-sustaining economy and to encourage and develop the activity and responsibility of said natives in all branches of said industry or business.

The amendment was agreed to.

The next amendment was, in section 8, page 5, line 15, after the word "Interior", to strike out "shall" and to insert "may", so as to make the section read:

SEC. 8. The Secretary of the Interior is authorized to distribute the reindeer and other property acquired by the United States under this act among the Eskimos or other natives of Alaska, or to corporations, associations, or organizations of said natives, either in the form of gifts or under such conditions as the Secretary of the Interior may prescribe, and to execute and deliver appropriate instruments of title, or to hold and use the same in trust for the use and benefit of said natives, with a view of effecting the widest possible distribution of such reindeer and other property among those natives of Alaska who are in need thereof and who can make proper use of the same. The Secretary of the Interior may from time to time, in such manner as he determines to be proper for effectuating the purposes of this act, distribute among those of said natives or corporations, associations, or other organizations of said natives, who are engaged in said industry or business or for whose subsistence reindeer are necessary, whatever profits may be earned by that part of the industry or business which is owned by the United States and which may, in the judgment of the Secretary of the Interior, be distributed in accordance with sound business practice.

The amendment was agreed to.

The next amendment was, on page 8, line 14, to strike out section 11, as follows:

SEC. 11. The Secretary of the Interior is authorized to divide those parts of the Territory of Alaska used in carrying on the reindeer industry into reindeer districts, having regard to the convenience of those engaged in the industry. From time to time and as often as may be necessary, the Secretary shall, with respect to each of said districts, call a district meeting of those natives who are interested in the reindeer industry or business in such district, and at such meeting the said natives shall draw up and adopt by majority vote of the native owners present and voting, rules and regulations to be effective in such district for grazing and for use of the range as well as plans for round-ups, marking, butchering, shipping, packing, storage, and sale. The rules and regulations so adopted by the native reindeer owners for such district shall be forwarded to the Secretary of the Interior for his approval and upon approval of the same by the Secretary of the Interior the rules and regulations so adopted shall have



the force and effect of law within the district to which applicable. Each district meeting shall be presided over by the local representative of the Secretary of the Interior, if there be one, otherwise by a native reindeer owner selected by the other owners attending the meeting. Whenever practicable and in the best interests of the natives, the Secretary shall appoint natives to the supervisory and other positions in the administration of such reindeer industry or business.

And to insert in lieu thereof section 12, as follows:

Sec. 12. The Secretary of the Interior is hereby authorized to promulgate such rules and regulations as, in his judgment, are necessary to carry into effect the provisions of this act.

The amendment was agreed to.

The next amendment was on page 9, after line 18, to insert a new section, as follows:

Sec. 13. In order to coordinate the use of public lands in Alaska for grazing reindeer with the purposes of this act, the Secretary of the Interior is hereby authorized to regulate the grazing of reindeer upon said lands. He may, in his discretion, define reindeer ranges and regulate the use thereof for grazing reindeer; issue grazing permits; regulate and control all round-ups, handlings, markings, and butcherings of reindeer upon said public lands; and may issue rules and regulations to carry into effect the provisions of this section of this act. Any person who willfully violates any of the rules and regulations promulgated for the purpose of carrying into effect the provisions of this section of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than 1 year or by a fine of not more than \$500.

The amendment was agreed to.

The next amendment was, on page 10, after line 8, to insert a new section, as follows:

Sec. 14. The Secretary of the Interior is hereby authorized to fix fees to be paid by owners of reindeer for such grazing permits as may be required and issued in the administration of the preceding section of this act. All money received on account of such fees shall be administered as provided in section 6 of this act.

The amendment was agreed to.

The next amendment was, in section 15, page 10, line 16, after the words "deemed to", to strike out "include" and insert "mean", so as to make the section read:

Sec. 15. The term "natives of Alaska" as used herein shall be deemed to mean the native Indians, Eskimos, and Aleuts of whole or part blood inhabiting Alaska at the time of the Treaty of Cession of Alaska to the United States and their descendants of whole or part blood, together with the Indians and Eskimos who, since the year 1867 and prior to the enactment hereof, have migrated into Alaska from the Dominion of Canada, and their descendants of the whole or part blood.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the clerk will be directed to renumber the sections.

The question is on the engrossment and third reading of the bill.

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

MARION SHOBER PHILLIPS

The Senate proceeded to consider the bill (S. 108) for the relief of Marion Shober Phillips, which had been reported from the Committee on Claims with amendments, on page 1, line 5, after the words "sum of", to strike out "\$5,000" and insert "\$2,500", and to add a proviso at the end of the bill, so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marion Shober Phillips the sum of \$2,500, the payment of such sum being in full satisfaction of all claims against the United States by reason of injuries sustained by the said Phillips on May 27, 1934, while assisting Government officers, under their orders, in seizing and destroying an illicit liquor distillery: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

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

PERKINS-CAMPBELL CO.

The bill (S. 53) for the relief of the Perkins-Campbell Co., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Perkins-Campbell Co., Cincinnati, Ohio, the sum of \$1,453.33, in full settlement of its claim against the United States for the balance due for the purchase of certain leather satchels under orders S. 290 and S. 1193: *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.

JOHN C. CROSSMAN

The bill (S. 1695) for the relief of John C. Crossman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money appropriated for the support of the National Guard for the current fiscal year, to Sgt. John C. Crossman the sum of \$5,000 in full settlement of all claims against the Government for injuries sustained by him while in the performance of his duties at Camp Hulen, Palacios, Tex., August 10, 1933, caused by the explosion of a gasoline lantern: *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.

JOSEPHINE M. SCOTT

The Senate proceeded to consider the bill (S. 184) for the relief of Josephine M. Scott, which had been reported from the Committee on Claims with an amendment, on page 1, line 8, before the words "for the loss", to strike out "to reimburse her", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Josephine M. Scott, widow of Harry Scott, of Opheim, Mont., the sum of \$1,000 in full settlement of all claims against the Government for the loss of a valuable registered Percheron stallion, the death of which was caused by a test for dourine made by Dr. Perry Zenor, a veterinarian and representative of the Department of Agriculture: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

R. R. PURCELL

The bill (S. 522) for the relief of R. R. Purcell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. R. Purcell, of Helena, Mont., the sum of \$86.06 in full satisfaction of his claim against the United States for expenses incurred in traveling from Breckenridge, Minn., to Fort Harrison, Mont., and return, pursuant to his appointment, on August 8, 1933, as a member of a special board of review of the Veterans' Administration at Fort Harrison, Mont., such R. R. Purcell being ineligible to serve thereon because of his appointment, prior thereto and unknown to him, as director of the National Reemployment Service in Montana: *Provided*, That no part of the amount appropriated in this act in excess of



10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

JAMES H. SMITH

The Senate proceeded to consider the bill (S. 1257) for the relief of James H. Smith, which had been reported from the Committee on Claims with an amendment at the end of the bill to insert a proviso, so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James H. Smith, formerly employed as laboratorian in roentgenology by the United States Veterans' Bureau, the sum of \$5,000 in full settlement of all claims against the Government for injuries received by him as a result of X-ray burns sustained by him in August 1922 and March 1923 while employed at the United States Veterans' hospital at Dwight, Ill., and at the United States Veterans' Bureau regional office at Lexington, Ky.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. KING. Mr. President, I should like to have an explanation of the bill.

Mr. WALSH. Mr. President, the report on this bill is very extensive. The petitioner for the relief, James H. Smith, was employed by the Veterans' Administration, and was burned with an X-ray machine on three occasions in the course of his employment. The report states:

At the present time Mr. Smith is a physical and mental wreck. The effects of his X-ray burns are very noticeable, especially so as to his hands and face. He is receiving constant medical attention but apparently there is little that the medical profession can do to relieve him.

The evidence clearly establishes the fact that the claimant received three severe burns during his employment with the Government, and that as a result of these burns and because of his occupation he is now almost totally incapacitated. After considering all the evidence it is the unanimous opinion of your committee that Mr. Smith should be compensated for his injuries and it is accordingly recommended that the bill, as amended, do pass.

A similar bill passed the Senate a year ago, and was reported by the House Committee on Claims before adjournment in the last session of the Congress, but no action was taken.

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

Mr. WALSH. I yield.

Mr. KING. I was led to make the inquiry because the Administrator of Veterans' Affairs, General Hines, as the Senator will find on page 8 of the report, states:

The Veterans' Administration cannot recommend favorable action by your committee.

Mr. WALSH. An attempt was made to obtain compensation from the Veterans' Administration, but because the Veterans' Administration have no authority to compensate anyone unless injury occurred in the line of service, which means military service, and not employment service, the Veterans' Administration were powerless to be of assistance. I read the quotation:

The evidence of record indicates that you are not entitled to benefits because you have no disabilities the result of disease or injury which were incurred or aggravated by your active military service during the World War or a subsequent peace-time enlistment.

Of course, it is clear his injuries came as a result of his employment. Following what I read before, I read again from the report of General Hines:

As result of a most careful study and diagnosis of Mr. Smith's physical and mental condition as alleged by him, the Veterans' Administration has concluded that he is not entitled to any monetary benefits under the laws providing veterans' relief administered by the Veterans' Administration. The proposed measure seeks to compensate him for injuries alleged to have been incurred while serving as an employee of the Government.

So it can be seen that the Veterans' Administration could not, even if it chose, give him relief.

Mr. KING. There is one sentence in General Hines' report which I do not think the Senator read, namely:

It is also shown that you are not permanently and totally disabled by reason of the existence of disease or injuries without regard to service origin.

Mr. WALSH. That is true; the Veterans' Administration have no authority and no right to compensate anyone except for disease or injury incurred in the service during the World War, and this claim is not based upon that at all. It is a claim made for injuries received only a few years ago, when he was an employee, when he was burned as a result of a defective X-ray machine. I think the committee feel very strongly about this measure. I am sorry that the member of the committee who reported the bill is not present, but apparently the committee a year ago approved payment of the claim, and they now again approve the bill, and it seems to me one of much merit.

Mr. KING. I have not had time to read the medical evidence. I merely relied upon the report made by General Hines.

Mr. WALSH. Would the Senator like to have the bill go over another week?

Mr. KING. If the Senator has examined into the case and is satisfied that the claim ought to be paid, I shall not object; but the statement of General Hines rather leads me to believe the bill ought not to be passed.

Mr. WALSH. The Senator is very generous in leaving it to my judgment. I may say to the Senator that it so happens that I have no personal knowledge about this case, and I am impressed that a committee, dealing with a bill introduced by me, without any pressure from me or communication with me, should have made this unanimous report they have submitted. It so happens that I personally have no knowledge of the case, but I am impressed with the report the committee makes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

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

SALLIE S. TWILLEY

The Senate proceeded to consider the bill (S. 1585) for the relief of Sallie S. Twilley, which had been reported from the Committee on Claims with an amendment at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Sallie S. Twilley, in full settlement of all claims against the Government on account of the death of her husband, Samuel J. Twilley, a former rural carrier at the Cambridge (Md.) post office, due to injuries received while in the performance of his duties: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. ROBINSON. Mr. President, the report on this claim by the Compensation Commission appears to be adverse. It is shown on page 2 of the report that no proof was obtainable that the claimant was injured while in the service, although apparently the report contains affidavits, or references to affidavits, to the effect that while the claimant was driving his car in the discharge of his duty as a rural mail carrier he passed over a rough spot in the road and his head was thrown against the roof of the car, and later he complained of a headache and subsequently a loss of memory.

I observe that the Senator from Maryland [Mr. RADCLIFFE], who introduced the bill, is present; and I shall be glad to have him make a statement about the bill if he chooses to do so.

Mr. RADCLIFFE. Mr. President, I am quite familiar with this matter. I knew the rural mail carrier in question well;



in fact, he was the mail carrier on the route where I live. There is no doubt that he was hurt on the day in question. I have talked to the physicians who examined him, and I have talked to other individuals having knowledge of the circumstances; I was in close contact with those concerned after the accident occurred, and I personally am inclined to share fully in the opinion expressed by the committee in regard to it.

I read from the report:

Before studying the following correspondence, it should be pointed out and borne in mind that the letters submitted with reference to this bill are, for the most part, from individuals who were in a position to know the facts, and who refute emphatically statements contained in letters from the United States Employees' Compensation Commission. Men of responsible reputation and position in the community, according to their letters, claim either to have been misquoted or misrepresented.

I am certainly impressed by the merits of the claim. I have discussed the case a number of times with Dr. Goldsborough, the attending physician, and with other persons who were interested. I have no doubt that the report was incomplete and inaccurate.

Mr. McKELLAR. Mr. President, will the Senator yield?  
Mr. RADCLIFFE. I yield.

Mr. McKELLAR. To what extent was the mail carrier injured?

Mr. RADCLIFFE. He was injured by his head being struck. He died a few months later. It is the opinion of the doctor in the case, Dr. Goldsborough, and of other persons connected with it, that the injury in question was the cause of the mail carrier's death. That is certainly the opinion prevailing in the minds of those who knew the man and were familiar with the circumstances. I personally was quite familiar with the circumstances.

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

Mr. RADCLIFFE. I yield.

Mr. KING. As I understand, this accident occurred away back in 1922.

Mr. RADCLIFFE. It occurred on January 30, 1922, and the man died a few months later.

Mr. ROBINSON. He died March 16, 1922.

Mr. RADCLIFFE. Yes; he died a few months later.

Mr. KING. Why has there been such delay in obtaining compensation? I also call the Senator's attention to the fact that if the man or his family were entitled to compensation it would be under the Compensation Act; and I find that Mr. Bassett, the Commissioner, in a letter to Hon. Phillips Lee Goldsborough, former Senator, states:

Compensation would have continued to Mrs. Twilley at the rate of \$46.38 so long as she remained unmarried. If the future payments were to be computed and paid in a lump sum under the provisions of section 14 of the Compensation Act, the payment would be limited under the terms of that section to 60 months' compensation, and would amount to \$2,782.80.

If the widow was entitled to compensation and we now lift the claim out of that provision of the law and give a lump-sum appropriation to the widow, may we not be confronted with hundreds of other cases of employees who would come under the Compensation Act, but because they think the Compensation Act does not give them sufficient compensation, or their families think it does not provide sufficient compensation, they will come to Congress for additional appropriations?

If we take the action provided in this bill, it seems to me we shall strike a rather severe blow at the Compensation Act and engender a great deal of resentment on the part of employees of the Government in the future. It seems to me we shall be making an unwise departure if we take such action. In a case where a man who was an employee of the Government was killed, and his widow was entitled to compensation, why should we depart from the act and make a lump-sum payment to the widow?

Mr. RADCLIFFE. I will say to the Senator that employees of the Government may be mistaken. It is my personal opinion, because of my knowledge of the circumstances, by reason of the fact that the man was a mail carrier on my route, and it was the opinion of Dr. Goldsborough, who came into close contact with him at the time,

that the employees of the Government have made a mistake in their statements.

Mr. KING. But the employees, I understand, were willing to carry out the law, and apparently somebody was unwilling to accept the compensation allowed under the act.

Mr. ROBINSON. Mr. President, as I understand the Senator from Utah, one proposition which he raises is that under the Compensation Act the rural mail carrier's next of kin would have received \$2,000 plus.

Mr. KING. Yes; \$2,780.

Mr. ROBINSON. But this bill gives the widow \$5,000. A question which naturally arises, granting that the case should be lifted out of the compensation law and an appropriation made, is why it should be made for more than the amount that would have been awarded if the claim had been sustained by the Compensation Commission.

Mr. KING. I will say to my dear friend that I dislike very much to raise the question, but I am looking to the future; and it seems to me that if we mean to undermine the Compensation Act, and, as we would, it seems to me, by this appropriation invite claimants to attack it or to ignore it and come in and ask for a direct appropriation, we shall be involved in many claims, and our action will constitute an assault upon the Compensation Act and the virtue and fidelity of that act. I suggest to the Senator from Maryland, if he will pardon me, that he let the bill go over and let us inquire into it. There may be ample reason to lift this case out of the provisions of the Compensation Act; but with the present information I have I should be unwilling to do anything to encourage persons to ignore the act under which Congress has very generously provided compensation to them and their families for injuries they have sustained.

Mr. RADCLIFFE. Did the Senator read the letter of May 29, 1930, from the Commissioner?

Mr. KING. Yes; I read that letter. It states that under the Compensation Act a lump-sum payment would be limited to \$2,782.

Mr. RADCLIFFE. Mrs. Twilley would have been entitled to a total of \$4,183.53. That fact appears at the bottom of page 3.

Mr. KING. What I read was this:

Compensation would have continued to Mrs. Twilley at the rate of \$46.38 so long as she remained unmarried. If the future payments were to be computed and paid in a lump sum under the provisions of section 14 of the Compensation Act, the payment would be limited under the terms of that section to 60 months' compensation, and would amount to \$2,782.80.

Then the letter adds:

It should be added, however, that the Commission, as a matter of policy, does not make such lump-sum awards to widows.

Is the claimant a widow?

Mr. RADCLIFFE. She is a widow.

Mr. KING. She has not remarried?

Mr. RADCLIFFE. No; she has not remarried. I will say to the Senator from Utah that if he prefers to look into the matter more carefully, I shall be very glad indeed to go over it with him.

Mr. KING. I shall be glad to do so. I shall take up the matter with the head of the Compensation Commission to find out whether or not this claim should be lifted out of the act, and, if so, whether it would have any effect disadvantageous to the act itself, and would reflect any discredit upon the Commission.

The PRESIDING OFFICER. The bill will be passed over.

W. F. LUEDERS

The Senate proceeded to consider the bill (S. 1307) for the relief of W. F. Lueders, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after "\$5,595", to strike out "as compensation" and insert "in full settlement of all claims against the Government", and at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to W. F. Lueders, of San Antonio, Tex., out of any money in the Treasury not otherwise appropriated, the sum of \$5,595 in full settlement of all claims against the Government for permanent injuries received and ex-



penses incurred by reason of having been struck by a United States Army ambulance while riding in his own car in the city of San Antonio, Tex., on the 12th day of May 1930: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

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

STANLEY A. JERMAN, RECEIVER

The bill (S. 1242) for the relief of Stanley A. Jerman, receiver for A. J. Peters Co., Inc., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the claim of Stanley A. Jerman, receiver for A. J. Peters Co., Inc., for forage delivered by the said A. J. Peters Co. to the Quartermaster Corps, War Department, during the late World War, and the years 1917 to 1919, inclusive, and used by the War Department, for which no payment whatever has ever been made under the following contracts and orders: P. O. 20847, P. O. 21212 to P. O. 21217, both inclusive, P. O. 21219, P. O. 21319, P. O. 21320, P. O. 21469, P. O. 21494, 51, contract dated March 31, 1917, P. O. 2350 to P. O. 2352, both inclusive, P. O. 20260, P. O. 20836 to P. O. 20838, both inclusive, be, and the same is hereby, referred to the United States Court of Claims with jurisdiction to hear and determine the same to judgment: *Provided*, That the petition is filed within 6 months from the date of this act.

BILL PASSED OVER

The bill (S. 707) for the relief of Lucille McClure was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

MILDRED MOORE

The Senate proceeded to consider the bill (S. 114) for the relief of Mildred Moore, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$5,000" and insert "\$750", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mildred Moore, of Chicago, Ill., the sum of \$750 in full satisfaction of her claim against the United States for compensation for bodily injuries suffered by her when the automobile in which she was riding was struck by a United States Army automobile driven by R. H. Pearson at the intersection of Fifty-seventh Street and Drexel Avenue in Chicago, Ill., on February 2, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

PAULINE M'KINNEY

The Senate proceeded to consider the bill (S. 1219) for the relief of Pauline McKinney, which had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to extend to Pauline McKinney, a nonrelief administrative employee of the Emergency Relief Administration for the State of Oklahoma, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended by the act of February 12, 1927: *Provided*, That no benefits shall accrue prior to the enactment of this act.

The amendment was agreed to.

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

ELMER E. MILLER

The bill (S. 430) conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller, former disbursing clerk in the Bureau of Pensions, against the United States for the recovery of any unpaid part of his salary as such clerk, as fixed by law, for the fiscal years ending June 30, 1922, June 30, 1923, and June 30, 1924, respectively.

Sec. 2. Such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceeding for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

BILL PASSED OVER

The bill (S. 931) for the relief of the widow of the late William J. Cocke was announced as next in order.

Mr. KING. Mr. President, I should like an explanation of that bill. As the Senator in charge of the bill is not present, I ask that it be passed over.

The PRESIDING OFFICER. The bill will be passed over.

J. R. COLLIE AND ELEANOR Y. COLLIE

The Senate proceeded to consider the bill (S. 455) for the relief of J. R. Collie and Eleanor Y. Collie, which had been reported from the Committee on Claims with amendments, on page 1, line 7, after the words "sum of", to strike out "\$10,000" and insert "\$5,000", and at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to J. R. Collie and Eleanor Y. Collie, father and mother of J. R. Collie, Jr., deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full compensation for the death of said J. R. Collie, Jr., a civilian employee, who was killed while in the employment of the United States Motor Transport Corps by an Army truck, no. 225, at the Army supply base, Norfolk, Va., on August 15, 1919: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

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

C. A. JONES AND ELBERT GENTRY

The bill (H. R. 710) for the relief of C. A. Jones and Elbert Gentry was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to C. A. Jones, of Tyler, Tex., the sum of \$150, and to Elbert Gentry, of Tyler, Tex., the sum of \$500. The payment of such sums shall be in full settlement of all claims against the United States for personal injuries and property damage received when the vehicle in which they were riding was struck near Tyler, Tex., on February 29, 1936, by a vehicle operated by an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

JOHN MACK

The bill (H. R. 844) for the relief of John Mack was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John Mack, Cataldo, Idaho, the sum of \$442.40. Such sum shall be in full settlement of all claims against the United States for damages



sustained by the said John Mack on account of personal injuries received on October 5, 1935, when the car in which he was riding on United States Highway No. 10, near Kellogg, Idaho, was struck by a Government truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or 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.

V. P. JOHNSON

The bill (H. R. 4242) for the relief of V. P. Johnson was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to V. P. Johnson, of Vicksburg, Miss., out of any money in the Treasury not otherwise appropriated, the sum of \$500 in full satisfaction of his claim against the United States for loss by fire of motorboat on April 24, 1927, while said boat was leased by the United States Engineers and in the service of the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

CHARLES SOMOGI, JR.

The bill (H. R. 5354) for the relief of Charles Somogi, Jr., was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Somogi, Jr., the sum of \$2,500 in full settlement of all claims against the Government of the United States for injuries received by him when he was struck and injured on August 24, 1928, near West Portal, county of Hunterdon, N. J., by an automobile driven by one Orville McGee, who was employed at that time and whose car was used at that time in the employ of the Department of Commerce, Bureau of Lighthouses, United States Government: *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.

R. B. MILLER

The bill (S. 619) for the relief of R. B. Miller was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to R. B. Miller, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, in full and final settlement of all claims or demands of whatsoever nature, kind, or character against the Government, on account of the shipment of 75 carloads of manganese ore shipped over the Norfolk & Western Railroad from Suter, Va.; Rocky Gap, Va.; and Graham, Va.; to Reading, Pa.; Harrisburg, Pa.; and Birmingham, Ala.; during the period that said railroad was operated by the Director General of Railroads and which said amount was in excess of the regular freight rates published and allowed by law: *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.

EVERETT P. SHERIDAN

The bill (S. 665) to credit the account of Everett P. Sheridan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in the final settlement of the accounts of Everett P. Sheridan, deceased, former postmaster at Warren, Mass., credit is hereby authorized in the sum of \$377.74, being the difference between the amount of war-savings funds on deposit to his official credit in the First National Bank of Warren, Mass., when said bank closed in 1923 and the aggregate amount thereafter received by the Government as dividends in the liquidation of the bank's affairs.

GEORGE SMITH AND KETHA SMITH

The Senate proceeded to consider the bill (S. 176) for the relief of George Smith and Ketha Smith, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the word "Treasury", to strike out "not otherwise appropriated" and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to George Smith and Ketha Smith, of Mobile, Ala., the sum of \$2,250 in full settlement of all claims against the United States Government for damage to their automobile and for bodily injuries sustained by them on September 3, 1934, when the automobile in which they were riding collided with a Government vehicle operated in connection with the Civilian Conservation Corps, near Mobile, Ala.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

GOLDIE DURHAM

The Senate proceeded to consider the bill (H. R. 937) for the relief of Goldie Durham, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the word "Treasury", to strike out "not otherwise appropriated" and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement against the Government, the sum of \$50 to Goldie Durham, of Tyler, Tex., on account of injury sustained in an automobile accident caused by a truck driver employed with the Civilian Conservation Corps on Highway No. 69 near Lindale, Tex., August 2, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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.

CHARLES F. KEGEL

The Senate proceeded to consider the bill (S. 1338) for the relief of Charles F. Kegel, which had been reported from the Committee on Claims with an amendment at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$450 to Charles F. Kegel, of Turner, Mont., in full satisfaction of his claim against the United States for the loss of his truck, such truck having been destroyed on December 5, 1936, by a fire which burned a garage at Turner, Mont., in which it was stored for the purpose of safeguarding its load, consisting of property used in connection with Resettlement Administration projects: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or



attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

#### BILLS PASSED OVER

The bill (H. R. 458) for the relief of Eva Markowitz was announced as next in order.

Mr. KING. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3573) for the relief of D. B. Carter was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 1092) for the relief of May Howard Bloedorn was announced as next in order.

Mr. KING. I also ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### CLEAR CREEK MOUNTAIN SPRINGS, INC.

The Senate proceeded to consider the bill (S. 284) for the relief of the Clear Creek Mountain Springs, Inc., which had been reported from the Committee on Claims with amendments, at the beginning of line 8, strike out "\$16,000" and insert "\$200", and at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government of the United States, to Clear Creek Mountain Springs, Inc., the sum of \$200, covering all damages of every kind done to its property by the removal of certain buildings, injury to water and sewer lines, and injury to the grounds, drives, and walkways, including unpaid rent, all caused in the operation of a Civilian Conservation Corps camp under the control and direction of the United States Government: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

Mr. KING. Mr. President, I should like to make an observation. Many bills which go from the Senate are not promptly acted upon by the body at the other end of the Capitol. I make no complaint. We are very generous in promptly acting upon measures which come from the other body. We talk a great deal about reciprocity. It might be well to extend that word a little further and give it a little broader meaning in relation to legislative activities.

While I have the floor, I should like to make one further observation. It seems to me that greater care should be taken in the Civilian Conservation Corps camps. We receive scores of claims for torts growing out of alleged negligence of employees of the Government in such camps.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

#### EDWARD L. GOCKELER

The bill (H. R. 419) for the relief of Edward L. Gockeler was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the requirements of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Edward L. Gockeler, of Saranac Lake, N. Y., formerly employed from September 18, 1917, to January 1, 1918, as a clerk by the Committee on Public Information, Washington, D. C., and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such act, as amended, within 6 months after the date of enactment of this act, for compensation for disability alleged to have resulted from tuberculosis contracted by

him while in the performance of his duties as such employee, but compensation, if any, shall be paid from and after date of enactment of this act.

#### SALLIE GILLESPIE

The bill (H. R. 4591) for the relief of Sallie Gillespie was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the limitations of time in sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of Sallie Gillespie, the widow of Lynus P. Gillespie, of Millett, Tex., who is alleged to have sustained an injury while employed as a patrol inspector and prohibition agent about the first part of July 1927 which resulted in his death on June 16, 1929, and her case is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if she files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than 6 months after the date of the enactment of this act: *Provided,* That no benefits shall accrue prior to the approval of this act.

#### J. E. SAMMONS

The Senate proceeded to consider the bill (S. 1188) for the relief of J. E. Sammons, which had been reported from the Committee on Claims with an amendment at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. E. Sammons, of Macon, Ga., the sum of \$161.98 in full satisfaction of his claim against the United States, such sum representing the additional amount due the claimant under a contract for the sale of certain lands to the United States, which contract and the sequent deed of conveyance were based on an erroneous survey of such lands by Government engineers: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

#### GOLDENBERG FURNITURE CO.

The Senate proceeded to consider the bill (S. 1849) for the relief of the Goldenberg Furniture Co., which had been reported from the Committee on Claims with an amendment at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Goldenberg Furniture Co., Parkersburg, W. Va., the sum of \$115.25. Such sum represents the value of certain materials and equipment (plus the cost of labor on a portion thereof) furnished the district engineer, fourth district, Works Progress Administration, Parkersburg, W. Va., by the said Goldenberg Furniture Co. The claim of such company for the payment of such sum was disallowed by the Acting Comptroller General of the United States on the ground that such materials and equipment were delivered and labor thereon performed upon the verbal order of an employee of the Works Progress Administration who was not authorized to act as a purchasing or contracting officer for the United States: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

#### TAXES ON SHIPPING IN ALASKAN WATERS

The Senate proceeded to consider the bill (S. 2254) to amend section 460, chapter 44, title II, of the act entitled "An act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended, which was read, as follows:



*Be it enacted, etc.*, That section 460, chapter 44, title II, of the act entitled "An act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended, is amended by striking out the following paragraphs:

"Freight and passenger transportation lines, propelled by mechanical power registered in the Territory of Alaska, or not paying license or tax elsewhere, and river and lake steamers, as well as transportation lines doing business wholly within the Territory of Alaska, \$1 per ton per annum on net tonnage, customhouse measurement, of each vessel.

"Ships and shipping: Ocean and coastwise vessels doing local business for hire plying in Alaskan waters, registered in Alaska or not paying license or tax elsewhere, \$1 per ton per annum on net tonnage, customhouse measurement, of each vessel."

Sec. 2. Section 13 of the Revised Statutes shall not apply with respect to any penalty, forfeiture, or liability incurred under the provision stricken out by this act.

Mr. ROBINSON. Mr. President, this appears to be a bill of some importance, and I should like to have the Senator who sponsored it, the Senator from Montana [Mr. MURRAY], discuss the measure.

Mr. MURRAY. Mr. President, this bill is for the purpose of repealing certain sections of an act of Congress, now section 176, Compiled Laws of Alaska, 1933, which provide for licenses for ships carrying on transportation business in the inland waters of Alaska and also for licensing coastwise shipping vessels that visit Alaska and do an interport business in the inland waters of that Territory.

It seems that some years ago, when the original act was passed, the intention was that it was not to apply to ships which were registered outside Alaska and paying licenses outside Alaska. For some reason, however, the courts have held that the law as enacted was intended to apply to ships that were not paying taxes in Alaska. So it is necessary to have this bill passed; otherwise, the shipping or interport business of these vessels there will be discontinued, as the boats that go to Alaska which are licensed and pay taxes in other places in the United States and do an interport business in Alaska would be compelled to pay a tax of a dollar a ton. In other words, a 2,500-ton ship, for instance, would have to pay a tax of \$2,500, whereas the interport business such ship might do in Alaskan waters would amount only to a hundred dollars during the year. The interport business of these vessels is actually carried on as a mere convenience to the people of Alaska and would not justify such taxes.

Therefore, because the enforcement of this license provision of section 176, Compiled Laws of Alaska, is likely to result in serious curtailment of transportation facilities to and within the Territory of Alaska to the detriment of residents and business of the Territory, and in compliance with the many urgent requests made by the people of the Territory generally for the passage of this bill and the further fact that the interpretation of the law as now applied is contrary to the intent of Congress when it passed the law, and there being no opposition to this legislation, the amendment should be made.

The report is favorable on the bill, and the citizens of Alaska are very anxious to have it passed in order not to be deprived of this convenience. Resolutions have been sent here regarding the measure from various business interests and chambers of commerce in Alaska and also in Seattle recommending its passage. It seems to me it is a worthy measure and should be passed.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. That completes the consideration of unobjected bills on the calendar.

#### 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 consider executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair) 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 Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nominations of sundry officers for appointment or appointment by transfer in the Regular Army.

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nomination of Newport W. Sanford to be postmaster at Bethany, Okla., in place of S. H. Bundy, removed.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the nominations in order on the calendar.

#### PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. ROBINSON. I ask that the nominations in the Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the nominations are confirmed en bloc.

That completes the Executive Calendar.

#### ADJOURNMENT

Mr. ROBINSON. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, May 11, 1937, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate May 10, 1937*

##### PURCHASING AGENT, POST OFFICE DEPARTMENT

Harrison Parkman, of Kansas, to be purchasing agent for the Post Office Department. (A reappointment, his term expiring June 15, 1937.)

##### GOVERNOR OF ALASKA

John W. Troy, of Juneau, Alaska, to be Governor of the Territory of Alaska. (Reappointment.)

##### APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES GENERAL OFFICERS

Maj. Gen. William Shaffer Key, Oklahoma National Guard, to be major general, National Guard of the United States.

Brig. Gen. Raymond Stallings McLain, Oklahoma National Guard, to be brigadier general, National Guard of the United States.

Brig. Gen. Raymond Owens Smith, adjutant general's department, Tennessee National Guard, to be brigadier general, adjutant general's department, National Guard of the United States.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate May 10, 1937*

##### PROMOTIONS IN THE UNITED STATES PUBLIC HEALTH SERVICE

Louis Schwartz to be medical director.

Thomas Parran to be senior surgeon.

Roy P. Sandidge to be senior surgeon.

Ralph C. Williams to be senior surgeon.

Paul D. Mossman to be senior surgeon.

Richey L. Waugh to be senior surgeon.

Frederick J. Krueger to be assistant surgeon.

Romeo J. Gentile to be assistant surgeon.

Clarence A. Smith to be assistant surgeon.

Fred J. Black to be assistant surgeon.

Wilfred N. Sisk to be assistant surgeon.

Robert A. Lyon to be assistant surgeon.



## HOUSE OF REPRESENTATIVES

MONDAY, MAY 10, 1937

The House met at 12 o'clock noon.

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

Almighty God, spirit of counsel and truth, as we come before Thee we would veil our eyes. We rejoice that the sunset of yesterday was only an incident on the way to another day's dawn. Refresh us, O Lord, and send us forth at Thy command to be of larger service to mankind. Touch that hidden spring where life finds its source of excellence. We pray that all trusts may be administered in the fear of God and in the love of man. Be pleased to remember our Speaker and the Congress. Help us all to hold to some eternal principles which are unchanging in their values. Nourish us with a great faith and help us to pass over petty obstacles and paralyzing fears. Father, do Thou bless the assemblage of the Red Cross. It penetrates the gray light of affliction and melts the dull bounds of human suffering. We pray that our generation may thus practice intensely the rule of Jesus. In His name. Amen.

The Journal of the proceedings of Thursday, May 6, 1937, was read and approved.

## MESSAGE FROM THE SENATE

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

H. R. 4728. An act to authorize cooperation in the development of farm forestry in the States and Territories, and for other purposes;

H. R. 4892. An act to authorize the Secretary of War to convey to the International Young Men's Christian Association College and to the trustees of the Gunn Realty Trust all right, title, and interest of the United States in and to certain lands in Hampden County, Mass.; and

H. R. 5554. An act to authorize the Secretary of War to lend War Department equipment for use at the 1937 National Encampment of Veterans of Foreign Wars to be held in Buffalo and Niagara Falls, N. Y., from August 29 to September 3, 1937.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 842. An act to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruitfly by the Department of Agriculture;

S. 1465. An act for the relief of Beryl M. McHam;

S. 1699. An act granting an annuity to Frank W. Carpenter;

S. 1715. An act for the relief of Donald L. Bruner;

S. 1817. An act for the relief of Arthur Lee Dasher;

S. 2249. An act providing for the manner of payment of taxes on gross production of minerals, including gas and oil, in Oklahoma; and

S. Con. Res. 13. Concurrent resolution authorizing the Senate Committee on the Judiciary to have printed for its use additional copies of the hearings on the bill (S. 1392) to reorganize the judicial branch of the Government.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 118. An act for the relief of Harry D. McIntosh;

S. 461. An act to settle claims of farmers whose lands were damaged by waters from Kelly Field, Tex.;

S. 595. An act to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes; and

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S. 1313. An act for the relief of Lieut. Comdr. Chester B. Peake, Supply Corps, United States Navy.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 4408) entitled "An act to provide for the renewal of star-route contracts at 4-year intervals, and for other purposes", disagreed to by the House; agrees to the conference asked by the House on disagreeing votes of the two Houses thereon, and appoints Mr. McKELLAR, Mr. HAYDEN, Mr. BAILEY, Mr. BULOW, and Mr. FRAZIER, to be the conferees on the part of the Senate.

## GENEVIEVE M'CARTHY

Mr. WARREN. Mr. Speaker, I offer a privileged resolution, House Resolution 203, from the Committee on Accounts, and ask for its immediate consideration.

The Clerk read as follows:

## House Resolution 203

*Resolved*, That there shall be paid out of the contingent fund of the House to Genevieve McCarthy, sister of Catherine McCarthy, late an employee of the House, an amount equal to 6 months' compensation, an additional amount, not to exceed \$250, to defray funeral expenses of the said Catherine McCarthy.

The resolution was agreed to and a motion to reconsider was laid on the table.

## PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that after the disposition of the business on the Speaker's table and after the business on Calendar Wednesday is concluded on Wednesday next I be permitted to address the House for 1 hour.

The SPEAKER. The gentleman from Texas asks unanimous consent that after the conclusion of business on the Speaker's table and the business on Calendar Wednesday, and previous orders heretofore made, he may be permitted to address the House for 1 hour. Is there objection?

Mr. O'CONNOR of New York. Mr. Speaker, reserving the right to object, I hope that also includes unfinished business, in case the C. C. C. bill is not concluded and should run over into Wednesday.

Mr. PATMAN. In the event it is not finished Wednesday, I ask the same permission for Thursday.

The SPEAKER. The Chair thinks it is better to dispose of the first request.

Mr. O'CONNOR of New York. Mr. Speaker, reserving the right to object, I understand the gentleman's request will follow the disposition of Calendar Wednesday business on Wednesday?

Mr. PATMAN. That is correct.

Mr. O'CONNOR of New York. But if the matter which we take up on Tuesday, the C. C. C. bill, is not finished, we may want to conclude that on Wednesday before the gentleman's remarks. If that is satisfactory to the gentleman, I have no objection.

Mr. PATMAN. That is satisfactory.

The SPEAKER. Is there objection, with the modification stated by the gentleman from New York, to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

## EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a poem I delivered on the floor of the House a few days ago.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to have printed in the Appendix of the RECORD a speech delivered by Hon. James A. Farley in my district on Tuesday, April 28.

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

Mr. RICH. Mr. Speaker, reserving the right to object, is this James A. Farley, Postmaster General, or James A. Farley, Democratic national chairman?



Mr. SCHULTE. He is the Postmaster General, the greatest we have ever had.

Mr. RICH. He is the man who ran the Post Office Department \$180,000,000 into the red this year?

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

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'CONNELL of Rhode Island. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that on tomorrow, after the conclusion of the C. C. C. bill, I may be permitted to address the House for 15 minutes.

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

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague, Mr. GIFFORD, be allowed to speak for 30 minutes after the orders already arranged for today are disposed of.

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

There was no objection.

#### EXTENSION OF REMARKS

Mr. SNELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to print a speech that I delivered over the radio on Saturday night.

The SPEAKER. Is there objection?

There was no objection.

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

The SPEAKER. Without objection it is so ordered.

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. HARLAN. Mr. Speaker, at the conclusion of the remarks of the gentleman from North Carolina [Mr. DOUGHTON] on tomorrow, I ask unanimous consent to address the House for 10 minutes.

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

There was no objection.

#### MARY LORD HARRISON

Mr. GASQUE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6410) granting a pension to Mary Lord Harrison.

The Clerk read the title of the bill.

Mr. RICH. Mr. Speaker, reserving the right to object, not long ago a bill was passed granting a pension to the widow of an ex-President. We are now presented with another bill to grant a pension to the widow of an ex-President. Bearing in mind the state of the Treasury and the national finances, it seems to me we should carefully investigate these cases and not grant pensions unless the assistance really is needed.

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

Mr. RICH. I yield.

Mr. PEYSER. I may inform the gentleman that I do not know the widow of President Harrison, but it has been brought to my attention by her friends that her circumstances are such that this bill should be passed. I call the gentleman's attention to the further fact that Mrs. Harrison is now 79 years of age.

Mr. RICH. Under these circumstances and conditions I think it is perfectly proper for the Congress to pass the bill.

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

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

*Be it enacted, etc.,* That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Lord Harrison, widow of Benjamin Harrison, late a President of the United States, and pay her a pension at the rate of \$5,000 per annum.

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.

#### ADMINISTRATION OF RELIEF

Mr. COOPER. Mr. Speaker, I present the following privileged report from the Committee on Ways and Means for immediate consideration.

The Clerk read as follows:

#### House Resolution 199

*Resolved,* That the President be, and he is hereby, requested to transmit to the House of Representatives, if compatible with the public interest, the following information: The number of persons on general relief in the State of New York under the Works Progress Administration as of March 31, 1937; the number of aliens receiving such relief; if preference is given to war veterans; and if any preference is given to American citizens over aliens; and be it further

*Resolved,* That the President be, and he is hereby, requested to transmit to the House of Representatives, if compatible with the public interest, the following information: The number of persons on general or home relief under the Federal Emergency Relief Administration in the State of New York as of March 31, 1937; the number of aliens receiving such relief through the Temporary Emergency Relief Administration in New York State; if preference is given to war veterans; and if any preference is given to American citizens over aliens.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the report may be read.

The SPEAKER. Without objection, the Clerk will read the report.

There was no objection.

The Clerk read as follows:

Mr. COOPER, from the Committee on Ways and Means, submitted the following adverse report (to accompany H. Res. 199):

The Committee on Ways and Means, to whom was referred the resolution (H. Res. 199) that the President be, and he is hereby, requested to transmit to the House of Representatives, if compatible with the public interest, the following information: The number of persons on general relief in the State of New York under the Works Progress Administration as of March 31, 1937; the number of aliens receiving such relief; if preference is given to war veterans; and if any preference is given to American citizens over aliens; the number of persons on general or home relief under the Federal Emergency Relief Administration in the State of New York as of March 31, 1937; the number of aliens receiving such relief through the Temporary Emergency Relief Administration in New York State; if preference is given to war veterans; and if any preference is given to American citizens over aliens; having had the same under consideration, report it back to the House and recommend that the resolution do not pass.

Mr. COOPER. Mr. Speaker, I move that the resolution be laid on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

#### DISTRICT OF COLUMBIA

The SPEAKER. Under the rules of the House this is the day set aside for consideration of business from the District of Columbia. The Chair understands that this committee has no bills on the calendar.

Mr. RAYBURN. Mr. Speaker, each 2 weeks the Committee on the District of Columbia has had its calendar day, with one or two exceptions. The calendar has been called so consistently and so persistently that this calendar is entirely clear and this committee has no business for today.

The SPEAKER. Under the special order of the House heretofore made the gentleman from New York [Mr. SIROVICH] is recognized for 1 hour.

Mr. SNELL. Mr. Speaker, may I propound a parliamentary inquiry before the gentleman from New York takes the floor?

The SPEAKER. Does the gentleman from New York yield for that purpose?

Mr. SIROVICH. I yield.



Mr. SNELL. Will any legislative matters be brought before the House this afternoon now that the Committee on the District of Columbia has no business to bring up?

The SPEAKER. The Chair refers the gentleman's inquiry to the majority leader.

Mr. RAYBURN. No legislative matters will be brought up today.

Mr. SIROVICH. Mr. Speaker, I ask not to be interrupted until I shall have concluded the main part of my address. At that time I shall be pleased to yield.

The SPEAKER. Under special order the gentleman from New York [Mr. SIROVICH] is recognized for 1 hour.

Mr. SIROVICH. Mr. Speaker, ladies and gentlemen of the House, man's mind is influenced and shaped by two potent forces, heredity which depicts the influence of the seed and blood, and environment, which typifies the contribution of the soil and nature. Heredity represents the transmission of the physical and psychological characteristics of parents to their offspring. The influences of environment are both physical and spiritual in nature. The mountaineer is known for his rugged individualism, his stubbornness, his abruptness of style and language, his epigrammatic sentences, his stiff-neckedness, his subjective attitude in seeing only his own side, and the quick, jerky rhythmic sway of his shoulders in dance movement. The man of the plain is identified by his tendencies toward uniformity, talkativeness, repetitiousness, equality, the sententiousness of his phrases and writings—Lenin wrote 41 volumes—the love of the smooth rhythmic sway of the dream waltz, and the tendency for collectivism. The island nation, as exemplified by England and Japan, is powerful and ambitious and strives toward empire. The forest man, as typified by the Germans, inclines towards the lyrical and musical but the influence of the forest jungle is shown in his severity and political brutality. Man who lives on the peninsula shores of great bodies of water, always gazing at the sea, has a wide vision, and is also more creative than the man of the inland province. As a matter of fact, all great civilizations were established along the shores of great bodies of water, and we accordingly speak of a Mediterranean civilization, an Atlantic civilization, and now the coming Pacific civilization. We know that the man of the desert has a different mentality from the jungle man. The difference of mentality expresses itself in their different types of religion. We know that the two principal redemptive religions that grew out of the Hindu jungle, Brahmanism and Buddhism, with their doctrine of pessimism, resignation, and the identity of life and sin, are but the intellectualized agonies of the devalitized and suffering human beings, baked by the scorching sun. These victims of a cruel nature cannot see in life anything else but suffering, agony, and pain. Out of this vision of suffering grew their religious feelings, and accordingly their relationship to the forces of eternity were shaped by these very factors—suffering and pain. To them life appeared as a valley of tears, as one long uninterrupted agony, from which man can free himself only by death. But we also know that all those religions whose attitude to life is affirmative have grown out of a more favorable natural condition, a temperate climate, fertile soil, blue skies, and a beautiful panorama.

The desert mentality is totally different from that of the jungle and its effect upon man's mind is one of the most potent forces in history. If redemptive religiosity, calling upon man to turn away from life, to diminish his desires, and thus be redeemed from sin through salvation has grown out of the jungle, legalistic religiosity attempting to regulate man's life by the medium of the law has grown out of the desert. The Ten Commandments are a prototype of all legalistic religiosity and are a typical product of desert mentality. The desert has developed not one, but three types of mind, and this variety of mentality has impressed itself powerfully upon western man and has been instrumental in definitely shaping his spiritual destinies.

Three men grew out of the desert—the Babylonian, the Arab, and the Jew—and all three have developed a different mentality as a result of their diversified attitude to the vast sand expanses of western Asia. Out of these three different attitudes to the desert there developed three dissimilar world concepts and three divergent messages to man. The ancient Babylonians, a poetically gifted people, loving the azure blue of the skies, would lie at night in the desert and watch the skies. They looked heavenward and beheld the stars in their motion. In doing so they created an astronomy and an astrology. They developed a cosmic outlook on and a fatalistic attitude to life. They recognized in the motion of the heavenly bodies not only eternal, unchangeable, and immutable laws of nature, which must be valid for every sphere in nature, including the life of man, but through astrology they also came to believe that man is dependent upon the stars, that he is a helpless creature and must submit to fate. The Babylonians, who were wide awake intellectually, and capable of cultural creativeness, were at the same time cruel and bloodthirsty. The words "pity" and "compassion" were not to be found in their dictionary. If man is governed not only by immutable and eternal laws but is also in addition dependent on the stars, then he is just a slave of nature and human life is meaningless. The life of the individual man is only an erratic mood of destiny. What is man when compared with heavenly bodies, and what does his life signify, if he is totally dependent upon the stars for his happiness and welfare? Men who think in cosmic terms do not think in human terms; it is either one or the other. From the point of view of the cosmos, man is just an atom, and his position in nature amounts to no more than to a particle of erring matter. Whether man fares well or not, whether he is happy or unhappy makes but little difference. It is for these reasons that all cosmocentricism is the grave of ethics, because it denies man by belittling his importance. Hence the ancient Babylonian, though intellectually advanced, remained a bloodthirsty person because only the cosmos nature was his guide.

The Arab walked through the desert and looked neither heavenward nor earthward, but straight in the air. Time stood still in Arabia for thousands of years. The Arab Bedouin lives today exactly as he lived 5,000 years ago. He is still a son of the desert. He is still admired for his erect majestic walk, moving along in measured gaze. The Arab Bedouin had to maintain a bodily balance not to lose the basket of provisions on his head. The Arab Bedouin, therefore, always had to look straight ahead and saw neither the stars above nor the sand below, but the coming and going of the eternal cycle; sunrise and sunset, day and night, light and darkness, and occasional sandstorms, turning the bluish desert air yellow. Beholding only the eternal cycle, he developed a cyclical attitude to the desert, and almost like the Babylonian decided to submit to the forces of fate and nature. He became cosmocentric and submissive and evolved the Islam or Mohammedan faith, whose meaning is submission or resignation.

What is the cosmocentric theory of life? This philosophic doctrine worships Nature first, man comes afterward, because man is only an insignificant part of Nature, just like any other animal. The right of Nature precedes the right of man, property being dead, and Nature its symbol. Therefore, Nature or property rights precedes human rights.

Nature can be divided into four component parts. First, inanimate Nature, or our Mother Earth, which is usually called dead nature. In the bowels of Mother Earth are found gold, silver, copper, platinum, iron, coal, oil, and the countless materials that constitute the mineral and natural resources, which represent the wealth of the material world, or property rights. The second part of Nature represents the flower, plant, and vegetation life. It is often referred to as poetic nature. The third part of Nature is typified by the birds of multicolored and variegated plumage, that fly through the air and space, singing their melodies and harmonies. This third part of Nature has been heralded far



and wide in song, prose, and poetry, as lyric and idyllic Nature. The fourth part of Nature is referred to as animal, or jungle, nature. Here the strong and powerful animals eat and destroy the weak. In this realm of Nature, might and instinctive brute force rule. Here authority is represented by the claw, fang, and tooth. Let the weak beware. The strong are the self-anointed, self-appointed rulers and dictators of jungle nature. *Laissez faire* is the order of the day. Nature's law never changes, never yields, never compromises. In Nature there is no pity, no sympathy, no compassion. Its laws are fixed, eternal, and immutable. Such is the doctrine and philosophy of cosmocentricism.

If you project the law and order of jungle nature upon the earth, and surround this state with artificial boundaries, you create the modern Fascist state, either to the right or to the left. Here, too, might makes right. Force rules. Authority supersedes and takes the place of the majority. Deified Nature becomes the deified dictator. The dictator takes all the freedom and liberty unto himself and gives a small modicum of these rights to his subjects. So we behold the law and order of the jungle transferred to the modern state in which the dictator, like the powerful animal of the jungle, reigns supreme.

When the Jew walked through the desert he looked neither heavenward like the Babylonian, nor straight ahead like the Arab, but downward, earthward, because he was always sad, or sunk in thought. The sad, or the thinking, person always looks downward. In the Old Testament the Jew is often called upon to lift his eye, to look heavenward, because he was always used to looking earthward. Thus, looking downward, he discovered neither the laws governing the stars in their motions, like the Babylonian, nor the eternal cycle, in the fabric of Nature like the Arab—but observed himself. He discovered man. Seeing nothing in the desert except the infinite sand expanses, he could discover nothing to lean upon, either plant or animal, and fell back on his own resources. It dawned upon him that man, and man alone, is the center of all things, that man is the source of all wisdom, knowledge, culture, and civilization, and not Nature; that man is the goal of everything in life and must not be exploited or oppressed; that human rights precede Nature or property rights, and that man is equal before God, the state, and the law. Then and there was proclaimed the doctrine of religious, political, and juridic democracy.

Out of these considerations, the anthropocentric world picture of the ancient Jew was born. In the desert, the Jew could only hear the wailing noise that accompanied the sand storm. Seeing nothing he could only hear. The Jewish religion is therefore an ear religion. The Bible expresses it clearly in the eternal cry of the Jews, "Hear, O Israel, the Lord thy God. The Lord is One."

Biblical religiosity, in contradistinction to Buddhist, Brahminic, or Islamic religiosity, distinguishes itself primarily by its anthropocentric world picture, that is to say, by the all-important position man and not nature, occupies in the scheme of things, and the care and attention one loving God gives man. It is for this reason that Biblical religiosity has captivated the imagination of the white man, the most creative and the most able of all men.

It is generally assumed that the contribution of the Bible to religion is the doctrine of one God; in short, monotheism. That is not the case. The idea of one God was formulated in ancient China, Egypt, and Greece independently of the Bible, but only the God of the Bible has an intimate relation to man and is the God of man. The one God conception of ancient China, Egypt, and Greece, was purely cosmological. Their God was only the engineer or architect of nature without any attitude to man, because their idea of one God was the result of certain cosmological speculations. Aristotle, too, has clearly formulated the idea of one God. But the God of Aristotle is only the God of nature and not the God of man. The Aristotelic God represents the peak of Greek nature speculation. This becomes evident when one considers the religious philosophical development in Greece from Thales to Aristotle. Thales, the father of Greek philosophy,

started out with the principle of water as the origin and nature of the world. Then came Anaximenes, and stated that everything is derived from air. Pythagoras established fire as a principle of the world. Then came Democritus with the idea of the atom, and so all along the line up to Aristotle, who explained the origin of the world as a creation of God. But his God was the architect of nature, who retired from his creation and no longer participates in the affairs of the world. He is the prime mover who has taken a long vacation. Similar cosmological ideas sprung up in many other cultural centers of oriental antiquity, Egypt, China, and India. However, what good does this cosmological principle do man, and what significance has it for his destinies, since God is indifferent to man? The God of the Bible, on the other hand, who is also the Creator of the world, is primarily the God of man. He has created nature as well as man, but is disinterested in nature and is keenly interested in man. The first chapters of the Bible are devoted to a story of creation; with the exception of water, God created everything—in evolutionary stages—in six periods. These basic cosmological principles—that water is a source of all life, and that the world was created in evolutionary stages, happens to be not only the first word of the Bible, but also the last word of science. But soon after everything was created, minerals, plants, beasts, and man, God abandons dumb nature and dedicates Himself exclusively to the care and service of man. Therein consists the originality of Biblical monotheism. Here is a God who is not only the architect and engineer of nature, but is also the father, judge, guide, and teacher of man. This type of monotheism makes man the very center of the world and the focal point in the scheme of things. Christianity has often been described as a daughter religion of Judaism. It is so, because in Christianity the anthropocentric world picture is still more outspoken and sharper formulated than in Judaism. The Old Testament opens with a story of creation, with a story of nature, but the New Testament opens with the story and destiny of one Man, who begins as the Son of Man and ends as the Son of God. In the final analysis the Old and New Testament share the same principle and they are animated with the same ideal—the ideal of the dignity and holiness of man, who by virtue of his spirituality is capable of attaining the most dazzling spiritual heights.

Not only have Judaism and Christianity been hewn from the same rock, but they have also shared similar destinies. It is not quite a blind chance that when Christianity wound its way westward Judaism followed it. Ever since Christianity has the west as its center, Judaism, too, has the occident as its center of gravity. In the last 1,800 years Christianity as well as Judaism are western phenomena, although they both spring from the east. Just as oriental Christianity has always been a negligible quantity, so has oriental Judaism been a negligible factor, for both are deeply anchored in the west and identical with the Occident. That, too, is not an accident. The west is distinguished from the east by its individualism in contradistinction to oriental universalism.

Both Biblical religions have experienced the same difficulties, encountered the same enemies, met with the same obstacles, and were threatened by the same hostile forces—paganism, dualism, naturalism, and materialism—because both represent the one and the same basic idea, the anthropocentric world picture, a type of religiosity in which God is devoted to man, and man stands in the center of things and demands respect for his personality and a right to freedom in return for his willingness to be righteous and do good.

As against this anthropocentric world picture of Judaism and Christianity there stands out in bold relief the cosmocentric world picture of Brahmanism and Buddhism, and the purely theocentric world view of the Islam. In these religions man appears as an insignificant creature—a marionette on the chessboard of life. He is not the crown of creation, and is but an insignificant part of nature, subject to its laws exclusively, and unable to account for the posi-



tion he occupies in Nature. Man as a part of Nature only is just an animal like all other great animals and aspires to an order of life whose arch type is the jungle and the tyranny, the despotic rule, the satrapy in which the masses of the people have no rights at all. All political, social, and economic despotism has its origin in a purely naturalistic world view, and this world view is the counterpart to the world picture of Biblical religiosity with its doctrine of the freedom, dignity, and spirituality of men.

From time immemorial these two world concepts—the anthropocentric, representing human rights, has battled against cosmocentric, or property rights views. These two opposing groups have engaged in a life-and-death struggle for supremacy. The ancient Hebraic anthropocentric and one God world picture was so forceful and so unique that none of the spiritual powers that be could ignore it or leave it in peace. The doctrine of one God was a menace to polytheism. The doctrine of the free man as the crown of creation was a menace to the entire political, economic, and social fabric of the time, and particularly to the institution of slavery. The ethical doctrines of the prophets were a challenge and a menace to every type of political despotism and tyranny. To all of the contemporary powers the Hebraic world picture must have appeared a provocation pure and simple, and each and every one of them was determined to make an end to it and destroy ancient Judea. Assur made the first attempt; then came the Babylonians and Alexander the Great. They actually destroyed the land of the Jewish people. When it was rebuilt with the help of Cyrus the Great and slowly but surely regained its strength until it stood out as a respect-commanding commonwealth, not only the local enemies also but the great powers of the time, each in succession, attacked it with the object of destroying it.

From Alexander the Great to Antiochus Epiphanes to Titus and Vespasian ancient Judea witnessed conqueror after conqueror, until it was finally subjugated by Caesarian Hadrian after long and bloody struggles. When news reached the Eternal City of the complete destruction of ancient Judea the Roman rabble was overjoyed, and gathering in the streets of Rome it shouted itself hoarse crying, "Jerusalem is lost." The temple was destroyed. Every home in Jerusalem was burned. A quarter of a million Jews were taken as prisoners to Rome and marched under the Triumphal Arch. The Israelites were scattered to all parts of the world. From that time on the Israelite has been known as the "Wandering Jew." When Caesarian Rome annihilated ancient Judea it was sure that it had accomplished two things: That it had killed Judaism as a spiritual force and that it had also destroyed the Jewish people representing that force. But this calculation was wrong. Only the political sovereignty of the Jewish people was destroyed. Spiritual Judea continued to remain a force in world's history. The Jewish people as a people, and not as individuals, survived, too. When ancient Rome was fighting ferociously to subjugate Judea and destroy it there appeared the figure called Jesus, whose teachings and doctrines, principles and ideas, growing out of the Jewish conception of a spirituality of man, his holiness and his dignity, contributed in the end to the destruction of Caesarism. Not only maddened Caesarian Rome, but also all other forces of obscurantism realized, at an early period, that these new spiritual energies emanating from the Son of Galilee were as threatening and dangerous to their very existence as was Judaism. Just as Jesus attracted the lonely and the meek, the peaceful and the just, and the pious to follow Him, so His doctrines invited the enmities of the mighty and the wicked. Caesarian Rome fought against rising Christianity with the same ferocity as it did against its historical background, Judaism. There was Roman logic to this anti-Christian madness. If the spirit of Judaism with its doctrine of the dignity and holiness of man challenged Caesarian Rome, the doctrine of Jesus did it more so. In crucifying Jesus the Roman authorities of the day thought they killed His teachings, just as they thought they destroyed Judea by destroying

the temple. In both cases they erred. Just as Jesus survived His crucifixion, so did Judaism survive the destruction of Judea. No despot has ever discovered an instrument by which to kill ideas. To destroy principles, ideals, and justice, all mankind must be annihilated. [Applause.]

Like all great world historic events, the blossoming out of the anthropocentric world picture, on the soil of small people, surrounded by peoples dedicated to the cosmocentric world view, called forth hostility and anger. If the ancient Hebrew was right, that man is more than a part of nature, that he is a spiritual being, and must be treated as such, then the social and political systems of that time, based on the idea that man is only a part of nature like any animal, must have considered the Jew as a rebel and revolutionary, as one who disturbs the calm and tranquillity of traffic, and may become a menace to the neighbors. If we were able to retrace the historical process in Palestine from 1,000 B. C. to 40 B. C. as simply as we do dissolve the historical process of the last 500 years into its component parts, it could easily be established that the constant onslaughts against ancient Judea, by the great powers of that time, were not only due to strategic, political, and economic reasons but also to cultural motives. The Assyrian, Babylonian, Persian, Greek, and Roman considered ancient Judea a hotbed of revolutionary ideas and decided to subjugate and destroy it. The struggle against ancient Judea was as much a war against Judaism as a war against the Jews. Every invader, and every conqueror of Judea, was out to destroy not only the body but also the spirit of that people. They all desecrated the temple, and finally destroyed it, for they looked upon the temple as the center of Hebraic spirituality. If the ancient Hebrew had been a conquering race, or at least a missionarising people, they would have gone out and preached their gospel to other peoples. However, they have never been a conquering race but a pastoral people, dedicated to peace, and an idyllic state of peace, among men. This captivating peace vision is also a direct consequence of the anthropocentric world picture, culminating in the doctrine of one God. It requires two to make war, but God is only one, and therefore always peace unto Himself. But man is admonished to make the attributes of God his guide in life. If God is the very embodiment of peace, man should be peaceful too. The pacifist inclinations of the ancient Jews had also a historical background. The ancient Hebrews were a fusion of two nations—the Amorites and Hittites. The Amorites were a pastoral people and the Hittites a hunting, conquering race. They were the Romans of the east of their time. But destiny willed it that the Jew become heir to the Amorite and not to the Hittite. When he grew to full nationhood he displayed all the qualities of the Amorites—pastoral peacefulness, a love for the idyllic, and lyrical softness instead of epic vigor. It never dawned upon him to propagandize his truth, or to impose it upon others. The God of the Old Testament wishes to be recognized by man's reason and appeals to man's reason and not to man's emotions. The greatest religious vision of Isaiah is that the land will be full of knowledge of God—but not of belief or faith in God. Ancient Hebraic monotheism rests entirely upon intellectualist ground, and for this reason alone it could not be propagandized. Only emotional tendencies spread like wildfire. Abstract ideas make headway, but very slowly. For these two reasons—the pastoral character of the ancient Hebrews, plus the intellectualistic nature of ancient Hebraic monotheism, the world picture of the ancient Jew was confined to his Creator, while the two antithetic tendencies in the east and in the west, universalism and individualism, grew rapidly outside the land of their origin. At no time has any representative of Judaism ever made an attempt to convert strangers to his belief and to his ideas. Of all the great historic religions in the world, Judaism alone is lacking in imperialistic impetus, and missionarising was always strange to its mind. It has never been endowed with the will to more, and this absence of ambition spelled destiny to Judaism. Instead of growing horizontally like all other great historic religions, it grew vertically, in depth. It has never



been diluted as a result of expansion. By virtue of its inner concentration it has always appeared mysterious to the outsider and invited attacks. Because Judaism is not a missionarizing religion, the Jew remained a minority, and he is still here to write the minority report.

Between the years 500 and 40 B. C. the two outstanding cultural forces in the east and in the west have undergone great changes and have grown to full maturity. In the east Buddhism emerged from its Brahmanic background to become very rapidly a great imperialistic force in the realm of the spirit. In the west ancient Greece shone in all its glory, wresting from its genius immortal works of art with man as its center; unforgettable philosophical ideas and great works of literature, also with man as their theme. While ancient Greece developed into an inexhaustible source of cultural inspiration, Rome grew from a small commonwealth to an empire with world domination as its goal. In the course of but a few hundred years western individualism, both in its political and its spiritual aspects, became the all-dominating force in the life of occidental man. Bursting with energy and expansive power, it reached out on other continents with the clear objective of subjugating them. Palestine being the gateway to three continents, all three forces—Buddhism, Hellenism, and Caesarism—tried to establish themselves first in that little country which, in spite of its small size, is in fact a shrunken continent. It has all the attributes of a continent—mountains and vales, Dead Sea, desert, and seashores, and a variety of climates, as can only be found in the continent. In the third century Buddhist missionaries from the east reached Palestine. A little later emissaries of Hellenic culture reached the Holy Land, only to be followed still later by the representatives of Caesar. In the century preceding the appearance of Jesus, Palestine was the greatest cultural melting pot of antiquity. Every great cultural power in the east or west was trying to make converts from Palestine and to make the country a base of further operations in the east. While eastern universalism in its Buddhist manifestations strikes westward, western individualism in the shape of Hellenism and Caesarism strives eastward. Both attempt to extend their rules as far east as Persia and India. To be successful they must control Palestine. To attain this goal they must first subjugate the Jew both culturally and politically. But in spite of their relentless efforts they made very little headway. Judaism had become a concentrated force, tree plantlike, rooted in the soil of Palestine and could not be destroyed. It could not even be diluted. The Buddhist missionaries succeeded in influencing a few thousand people, and so did the emissaries or representatives of Rome and Greece. Around 50 B. C. one could hear in the streets of Jerusalem some Jews speaking Greek and some Latin, but the masses of the people spoke Hebrew. The descent of Buddhism upon Palestine resulted in the formation of the sect of the Essenes, who, in their negative attitude to life, in their rejection of all earthly forces, in their resignation, and in their pessimism, represented the Buddhist mood. The representatives of Rabbinic Judaism were engaged in warding off attacks from the Hellenistic or Greek element, and the entire commonwealth was engaged in a fight with Rome. This terrible tension, brought about by the meeting of Buddhism, Hellenism, and Romanism, made a spiritual explosion an absolute necessity. This explosion came with the appearance of Jesus and the rise of Christianity, which is the synthesis of four distinct forces—ancient Hebraic anthropocentricism, with its discovery of man; eastern universalism, with its emphasis upon the whole; Greek intellectual mysticism, with its vision upon the logos or reason; and Roman imperialism, which found its expression in the fast conquering church.

This synthesis, giving birth to Christianity, is the greatest single event in all of man's history. Christianity is the greatest peace-making force, for in its bosom dwell harmoniously the four contradictory and antagonistic elements, eastern universalism, western individualism in its two forms, Romanism and Hellenism, and ancient Hebraic ethical idealism, flowing from the anthropocentric world concept of the ancient

Jews. Its all-cementing force, however, is a typical Palestinian and typical Hebraic element—the doctrine of the spirituality, dignity, freedom, and holiness of man. Christianity is the only religion in which a man becomes the central figure of all piety and of all saintliness, who, because of these qualities, can suspend the laws of nature and perform miracles. Representing the totality of the great cultural motives of its time, including that of ancient Rome, with its will to expand, Christianity not only captivated man's mind and heart to the extent that it made him capable of martyrdom but it also gained such force and momentum as to seriously threaten Caesarian Rome, which it conquered in the end. The amazing victories of the Islam were victories of the sword, but the conquests of Christianity were the conquests of Christian saints and martyrs, and the victories of Christian spirituality over pagan barbarism. The success of Christianity was also due to the fact that it was not totalitarian, or authoritarian like the Islam, having exhorted man to give to Caesar what is to Caesar and to God what is to God—that is to say, not to permit the state to interfere with the spiritual and intellectual interests of man or to impose itself upon man, as does the modern totalitarian and authoritarian state. Christianity gave man both peace and freedom and held out the promise of true salvation for him. But upon its amazing march of victory it encountered two hostile forces. What were they?

First, the cruel and antagonistic forces who lived in Persia and were the great sun worshipers of their day. They believed in the duality of nature—light and darkness—as the twin forces that ruled the destinies of nature. Their great prophet was Zoroaster, who was the Moses of his time. Long after his death the most distinguished disciple of his was the very militant leader Mani, and his followers were called Manichaeans.

Manichaeism is a cosmocentric world picture explaining the world as a constant struggle between light and darkness. Ahura Mazda is the symbol of the sun and Ahriman is the figure of Satan and darkness. Mani lived from 215 to 275 A. D. Mani also came under the influence of Brahmanism, Buddhism, and gnosticism. Mani's three principal theories are, first, cosmic dualism—light and darkness; second, the identity of physics and ethics—meaning that everything is physics or nature and that ethics, which is man's relation to his fellow man, is governed by physical nature only; that is, that might is right; and third, the doctrine that man, far from being the crown of God's creation, is actually the creation of the prince of darkness, Satan. This theory of man leads to social pessimism. The threefold doctrine of Mani, brought him into conflict with Christianity and Judaism alike, and his disciples declared war against both. Manichaeism as a religious movement made rapid strides in the fourth and fifth centuries and conquered for itself such a powerful position in the city of Rome and in the Provinces of the Roman Empire, especially in northern Africa, that the political and spiritual powers in Rome decided to curb it. In the end it was outlawed in Rome, having been declared a capital offense, punishable by death, to practice Manichaeism. In the course of the anti-Manichaean orientation St. Augustine himself, who had been a Manichaean leader, deserted Manichaeism and adopted Christianity. In doing so he saved the day for the church and the synagogue, for he soon became the most effective and influential leader in the anti-Manichaean movement. In Rome the Manichaeans submerged and discontinued their fight against the church and the synagogue, but they soon reappeared in eastern Rome, in Byzantium, which is today modern Turkey, and developed there great strength until suppressed by victorious Christianity. Around the tenth century they appeared on the Balkan Peninsula, first in Bulgaria and then in Servia under the name of Bogomiles, fighting the church and the synagogue.

From there they migrated westward and reached Italy, France, and Germany, disguised under different names, but always fighting Christianity and Judaism. Since the Catholic Church watched them closely, they concentrated their war against Judaism only and continued to attack the Old Testament, hoping that by destroying the influence of the Old Testament they would also undermine the position of



the New Testament. This explains why Jew hatred in Europe was unknown during the first thousand years after Christ. Only with the penetration of the Manichaeic, anti-Christian sects in Europe, does Jew hatred manifest itself in the wake of these sinister influences. Not a Christian but an anti-Christian force, like the Neo-Manichaeic sects, has planted Jew hatred in the Old World. Those who are familiar with European sect history know that in two countries, Germany and old Russia, have the various Manichaeic sects established themselves firmly, and it is no sheer coincidence that just in Germany within the last 5 years has Jew hatred become supreme. In Soviet Russia it is now being destroyed by the might of the State, but in Germany, where Manichaeism in different forms is again flourishing, Jew hatred, Bible hatred, and Protestant and Catholic Church hatred are the very basis of governmental policy. Throughout all Germany today there is turmoil in all the churches as trials of Catholic priests for "treason" continue, as the anti-Jewish campaign goes on without end and as the Protestant Church elections are postponed because once harmonious congregations are hopelessly split by the drive for pagan "unification." The pagan idolatrous sects in Nazi Germany today, all anti-Christian, anti-Semitic and cosmocentric, are direct or indirect continuations of Manichaeic forces which had penetrated into German life in the course of centuries and which were never subjugated. In the course of its struggle with both, Manichaeism in the east, Caesarism in the west, Christianity itself became permeated with a spirit foreign to its very essence.

In the long struggle between Christianity and Manichaeism the latter was defeated but not entirely destroyed. For many centuries Manichaeism in many forms continued the fight against victorious Christianity. Neo-Manichaeism sects in all parts of the west have continued a guerilla warfare against the teachings of Christ, the Bogomiles, the Neo-Bogomiles, the Catharists, the Albiganses, and numerous other sects have constantly sabotaged the Catholic and Protestant Church and have also waged war against the synagogue. During the Middle Ages Jew hatred came from those quarters and not from the church. The popes have always defended and protected the Jew, but the Manichaeic sects within the Christian world have always attacked them. To the extent that Christianity has retained its purity and its true piety, it has never had any difficulties in its relation with the mother religion. But when Rome was destroyed, and Caesar was dead, and the church remained the only authority of western humanity, struggling for consolidation and organization, the church assumed the functions of the State and held both temporal and political power. Out of this double power grew the medieval totalitarian state in which there was no longer any room for any religious minority. The medieval church became not only the source of all power but also of all wisdom and imposed itself upon man's mind in the same way as does the modern Fascist state.

Man's creative intelligence was delimited by the church, and the latter decreed what is scientifically true or untrue. Holding steadfastly to the cosmology of the Old Testament, the medieval church fought Copernicus, punished Gallileo, and burned Bruno at the stake. In the medieval church the Roman element with its Caesaristic tendencies prevailed, but Christianity, after destroying Caesarism, was not going to be overwhelmed by it again, and after many centuries of struggle it found its way back to its source—the Bible. If the Reformation means anything at all, it means the rediscovery of Christianity and the overthrow of medieval fascism. Martin Luther laid down the principle that the civil government has nothing to do with faith and conscience:

Heresy is a spiritual thing—

He said—

which cannot hew with any iron, burn with any fire, drown with any water; the word of God alone is there to do it.

The consequence of that principle spelled the doom of medieval fascism. Individual man was spiritually emanci-

pated and with this spiritual emancipation which is a postulate of Biblical anthropocentrism, the foundation was laid for the emancipation of all religious minorities including the Jewish minority. It is surely no blind coincidence that the rediscovery of man and Christianity corresponds with the discovery of the New World, in which man was destined to establish the greatest and most powerful democracy on God's earth. Nor is it mere chance that while medieval despotic and inquisitorial Spain expelled the Jew in 1492, the New World established by the forces of biblicism accepted him, and enabled him to participate in the development of a new civilization, and to reestablish his own life on the basis of his own religious traditions. Not only in America, but anywhere where the forces of biblicism arise, the synagogue is permitted to breathe freely and to consolidate its energies. It was the Biblicist, Cromwell, who opened the gates of England to the Jews. The same holds true of Biblical-minded Holland. Inquisitorial, despotic, and anti-Biblical Spain, expelled them, but Biblical Holland received them with open arms. Jewry's gift to Holland was Spinoza, one of the great philosophers of all times, whom Holland claims as its greatest son, and who together with the Biblical-minded Rembrandt, has made little Holland a major cultural power in Europe.

Wherever the influence of the Bible becomes a potent force in life as in the Anglo-Saxon countries, man's rise to dignity, freedom, and spirituality is rapid. This rise to power on the part of the individual is attended by the rise of power of the nation. It is no blind coincidence that the English Empire began to rise in the heyday of Biblical influence. The freeing of man from the shackles of medievalism has loosened the imprisoned intellectual, political, and economic energies, to which there is scarcely any analogy in occidental history. Medieval man was sterile culturally and economically, because he was enslaved physically and spiritually. But when the anthropocentric forces stormed in upon him and freed him from his shackles, three events took place: the liberation of the individual, the rapid development of the nation in every field of human endeavor, and a fertilization of man's mind, leaping to the great discoveries in science, and to the great creations in art, philosophy, and literature.

It is fascinating to observe how these spiritual forces slowly but surely demolish the medieval ghetto and finally free the Jew entirely and enable him to participate on the basis of equality in the great works of civilization and culture. The small Jewish groups in all these countries, guided by the spirit of true Biblical religiosity have not remained ungrateful for justice meted out to them. In his young days, Benjamin Disraeli, an English Jew, dreamed of India as the jewel in the crown of the British Empire, and in his older days, Disraeli actually made India a part of the British Empire. Disraeli, or Lord Beaconsfield, is Anglo-Jewry's answer to Cromwell, who admitted the Jews to England. For the little freedom Imperial Germany had granted the Jew in the Fatherland, the latter gave it an Einstein, who, because of his Biblical religiosity, refused to sign the manifesto of Germany's scholars in 1914, in which they justified Germany's war against Europe. For the justice meted out by America to the Jew, he has given America a Brandeis and a Cardozo, the very embodiment of the ideal of justice. The fructification of the genius of the Bible everywhere, has proved to be the source of cultural creativeness to Gentile and Jew alike. In the Slavic countries where the Bible was not permitted to become a source of spiritual influence, neither the Slavic Gentile, nor the Jew, have accomplished much in the field of civilization and culture. The non-Biblical Slavic countries have not produced one great philosopher, not one great plastic artist, and only a few great scientists. For all the science, and all the arts, emanate from but two sources, from the Renaissance and the Reformation. The Slavic peoples had neither a share in the Reformation nor in the Renaissance.

For hundreds of years men in Anglo-Saxon countries, guided by the creative genius of the Bible, have been engaged in establishing a civilization and a culture on the



basis of freedom for, and justice to all. With thorough Anglo-Saxon common sense, they concluded that if God is the Creator of all men, all men must be equal before God, and if they are equal before God they must also be equal before the law and must have an equal share in the political order.

It is my contention that Anglo-Saxon democracy is the work of that type of man in history known as the Christian gentleman, that this democracy which is not limited to any economic, religious, or racial group, is not the revived memory of ancient Greek democracy, but is the consequence of Biblical religiosity, whose genius alone made Anglo-Saxonism the most important power in the world economically, politically, and culturally. Since the King James version of the Bible appeared the Anglo-Saxon peoples went from strength to strength. If the Protestants in Germany still continue to cling to the faith of their fathers, in the face of bitter Nazi persecution, it is also because they know that the influence of the Bible is equally a source of strength to the fatherland, not only spiritually but also politically. For was it not Martin Luther's German version of the Bible that was instrumental in creating a united German language and thus a united German peoples? The German Protestants know very well that the greatest literary work of Germany, Goethe's Faust would not have been possible without the influence of the Bible. Do they not know that just as Milton in England has poetized in Biblical terms so has Klopstock in Germany? Do they not see what has happened to Germany the moment the anti-Biblical Nazi force arose and declared war on the Bible. Do not they see that 4 years of warfare against the Bible in Germany has spelled more havoc to the fatherland culturally, politically, and economically than the 4 years of World War?

Today we hear the voices of the ancient Manichaeans when we listen to General Ludendorff, the former field lord of the German Army and Hitler's most intimate collaborator, commenting on Christianity:

Christianity—

The Teutonic general exclaimed—

must be destroyed in Germany because it is a foreign religion, which falsifies our inheritance, slays our racial qualities, steals the unity from our people, and renders them defenseless.

That is exactly what the adherents of Mani, the third-century anti-Christian lawgiver, said about Christianity, and undertook to destroy it. Exactly like the Manichaeans of old, who concentrated their wrath against the Catholic Church and the synagogue, Ludendorff declares war against them:

I ask myself—

He said recently—

how it is possible for the Jewish people and the Roman Catholic Church to shatter the unity of the German people in the struggle which the latter waged for its existence during the World War.

It is worth while to point out that Ludendorff, like the Manichaeans of old, is an outspoken naturalist and materialist, taking Nature as his guide and vehemently denying the prevalence of spiritual forces in life. The Manichaeans of old represented an uncompromising naturalism. In their system there is no difference between physics and ethics, and the result is—might is right. Ludendorff and his neopagan friends keep on repeating—physics and ethics are identical. There is only Nature, and in Nature, where jungle rule prevails, the will of the powerful reigns supreme. Might makes right. But since the Bible exhorts man to reject the theory of might is right and teaches him to consider right as might, the Bible and its influence upon German life must be destroyed.

In one more respect does Ludendorff repeat an adage of the Manichaeans. They taught that man is not the crown of creation but the product of the prince of darkness, Satan. Hence their social pessimism. Ludendorff, too, rejects the doctrine that man is the crown of creation. Man, he says, is only a part of Nature and no more. If Nature is bad, man is bad, too, and he has to be treated like a part of Nature

only. In Nature a state of perpetual war exists, the strong animal destroys the weak, and hence all pacifism must be considered a degeneration. War is the only permanent thing in life.

It is a blind coincidence that after Martin Luther the German universities began to flourish and became the greatest centers of learning in the world, and that after Hitler came to power the same German universities became Nazi propaganda schools and ceased to be centers of learning and scholarship. The World War has not ruined the German universities, but Hitler's war against the Bible, culminating in the persecution of Jews, Protestants, and Catholics, and in expelling the great scientists, teachers, and scholars from the universities and burning great works of distinguished scholars has destroyed ancient seats of German learning. As long as the Bible was a force in German life, there was even in Prussia a minimum of freedom, but now that the Bible has been eliminated from German life there is a maximum of industrial slavery, not only in Prussia but in all the other German States. But why do the Nazis wage such a cruel war against both Biblical religions—Christianity and Judaism? Because the Bible tells man to consider himself free and equal, to consider himself a spiritual being, to consider himself an end in himself, and not a means to an end, that he should not be exploited, and to accept spirituality as his guidance in life. But Nazi-ism, with its doctrine of soil and blood, with its doctrine of naturalism and cosmocentricism, denies man his freedom and his dignity; and, therefore, the Bible is a menace to the Nazi regime.

Few of us realize that the forces of cosmocentricism, now in control of Germany, and which are now storming in on the western world are in many respects a resurrection of Manichaeism of old. Just as Manichaeism in the fourth and fifth centuries was the greatest threat to the church and the synagogue, so is Nazi-ism today. Just as Manichaeism has displayed the utmost cruelty to Jew and Christian alike, so does modern Nazi-ism. Just as Manichaeism represented naturalism and cosmocentricism, so is Nazi-ism cosmocentric and naturalistic. Just as Manichaeism believed in the duality of nature, light, and darkness, as the twin forces that ruled the destinies of nature, so modern Nazi-ism preaches the duality of races, the Aryan race representative of light and the non-Aryan, as the figure of Satan, the devil, and darkness. The Nazis were born of brutality and conceived in cruelty. They have resolved to destroy all the forces of the spirit, and are imitating Manichaeism of old. The Nazis have resolved to carry their sinister gospel to all parts of the world and to impose themselves upon every nation, including our own. In the seventeenth century Italy produced a great painter, Giovanni Biscaino, who was born in 1632 and died 25 years later from the plague. He portrayed in a most masterly and brilliant picture *The March of the Terrorists* as they destroyed the temple, burning, pillaging, and murdering human beings, young and old, without mercy, pity, or compassion. The chief bloodthirsty assassin in that extraordinary costly Italian painting of 300 years ago looks exactly like Nazi Hitler. Every Nazi in this country, as well as abroad, is just as much a sworn enemy of Christianity as he is a sworn enemy of Judaism, because both are hewn from the same rock, and both strive to attain the same end—the spirituality, dignity, freedom, and honor of man, as against the despotism and cruelty of an omnipotent and omniscient state which, being an extension of the jungle, is cruel and bloodthirsty, and is neither a respecter of man nor of God. The two Biblical religions—Christianity and Judaism—after a long, checkered, and glorious history face again the old enemy—the Manichaeans, disguised as the modern Nazi of today.

If St. Augustine, who saved Christianity and Judaism from Manichaeism, will again present himself, this St. Augustine will be the Anglo-Saxon peoples and other races that think in such terms. Only they can make the world safe for Christianity as they can make it safe for democracy.

The entire western world, and a good part of the east, is now overwhelmed with that sinister and destructive force



known as fascism, which is only an emanation and manifestation of the cosmocentric world picture. It has entrenched itself in many countries, and is now fighting for its existence in Spain. Should it succeed in forcing itself upon humanity, the future of man can only be described as a second dark Middle Ages. A dark age in which the sun of reason sets and gives way to the forces of darkness, ignorance, emotionalism, jungle rule, and the doctrine of might as right. When you observe closely the picture of the present world historic process, you behold a number of fierce-looking, sinister figures, goose-stepping, with extended hands and clenched fists, and determined to run over and destroy everything in their path. These figures are the dictators of present-day Europe. Hitler today typifies a sadistic, fanatical paranoiac; bloodthirsty, cruel, avaricious, filling concentration camps and torture chambers with hundreds of thousands of men and women fighting for liberty, for racial tolerance, for freedom of the mind and press, for the emancipation of the soul to worship God in conformity with their inherited traditions, and beheading men and women for demanding social justice for oppressed labor. Hitler is the modern Torquemada using cruel scientific instruments of torture to crush the body and soul of the liberty-loving Germans, crying aloud to the world to save them from their Nero.

To identify Mussolini's regime with Nazi-ism is a falsification of reality and a violation of truth. Mussolini, instead of fighting Christianity, as does Hitler, was the first statesman of modern Italy to make peace with the church. Mussolini does not try to replace Christianity. He does not preach religious and racial intolerance, and does not impose himself upon science, philosophy, literature, and art, as does Hitler. Italian fascism, as established by Mussolini, spells authoritarianism to counteract radical individualism, but Nazi-ism spells both authoritarianism and totalitarianism. Hitler demands the totality of the human personality and is not satisfied with mere political loyalty. Finally Mussolini is, after all has been said, only the Prime Minister of Italy, while Hitler is King, Kaiser, Prime Minister, and Pope combined, and demands all these loyalties, temporal, secular, intellectual, and political. Mussolini, therefore, stands out as a benevolent dictator, as the modern Caesar of Italy, as the exponent of Biblicism and Christianity, while Hitler is crucifying Biblicism and Christianity upon the altar of paganism, alias ancient Manichaeism.

But high and above both these personalities stands the lofty, smiling, dignified figure of Franklin Delano Roosevelt, who, like the prophets of old, calls upon man to be good, just, and merciful. He calls upon man to have regard for his fellow man and not to exploit him, not to oppress him, and to consider him an end in himself, and not a means to an end. To many, the outcome of this gigantic struggle between the forces of neo-Manichaeism and Anglo-Saxon idealism, and Biblicism, still seems to be in doubt. But to us, who believe in the high destiny of man, and in the final victory of the forces of the spirit over the forces of brutality, the outcome cannot be in doubt. If humanity is to survive this crisis, and it will survive it, this will be a Roosevelt and not a Hitler world, a Biblical and not a materialistic naturalistic world, an anthropocentric and not a cosmocentric world. For it is impossible to assume that man, who has bled for freedom, for dignity, and for creativeness, all these centuries, and accomplished so much during these centuries, should suddenly revert to barbarism and destroy his own creations which he wrested from his genius. Neo-Manichaeism, in its Fascist Nazi disguise, is only an ugly mood of history, and it will vanish as fast as it came. Nazi Manichaeism will disappear provided the Anglo-Saxon peoples and those who are with them in this struggle gird their loins, and are prepared for this fateful struggle with the forces of malice and infamy.

The twentieth century has witnessed the reincarnation and resurrection of the spirit of Mani and his ancient Manichaeans in the person of the modern, autocratic, pagan Fuhrer, Adolf Hitler, and his Nazi disciples. Throughout

Germany today the sadistic Adolf Hitler is a new Messiah of neopaganism. In the Nazi aims, objects, and world outlook, "Heil Hitler" is only the latest edition of Mani and his ancient Manichaeans.

Hitler, like ancient Mani, shares one outstanding aspiration, to reduce man from his status as the center of culture and the crown of creation, to an insignificant atom, whose right to existence depends entirely upon his value to the ruling dictator crowned with autocratic power.

To Hitler, like Mani of old, the cry of suffering humanity means nothing. Mankind has no inherent rights, nor stands for personal dignity, or should be respected as a human being. With Hitler's cosmocentric outlook upon life, it is perfectly logical that modern Nazi-ism, the resurrected and reincarnated mummy of ancient Manichaeism, should wage a relentless war upon Christianity and Biblicism, because these groups proudly proclaim anthropocentrism, or love of man, as their ideal, and are prepared to battle for the principle that man is a spiritual being, whose welfare, salvation, and dignity are the primary purposes of life.

But just as Mani's war upon Christianity finally ended in complete disaster to himself, he being drawn and quartered and his followers scattered to the winds, so must Hitler's attack upon Christianity and the Bible bring down upon himself and his neopagan Nazi followers the universal condemnation of an outraged public opinion throughout the civilized world. Christianity must crush the Nazi paganism of Hitler, just as it destroyed the ancient paganism of Mani. America especially is spiritually prepared for this encounter. We are a people grounded in the Bible. In its spirit, the most noble document of modern humanity, our Declaration of Independence was written, and its symbols are to be found not only on the seal of the United States Government but also on the seals of the great American universities. To preserve this spirit that made America great and that conquered for all the Anglo-Saxon peoples their position in history, seems to me to be the foremost task of Anglo-Saxondom today. Because we swear by the Bible we are uncompromising antagonists of all those forces whose object is to destroy the spirit of the Bible, so that beastliness instead of godliness may rule the world.

Because we swear by the Bible we are determined to continue the bitter struggle against religious bigotry, racial hatreds, oppression of minorities, and the exploitation of man to the very end. Only by continuing the struggle for religious freedom, justice, and liberty will we make the predictions of our own American prophets—Washington, Franklin, Jefferson, Lincoln, Wilson, and Roosevelt—come true. [Applause.]

Anthropocentrism and cosmocentrism are, therefore, the two great vantage points from which human life can be viewed and whose struggle for supremacy constitutes the spiritual drama of man. These two forces may be compared to two railroad tracks running in parallel lines. The one track, cosmocentrism, with its catastrophic implications for man that might be right, the perpetuation of the jungle conflict, fatalism, pessimism, the impossibility of creating true human values to give man's life meaning and significance, all leads in the end to perdition. This is best demonstrated by the fate of all the civilizations and empires based upon cosmocentrism.

The other track, anthropocentrism, leading to true spirituality, to idealistic ethics, to a high conception of man, to optimism, and to spiritual creativeness leads to a state of blessedness, happiness, and paradise, for it is concerned with man, his liberties, his dignity, and keeps man in a high state spiritually. Anthropocentrism, as a world historic force, and as the most potent agency in the spiritual life of man is almost 3,000 years old. It is indestructible and imperishable because it represents man's true reality and must last throughout the ages.

Throughout the years that have rolled by Biblicism and Christianity have been the gulf stream in the ocean of spirit, spreading liberty and freedom and carrying spiritual warmth and divine blessing to those desirous of being



baptized in its spirit and being responsible for the discovery and ennobling of mankind, through the emancipation of man and nations. Let us, in the name of God, continue this spiritual struggle until all the world will be made safe for Christianity, Biblicism, and democracy. [Applause.]

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

Mr. SIROVICH. Yes; I yield to my friend from Illinois.

Mr. BEAM. I have listened with a great deal of interest to the scholarly remarks of the learned and distinguished gentleman from New York. Can the gentleman give the House any information as to the date of the inception of culture in Germany, when it started, when it began?

Mr. SIROVICH. Mr. Speaker, German culture began within a generation after Martin Luther had translated the Holy Bible into the German language in September 1522. Prior to the Reformation Germany, which was a part of the Holy Roman Empire, had about 30 groups of people in various parts of Germany who spoke different dialects and could not understand each other. Voltaire in referring to the Holy Roman Empire contended that it was neither holy, nor Roman, nor an empire. Prior to the Protestant Reformation, which began in Germany in the sixteenth century, all intellectual theses and books were written in Latin. The agricultural element, the humble worker, and toiler in Germany was unacquainted with the classical languages of antiquity, in which cultural works were expressed and therefore was illiterate so far as art, science, culture, and civilization are concerned. It was in the eighteenth century that Gottlieb Friedrich Klopstock (1724-1803), the gifted, brilliant, poetic genius, wrote his great lyrical poetry entitled "Der Messias", which was founded upon the Biblical concept of a physical Messiah, who brings peace, happiness, concord, and tranquillity to the people of the world. The poetic genius of Klopstock in Germany is comparable to the superb and magnificent contributions of John Milton who wrote his Paradise Lost and Paradise Regained, which are also grounded in Biblicism. After the death of Klopstock Germany gave to the world one of the greatest exponents of cultural nationalism. His name was Herder. He was the first pioneer and crusader for German nationalism. He was opposed to imperialism. He believed that Germany should not be exploited by any other foreign nation, but should have the privilege of developing its liberty and freedom amongst its own nationals, which could only be accomplished through developing a culture that was German in spirit. Contemporary with Herder's battle for cultural nationalism in Germany was Lord Bolingbroke, who fought for aristocratic nationalism in England, while Rousseau in his "social contract" fought courageously and heroically for democratic nationalism in France, contending that all governments derive their just consent from the governed and denouncing the divine right of kings to rule over a sovereign people.

The sublime and outstanding intellectual genius of German culture was Johann Wolfgang von Goethe. He symbolizes to my mind the most gigantic brain of eighteenth-century German learning. His great work Faust, which will live throughout the ages, is founded upon the Biblical character Job. He shows the trials, tribulations, and sufferings to which Job was heir. The Bible was, therefore, the source of Goethe's inspiration.

Contemporaneous with Goethe was the profound, learned scholar Schiller. So barren and sterile was Germany in material which could inspire an author to write, that Schiller had to find his inspiration in characters that lived outside Germany. We, therefore, behold Schiller writing about Don Carlos in Spain, William Tell in Switzerland, Joan of Arc in France, and Mary, Queen of Scots, in England.

The polished and distinguished German novelist Lessing, a product of eighteenth-century Germany, had to go to the Holy Land, Jerusalem, to find inspiration for his great character Nathan the Wise, whose idealism and character are an expression of the life of the great Jew, Moses Mendelssohn, the dear and devoted friend of Lessing.

Emanuel Kant symbolizes to me the most oceanic mind of German philosophy, but Kant's father and grandfather

were born in Scotland. The great German writers vilified and abused Kant's outstanding contribution to the knowledge of the world, the Critic of Pure Reason. Kant is considered an alien in Germany. Strange as it might seem, Goethe, Schiller, Lessing, Hegel, Schopenhauer, Nietzsche, and Karl Marx have worshipped the philosophical writings of the little Jew from Amsterdam, Benedictus Spinoza.

When Martin Luther first translated the Holy Bible in 1522 into the German language and helped to make Germany conscious of its nationalism, he helped to perfect the development of the great German universities. Throughout the world men and women flocked to German universities like Heidelberg and Bonn in order to develop themselves intellectually. German universities in the seventeenth, eighteenth, and nineteenth centuries were the great outstanding cultural centers of the world. There intellectual freedom prevailed. Science, art, culture, civilization responded to the freedom that came from enlightened minds trying to subjugate the forces of nature and serve the will of man. [Applause.] Within the last 4 years a fanatical demagogue has taken possession of that great nation, Germany. He has destroyed intellectual freedom and liberty of the mind. As a paranoiac, with fixed, firm delusions of grandeur and exaltation, he has enslaved a liberty-loving German people through brutality and force. Through him and his disciples he has pillaged and plundered the libraries of Germany and burned the great works of scholars, scientists, and professors of learning and culture in order that his paganistic cult of nature worship may prevail.

Throughout the world German savants, scholars, and men of learning are seeking opportunities for appointment to teach in foreign universities. What happened to Spain during and after the period of the Spanish Inquisition will happen in Germany. Where intellectuality is enslaved and might, force, and jungle rule prevail, that nation must succumb intellectually and culturally. To develop, a nation must battle for intellectual freedom. That is the foundation upon which the superstructure of civilization must evolve. [Applause.]

Mr. DUNN. Will the gentleman yield.

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

Mr. DUNN. The gentleman spoke about Christianity and cited as an example Mussolini preserving Christianity. That depends upon the interpretation the gentleman puts on Christianity. What is his interpretation of Christianity?

Mr. SIROVICH. As I explained to my colleagues, Christianity first and foremost stands for human rights; for the love of man for his fellow man, which is ethics; for the respect of the human mind for a supersensuous living God Who is interested in man and man alone and not in nature, which is religion; for morality; to love thy neighbor as thyself. To my mind, Christianity should represent the greatest peacemaking force in the world and preach the gospel of the doctrine of spirituality, dignity, freedom, and happiness of man. Christianity never stood for totalitarianism governments that exploit human beings and consider them insignificant parts of nature. Christianity has given to mankind, wherever it has been permitted to develop, peace and freedom and has always held out to suffering man the promise of their redemption and salvation. That is my conception of Christianity. Although we Americans do not believe in fascism, we should at least commend Mussolini for respecting the religious feeling of all the people living in Italy. There is no racial bigotry or racial intolerance in Italy today. Catholic, Protestant, Methodist, Baptist, Jew, all live in harmony in Italy. That example of Mussolini permitting every individual to worship God in conformity with his own conscience should have been emulated by brutal and tyrannical Hitler. [Applause.]

Mr. DUNN. Will the gentleman yield further?

Mr. SIROVICH. I yield to the gentleman.

Mr. DUNN. This is quite a long discussion. The gentleman's definition of Christianity is a fine definition. Does the gentleman think that Christ thought it right for a powerful man to prey upon his brother who might be weaker?



Is it not a fact that today practically every Christian nation in the world is doing that very thing? Of course, they call themselves Christians.

Mr. SIROVICH. In response to the question of my distinguished friend from Pennsylvania, may I call to his attention that when Jesus stood before the Pharisees in the temple and was being interrogated as to his views upon life, that moment, in my humble opinion, was one of the most dramatic moments in the world's history. Literally speaking, Jesus was "put on the spot" regarding the paying of tribute to Caesar. Without a moment's hesitation the Savior replied, "Render unto Caesar the things which are Caesar's and unto God the things that are God's." In that extraordinary answer Christ once and for all declared that no ruler, king, potentate, or dictator should ever have the right to enslave the mind, the soul, or the spirit which belong to God, and to God alone, but so far as the political powers of the ruler is concerned man should have the right to obey the laws of a nation until they are changed by the sovereign right of the people. That statement of the Savior typifies to my mind the attitude of the church and Christ to rulers throughout the world. [Applause.]

Mr. LUCKEY of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SIROVICH. I yield.

Mr. LUCKEY of Nebraska. I have listened with great interest to the scholarly dissertation of the gentleman from New York and would like to ask this question: Would Hitlerism have been possible in Germany if it had not been for the injustice of the Treaty of Versailles?

Mr. SIROVICH. The Treaty of Versailles, in my humble opinion, was an infamous treaty imposed upon the defeated German race. It did not correspond with the philosophic dictates and expositions of the greatest philosophical President this country has ever had, Woodrow Wilson. To bring the frightful World War, with all of its horrors and tragedies to an end, Woodrow Wilson proposed and enunciated 14 points on the basis of which he hoped the German people would submit to end the war and stop the awful carnage, the pillaging, plundering, and destruction known as modern war. President Wilson, in his most gracious and affable manner, told the German nation that he was not at war with the German people but that our country, with all of its resources and manpower, had determined to check the autocratic despotism of kaiserism. As an evidence of the sincerity of the German people to the President's declaration, the German people laid down their arms, Armistice Day was celebrated throughout the world, symbolizing the cessation of hostilities.

A short time thereafter the most cruel, vicious, and unjust Treaty of Versailles was signed. It enslaved countless millions of innocent Germans and unborn Germans as industrial and economic slaves who would be compelled for generations to work in the quarries of industry and commerce to pay off the colossal and stupendous reparations and indemnities which victorious nations of the World War had imposed upon them.

When the German people could no longer carry this load and pleaded with the victorious nations of the World War to lighten their burden, our so-called statesmen of the world lost their greatest opportunity. Then and there the fanatical, demagogue Hitler and Hitlerism came to the fore. Like Moses of old he promised to take the German people from the land of depression and helplessness and lead them to the promised land of social, political, and economical success. He has destroyed the freedom of the press, freedom of speech, freedom of assembly, and freedom of worship to millions of Germans and other citizens of that great nation. He has built concentration camps and torture chambers and has utilized every agency and instrumentality to break the will and spirit of millions of German citizens, all tragic victims of the accident of religious births. Throughout Germany the armament factories are working day and night preparing arms, and ammunition of war, that foreshadow the most dreadful carnage yet known to human history. Mr. Speaker, the time has come, the hour has now arrived,

when this great Republic, liberty-loving as it is, in conjunction with the great constitutional parliamentary democracies as England and France, must call a halt to this modern tyrant. Mr. Speaker, I appeal to the great liberty-loving German nationals and representatives of German culture and civilization to rise in their might and break the shackles that have enslaved them during the last 4 years and destroy Hitler and Hitlerism the same as St. Augustine destroyed their ancient prototype, Mani and his Manichaeians, and thus liberate themselves from the Nero and Torquemada that has submerged their culture and civilization to the level of the dark Middle Ages of a thousand years ago. [Applause.]

Mr. Speaker, may I take this opportunity to thank the Members of the House for their patience in listening to my address for over an hour. [Applause.]

#### COMMITTEE ON RIVERS AND HARBORS

Mr. PARSONS. Mr. Speaker, I ask unanimous consent that the Committee on Rivers and Harbors may have permission to sit during the session of the House today.

The SPEAKER pro tempore (Mr. O'NEAL of Kentucky). Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### EXTENSION OF REMARKS

Mr. SACKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter written by the Governor of Pennsylvania, Hon. George H. Earle.

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

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD to include some remarks recently made by Hon. L. C. Dyer, for many years a Representative in Congress from Missouri.

Mr. Dyer's remarks have to do with a very important subject that we are all interested in, that is, foreign trade, with special reference to the Far East and China in particular.

The SPEAKER pro tempore. Is there any objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

#### THE FEDERAL RESERVE SYSTEM

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 20 minutes.

Mr. VOORHIS. Mr. Speaker, last Saturday the gentleman from New York [Mr. SNELL], the minority leader of the House, spoke on the radio on the subject of inflation, stating that in his opinion the main cause of such danger of inflation as now exists is Government expenditures. It seems to me that is putting the cart before the horse. Certainly what the Nation is encountering is no inflation of buying power through Government expenditures. There is, to be sure, a tendency toward inflation in one department of business, namely, the heavy-goods industries. But the Nation as a whole still suffers a heavy deficit in buying power; it can buy this year, as estimated, only \$60,000,000,000 worth of goods, as contrasted with its power to buy \$81,000,000,000 worth in 1929. The Nation as a whole has still millions of unemployed, still millions in the W. P. A. and on relief. It is a Nation, as the President recently declared, one-third ill-nourished, ill-clad, ill-housed. The expenditures of the Government have been and are being devoted to meeting that deficit of buying power; such expenditures certainly have created no inflation. Those who now shout inflation and the fear of inflation are playing directly into the hands of men whose interest it is to cut down the Government expenditures, made to meet the crying deficit in the Nation's buying power, in order to make interest rates higher, make money scarce and dear, and produce not inflation but deflation. The root cause of the deflation which they would produce, like the root cause of its twin evil inflation—of which there seems at



present actually little danger—lies in the fact that we permit 15,000 scattered banking institutions, without political responsibility, to expand and contract, create and destroy the credit or check-book money of the country.

The people who sent us here expected this to be a great Congress. In view of the constructive accomplishments of the past two Congresses, they had a right to expect that. It is my earnest hope that we will not go home without having dealt wisely, carefully, and fearlessly with at least one or two of the basic problems which the people of this Republic face.

#### WE MUST NOT TURN BACK

The President has pointed out that our recovery will be unbalanced if a boom in the capital-goods industries is permitted to take place without a steady increase in the effective demand on the part of the people for the products of the consumer-goods industries. How many times has it been said by most of us here that America's recovery has been due to the policies of the Roosevelt administration? Well, then, those policies cannot be wantonly abandoned at this point in the procedure. Not if we care what happens to the country.

Above all, we cannot go home having done very little except to knock out the main prop under the present recovery, which has been expansion of the buying power of the American people in the past few years. We must find a way instead to make that prop more solid and more lasting than it has ever been before.

It would be different if we really were helpless. It would be different if there were nothing we could do. But that is not the case. And today I wish to speak about the most fundamental thing of all, namely, the provision of a way in which we can guarantee continuous, steady expansion of production, consumption, and distribution without putting our heads into the noose that now strangles us, the noose of bond sales and the increase of national debt.

#### A TRADITION WORTH PRESERVING

If there is one tradition of the Democratic Party which has been glorious it is the tradition of its adherence to the principle expressed by such intrepid leaders as Jefferson, Jackson, and Bryan—that the Nation has the constitutional right and Congress the moral duty to be the sole agency in the Nation exercising the power to create money and regulate its value. Today we are face to face with that issue. Not only have a constitutional right and a congressional duty been abandoned; the reason so much worry is being expressed today is because our Federal Reserve Board does not possess sufficient power to prevent serious fluctuations in the volume and value of money and credit in the Nation. The Federal Reserve Board ought to have that power. It does not.

To quote Senator Robert L. Owen, of Oklahoma, perhaps the foremost authority in America on this monetary question:

At present the Federal Reserve Board of Governors derives the compensation of its members from the Federal Reserve banks which are privately owned. The Federal Reserve Board is subjected to the advice of the Federal Reserve advisory council representing the private owners. It has no adequate control of the management of the 12 Federal Reserve banks which are under the direction of six directors appointed by the private owners. The Federal Reserve Board is not in a position by which it could be held strictly responsible for the results, because they have no adequate control of the reserve banks through which control of expansion and contraction of credit must be accomplished.

The private owners of the Federal Reserve banks have an investment of only \$143,000,000 while the Government of the United States has advanced to said banks over \$3,500,000,000 in Federal Reserve money without any interest charge. The people of the United States have created the earning powers of the Federal Reserve banks by a public charter and have an investment in said banks 25 times as great as the private stockholders of those banks. Public necessity, as well as the public interest and the interest of all of the people, the banks themselves included, require the United States Government to own the stock of these banks and to be responsible for the expansion and contraction of credit by these banks. In this way only can the Congress of the United States discharge its constitutional duty to create and regulate the value of money.

#### THE REASON FOR GOVERNMENT OWNERSHIP OF THE FEDERAL RESERVE BANKS

The reason—and the only reason—why many Members of this House want our Government to buy the stock of the

12 Federal Reserve banks from their present private bankers—owners is in order to give our Federal Reserve Board an instrument, effective and adequate, and publicly owned, with which to prevent inflation and deflation, stabilize the value of our money, and provide for steady expansion of our circulating medium to correspond to the expansion of our industries, the increase of our productive capacity, and the increased flow of goods and services in the Nation.

#### A METHOD OF DEBT RETIREMENT AND CREDIT CONTROL

We believe these things can be accomplished by empowering the Board to increase the legal reserves even as high as 100 percent if necessary to prevent inflation and to put an end to the creation and destruction of billions of dollars of credit money by 15,000 separate banks, with all the disastrous consequences of this practice. We would do this by converting outstanding Government bonds into legal cash reserves by purchasing them from the banks at the same time that the legal reserves were increased. Our debt could be wiped out, the Budget balanced, and possibly a surplus left over for essential expenditures.

Beside this main issue everything else is insignificant. The size of salaries of Federal Reserve bank officials, the value of their real estate, the question of the number of gold certificates which now at the moment happen to be behind our outstanding Federal Reserve note issues—all of these things are of no consequence, in spite of the emphasis given them by the gentleman from Missouri [Mr. WILLIAMS] on Tuesday last.

Moreover, anyone who conceives our plan as an attack on the Federal Reserve System or the present Federal Reserve Board is seriously mistaken. We want to make our Federal Reserve System the greatest, soundest banking system in the world. But we want it to be conducted in the interest of the American people and their farms, their industries, their Government. We have confidence in the integrity and earnestness of our Federal Reserve Board, but we do not believe that Board has the powers which it needs.

True, the profits of the 12 Federal Reserve banks have in recent years not been great—certainly not in comparison to the profits of our great investment banks. Indeed, there have only been 2 years in all the history of the Federal Reserve System when large profits were made—the tragic years 1920 and 1921. In all history only \$150,000,000 has been paid into the United States Treasury by the Federal Reserve banks as surplus earnings.

Of this, \$110,000,000 was paid in in 1920 and 1921, which were, as you will remember, the years of the great deflation which followed the notorious Board meeting of May 20, 1920. The rediscount rate went as high as 6 percent, liquidations were forced, farmers and country banks were ruined. But the dollar index went from 60 to 167, and those who held our war bonds reaped a gigantic paper profit.

Our present Federal Reserve Board is like a shining white light compared to the one we had then, but there is nothing about the System today to prevent that same thing happening all over again. Indeed, unless a way can be found to effectively check both inflationary tendencies and deflationary tendencies, it may well be that we will have another experience like that of 1918–20, followed by a crash like 1920–21, with more big profits for bondholders.

#### HOW INFLATION MIGHT TAKE PLACE

The gentleman from Missouri [Mr. WILLIAMS] pointed out that there is at present dollar for dollar backing of gold certificates behind our outstanding Federal Reserve notes. This is true, but it does not alter a bit the fact that Federal Reserve banks only need to hold 40 percent gold certificates behind Federal Reserve note issues, and that therefore, on the basis of the gold certificates now held, the volume of currency in circulation could be increased to two and one-half times its present volume under our present laws. Further than this, under our present partial reserve system, the member banks could perfectly legally expand their credit money to somewhere in the neighborhood of \$14,000,000,000 for every billion dollars of gold certificates held by the Federal Reserve banks. And the only way the Federal Reserve Board could prevent an inflation, if such a process started and proved profitable, would be to sell Government securities.



For the legal reserve requirements have already been raised as high as they can legally be raised. And it may be very hard for the Board to sell low-yield Government securities in large amounts while the large banks are themselves selling them at present at a rapid rate. Moreover, the future Government bond issues will probably have to bear a higher and higher rate of interest as general interest rates rise, and by bringing about an inflation the banks could bring about a rise in general interest rates. These are the things some of us are worried about, for this is the way inflation will come, if it does.

THE BOND OF OWNERSHIP VERSUS THE BOND OF SERVICE

It was suggested by the gentleman from Missouri [Mr. WILLIAMS] that if the 12 Federal Reserve banks were bought from their present owners, the member banks, the bond between them would be cut and this would be a bad thing. But is it not clear that the far more important bond that ties the member banks to the Federal Reserve banks is the fact that they have billions of dollars of deposit accounts with the Federal Reserve banks and that through them they clear yearly hundreds of billions of dollars of their customers' checks? The Federal Reserve banks ought to be and would be under our system the greatest clearing house in the world, used by every bank in America. And the very fact that the Federal Reserve banks, over which our Federal Reserve Board has some control, do not make great profits while the big member banks do is another reason why many of us believe the bond of ownership now held by the private member banks over the central monetary and credit agency of America, namely, the Federal Reserve banks, should be cut. For that bond of ownership means that America's national money and her national credit are but pawns in a game which is essentially run for private profit. I believe this is wrong, both in principle and practice. I believe it is wrong for one kind of private business corporations—the banks—to control the expansion and contraction of a nation's money supply upon which all businesses and the livelihood of the American people depend.

Until we separate the banking business from the money-creating right of the Nation, we cannot have a firm, stable currency, in spite of valient efforts of our Federal Reserve Board.

And again, is it fair to the small banks which cannot now afford to belong to the Federal Reserve System to be entirely at the mercy of a system owned outright by their competitors? No; of course not. We want all our banks in one system, and we want to provide that they be admitted without unjust discriminatory examinations, or prohibitive charges therefor.

Our quarrel is with the practice of giving away, through the partial reserve system and the system of selling bonds for bank credit, the Nation's own right to issue her own money and to extend her own credit direct. Our complaint is that we are now permitting banks to monetize the taxing power of the Nation and sell credit manufactured by book entry, pure and simple, to the people and to the Government for a price equal to total face value of bonds, plus interest. And we want to nationalize the 12 Federal Reserve banks in order to put a stop to this and to give our Federal Reserve Board real power to directly control our monetary system.

The banks sell the Government-manufactured check-book credit. If a large bank has a reserve in the Federal Reserve bank of, say, \$20,000, then that bank can advance \$100,000 of credit to the United States and receive bonds bearing interest for it. The bank gives Uncle Sam a deposit entry, and our law only requires that 20 percent of the amount of that deposit be carried in the bank's reserve account at the Federal Reserve bank. What really happens is that the bank is monetizing and selling to the Government our Government's own credit, based, of course, on the value of the property of the people of America and their anticipated future production of goods and services. None of these things does the bank possess; none of them did it or its stockholders create. Yet our Government guarantees to extract from the people by taxation and repay to the bank the full face value of the bond every time it sells a bond to a bank—instead of extending its own credit without bond and without debt.

For, when a Government bond is paid back, it is paid out of taxes collected out of the hard-earned money of the people, because, although our banks can, under our present system, inflate credit to anywhere from 6 to 12 times the amount of actual reserves the bank has, our Government cannot do so. We are so foolish as to think that if the Government, in the name of all the people, did the very same things which the banks do every time they buy a bond, that it would be a dangerous inflationary move.

And so the so-called sale of bonds to banks which are allowed to operate on a partial reserve system involves giving to those banks a mortgage against future taxes in exchange for a credit entry on their books in favor of the Nation, which credit entry is backed, not by assets or money possessed by the bank, but by the wealth of the people of the whole Nation.

Here is the evil. Here is the answer to the dilemma of poverty in the midst of plenty. Here is the reason consumer buying power never keeps up with production. Here is the reason the best we can do is to attain a temporary period of happiness for the people bought at the price of mortgaging their future earnings to the buyers of our bonds. When we learn that increased productive capacity and physical income require and justify a direct expansion of credit or money by the Government equal to about one-third the amount of that net increase in national income—since each dollar normally turns over about three times a year in consumers' hands—we will be on the way to a solution of our troubles.

We want to put a good American dollar behind every dollar of deposit in the banks of this country.

We want to do this by buying bonds from the banks.

We want to establish a central monetary authority—our Federal Reserve Board—to control the flow of money and credit in the United States, as it cannot do now. We want to do what the Federal Reserve System itself was originally intended to do, namely, to concentrate reserves under control of the United States of America instead of that of the great New York banks.

We want to provide steady, controlled expansion of buying power for the Nation, not based on debt but on the directly expanded credit of the Nation. We believe a stable price level can be achieved in this manner, if we keep the expansion of buying power in balance with increased productive capacity.

The root trouble is that uncontrolled inflation of credit and destructive deflation are inherent in our existing banking structure. Until we resume the power of Government to create money and regulate its value, all America must pay in suffering, distress, business failure, and unemployment for our neglect. [Applause.]

Mr. MARTIN of Colorado. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS. I yield.

Mr. MARTIN of Colorado. I am one of the Members who must read a speech after he has heard it delivered before he is quite sure of its content. I listened to the very able address made the other day by the gentleman from Missouri [Mr. WILLIAMS] and have read it as it appeared later in the RECORD, as I intend to read the able address just being delivered by the gentleman from California.

The gentleman from Missouri [Mr. WILLIAMS] really minimized the matter of salaries of Federal Reserve bank officials and the realty holdings of the banks, and so forth. The point the gentleman from Missouri made which rather disturbed me was with reference to cutting the tie between the Federal Reserve banks and the member banks of the country, the inference being that with the tie cut there would not be the control over the banking system of the country which now exists. I will admit that although I am supporting it, I may say to the gentleman I have not worked out in my own mind just what the effect would be of this movement to establish Government ownership of the Federal Reserve System so far as control or noncontrol of the member banks is concerned.

But this is the point which has been disturbing me for the past 2 years, the effect of which I have not worked out



in my own mind: It looks as if it does not make much difference whether the Federal Reserve System issues currency or the Treasury issues currency. The real question is the control of credit.

Mr. VOORHIS. That is right.

Mr. MARTIN of Colorado. Unless we can control the volume of credit, which is 20 times greater than the actual currency transactions, we shall not get very far by simply taking over the Federal Reserve System and letting it handle the currency system, issue all currency, unless the Federal Reserve also has control of the banks and the expansion and contraction of credit.

[Here the gavel fell.]

Mr. MARTIN of Colorado. Mr. Speaker, in view of the fact I have asked the gentleman from California a rather long question, or rather made a long statement, 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 Colorado?

There was no objection.

Mr. VOORHIS. First, answering the second statement of the gentleman from Colorado, I may say the gentleman is quite right. Currency, as such, is a negligible part of our circulating medium, and the primary purpose of any attempt to straighten out our monetary difficulties must be centered upon the credit problem. This is why I stated in my remarks that the main problem is to achieve effective control through our Federal Reserve System of the expansion and contraction of credit, and the only reason, or the main reason, for desiring to have the Federal Reserve banks owned by the Nation is to enable the Federal Reserve Board to use them as an instrumentality for the control of credit.

As far as the bond between the member banks and the Federal Reserve bank is concerned, it seems to me that after all we must remember that over half of the banks of the country are not members of the Federal Reserve System at present. They do not belong to the System at all now, and we would be in a much better condition if those banks could be induced to come into the System so that we might have a unified banking system in the Nation. The thing that really binds any group of banks with a central bank is the business they conduct with it, rather than the fact they own it. Finally, it is a dangerous system if the Federal Reserve banks, which are to be the central money-creating agency of the country, are to be privately owned, and they should not be. [Applause.]

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

Mr. VOORHIS. Yes.

Mr. COLDEN. Of course, one of the greatest benefits of the Federal Reserve System was to enable the banks to secure credit in times of emergency, but it seems foolish, does it not, to permit the banks to secure these Reserve notes and lend them to the people when they are really lending Federal credit, and should not all the people enjoy the return from that source?

Mr. VOORHIS. Exactly. The gentleman has touched upon a big question, and I agree with the gentleman thoroughly.

#### EXTENSION OF REMARKS

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

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

There was no objection.

Mr. RANKIN. Mr. Speaker, several days ago I made an address in which I got permission to extend my remarks in the RECORD, and in doing so I have compiled several tables that I should like to include, and I therefore ask unanimous consent that I may include them in the RECORD as a part of my remarks.

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

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. BOILEAU. Mr. Speaker, I ask unanimous consent that immediately following the remarks of the gentleman from Massachusetts [Mr. GIFFORD] the gentleman from Minnesota [Mr. BERNARD] may address the House for 15 minutes.

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

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, following the special orders heretofore granted for today, I ask unanimous consent that I may address the House for 15 minutes.

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

There was no objection.

#### THE POLITICAL STOCK MARKET

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Massachusetts [Mr. GIFFORD] is recognized for 30 minutes.

Mr. GIFFORD. Mr. Speaker, before taking up the subject of my talk this afternoon, which will be relative to the political stock market, I wish to comment on the real ability shown by the last speaker on the subject which he discussed. I have read several of his speeches, and for a new Member he seems to be imbued with and thoroughly convinced in the idea that the Federal Reserve banks should be owned and fully controlled by the Government. How easily we can see the bad features and the mistakes of the present set-up of the Federal Reserve Board, but how difficult it is to get advocates of change to acknowledge the dangers of political ownership and supervision of the monetary power, as desired by these reformers. I plead with him that he do not take advantage of so many who know so little about it, because many of us, prejudiced by the Federal Reserve Board's mistakes, simply say, as the lady did, "Do you believe that awful story they are telling about Mabel?" "Yes; what is it?" [Laughter.]

Having made an address last June on "hot" money and having somewhat predicted what has already occurred, I feel I have, perhaps, a right now to be a little optimistic, in the only way possible, by saying "I told you so."

So I shall speak about another new economic phase, resulting from the enormous and extraordinary powers granted to the President and reflected through appointees placed in high positions for the purpose of carrying out his will—the jittery political stock market.

A blast from Washington is now the cause of billions of dollars of losses, not by any means confined to so-called speculators but suffered by the rank and file of our people who have invested their thrift and savings in the upbuilding of our public utilities and business enterprises. Powers granted during the depression to overcome the forces of deflation seem now to have become unmanageable, and those in command recognize that any remedy so far proposed may work greater injury than a drifting policy which, if allowed to continue, will eventually carry us over the rapids below. Grave dangers have been recognized by those in authority for several months, but lack of agreement on policies continues. Hope for a balanced Budget has vanished. Continued Government borrowings require continuation of the so-called easy-money market. Low rates of interest must continue in line with rates on recently issued securities. Dumping of United States securities must be prevented at all hazards. The stabilization fund and all other sinking funds and the Federal Reserve itself must stand ready to support the market. I was amused to read the following article taken from a recent issue of one of our newspapers:

A well-known English author recently said, referring to conditions in America, "The worst of it is that you have a Government with the mentality of a bucket shop. I mean this quite literally, because the Treasury buys its own securities in an effort to keep up the prices. But the morality of the greatest politicians is hardly up to the level of the lowest type of businessman, and for that reason alone the Government ought to keep out of business—just to avoid lowering the standard of business."—E. K. G., Washington.

And the private bankers in New York, who you gentlemen claim control the Federal Reserve System, are of a higher



type and more responsible to the public at large than any politicians we are likely to put in power in Washington. We can vote to embarrass anyone; we can do anything we please; the businessman cannot do it. Many of them are in jail, but we shall not be put there, no matter what we do. In a matter of breaking the stock market and trying to rig our own market we do not have to go to jail.

How much longer can money, manufactured from Government debt and forced upon our people, continue to retain our confidence? As to that money which you gentlemen claim would not pay any interest tribute, as you call it, if there was not that little thing back of it, as a safeguard, I actually cannot imagine what would happen, if you give the politician the power to issue it without interest. Think of it!

The danger now seems to be recognized even by the optimistic spending bureaucrats who have distributed the wealth of the Nation so prodigally during the last 4 years. However, this is not the most pressing danger. Positive action must be taken at this very moment and an immediate change in the matter of our gold policy is unavoidable.

All nations recognize the ridiculously high price we are paying in dollars for the gold rushed to our shores. They know that we cannot, and will not, continue to pay this price of \$35 an ounce, while the world price is only about \$26 per ounce. In some 3 short months, our Government has borrowed the money and purchased more than six hundred millions of gold and is keeping it in the inactive drawer while paying interest on the money borrowed for that purpose. Small wonder that the results of a change of policy are to be feared, although it is now absolutely necessary. It is argued that to lower the price of gold to \$30 an ounce would mean a large shrinkage in our gold profits supposed to be in the stabilization fund. A sudden shrinkage in our exports, already overcome in volume by our imports, would be certain to occur. A great dumping of our securities, purchased with this foreign gold, would happen immediately with a disastrous effect on all securities and commodity prices. A great rush to buy back for \$30 what they were paid \$35 for would unquestionably take place. But let us not fool ourselves that nations are not still really tied to gold and fully intend to stabilize later on with gold as the measure of value.

Enormous amounts of newly mined gold from its colonial dominions has forced England to send huge amounts to this country, although she has retained, and now has, more gold in her own possession than she has had for many years. Russia has profited enormously from our purchases of her newly mined gold. I do not share the fears of those who think that we are being led into a trap by sales to us of so much of this commodity and that other nations may decide to depart entirely from the use of it.

The gentleman from New York [Mr. FISH] has offered two resolutions. He seems to differ with me entirely when he says that we are putting it in a hole in the ground and that it will be of no particular value. I do not agree with that. The centuries have proved the monetary value of gold and the absolute necessity for its use. Let us not delude ourselves with such a fear, but rather let us proceed to act with sanity and consider the open-market plan for all who desire this precious metal. Let us not forget that managed currencies are still tied to gold in their measure of monetary value. It is reasonable to expect that the principal nations may, in the near future, stabilize its value at a reasonable price in relation to the necessities of the time. As long as this "hot" money is being poured into the country with its constant threat of dumping our securities for its repurchase and withdrawal, there will be, indeed, continued "blues in the market place."

These continuing threats from Washington of an unbalanced budget; threats of new taxes; continuation of manufactured New Deal money; the President's warnings to the heavy industries concerning high prices; his warnings to Governmental employees relating to speculation; constantly reiterated expressed desires to acquire the power of price fixing and regulation of all business are themselves disheartening enough to investors without this added fear of foreign

purchasers dumping recently acquired American securities for the purpose of the withdrawal of their gold profits.

Toppling of security markets in the midst of a great business boom can only be explained by reminding the public of the extraordinary powers over finance that have been given to this administration which, apparently, is wallowing in uncertainty and doubt as to what policy can, and should, be pursued in the future. With whom does our President now consult? Is the gold-purchase scheme of Professor Warren and the Eccles-Keynes spending scheme to be still adhered to? Have we not gone far enough in those directions? Former advisors, critical of such unsound theories, have departed from the administration. With whom is he now conferring and upon whose advice is he depending? Does he think he can continue to control the stock market and business by these veiled threats to assume price control and to punish speculators, who are, however, most generally the honest investors among our people?

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

Mr. GIFFORD. In just one-half minute, and then I shall subject myself to examination for 15 minutes, if any one desires.

In the months after his election in 1932 our sharp financiers of the Nation watched him closely and became fully aware of those with whom he consulted as to financial policies. And we may all well remember the sudden and accelerated desire of our people to withdraw and hoard their wealth. How well do we remember that chapter of history wherein the expressed purposes of a President before election as to sound money and the protection of the gold standard were changed to the directly opposite performance which caused and hastened the situation of the early months of 1933. While the price of gold should be radically changed immediately, we must recognize the possible damaging effects of this not only in our own financial markets but also that the markets of the world will be temporarily and very adversely affected. It is heartening to read that a Senate committee is to summon those in control of our financial policy and demand explanation.

Congress seemingly should at once pass legislation insisting on a proper decrease in the price paid for gold to approximately the present world price of the commodity. Meanwhile, another remedy may be far safer and could be put in operation during the adjustment period. This remedy has been suggested more recently and it might allay the confusion. The United States could make at least a threat to embargo gold. This probably would give us bargaining power to limit the amount of shipments from those countries now pouring it in in such tremendous quantities. Again, it is suggested that a free market for gold be authorized in the United States as it is in England. It might be that those having funds would invest in the commodity, although the recent act of confiscation by the Government might prove a deterrent. However, suggested cures are feared by those now in power to be worse than the ailment itself. Let Congress take back the powers granted to this administration and determine a policy that may be understood by our people. Let a long-suffering people not be further so disturbed by threatened and possible actions by those who now seem to be discredited in their ability to suggest any real remedy, but who continually urge that more and more power be given to them.

A psychology of fear is always greatly to be dreaded and a definite policy by the people's Government will do much to allay this anxiety. Even in some legislators the words "stock market" arouse anything but sympathy. However, it is our market place. By constant trading it keeps alive a market for our savings invested in the business of the country. Manipulation by speculative forces has been greatly lessened in late years by its own careful supervision. Stringent rules and measures are now in force. The greatest danger of the moment to our investors most certainly now comes from political sources. Control of money and credit and further threatened control of activities and prices can be more disastrous than mere manipulation of certain special



stocks or even of the supply and demand effects of great natural economic forces. Governments should, under proper restraints and known regulations, encourage and protect the savings invested to carry on the business of the Nation. We urge the Congress of the United States to take back to itself that delegated power granted only for emergency purposes and now proving so highly dangerous in the hands of those who simply have squandered our resources and have followed paths of financial experimentations that bode ill to our Nation's welfare. The New York stock market alone reports a shrinkage in values for the past month amounting to \$4,504,000,000. London reports a shrinkage of £500,000,000 for the same period. The losses were largely the result of our threat to lower the price of gold, and conclusively proves the real monetary value of this commodity. Heavy production should be expected to lower the price, and the World Bank guardedly suggests that benefits would flow from such lowered price. However, under recent agreements with France and Great Britain, the administration has recently reiterated its intention to hold the price up to \$35. Gold will continue to pour into this country.

Courageous action is not to be expected until the Congress itself resumes its "legislative power", now delegated to those who have, apparently, allowed the situation to get out of hand, or have underwritten the equilibrium of foreign currencies to the detriment of our own. I quote from a recent article which has been brought to my attention:

We have the insoluble problem of preventing a boom and maintaining the Government's credit until we again adopt a sound money policy which will serve to measure both national and international values. Gold is still the best material for such a stabilizing purpose.

The open-market plan and the embargo idea may well be given immediate consideration. The present policy can be excused only on the theory of the lesser of two evils.

Whenever we get ready to send an envoy extraordinary over there and meet the other nations, as we did before, when we sent Mr. Moley, I hope there will not be a changing of minds overnight, and that another suggested stabilization by this administration can be depended upon. Let us consider an embargo restriction on these nations as to the quota of gold that they may send to us. England has been taking such vast quantities from her possessions that she has endeavored not to dump too much on us, and she has been forced to pay about what we pay, because when we make a price of \$35 she has to pay practically that. But by a threatened embargo we may avoid the great disturbance that is feared by the administration.

Now I am glad to yield to the gentleman from New York.

Mr. FISH. Mr. Speaker, the gentleman from Massachusetts has referred to a tripartite agreement between France, Great Britain, and the United States. Can the gentleman give us any information about that agreement?

Mr. GIFFORD. Oh, I understand it is a verbal agreement and can be abrogated at any time, but it seems fully understood that the franc, the pound, and the dollar shall be held as nearly as possible at their present relation of value.

Mr. FISH. Has the gentleman seen the terms of the agreement?

Mr. GIFFORD. I have not, nor, probably, has anyone else.

Mr. FISH. The gentleman referred to putting an embargo on the purchase of gold. If we apply a complete embargo, then, of course, the dollar will go up out of sight, and reduce the buying power of all other nations.

Mr. GIFFORD. If the gentleman had listened carefully he would have heard me say "threaten" an embargo or a quota. Of course, not a complete embargo, but a threatened one for bargaining purposes, thereby compelling a lessening flow of gold into this country.

Mr. FISH. What would the gentleman think if we stopped the purchase of foreign gold except for payment of merchandise, services, and debts?

Mr. GIFFORD. Oh, I have the gentleman's resolution in my hand, and I shall be glad to read it in my time before I answer the question:

*Resolved, etc.*, That the Secretary of the Treasury be, and he is hereby, directed not to import any gold from foreign sources except in payment of merchandise, services, or lawful debts.

I subscribe to that, but I can foresee other things besides the payment of their debts and the payment for commodities purchased, which might need to go in there. I do not think the resolution fully covers the requirements of the situation. I think that is a good basis for a hearing before a committee.

Mr. FISH. That is what I would like to ask the gentleman. The gentleman is a member of the Committee on Banking and Currency and so am I.

Mr. GIFFORD. Yes; but it does not seem to meet any more.

Mr. FISH. I think we might very well ask for hearings on a resolution of that kind. If the gentleman has any amendments or suggestions I would be glad to have him advise the House; but, as it stands today, foreigners are buying our securities, and they get the interest and dividends on the securities and we get the gold which we bury in the ground and sterilize and get nothing out of it at all. Is that not correct?

Mr. GIFFORD. That is correct.

Mr. FISH. Would it not be a good idea to have hearings on such a resolution or a similar resolution immediately?

Mr. GIFFORD. I want to say to the gentleman I think he must have noticed that at no time have I shown any ambition or desire to present anything from the Republican side, lest it might be regarded as so prejudicial that it would not be given its day in court. I have had to limit my talks on these particular subjects to an attempt to show the dangers and evils, or the results, that might flow from them. However, so far as trying to present a cure, I have made suggestions enough, but as for filing a resolution, as a Republican, I have felt that it would receive but scant consideration. I may say the gentleman himself is an item of news, no matter what he does, because of his past public performances, that he could always get attention, at least from the press, while others of us who might present a resolution like his would find it passing unnoticed. As regards myself, I know they would question, "What does he know about it?" And all I do know about it is what I have gathered from writers of known ability, who contribute to magazines and newspapers. I could spend a long time reading to you the various opinions here in these files, most of which might be termed as hesitant opinions. I wish you would read the New York Times of yesterday.

On the financial page of that paper there are comments from London, Berlin, Paris, and comments from our own financial writers regarding this gold policy. Because we threatened recently to lower the price it is agreed that this was the particular fear that brought about conditions whereby so much was lost in the world markets. I buy no stocks on the stock market. I am not interested for the financier, the banker or the stockbroker, but I am interested for those neighbors of ours who were told as much as a year ago, and rightly advised, that bonds at such low rates of interest were no longer to be greatly depended upon, and that they might well buy certain stocks in preference. As you well know, hospitals and institutions were so advised. They were advised to pick out certain stocks. What stocks were recommended? Metals and commodities dealt in by corporations that had a good surplus and a good financial standing. They were advised, "Of all things, buy metals." And our people bought metals, did they not? Now comes a blast from the White House that sends these stocks down and down; yes, from the President of the United States, to whom we have granted such enormous power. And now many of you urge further granting of power to take away from real bankers and real businessmen who know the proper use of it.

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

Mr. GIFFORD. I yield.

Mr. FISH. The gentleman has been a constructive critic of the administration for some time. Does the gentleman



agree to these two facts, that we have spent \$4,000,000,000 in buying foreign gold?

Mr. GIFFORD. We certainly have. We bought two billion last year.

Mr. FISH. Four billion altogether, since January 30, 1934.

Mr. GIFFORD. In the last 2 years \$4,000,000,000, as I understand it.

Mr. FISH. Of which approximately \$2,000,000,000 is profit for the foreign nations, the cost of production being around \$18 or \$20 an ounce, for which we pay \$35 an ounce.

Mr. GIFFORD. A little less than \$2,000,000,000; but that is not the worst of it—

Mr. FISH. Now, on that premise, is not this matter about which the gentleman is talking therefore the height of all New Deal follies? Can you compare any single New Deal policy with it—giving away \$4,000,000,000 for something we do not want?

Mr. GIFFORD. A debt now amounting to \$35,000,000,000 taken from our people, and giving them only evidences of debt, is the height of folly. We may gradually get out of this gold-purchasing mess if we use sense. Let me remind you that the Government seized your gold, giving you only \$20.67 per ounce for it, and the next day on the counters of the Treasury it was declared to be worth \$35. Some profit, by an unmoral act of Government! Then they said to you, "You cannot prove any injury." Think of it! They make a profit of nearly \$15, but you can prove no injury, and hence may not recover. Having done that thing once, it may be foolish to suggest that our citizens would purchase gold if we offer it in the open market. People might buy it, but they may also fear to do so lest the Government, which can do no wrong, may again take it away from them and devalue it to get another so-called Government profit.

In matters of finance the Government has probably lost the confidence of its people to a greater degree than ever heretofore known in this country.

Mr. FISH. I agree entirely with the gentleman from Massachusetts. Is it not a fact that Great Britain produces about 65 percent of all the gold of the world?

Mr. GIFFORD. The gentleman means her colonial possessions, Canada, South Africa, Australia; yes.

Mr. FISH. And is it not a fact that Great Britain still owes us \$5,000,000,000 of war debts? Do we not buy most of this gold from Great Britain, and does she not make approximately 100 percent profit on it?

Mr. GIFFORD. The gentleman says "Great Britain." She first has to take it from her colonies.

Mr. FISH. I mean Great Britain, not England.

Mr. GIFFORD. We will call it Great Britain; yes. But Russia is proving a good second. France is accumulating quite a stock of gold.

Mr. FISH. And selling it to us.

Mr. GIFFORD. She is holding quite a good deal of it.

Mr. FISH. Is it not a fact that France had \$4,000,000,000 of gold 3 years ago and now has only \$2,000,000,000?

Mr. GIFFORD. Yes; and France within the last month or so has tried again that devaluation policy which Dr. Warren advised our President to pursue; and the attempted devaluation policy has fallen flat. It has been tried once too often. We devalued to 69 percent, but prices did not go up at all immediately, except as to cotton, and the advance was so gradual that the whole thing was a failure so far as the attainment of the expected results, such as exporting our commodities. There were the experiments which those former advisers urged upon the ears of your President at Warm Springs, Ga., just before he took the office—and you laid it all to Hoover. History will clear that matter up and expose the real responsibility. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Minnesota [Mr. BERNARD] is recognized for 15 minutes.

#### ABUSE OF DIPLOMATIC PASSPORTS

Mr. BERNARD. Mr. Speaker, I have here the Washington Post of this morning, in which we see the startling revelation:

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Rebel espionage ring in United States. Proposal to blockade Mexico charged. NYE to seek inquiry.

I have here also another Washington daily paper, the Daily News, in which these headlines appear:

Senator NYE to propose probe of espionage activities in the United States. Holds documents tending to show ring operating in New York to aid Spanish rebels.

#### IT IS TIME THE STATE DEPARTMENT CLEANED OUT FRANCO SPIES

Mr. Speaker, we have proof that there exists in this country today a spy system organized and directed by the rebel general, Francisco Franco. This Fascist commission has headquarters in the Ritz-Carlton Hotel in New York City. I have seen documentary evidence of its existence and of its illegal activities.

What has it done? What does it plot to do? It proposes to flout the Monroe Doctrine by brazenly blockading the ports of our neighbor republic, Mexico, and by interfering with its commerce. Manuel Diaz and Marcelino Garcia, engaged in the shipping business and acting as agents of Juan Francisco di Cardenas, Franco's chief lieutenant, wrote a letter on March 5, 1937. This letter, sent by them from New York to Señor Guell in Valladolid, Spain, read:

It is a pity that there is not a speedy armed ship in the Strait of Yucatan. If there were, not one of the ships with armaments would get through. The place could not be any more advantageous, because, for the provisioning of its needs, the ship could be helped in Puerto Barrios, Guatemala, a friendly country.

Defending American democracy against European despots in 1823, President Monroe stated that he would regard "any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety."

Knowing as we do that Hitler and Mussolini are the chief backers of General Franco, is it not reasonable to believe that the efforts of Franco's agents to interfere in the affairs of the Americas and with the commerce of friendly American republics are directed against the Monroe Doctrine and against the peace and security of the United States? It seems to me that Hitler, Mussolini, and Franco today, with the intrigues of their espionage system, carry on the tyrannical traditions of King Ferdinand and the Holy Alliance against which the Monroe Doctrine was formulated.

Franco's agents in New York speak of Guatemala as a "friendly country", and by that they mean friendly to fascism. Shall we permit them to establish in Guatemala or anywhere in this hemisphere a base for Fascist operations? Or shall we strive to keep the Americas for democracy?

Franco's agents appear to remain here through the use of diplomatic passports to which they have no legal right. The legitimate Government of republican Spain, with which we maintain diplomatic relations, has repudiated these men. Cardenas, who directs the Fascist commission in New York, and his aide, Jose de Gregoria, violate diplomatic privileges. I have seen the documentary proof of this. I understand that many other spies who have been identified are also here illegally.

Where is the vigilance of our State Department? Why does it allow these alien agents of the rebel General Franco to remain on our soil and mock our laws? Workers and active trade unionists who are found to be noncitizens are promptly apprehended and deported. But Fascist plotters remain here unmolested. Have the Spanish Fascists outwitted the State Department? Or are there more sinister reasons for this strange immunity? Evidence of this spying activities is contained in the letter air-mailed by Diaz to Senor Don Federico Varela, the man who conducted the spying activities on the mercy ship, *Mar Cantabrico*, which carried food and clothing from New York via Vera Cruz to Spain and was later reported captured by the Fascists.

Diaz wrote:

I appreciate also your cablegram of yesterday \* \* \* which at once I passed on to the person who is to warn our government in Spain so that they will be watching the arrival of this ship at those shores.

Spying is not the sole activity of the Fascists. They have already violated or are conspiring to violate the neutrality laws recently passed by Congress. It is their intent to



purchase in this country military supplies for the rebels, in spite of the arms embargo. There is reason to believe that they have already made such purchases for shipment to Italy, Portugal, and Argentina, and that these purchases have been transhipped to rebel ports in Spain. I opposed the neutrality laws on the ground that they discriminate against the legitimate Spanish Government. But I cannot believe that the proponents of the laws intend to ignore direct violations by the Fascists. We have passed an embargo on arms. Are we going to enforce it only against the heroic people who fight for democracy in Spain? Or are we going to include under the ban, not only a friendly nation, but the Fascist murderers as well?

Mr. Speaker, I am not alone in calling them murderers. Franco, Hitler, and Mussolini together stand condemned by all the civilized world. They have outraged all human decencies. They have violated all principles on which our Government was founded and which our people cherish.

I was born of Catholic parents and brought up in the Catholic faith. I uphold all that is best in Catholicism and revere the monuments of its rich culture, the beauty it gave the world through centuries gone by. As a Catholic and as a man I am doubly appalled by the destruction of Guernica, the holy city of the Basque Catholics.

Guernica. The parliaments of every democratic country have sounded the world's indignation at the massacre of Basque women and children by German bombs. In ringing words Senator BORAH voiced the abhorrence Americans feel for this slaughter. "Here at Guernica", he told the Senate, "fascism presents to the world its masterpiece." And he went on to say:

So long as men and women may be interested in searching out from the pages of history outstanding acts of cruelty and instance of needless destruction of human life they will linger longest and with the greatest horror over the savage story of the Fascist war in Spain.

Mr. BORAH spoke of the "logic of fascism." There is no place for that "logic" on this hemisphere. But it is part of the "logic of fascism" to seek over wider influence, to penetrate wherever the defenses against it are weak. It knows no law except its own law of brute savagery. In defiance of the laws of the United States it carries on its work within our borders today.

I call upon this body to investigate at once the activities of the agents of Franco in our country: Their plans to violate the Monroe Doctrine; their illegal abuse of diplomatic privileges and their violation of the neutrality laws now in effect.

I call upon the State Department and other appropriate agencies to revoke the illegally honored passports of Cardenas and his aides, and to expel these spies promptly from the country.

Mr. Speaker, this is no invitation to another witch-hunting expedition. Members of this House can distinguish between bogies and the real menace of real enemies. The existence of General Franco's spy ring has been established. Many of his agents have already been identified and exposed. We cannot claim to serve those who elected us to office if we fail now to track down every servant of the Burgoes junta in the United States. Spies and plotters who came here illegally with the express purpose of breaking the laws of our land cannot be tolerated within our borders.

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

Mr. BERNARD. I yield.

Mr. SIROVICH. To what does my good friend attribute the dissension, strife, and discord in the popular front in Spain today? Is it due to the intervention of the Fascists?

Mr. BERNARD. Yes. In my opinion it is due simply to a small group of Fascist traitors who have been working within the ranks of the Government forces. That is my frank opinion. I believe that is the cause.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Missouri [Mr. ANDERSON] is recognized for 15 minutes.

Mr. ANDERSON of Missouri. Mr. Speaker, the P. W. A. expires June 30, 1937, and there is now pending before a subcommittee of the House Appropriations Committee a

resolution extending P. W. A. for 2 more years. The P. W. A. has obligated the Federal Government to the extent of \$282,000,000 and also has a revolving fund of \$131,000,000, which amounts to a drawing account on the Treasury of the United States.

Just what the subcommittee intends to do with the slashing of P. W. A. funds is so far unknown. Whether they intend to cancel the revolving fund is speculative. No doubt the Government at present is undertaking a policy of economy, but whether a movement of this sort would be economy is a matter of conjecture.

No doubt the Government faces an economic crisis and the Budget must be balanced, but will the cutting of appropriations for P. W. A. serve to reach that end?

If P. W. A. appropriations are cut, we can expect the thousands of workers now employed therein to be thrown back on relief.

Under the present policy of the administration on non-Federal projects, the Federal Emergency Administration of Public Works is authorized to offer a grant of 115 percent of the amount paid to labor certified from the relief rolls. This was originally understood to mean relief labor directly employed on the projects. Recently the President has stated that he intended the grant computation also to include indirect relief labor.

Obviously it is infeasible and impracticable, if not impossible, to determine the amounts expended for relief labor in the woods, mines, factories, mills, transportation agencies, and other operations affecting the cost of construction materials. The administrative expense of determining accurately indirect relief labor costs would be so far out of proportion to the benefits derived that no sponsor of a P. W. A. non-Federal project would be willing to consider it as a project cost. If indirect relief labor costs are to be considered in the grant computation on the non-Federal projects, they must be determined on a purely statistical basis. The proportion of relief labor engaged in the manufacture, processing, and transporting of construction materials varies too widely to make any general ratio applicable. Neither is it practicable to develop a relief labor ratio for any given class of material, due to varying conditions in different localities.

After conducting an extensive survey to determine the ratio of indirect to direct labor on P. W. A. non-Federal projects, the Department of Labor found the ratio to be 2.6 indirect to 1 direct. P. W. A. statistics show that approximately 30 percent of all project costs has been expended for labor directly employed on its projects, and that approximately 20 percent of this labor was taken from the relief rolls. These figures show that approximately 6 percent of all project costs has been expended for direct relief labor. Reimbursement of expenditures for direct relief labor plus a 15-percent bonus makes an average grant of about 7 percent. Assuming that the ratio of relief labor used in the mining, manufacturing, processing, and transporting of construction materials is comparable with the ratio of relief labor employed directly, the average grant that would be earned under the President's scheme would be approximately 13 percent of the total project cost for indirect relief, and 7 percent for direct relief labor, or a total average grant of about 25 percent.

In order to create a practical basis for computing earned grants on P. W. A. projects embodying the President's idea, and at the same time eliminate the necessity for excessive administrative expense, it is suggested that Congress set a minimum grant of 20 percent of the total project cost to cover indirect relief labor. To encourage project sponsors to employ directly on the projects as much relief labor as possible, it is suggested that Congress authorize the Public Works Administration to increase the minimum grant of 20 percent by whatever amount is expended for relief labor directly employed on the projects. This system of grant computation would net an average grant of 26 percent and would be simple and inexpensive to supervise. It would also provide a definite minimum grant, which is all-important to communities in determining whether or not they will undertake P. W. A. projects. In localities where nearly all of the



labor employed directly on the project could be taken from the relief rolls, the sponsors of such projects would receive a total grant of from 40 to 45 percent of the total project cost. It is further suggested that Congress set the maximum grant at 45 percent of the total project cost.

Under the National Industrial Recovery Act of 1933 the Public Works Administration was authorized to make grants of 30 percent of the cost of labor and materials. P. W. A. statistics show that this system of computing grants netted project sponsors grants amounting to approximately 26 percent of the total project cost. Under subsequent acts the Public Works Administration was authorized to make grants amounting to 45 percent of the total project cost. This was obviously inequitable from the standpoint of redistribution of wealth. Project sponsors who were financially capable of paying the entire cost of their projects, and communities having relatively little unemployment, received the same benefits as project sponsors who were unable to pay more than 55 percent of the cost of their projects, and communities which had large numbers of unemployed on the relief rolls. If this suggested system of determining earned grants is made law, it will give communities suffering excessive unemployment an opportunity to receive worth-while Federal aid and provide useful work for their unemployed.

Mr. SIROVICH. Will the gentleman yield?

Mr. ANDERSON of Missouri. I yield to the gentleman from New York.

Mr. SIROVICH. I fully concur with the splendid speech the gentleman is delivering in calling to the attention of our Nation the fine work that is being done by the P. W. A. If there should be any liquidation of any department, it ought to be the bureaucracy of the W. P. A., and all the work of the W. P. A. should be assigned to the Department of the Interior, over which Harold Ickes so graciously and splendidly presides. Mr. Ickes has been giving the finest administration of public works of any member of the Cabinet.

Furthermore, I call the attention of my distinguished friend to the fact that American citizens lose their self-respect when they go on relief. When they do go on relief they get starvation wages which hardly can keep body and soul together. That condition is responsible in developing in our country millions of American citizens who in the future will be suffering from malnutrition, anemia, and other nutritional diseases. We ought to develop the work the P. W. A. is doing, and this Congress ought to go on record and tell the President that we are in full sympathy with everything that Harold Ickes and the P. W. A. are accomplishing in giving living wages to our citizens to make them self-supporting and self-respecting.

Mr. ANDERSON of Missouri. I heartily agree with the gentleman.

Communities which are financially solvent and which are not suffering from unemployment will receive Federal aid only in proportion to the indirect and direct relief labor burden they assume, yet the Federal aid they do receive will be sufficient to encourage them to construct needed improvements.

It is just as important to keep people off the relief rolls as it is to take them off the relief rolls. From a psychological standpoint it is even more important. Any plan of permanent recovery which requires workers to go on the public relief rolls before they are eligible for employment on publicly financed projects is obviously unsound. It discourages the most loyal citizens of the country—those who have sacrificed everything to keep from becoming public burdens. Qualified workers who are certified by legally established relief agencies as being in need of public relief should be accepted for employment under the same conditions as workers who are actually receiving public relief.

It is a well-known fact that the depression has exhausted nearly all of the reserves of the masses. As a general statement, it is safe to say that people who are employed spend all of their earnings for the bare necessities of life, and in helping unfortunate friends and relatives. Consequently, those who have been employed all or a part of the time since 1929 have had little or no opportunity to make substantial savings, either in the form of direct savings, in-

vestments, the repayment of old loans, or the payment of mortgages. As a general thing those who have been able to pay interest on loans, insurance premiums, and make payments on mortgages sufficient to avoid foreclosure, have been exceptionally fortunate. It must not be forgotten that millions of employed people lost all or nearly all of their assets before they became employed, or while they were employed on account of supporting friends and relatives who were not employed. Statistics compiled by the Works Progress Administration show that for each person employed five persons are taken off relief. As the situation now stands it is a very serious thing to deprive a person of employment. Almost without exception it causes four to six people to go on the relief rolls immediately, or soon after the employment ceases. Private industry has not shown that it is prepared or willing to assume the burden of employment if Government spending is discontinued. Recent fluctuations in the stock market attributed to fear that the Government might curtail projects consuming durable goods, conclusively show the effects of Government spending. Private industry is nervous and unstable. If Government spending is curtailed in an appreciable amount, private industry will, in all probability, curtail its operations in a much greater proportion. If present indications can be taken as a criterion, private investors have not regained sufficient confidence to venture far into new enterprises unless Federal spending continues.

It may be true that the number of building permits have reached the 1926 level. However, the total investment involved is still far below the 1926 level. For the most part private construction is confined to home building, the renovation of old mills and factories, the replacement of obsolete equipment and processes, and the construction of new mills and factories. A large portion of the mill and factory construction is the result of changing locations and does not actually increase the potential production of the industries involved. Every student of social and industrial trends in this country knows that home building and the types of industrial construction now under way depend almost entirely on the general prosperity of the country. Building loan associations and other private investors who are financing these improvements will curtail, if not completely abandon, their operations immediately if anything happens to obstruct or retard general economic advancement.

Many experienced observers believe that the home building and industrial construction programs now under way are largely experimental, and that the investors who are financing them feel uncertain about the results. This is further borne out by the fact that proponents of new enterprises in nearly all parts of the country complain about not being able to secure financial support from the more conservative banking and financing institutions. The downward trend of the bond market since November 1936 does not encourage a belief that the larger and more conservative investors have had their confidence restored. Some so-called economists argue that the downward trend of the bond market and the upward trend of the stock market is a clear indication that private industry is ready and anxious to go full ahead, and that taxes resulting from public spending are seriously retarding economic recovery. One does not have to be an economist to know that the depression was caused largely by overproduction and unjustified construction, particularly during the years 1923 to 1929, and by the segregation of the liquid wealth of the country into the hands of a few. Everyone knows that permanent recovery can be achieved only through the equitable redistribution of wealth. Those who have the money are obviously trying to keep it until they can see opportunities to make investments that will yield what they consider fair profits. Such opportunities can never come until the purchasing power of the masses has been increased and stabilized. It seems safe to predict that those who control the money will continue to keep it out of circulation unless they are forced to invest some of it to build up and stabilize such a purchasing power. If taxation is the only way they can be forced to make such investments, then there is no other recourse. If the country is ever restored to an even keel, those who have the money



will have to put it into circulation and trust the law of supply and demand to yield returns on their investments some day.

The types of projects financed in whole or in part by the Public Works Administration increase the capital wealth of the communities in which they are located and provide permanent operating employment. Under the procedure of the Public Works Administration, full value is received for every dollar spent. Workers who are employed on these projects have to give an honest day's work for an honest day's pay, and the materials for the projects are purchased on a free and open competitive basis. Certainly the Federal Government can participate in nothing that encourages more honest business and produces more permanent results. P. W. A. spending keeps industry moving in normal channels. Its projects employ workers either directly or indirectly in the trades and occupations for which they are trained. Established industries are given an opportunity to stay in operation and to produce the commodities they were designed to produce. It would not be sound economics to entirely liquidate P. W. A. for several years to come. It is logical and feasible for it to retrench gradually. The suggested system for determining grants is a decided retrenchment from the straight 45-percent grant. If a construction program sufficient to keep the construction and allied industries in normal production can be successfully maintained with reduced Federal participation during the next 2 years, further retrenchment will probably be possible at the close of that period. At that time it may be possible to reduce the minimum grant to 10 percent and the maximum grant to 30 percent. Any student of economic trends certainly knows that it is fundamentally unsafe to retrench too far at one time.

Private industry is just beginning to take hold and to venture into new enterprises. If permanent recovery is to be achieved private industry must not be discouraged now. The best thing the Government can do now is to keep employed people employed, and let private industry absorb some of their dependents. If this is done, it will relieve those who are employed of some of their obligations and give them an opportunity to accumulate reserves, and at the same time increase purchasing power. The country can never be safe until this is accomplished.

Another important feature which must be considered in connection with the bill to extend P. W. A. for another 2 years is the moral obligation which has already been incurred to hundreds of communities. These communities made applications in good faith to the Public Works Administration for financial assistance, with the understanding that they would receive 45-percent grants.

Mr. LUCAS. Will the gentleman yield?

Mr. ANDERSON of Missouri. I yield to the gentleman from Illinois.

Mr. LUCAS. I want to make one observation to corroborate what the gentleman is saying with respect to different communities sponsoring projects upon the theory that the Government will give to them a 45-percent grant. In my own district five different projects are now in the making upon the theory that the Government will give to them 45-percent grant money. In all of these projects bond issues have been voted. Prior to the time these bond issues were voted, propaganda was issued through the local newspapers and by word of mouth wherein the people were told that the Federal Government would give to the community 45 percent provided a bond issue was passed. However, in all of these projects the P. W. A. has consistently refused to help these people and in four or five instances bonds have been sold, leaving the communities and the holders of the bonds in a precarious and embarrassing position.

[Here the gavel fell.]

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. ANDERSON] may have an additional 10 minutes.

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

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, I have the same condition in my district to which the gentleman refers. I have six projects; one, the Lemay Ferry sewer project, which is located in a very poor settlement. They went ahead and applied for the loan, which was O. K.'d by the P. W. A. Bonds were floated and sold, an election was held and the supervisors in the district have been elected. After this work was done, then along comes this ruling and order. That is what I am referring to here. Is that clear?

Mr. LUCAS. Yes. Will the gentleman yield for a further question?

Mr. ANDERSON of Missouri. Yes.

Mr. LUCAS. Notwithstanding the fact that the agents of the Federal Government have been in my district promoting projects of this kind, and advising the people of my district that the Federal Government would give them a 45-percent grant, we now find the reverse condition as a result of the recent ruling. I say there is a moral obligation on the part of the Federal Government to take care of communities of that type if there is not a legal obligation to do it.

Mr. ANDERSON of Missouri. I heartily agree with the gentleman and that is what I just mentioned.

Bond elections have been held and carried, engineers and architects have been engaged, and plans and specifications have been prepared at considerable expense and inconvenience to the communities. In all such cases there exists at least a moral obligation on the part of the Government to make funds available on the terms proposed and as accepted by these communities.

At least \$350,000,000 of whatever funds are appropriated for work relief should be earmarked for the Public Works Administration to be used for making loans and grants. In addition to this P. W. A. should be authorized to use for the same purpose its revolving fund now on hand and funds which will be received through sales of securities now held and those acquired during the next 2 fiscal years. A larger appropriation would be desirable and economically sound in order to make it possible for P. W. A. to materially assist in bolstering and stabilizing the market for political-subdivision bonds. P. W. A. should, in addition to funds for grants, be given funds and authority to purchase and to hold until maturity if necessary, three or four hundred million dollars of political-subdivision bonds. It is now holding about \$131,000,000 of such bonds.

A provision should be incorporated in the bill requiring all projects financed in whole or in part by P. W. A. under this program to be substantially completed by December 31, 1939. This will give 2½ years to complete the program, which should be sufficient time for Congress to observe social and economic trends and determine what subsequent action will be necessary.

The social and economic conditions of this country have actually just begun to adjust themselves. If the Public Works Administration is continued and given a substantial appropriation with which to operate, the processes of social and economic adjustment now definitely under way will be given an opportunity to continue undisturbed, at least so far as the construction and associated industries are concerned. It would be a disastrous mistake to obstruct them now.

Mr. MICHENER. Will the gentleman yield?

Mr. ANDERSON of Missouri. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman is ordinarily a sound thinker and speaks conservatively. He has suggested what amounts to a statement that the Congress should make additional appropriations to carry out the thought suggested. That would necessarily mean authorizing additional appropriations. Does not the gentleman realize the President of the United States is correct when he tells the Congress that the finances of the country are in such a precarious condition that we cannot and must not authorize additional appropriations unless we provide a means for raising the money? Does not the gentleman think the President is correct in that sort of a statement?



Mr. ANDERSON of Missouri. The President is correct in that kind of a statement; but, instead of allowing certain funds to go to other measures, I think those funds should be placed under the supervision of the P. W. A. and properly spent.

Mr. MICHENER. In other words, the gentleman does not believe in reducing any of the authorized appropriations at this time? He would simply transfer authorized appropriations to be spent in another way?

Mr. ANDERSON of Missouri. I believe in a proper reduction of appropriations, but we should not deprive the poor and indigent from the opportunity of sustaining themselves, like is the case in connection with the P. W. A. projects.

Mr. MICHENER. In other words, the gentleman is in favor of reducing authorizations and appropriations so long as it does not interfere with the particular thing that the gentleman feels is especially worthy?

Mr. ANDERSON of Missouri. I would not say that. I have made three or four speeches on the floor of this House with reference to economy. I realize the gentleman is very vitally interested in economy when it comes to the P. W. A. and the W. P. A., but not when it comes to other things.

Mr. MICHENER. Yes, I am; in every instance.

Mr. LUCAS. The gentleman from Michigan is attempting to put the gentleman from Missouri in a false light, as I see it. All the gentleman from Missouri is attempting to do, as I understand the speech he is making, is to say to the Secretary of the Interior that those who have control of the P. W. A. funds shall take the money they have on hand at the present time and use that money to take care of the moral obligations they are responsible for insofar as these projects are concerned. If I am correctly advised, there is a sufficient amount allotted for that purpose to amply provide for such projects.

Mr. ANDERSON of Missouri. The gentleman is correct. I think anybody who had paid attention to what I have said could understand it very clearly. [Applause.]

Mr. LUCAS. I agree with the gentleman.

[Here the gavel fell.]

#### THE AMERICAN LEGION AND THE REORGANIZATION OF THE FEDERAL JUDICIARY

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

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

There was no objection.

Mr. FISH. Mr. Speaker, the other day the gentleman from Illinois [Mr. LUCAS] made a very splendid and instructive address in the House, calling upon the American Legion national executive committee to take some action upon the Court issue. After I heard his speech I wired the national commander of the American Legion, as follows:

WASHINGTON, D. C., May 6, 1937.

HARRY W. COLMERY,

National Commander, the American Legion,  
Indianapolis, Ind.:

SCOTT LUCAS, Democratic Congressman from Illinois, former Legion national judge advocate, made a fine speech in the House of Representatives yesterday, urging the Legion in line with policies already adopted in behalf of an independent judiciary to take a strong stand on the Court issue reaffirming its faith in an independent judiciary and constitutional government. I join with him as chairman of the subcommittee of three that drew up the American Legion preamble, which pledges the Legion to uphold and defend the Constitution to meet the Court issue squarely and stand openly for maintaining our three separate and independent branches of government.

HAMILTON FISH.

I have just received word that the national executive committee of the American Legion has taken the action suggested and requested by the gentleman from Illinois [Mr. LUCAS] a distinguished Member of the House and a former judge advocate general of the Legion, and, according to the press release I have here, denounced or opposed the action of the President in requesting six additional members of the Supreme Court. I call attention particularly to the Members of the House of the wording used which is as follows:

That the Legion condemned any effort to grant Congress judicial powers and authority now vested in the Supreme Court of the United States.

This admonition should be taken to heart and remembered by Members of Congress as coming from a great nonpartisan and patriotic organization composed of World War veterans. The national commander of the American Legion then went on to point out that the Americanization program of the Legion was based on the maintenance, unimpaired, of the powers of the judicial, legislative, and executive branches of the Government. This is likewise sound advice and a proper part of the Legion Americanization program.

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

Mr. FISH. I yield to the distinguished majority leader.

Mr. RAYBURN. How many men constitute this committee about which the gentleman is speaking?

Mr. FISH. I am pleased to say to the majority leader that this committee is composed of approximately 60 representatives of the American Legion elected by the different States and Territories, also that a vote was taken on tabling the motion and only two votes were cast in favor of tabling it.

Mr. RAYBURN. Had these gentlemen submitted this matter to the membership in the jurisdictions which they represented before voting on this question?

Mr. FISH. They compose the official committee representing the American Legion. They are the national executive committee of the Legion. Their responsibility is to act when the annual convention of the Legion is not in session.

Mr. RAYBURN. However, they have no authority from the membership of their jurisdictions to speak for them on this matter?

Mr. FISH. They have only the same authority to speak for their constituents that the gentleman and I have as Members of Congress to speak for our constituents. The national executive committee is a representative and an elected body. It represents the Legion, when the Legion is not assembled in convention and is authorized to do so.

Mr. RAYBURN. However, the gentleman would not say these 60 men speak for the entire membership of the American Legion? How many members of the Legion are there in America?

Mr. FISH. About a million.

Mr. RAYBURN. These men did not speak the views of the 1,000,000 members, but interpreted their own feelings in the matter.

Mr. FISH. I think they voice the views of the Legion just as much as we, as Members of Congress, represent the opinion of our constituents.

Mr. RAYBURN. We are very much mistaken about that sometimes, as the gentleman knows, because in the elections recurring every 2 years, our constituents sometimes in the primaries or general elections disagree with us.

Mr. FISH. However, this has not applied to the gentleman from Texas or me in recent years.

Mr. COLE of Maryland. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. COLE of Maryland. As a past post commander of the American Legion and also a member of the Veterans of Foreign Wars, intensely interested in both organizations, and being in entire sympathy with the basic principle expressed in the resolutions passed by the National Convention of the American Legion in 1922 and 1927, as pointed out in the House last week by the distinguished gentleman from Illinois [Mr. LUCAS], I am wondering if the distinguished gentleman from New York who now occupies the floor was not in sympathy to some extent, at least, with the position just taken by the distinguished majority floor leader, the gentleman from Texas [Mr. RAYBURN], to the effect that on an important question before Congress, such as the pending Court issue and many others I might mention, that no individual member or group of members, regardless of how constituted, in the American Legion, should express an opinion to the Congress that such individual or collective views as they might release represent the majority opinion of the American Legion.



Belonging to a post of the American Legion, as I do, which enjoys an enviable reputation for the patriotic and civic interest taken and for the discerning and careful manner in which they express the views of the post on important questions, I am sure I speak their sentiment as well as my own, that on great public questions of such magnitude as the President's proposal and the reorganization of the Supreme Court, that no action by the national commander, the executive committee, or any other group within the American Legion, shall be presented as an expression of the rank and file of the Legion until such question is referred to the American Legion posts for their consideration. I am sure the gentleman's experience and the important position he has occupied in the life of the American Legion will cause him to agree that it is a very easy matter in the Legion, as it is now constituted, to have such questions referred to the local posts, either direct from the national headquarters or through the offices of the several State departments. Personally, I hope such procedure will be followed in the future if it has not been in the past.

Mr. FISH. I do not know that I could fully agree with the gentleman. I would be perfectly willing to have the question submitted to the local posts, just as I have been maintaining from the very beginning that the whole Court issue should be submitted to the American people. [Applause.] Just as the American people are the masters of our Government, so the Legionnaires are the masters of their executive committee and can either sustain or overrule its decisions when the national convention meets.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

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

There was no objection.

Mr. FISH. On such a basis I would like to see a referendum submitted directly to the Legionnaires through their local posts.

Mr. COLE of Maryland. May I say to the gentleman that as one member of the American Legion I hope that officers of the Legion will not undertake in connection with important questions of this kind to speak for the entire Legion, through this or any other group constituted by the national convention. It is a very easy matter to go to the local posts and obtain an expression on questions of this magnitude.

Mr. FISH. I will join with the gentleman in that statement only if this whole Court issue is submitted to the American people. Where I differ with the President is that he pretends he has a mandate to appoint six new Justices, and yet in the campaign he never raised his voice to discuss the Constitution or the Supreme Court at any time.

I defy any friend of his or any Democrat to say he did. Since the President made his suggestion to Congress to add six additional Justices the merits and demerits of this extraordinary proposal have been debated extensively on the radio, in the press, and on the floors of Congress. No issue has been more widely discussed in recent years. Personally, I believe the national executive committee was right in taking the action it did but I would also be glad to have the issue submitted to the local posts. It is not a partisan issue but a great American issue involving our three separate and independent branches of government and an independent judiciary. This is why it should be submitted back to the people, where it belongs, for their determination by a constitutional amendment requiring a two-thirds vote to invalidate an act of Congress and thereby doing away with the unpopular 5-to-4 decisions which leave a reasonable constitutional doubt in the minds of the American people.

Mr. WHITE of Ohio. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield for a brief question, because I want to touch on another matter.

Mr. WHITE of Ohio. I served on the national executive Committee of the American Legion, to which the gentleman refers, in 1934, for the State of Ohio, so I know a little something about it. Is it not true that the action now taken

by the American Legion on this Court question simply confirms action previously taken by the organization in national convention assembled?

Mr. FISH. Yes; the gentleman is correct. I have not the time to go into it, but the gentleman from Illinois [Mr. LUCAS] did go into it very eloquently in detail and showed that such a precedent was established 10 years ago, and that this action simply confirms what has already been done. The American Legion stands for an independent judiciary and for maintaining our three separate and independent branches of government. The national executive committee simply reaffirmed and reiterated the stand which Legion conventions have taken on two separate occasions.

Mr. LUCAS and Mr. PHILLIPS rose.

Mr. FISH. I yield first to the gentleman from Illinois [Mr. LUCAS].

Mr. LUCAS. Even though the Legion went on record in 1922 at the New Orleans convention and went on record again in Paris in 1927, wherein they specifically denounced any interference with the independence of the three branches of our Government, at no time since then has any national convention ever disagreed with the previous position which they took at the New Orleans and Paris conventions.

Mr. FISH. The gentleman is quite correct.

Mr. LUCAS. And what they did at Indianapolis last Friday was simply reaffirming their position with respect to the three branches of the Government, as I understand the resolution.

Mr. FISH. Yes; and I want to commend the gentleman from Illinois, because this is a great American issue, and when he spoke here the other day he was speaking to the Legion, and I think the national committee carried out his views. His speech, in my opinion, had a tremendous effect on the national committee, and properly so.

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

Mr. FISH. I yield.

Mr. PHILLIPS. I would like to ask the gentleman if, by his statement, he would have it appear to us that the Legion is speaking specifically in this matter for the different States of the Union. Is that what the gentleman wishes us to understand?

Mr. FISH. I want you to understand that the only authoritative body that can speak for the Legion has not minced words or pussyfooted or evaded a great American issue, but has frankly and squarely met the issue by reaffirming its faith in the independence of the judiciary and in our three separate and independent branches of government.

Mr. PHILLIPS. Then I would like to correct the gentleman, and he will please pardon the personal allusion. I am proud of this button I wear as past commander of the American Legion of the State of Connecticut. I was one of the early men in the Legion and I know something about it, and I know that if the American Legion stands for anything it stands for staying out of politics and staying out of any issue that may be a political issue, and I wish to correct the gentleman.

Mr. FISH. Does the gentleman say that this is a political issue?

Mr. PHILLIPS. One minute.

Mr. FISH. I have the floor.

Mr. PHILLIPS. No; the gentleman yielded to me. I wish to correct the gentleman by stating that neither the American Legion nor any board has any right to enter a political issue except by action of a national convention. [Applause.]

Mr. FISH. All I wanted to ask the gentleman was this: Does the gentleman say this is a political issue?

Mr. PHILLIPS. I say it has become a political issue due to the fact the Republicans have made it one.

Mr. FISH. What about the 20 or more Democratic Senators?

Mr. PHILLIPS. I will let the gentleman from New York speak for them.



Mr. FISH. Yes; I would be proud to. They believe in the Constitution and are opposed to packing the Supreme Court.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

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

There was no objection.

Mr. LUCAS and Mr. GEARHART rose.

Mr. FISH. I yield first to the gentleman from Illinois.

Mr. LUCAS. I would like to ask the gentleman from Connecticut, who is so interested in this question, what he thinks about the resolutions of 1922 and 1927 with respect to whether or not the Legion thought those resolutions were political at that particular time.

Mr. PHILLIPS. The gentleman will have to remind me what the resolutions were.

Mr. LUCAS. The gentleman had better read my speech of last Wednesday and see what those resolutions are. They are a complete answer to the gentleman. [Laughter and applause.] If the gentleman will read the resolutions he will understand that if we are in politics now, insofar as this particular question is concerned, we were in politics over our heads in 1922 and 1927.

Mr. PHILLIPS. I will be pleased to read the gentleman's speech.

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

Mr. FISH. I yield.

Mr. GEARHART. Different gentlemen have risen here to point out their activities in connection with their membership in the American Legion. It so happens that I am one of the founders of the Legion, a past department commander of the State of California, and a past member of the national executive committee.

Mr. FISH. And a very good friend of the veterans in Congress.

Mr. GEARHART. I want to point out at this time that the national executive committee was composed of people who were elected by the membership acting through their department conventions to do the very thing they did do at Indianapolis a few weeks ago.

Mr. FISH. It is the governing body of the Legion.

Mr. GEARHART. It is the official governing body of elected representatives, and I might point out to those who have raised the question of their authority to speak, that 2 weeks before the national executive committee spoke, the State executive committee of the State of California met and passed a similar resolution by unanimous vote of the representatives who were sent to that committee meeting from all sections of California, each one elected to do the very thing he did do there.

Mr. FISH. I thank the gentleman.

Mr. WHITE of Ohio. And if the gentleman from Connecticut [Mr. PHILLIPS] thinks that is not in their proper category, I suggest that he read the preamble.

Mr. PHILLIPS. Oh, I helped to write the preamble at the convention that adopted it.

Mr. FISH. Oh, I have to differ with that statement. As to the preamble of the American Legion constitution, it so happens that I was the chairman of the subcommittee of three, to write the preamble at the St. Louis convention, and was authorized to appoint the other two members. We locked ourselves in a room and the gentleman from Connecticut had nothing to do with writing that preamble, because when we got through with it and I reported it back to the committee on the constitution, of which the gentleman was not a member, and it was accepted without a change. The preamble has never been changed from the time it was written by that subcommittee of three, even to the crossing of a "t" or the dotting of an "i." Consequently the gentleman from Connecticut had nothing to do with it and the gentleman is incorrect in that as in the other statement.

Mr. PHILLIPS. I would like to answer the gentleman. Those of us who were at the St. Louis convention had the preamble presented to us, with an opportunity to amend or

change it in any way we saw fit, but we were eminently satisfied with it at the St. Louis caucus, and we adopted it.

Mr. FISH. The gentleman means that he voted for our preamble.

Mr. PHILLIPS. Any of us had a chance to change it if we wanted to.

Mr. FISH. And you did not change it.

Mr. PHILLIPS. No; we were satisfied with it.

Mr. FISH. I thought the gentleman claimed that he helped to write the preamble of the American Legion constitution.

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

Mr. FISH. Yes.

Mr. LUCAS. I would like to make this further observation. I served as national judge advocate of the American Legion for a period of 4 years, under four different national commanders, as I said in my speech last week, and I say to the gentleman from New York [Mr. FISH] and to all Members of the House that during that time I resolved every doubt against political activities as far as the construction of the political-restriction clause of the American Legion was concerned, but after reading the resolution that was passed in 1922 by the American Legion and after reading the resolution passed in 1927, long before I became national judge advocate of the great patriotic organization to which the gentleman from New York and I belong, I was convinced, after reading that, knowing the political-restriction clause from top to bottom and from bottom to top as I do, that this is not a political question. This question is one that far transcends partisanship insofar as the gentleman from Illinois is concerned, and at no time shall I flex my conscience on a problem that involves the lives and the liberty of every American citizen in the land.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. FISH. I have asked for this permission to proceed for 3 minutes more, for myself, and I cannot yield now. I say this to the gentleman from Illinois [Mr. LUCAS], that his record for fairness in the Legion as judge advocate general is well known. He has the confidence of the Legionnaires of not only his own State, but throughout the country.

I rose originally not merely to discuss this Court issue but to call attention to the fact that a resolution which I introduced—and I see the gentleman from North Carolina [Mr. DOUGHTON], chairman of the Ways and Means Committee, is here—as the resolution I am referring to went to his committee and was reported adversely. That resolution asked for certain information and was tabled this morning as the first business of the House. All I asked for was the number of aliens receiving relief in the State of New York, and whether preference is given to war veterans, and if any preference is given to American citizens over aliens. That is the information I wanted, and that is the information that was refused. This simple House resolution was tabled without any opportunity to discuss its merits or present reasons why the information asked for was necessary in formulating the relief legislation that will soon come before the House for consideration.

Is it not time that Members of Congress should get that kind of information, whether we are on the majority side or the minority side? Are we not interested to know if aliens are getting relief and the number of aliens who are getting relief in the State of New York, and if preference cannot be given to veterans and if preference cannot be given to American citizens over aliens, if we must provide relief for aliens? That is the kind of information we should have before we write and enact legislation. That is the reason I rose today to ask the majority side before we consider relief legislation to give us this information. If we have to



provide relief for aliens, at least let us give preference to war veterans and preference to American citizens over aliens in the granting of jobs and relief. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BOILEAU. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOILEAU. Mr. Speaker, I wish to say to the Members of the House that I am very proud to be able to say that I am a member of the American Legion. I have been a member of the American Legion from the early days. I was not one of the original organizers of the Legion. I have never been one of the so-called king makers of the American Legion, although I have been an active member and have subscribed to the constitution of the American Legion and have subscribed to the principles laid down in its preamble. It does not make so much difference to me whether or not the gentleman from New York [Mr. FISH] wrote the preamble by himself or with the cooperation of those who attended the first convention. The fact remains that the preamble of the American Legion, if I recall correctly, refers to the Constitution of the United States in words somewhat similar to this: "That the American Legion is prepared to support and defend the Constitution of the United States of America." In other words, the oath I took as a Member of this body is very similar to the obligation I have assumed as a member of the American Legion, and neither is inconsistent with the other.

I submit to the gentleman from New York [Mr. FISH], and the gentleman from Illinois [Mr. LUCAS], and other gentlemen whom I admire very much, that in taking my oath of office as a Representative in Congress, I have sworn to defend and uphold the Constitution of the United States of America, and I am one who believes that the best way in which I can uphold and defend the Constitution of the United States of America is to support the proposal of the President of the United States in regard to reforming the Federal judiciary. [Applause.]

The gentleman from Connecticut [Mr. PHILLIPS] was absolutely correct when he said that the American Legion is not supposed to be in politics. I grant that 60 men of the American Legion, as its national executive committee, are representing the American Legion in an official capacity, and they have a right to represent them. They are elected for that purpose, and I do not doubt but that they have authority under the constitution of the Legion to make a declaration of policy in behalf of the Legion, but I say to you this is not the first time that the executive committee of the American Legion has failed to speak for the rank and file of the American Legion. [Applause.]

I submit that no group within the American Legion, no group of 60 men or a hundred men or a thousand men in the American Legion have sufficient knowledge of the sentiment of the great rank and file of the American Legion, the million men who belong to it, to speak for them on this important issue. There are other millions of men who served in the World War who are eligible to membership in the American Legion who have not seen fit to become affiliated with that organization. I believe they should become affiliated with the American Legion—the high ideals of the organization justify their support, but I submit that when the American Legion attempts to speak for service men on matters other than those affecting the service men, as such, that it is not acting within its recognized sphere as according to the views of the great rank and file of ex-service men of the country.

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

Mr. BOILEAU. I yield.

Mr. LUCAS. Can the gentleman tell the membership of this House any single instance where a national convention has ever repudiated the action of the executive committee of the American Legion?

Mr. BOILEAU. I do not say that it has, but I submit to the gentleman that resolutions have gone through the Amer-

ican Legion that I do not believe speak for the rank and file of the Legion. For instance, when the American Legion convention accepts the recommendations of the Navy Department for an ever-increasing Navy, I submit it is not speaking for the rank and file of the American Legion, even though such a resolution is adopted by the national convention. I submit to the gentleman that several years ago the American Legion came out in opposition to the bonus, but it only took a few more years to find out that the rank and file thought the leaders were wrong, and at a subsequent convention, after the delegates went back to their various posts for instructions, the national convention, by resolution, took an entirely different position on that issue. I predict that in a very few years if the American Legion continues to inject itself into politics, the ex-service men back home will say to their delegates, "You go to the national convention and confine your resolutions to those that affect the welfare and destiny of the men and women who suffered and bled and those who are suffering as a result of the World War, and keep your nose out of politics." That is the mandate that will come to the conventions before long. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BOILEAU. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of Missouri. I may say to the gentleman that I know something about the American Legion. I am a past commander and have held practically every office in the Legion. I ask the gentleman if the American Legion did not go on record against the Patman bill and for the Vinson bill in the convention openly? Is it not a fact?

Mr. BOILEAU. No; it is not a fact.

Mr. ANDERSON of Missouri. The gentleman is wrong; he does not know the Legion.

Mr. BOILEAU. As a matter of fact, the Vinson bill had not even been introduced at the time the American Legion went on record in favor of the payment of the bonus. The gentleman said that the action of the American Legion convention in resolving in behalf of the bonus was a clear mandate to support the Vinson bill. You and I, if we are informed, must admit that, so far as the Legion convention was concerned, the issue was not directly presented to that convention as to whether or not it should endorse the Patman bill or the Vinson bill. But I may say to the gentleman that in previous years the American Legion showed hostility toward the payment of the bonus because the national conventions were controlled by small groups who were opposed to the payment of the bonus.

Mr. LUCAS. Why did not the gentleman do something about that?

Mr. BOILEAU. I yield to the gentleman.

Mr. LUCAS. Why did not the gentleman do something about that as far as his own particular State was concerned?

Mr. BOILEAU. I submit to the gentleman that for several years I was active in the Veterans of Foreign Wars, part of the time as a departmental officer. I did all I could to influence members of that organization to support payment of the bonus. The Veterans of Foreign Wars did support the payment of the bonus consistently from the beginning. I also tried to persuade members of the American Legion and the public generally to support the legislation. The Wisconsin Department of the American Legion favored the resolution when it was adopted by the Legion national convention.

Mr. GEARHART and Mr. LUCAS rose.

Mr. BOILEAU. Mr. Speaker, I do not yield to anybody for the moment.

Mr. Speaker, I want to say to the gentleman that my only object in bringing this question up as to the bonus is to show that sometimes those up at the top do not understand what the fellows down below want, and they do not speak for the rank and file. I bespeak commendation of the Legion for its change of attitude, but I submit that the fact that the national convention was opposed to the bonus at one time,



and thereafter changed its mind, shows conclusively that when the rank and file have a chance to speak—and it takes a little time for them to get organized—the leaders are forced to change the Legion's policy. That is as it should be. I am not condemning the Legion. I am just trying to point out that its leaders do not always understand the attitude of the rank and file; and I do not believe that the leaders speak for the rank and file on the court question any more than they did on the bonus question.

Mr. LUCAS. That is just the gentleman's own opinion.

Mr. BOILEAU. I sincerely hope, Mr. Speaker, that I have said nothing in my remarks that would convey the idea that I was giving anybody else's opinion. I said it was my opinion, and I am willing to stand by it.

Mr. GEARHART and Mr. LUCAS rose.

Mr. BOILEAU. Mr. Speaker, I yield first to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Did it ever occur to the gentleman from Wisconsin that at the time the Legion was against the payment of the bonus that it was reflecting the then opinion of the American Legion membership, and that thereafter when it came out in favor of the payment of the bonus it was again reflecting the changed opinion of the membership of the American Legion?

Mr. BOILEAU. I submit that when they were opposed to the bonus in the first instance they were expressing the opinion of those who controlled the American Legion, but I want to say to the gentleman that in my humble judgment they never spoke for the rank and file of Legionnaires, those working on the farms and in the factories, who constitute the great majority of the American Legion.

Mr. GEARHART. The gentleman again is expressing his personal opinion.

Mr. BOILEAU. I am expressing my own opinion as the gentleman has a right to express his opinion.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

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

There was no objection.

The SPEAKER. Before the gentleman from Kansas is recognized, permit the Chair to state that proceedings on the floor this afternoon is running counter to the rules. The Chair desires to remind Members that if they wish to interrupt a Member they should first address the Chair and then secure the permission of the Member holding the floor.

The gentleman from Kansas is recognized for 5 minutes.

Mr. LAMBERTSON. Mr. Speaker, I did not intend to take this much time, but the gentleman from New York did not see fit to yield to me for a short interruption. I wanted to make one brief observation.

Mr. Speaker, first permit me to say to my friend the gentleman from Wisconsin that I thoroughly agree with his sympathies in what constitutes the minority of the Supreme Court, the Brandeis-Cardozo side, but I do not agree with him in changing the Court.

Our distinguished floor leader seemed to forget himself when he asked the question whether this had been submitted to the rank and file. That was the very thing that struck my mind, that the President did not submit this proposition in the campaign.

Not only did he not mention it in the campaign but it was a complete surprise to the press. He gave it to them on the morning he gave it to the House.

The further thing that hurt me a little was the fact when the message came here it had attached a bill. That was the first time such a thing had happened in the history of the United States. The President sending a bill with the message.

Mr. RAYBURN. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from Texas.

Mr. RAYBURN. Being from Kansas, the gentleman realizes the President submitted himself and his legislative program to the American people last fall?

Mr. LAMBERTSON. Oh, in a general way that is true. He never hinted at this proposition. Of course, he received

a tremendous vote because of other things, but not on account of this Court proposal. He did not have any mandate from the people on the Court change.

One important reason I am against changing the Court is we do not need a change, apparently. If the present President is progressive and we keep on electing progressive Presidents, regardless of parties, we will not need a change in the Court. It will take care of itself. A thing that influences me, too, of late in my view that we should not change the Court is that every un-American element in America is in favor of the change. [Applause.]

[Here the gavel fell.]

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

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

There was no objection.

Mr. PHILLIPS. Mr. Speaker, I wish to discuss a matter that has not been mentioned to the Members of the House to my knowledge during this session. I have reference to the lack of apprehension of those guilty of felonies. I hold in my hand a Washington Post clipping dated Wednesday, May 5, which states that 90 percent of the major crimes in the District of Columbia go unpunished, according to an expert survey. Here is the matter represented graphically in another way. This white area here shows the felonies not cleared up.

Mr. Speaker, I submit that while the figures may not be the same, and let us hope they are not, for other towns and cities in the United States, the principle is the same. Crimes involving felonies throughout the United States are not being solved and the felons are not being brought to justice for the reason, as I see it, that the ordinary police departments of our municipalities are neither equipped in money nor personnel to solve felonies that remain unsolved longer than 90 days. In other words, after a crime has been committed and the criminal has not been apprehended for a period of 90 days or over, the crime is put on the shelf, so to speak, and little by little it is shoved into the discard and to all intents and purposes forgotten. As time goes on the criminal remains unapprehended, for the reason that the local police department is not equipped, either in money or in personnel, to continue a unremitting search for the felon, if he is difficult to find.

Mr. Speaker, the result is that all over the United States we unfortunately see figures showing a large proportion of unsolved felonies which should be solved were the matter faced effectively in another way, and with the permission of the House I will submit some theories in reference to this matter. It is my feeling and the feeling of many people connected with municipal governments, with whom I have talked, that we should set up in the United States under the department of the Attorney General what might be called a Crime Liquidation Bureau. To this bureau would go automatically all crimes outstanding 90 days or more of an unsolved status, so that the local police departments, being equipped only to handle current crime, would carry out that function, and the crime-liquidation bureau under the direction of the Attorney General of the United States would continue in an unremitting endeavor to bring the felon to justice if, as I say, the crime remained unsolved for 90 days or more.

After discussing this matter with various people in municipal governments with whom it has been my pleasure to associate over a period of years, I have introduced a bill, No. 6739, which has been referred to the Judiciary Committee. This bill sets up under the Attorney General a crime-liquidation bureau, allowing the Attorney General to set up subbureaus over the United States under the same presumption that exists in connection with the Lindbergh kidnap law, namely, if a crime remains unsolved for 90 days or more the presumption is a State line has been crossed and therefore the Federal Government may step in.

Mr. Speaker, I make no pretense that this bill is perfect. It is only an endeavor to remedy a condition which exists throughout the United States wherein felons are not being



brought to justice. In one place they commit a crime, and then they go to another State or community and carry on their life of crime all over again. I respectfully call the attention of the Members of the House to this bill, not with the idea that this bill of mine may be passed in its exact present form, but with the hope that a bill of similar kind may be passed so that crime in the United States may be cut down, criminals brought to justice, and it be definitely proven to the criminal world that crime does not pay. [Applause.]

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, along the line of the remarks of the gentleman from Connecticut, I call attention to an article that appeared in the New York Times a week ago last Sunday, which refers to an interview purported to have taken place between a correspondent of the North American Alliance and Henry Ford. During this purported interview there are certain expressions of Mr. Ford's of interest to me. There is one portion thereof which particularly commanded my attention.

During the interview Mr. Henry Ford is purported to have stated as follows:

Ever since the war two campaigns have been promoted in this country by the financial interests of New York—one to keep wages down, the other to put prices up.

He then continues:

We know that, because we have been invited in.

That is a direct statement by Henry Ford, that—

We know that, because we have been invited in.

He continues:

Our business is criticized because we will not go in with them on such a program. A lot of prices would go up in this country next week if they could persuade us to join them.

I repeat what Henry Ford said:

We know that, because we have been invited in.

Mr. Speaker, if what Mr. Ford says is true, it constitutes an attempt to establish a conspiracy and to make him a party to it, in this country to raise prices and reduce wages. That is not an expression of opinion. That is not an observation of what he thinks. It is an emphatic statement made by Henry Ford that "we", meaning himself and his company, had been invited by certain financial interests to join in a movement, which would constitute a conspiracy, in violation of the laws of the United States, to raise prices to the consumers, and at the same time reduce wages to the workers.

That statement should not go unchallenged. If it is not true, the public should be informed. If it is true, it should be investigated and proper action taken. Coming from a man like Mr. Ford, a man of his position, his statement carries a great weight, and if what he says is true there is a violation of the laws of the United States on the part of some persons or forces in this country.

I repeat, this is a statement which should not go by unchallenged. The Department of Justice, or the proper agency of the Federal Government, should immediately make an investigation to determine whether or not that statement is true, and, if true, should take proper action against the guilty persons.

[Here the gavel fell.]

#### LEAVE OF ABSENCE

Mr. THURSTON. Mr. Speaker, I ask unanimous consent that indefinite leave of absence on account of illness may be granted to my colleague the gentleman from Iowa, Mr. GILCHRIST.

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

There was no objection.

#### APPLE BLOSSOM WEEK IN MASSACHUSETTS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes in order to extend an invitation.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, this week is Apple Blossom Week in Massachusetts. Because of the beauty of the trees, the historical surroundings, and the warm hospitality of the people who live there, it should be as famous as the cherry blossom festival in the District of Columbia.

The Nashoba Apple Growers' Association is comprised of apple growers who reside in 38 neighboring towns, most of which are in my congressional district. In behalf of the association I extend a very warm and a very cordial invitation to you, Mr. Speaker, and to the Members of the House and their wives and families to visit our beautiful district. Apple growing constitutes one of the principal agricultural industries in our State. We have the most delicious apples, of course, Mr. Speaker, grown anywhere in the entire country.

If you go to this district you will receive a very warm welcome, and it will be an excellent opportunity to see our very beautiful New England country. For the benefit of visitors, the committee in charge of the Apple Blossom Week has laid out a tour of about 75 miles, which passes through most of the finest orchards of the district.

Many of the towns of this Nashoba district need only mention to denote their historical significance. In order to entice you to accept the invitation to the apple blossom festival, I am going to read to you the names of the towns, many of which you remember from your school days, when you were studying early American history. The district is comprised of the towns of Acton, Andover, Ashby, Ayer, Berlin, Billerica, Bolton, Bradstreet, Carlisle, Chelmsford, Clinton, Concord, Dunstable, Fitchburg, Foxboro, Framingham, Fleasondale, Grafton, Groton, Harvard, Holliston, Hudson, Lancaster, Leominster, Lincoln, Littleton, Lunenburg, Marlboro, Maynard, Oxford, Pepperell, Shirley, Southboro, Sterling Junction, Stow, Sudbury, Westboro, and Westford.

Mr. Speaker, the historic towns of Concord and Lexington are in my district. Those towns and others are full of Revolutionary history. They belong to you as well as to me, because it was these events taking place which brought about our form of government, the best form of government in all the world. They ought to be made national shrines.

I hope very much you will all journey to Massachusetts during this week. [Applause.]

#### EXTENSION OF REMARKS

Mr. BOILEAU, Mr. LUCAS, Mr. McCORMACK, and Mr. PHILLIPS asked and were given permission to revise and extend their remarks.

#### SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 842. An act to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruitfly by the Department of Agriculture; to the Committee on Agriculture.

S. 1465. An act for the relief of Beryl M. McHam; to the Committee on Military Affairs.

S. 1699. An act granting an annuity to Frank W. Carpenter; to the Committee on Claims.

S. 1715. An act for the relief of Donald L. Bruner; to the Committee on Military Affairs.

S. 1817. An act for the relief of Arthur Lee Dasher; to the Committee on Military Affairs.

S. 2249. An act providing for the manner of payment of taxes on gross production of minerals, including gas and oil, in Oklahoma; to the Committee on Indian Affairs.

S. Con. Res. 13. Concurrent resolution authorizing the Senate Committee on the Judiciary to have printed for its use additional copies of the hearings on the bill (S. 1392) to reorganize the judicial branch of the Government; to the Committee on Printing.

#### ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly



enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 4728. An act to authorize cooperation in the development of farm forestry in the States and Territories, and for other purposes;

H. R. 4892. An act to authorize the Secretary of War to convey to the International Young Men's Christian Association College and to the trustees of the Gunn Realty Trust all right, title, and interest of the United States in and to certain lands in Hampden County, Mass.; and

H. R. 5554. An act to authorize the Secretary of War to lend War Department equipment for use at the 1937 national encampment of Veterans of Foreign Wars to be held in Buffalo and Niagara Falls, N. Y., from August 29 to September 3, 1937.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 74. An act for the relief of Melba Kuehl;

S. 118. An act for the relief of Harry D. McIntosh;

S. 150. An act amending section 2 of Public Law No. 716 of the Seventy-fourth Congress, being an act entitled "An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes";

S. 315. An act for the relief of George W. Hanna and Bertha M. Hanna;

S. 434. An act for the relief of Rufus C. Long;

S. 435. An act for the relief of B. W. Winward;

S. 461. An act for the relief of Frank Dauwe, Alberto Esparza, Frank Van den Hende, Germain Van der Poorten, and Cesar Van Overbenborger;

S. 590. An act for the relief of the estate of Grace M. Moore, deceased;

S. 595. An act to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes;

S. 812. An act for the relief of E. P. Conroy and Graham Conroy;

S. 1147. An act for the relief of Alban C. Sipe;

S. 1313. An act for the relief of Lt. Comdr. Chester B. Peake, Supply Corps, United States Navy;

S. 1472. An act to authorize the Secretary of War to dispose of material to the National Council of the Boy Scouts of America;

S. 1571. An act to amend an act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936;

S. 1589. An act for the relief of Mr. and Mrs. Robert O. Brown;

S. 1590. An act for the relief of Warren J. Fox;

S. 1631. An act for the relief of Commander William I. Causey, United States Navy, and Lt. Comdr. Earl LeRoy Bailey, Supply Corps, United States Navy; and

S. 1632. An act for the relief of Capt. Benjamin Dutton, Jr., Capt. C. H. J. Keppler, Commander Leo H. Thebaud, and Lt. Comdr. Gordon S. Bower, Supply Corps, United States Navy.

#### BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

MR. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On May 8, 1937:

H. R. 4720. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1938, and for other purposes; and

H. J. Res. 304. Joint resolution authorizing Federal participation in the New York World's Fair, 1939.

On May 10, 1937:

H. R. 26. An act to amend section 23 of the Immigration Act of February 5, 1917 (39 Stat. 874), as amended (U. S. C., title 8, sec. 102);

H. R. 28. An act to authorize the deportation of aliens who secured preference-quota or nonquota visas through fraud by contracting marriage solely to fraudulently expedite admission to the United States, and for other purposes;

H. R. 175. An act declaring Scajaquada Creek, Erie County, N. Y., to be a non-navigable stream;

H. R. 327. An act for the relief of Henry H. Carr; Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis; and Hilory Wise and Flora A. Wise;

H. R. 411. An act for the relief of A. Sereiskis (Maxwell A. Rittenberg);

H. R. 1315. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knull, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks;

H. R. 1780. An act for the relief of Mary E. Cavey, Joseph C. Kinney, and the estate of J. Edgar Gift, deceased;

H. R. 2305. An act to extend the time for applying for and receiving benefits under the act entitled "An act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935;

H. R. 2516. An act to provide for the establishment of a Coast Guard station on Lake Pontchartrain, La., and for other purposes;

H. R. 2899. An act to provide for the establishment of a Coast Guard station at or near Pass-a-Grille Beach, Fla.;

H. R. 2928. An act to amend the law relating to residence requirements of applicants for examinations before the Civil Service Commission;

H. R. 3306. An act to authorize a preliminary examination and survey of Santa Maria River with a view to the control of its floods;

H. R. 3903. An act to authorize an appropriation for improvement of ammunition storage facilities at Camp Stanley, Tex., and Savanna Ordnance Depot, Savanna, Ill.;

H. R. 4233. An act for the relief of Annie E. Hyland;

H. R. 4451. An act to authorize the cancellation of deportation proceedings in the case of Salvatore Branchicella;

H. R. 4681. An act for the relief of Edward C. Paxton;

H. R. 5332. An act authorizing allotment of pay by civilian personnel stationed abroad; and

H. J. Res. 185. Joint resolution to authorize Capt. Harry G. Hamlet, Capt. Edward D. Jones, Lt. Comdr. Louis W. Perkins, Lt. Comdr. Frank T. Kenner, Lt. Dwight H. Dexter, and Chief Boatswain Thomas A. Ross, United States Coast Guard, to accept certain foreign decorations and diplomas.

#### ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 36 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 11, 1937, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON FOREIGN AFFAIRS

There will be a meeting of the Committee on Foreign Affairs in the Capitol on Tuesday, May 11, 1937, at 10 a. m. Business to be considered: Hearings on House Joint Resolution 314, providing for the participation of the United States in the San Francisco Bay Exposition, Inc., sponsors for the Golden Gate International Exposition to be held in San Francisco in 1939.

##### COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Committee on the Public Lands on Tuesday, May 11, 1937, at 10 a. m., in room 328, House Office Building, to resume hearings on H. R. 5858, Oregon & California land grant lands.

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Subcommittee on "Seeing-eye Dogs" of the Committee on Interstate and Foreign



Commerce, at 10 a. m., Wednesday, May 12, 1937. H. R. 6049, "Seeing-eye Dogs."

#### COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445 of the House Office Building at 10:30 a. m., on Wednesday, May 12, 1937, for public consideration of H. R. 4353, H. R. 4354, H. R. 4355, and H. R. 4356.

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Thursday, May 13, 1937, and open hearings on the new railroad retirement bill, which it is expected will be introduced in the House on Tuesday, May 11.

#### COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Public Lands Committee on Friday, May 14, 1937, at 10 a. m., in room 328, House Office Building, to resume hearings on H. R. 5853, title 2, a bill relating to revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon.

#### COMMITTEE ON ROADS

There will be a meeting of the Committee on Roads in room 1011 of the New House Office Building at 10 a. m. on Tuesday, May 18, 1937, to hear proponents and opponents of "superhighway" proposals (H. J. Res. 227 and H. R. 4198).

#### COMMITTEE ON THE LIBRARY

There will be a meeting of the Committee on the Library on Thursday morning, May 20, 1937, at 10 a. m., at which time testimony on several bills will be accepted.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

606. A letter from the legislative representative, Veterans of Foreign Wars, transmitting the proceedings of the Thirty-seventh National Encampment of the Veterans of Foreign Wars of the United States, held at Denver, Colo., September 19-23, 1936 (H. Doc. No. 39); to the Committee on Military Affairs and ordered to be printed, with illustrations.

607. A letter from the chairman, Securities and Exchange Commission, transmitting a part of a report of the Securities and Exchange Commission's study and investigation of the work, activities, personnel, and functions of protective and reorganization committees; to the Committee on Interstate and Foreign Commerce.

608. A letter from the Acting Attorney General, transmitting the draft of a bill to amend the Criminal Code by providing punishment for impersonation of officers and employees of Government-owned and Government-controlled corporations; to the Committee on the Judiciary.

609. A letter from the Secretary of War, transmitting the draft of a bill to simplify accounting, and for other purposes; to the Committee on Expenditures in the Executive Departments.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. NORTON: Committee on the District of Columbia. H. R. 6696. A bill to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929; without amendment (Rept. No. 778). Referred to the House Calendar.

Mr. MURDOCK of Arizona: Committee on Indian Affairs. S. 1231. An act authorizing payment to the San Carlos Apache Indians for the lands ceded by them in the agreement of February 25, 1896, ratified by the act of June 10, 1896, and reopening such lands to mineral entry; without amendment (Rept. No. 779). Referred to the Committee of the Whole House on the state of the Union.

Mr. COSTELLO: Committee on Military Affairs. S. 210. An act for the relief of soldiers who were discharged from the Army during the Spanish-American War, the Philippine Insurrection, and the Boxer Uprising because of minority or misrepresentation of age; with amendment (Rept. No. 780). Referred to the Committee of the Whole House on the state of the Union.

Mr. CARLSON: Committee on Flood Control. H. R. 6585. A bill to amend an act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936; without amendment (Rept. No. 781). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DOUGHTON: Committee on Ways and Means. H. R. 5258. A bill for the relief of Jackson Casket & Manufacturing Co.; without amendment (Rept. No. 777). Referred to the Committee of the Whole House.

#### ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. COOPER: Committee on Ways and Means. House Resolution 199. Resolution requesting the President to transmit to the House of Representatives information regarding the number of persons on general relief in the State of New York, the number of aliens receiving such relief; if preference is given war veterans; and if any preference is given to American citizens over aliens (Rept. No. 776). Ordered to be printed.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2364) for the relief of Peter J. Romanosky, a disabled World War veteran; Committee on War Claims discharged, and referred to the Committee on Pensions.

A bill (H. R. 6518) for the relief of Wayne Smallwood Vetterlein; Committee on War Claims discharged, and referred to the Committee on Pensions.

A bill (H. R. 6228) for the relief of Howard Lewter; Committee on Naval Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5259) for the relief of John S. Monahan; Committee on Naval Affairs discharged, and referred to the Committee on World War Veterans' Legislation.

A bill (H. R. 6223) granting a pension to Thomas G. Solosky; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOUGHTON: A bill (H. R. 6906) to impose an occupational excise tax upon certain dealers in marihuana, to impose a transfer tax upon certain dealings in marihuana, and to safeguard the revenue therefrom by registry and recording; to the Committee on Ways and Means.

By Mr. CHANDLER: A bill (H. R. 6907) to provide for the appointment of one additional circuit judge for the sixth judicial circuit; to the Committee on the Judiciary.

By Mrs. JENCKES of Indiana: A bill (H. R. 6908) to extend the retirement privilege to certain employees in the judicial service, and for other purposes; to the Committee on the Civil Service.

By Mr. LAMNECK: A bill (H. R. 6909) to authorize the Secretary of War to lend War Department equipment for use at the national high-school band contest to be held at Columbus, Ohio, during the month of May 1937; to the Committee on Military Affairs.

By Mr. LANHAM: A bill (H. R. 6910) to provide for the exchange between the United States and The Union Termi-



nal Co. of certain properties in connection with the parcel-post-building site at Dallas, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. THOMPSON of Illinois: A bill (H. R. 6911) to amend the Revenue Act of 1932, by imposing an excise tax on pork and pork products; to the Committee on Ways and Means.

By Mr. TOWEY: A bill (H. R. 6912) to amend section 26 (c) (2) of the Revenue Act of 1936; to the Committee on Ways and Means.

By Mr. GREEVER: A bill (H. R. 6913) to authorize the acquisition by the United States of certain tribally owned lands of the Indians of the Shoshone or Wind River Indian Reservation, Wyo., for the Wind River Indian irrigation project; to the Committee on Indian Affairs.

Also, a bill (H. R. 6914) to authorize the acquisition of certain tribally owned lands of the Indians of the Shoshone or Wind River Indian Reservation, Wyo., for the Wind River irrigation project; to the Committee on Indian Affairs.

By Mr. LEWIS of Colorado: A bill (H. R. 6915) to authorize the establishment in or near Denver, Colo., of an Army Air Corps Technical School and the acceptance without cost to the United States of certain lands in the State of Colorado for use as a site therefor, and for use as an aerial gunnery and bombing range for the Army Air Corps; to the Committee on Military Affairs.

By Mr. BLAND: A bill (H. R. 6916) to amend the laws relating to enlistments in the Coast Guard, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MARTIN of Colorado: A bill (H. R. 6917) to protect producers, manufacturers, and consumers from the unrevealed presence of substitutes and mixtures in woven or knitted fabrics and in garments or articles of apparel made therefrom, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DISNEY: A bill (H. R. 6918) to regulate and control traffic of narcotics and liquor in the Osage Indian Nation; to the Committee on Indian Affairs.

By Mr. DIMOND: A bill (H. R. 6919) to make further provision for the payment of license taxes in Alaska; to the Committee on the Territories.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 6920) granting the consent of Congress to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Mass., or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge across the Merrimack River at Lowell; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 6921) to provide for a survey of the Merrimack River and its tributaries with a view to preventing their pollution; to the Committee on Rivers and Harbors.

By Mr. IGLESIAS: A bill (H. R. 6922) to amend section 3 of the act entitled "An act to provide a civil government for Puerto Rico, and for other purposes", increasing borrowing margin of municipality of Mayaguez; to the Committee on Insular Affairs.

By Mr. LUECKE of Michigan: A bill (H. R. 6923) to authorize an appropriation to pay one-half the cost of paving certain streets adjoining United States Government property in the city of Sault Ste. Marie, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. O'CONNOR of Montana: A bill (H. R. 6924) for expenditure of funds for cooperation with the public-school board at Wolf Point, Mont., for completing the construction, extension, equipment, and improvement of a public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. McCORMACK: A bill (H. R. 6925) to provide for a national cemetery in every State; to the Committee on Military Affairs.

By Mr. HARTER: A bill (H. R. 6926) to amend the World War Adjusted Compensation Act; to the Committee on Ways and Means.

By Mr. BOLAND of Pennsylvania: A bill (H. R. 6927) to exempt State liquor dispensing systems from the requirement of rendering transcripts and summaries of entries with respect to distilled spirits; to the Committee on Ways and Means.

By Mr. VINSON of Georgia: A bill (H. R. 6928) to provide for an additional midshipman at the United States Naval Academy, and for other purposes; to the Committee on Naval Affairs.

By Mr. SPENCE: A bill (H. R. 6929) to amend the National Housing Act; to the Committee on Banking and Currency.

By Mr. O'CONNOR of Montana: A bill (H. R. 6930) authorizing an investigation of the Yellowstone River in Montana by the Bureau of Reclamation for the purpose of irrigation, flood control, and power, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. FISH: Joint resolution (H. J. Res. 356) to restrict the purchase and importation of gold by the Treasury; to the Committee on Coinage, Weights, and Measures.

By Mr. LUECKE of Michigan: Joint resolution (H. J. Res. 357) to authorize the Secretary of War to lend War Department equipment for use at the 1937 convention of American Legion Posts of the Upper Peninsula of the State of Michigan, to be held at Munising, Mich., on July 16, 17, and 18; to the Committee on Military Affairs.

By Mr. McKEOUGH: Joint resolution (H. J. Res. 358) authorizing the President to proclaim the tercentenary of the birth of Pere Jacques Marquette; to the Committee on the Judiciary.

#### MEMORIALS

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

The SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution No. 32; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution No. 51; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 1; to the Committee on the Territories.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolution No. 38, concerning flood control; to the Committee on Flood Control.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BARRY (by request): A bill (H. R. 6931) for the relief of Joseph Pavich; to the Committee on Immigration and Naturalization.

By Mr. BELL (by request): A bill (H. R. 6932) for the relief of John Trinca (otherwise known as Enrico Loschi and Enrico Loshi); to the Committee on Immigration and Naturalization.

By Mr. BLAND: A bill (H. R. 6933) for the relief of Thomas D. Ferguson; to the Committee on Claims.

By Mr. BOLAND of Pennsylvania: A bill (H. R. 6934) for the relief of Charles Werwinski; to the Committee on Naval Affairs.

Also, a bill (H. R. 6935) for the relief of Teresa Coyne, widow of Michael Coyne; to the Committee on Naval Affairs.

Also, a bill (H. R. 6936) for the relief of Joseph McDonnell; to the Committee on Naval Affairs.

By Mr. CLARK of Idaho: A bill (H. R. 6937) for the relief of Lawrence J. Kessinger; to the Committee on Claims.

By Mr. COLE of New York: A bill (H. R. 6938) for the relief of Margaret Husted; to the Committee on Claims.



By Mr. CROSSER: A bill (H. R. 6939) for the relief of Mr. and Mrs. John Shebestok, parents of Constance and Lois Shebestok; to the Committee on Claims.

By Mr. EICHER: A bill (H. R. 6940) for the relief of Ed Ulch; to the Committee on Claims.

Also, a bill (H. R. 6941) for the relief of Ben Whittington; to the Committee on Claims.

Also, a bill (H. R. 6942) for the relief of Leo Umbdenstock; to the Committee on Claims.

By Mr. FISH: A bill (H. R. 6943) for the relief of Nicholas Amoroso; to the Committee on Claims.

By Mr. GAVAGAN: A bill (H. R. 6944) for the relief of Eugene Jacob Steiner; to the Committee on Immigration and Naturalization.

By Mr. KEOGH: A bill (H. R. 6945) for the relief of Albert J. E. Shay; to the Committee on Claims.

By Mr. McCORMACK: A bill (H. R. 6946) for the relief of Abraham Salutsky, alias Mordche Smigelsky or Max Simgelsky; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 6947) for the relief of Elmer Burlingame; to the Committee on Military Affairs.

By Mr. McFARLANE: A bill (H. R. 6948) for the relief of Roy Burns, alias Arthur Clark; to the Committee on Military Affairs.

By Mr. McGEHEE: A bill (H. R. 6949) for the relief of the dependents of Max Grady Sullivan, deceased; to the Committee on Military Affairs.

By Mrs. NORTON: A bill (H. R. 6950) for the relief of Andrew J. McGarraghy; to the Committee on Claims.

By Mr. PETERSON of Florida: A bill (H. R. 6951) for the relief of Harold Price; to the Committee on Claims.

Also, a bill (H. R. 6952) for the relief of Hattie Doudna; to the Committee on Claims.

By Mr. SCOTT: A bill (H. R. 6953) for the relief of Harry J. Thiesen; to the Committee on Military Affairs.

By Mr. STEFAN: A bill (H. R. 6954) granting a pension to Grace Gerecke; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 6955) granting a pension to Hannah E. Koontz; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

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

2159. By Mr. BUCK: Petition of residents of Sanitarium, Napa County, Calif., protesting against Senate bill 1270 or House bill 3291, Seventy-fifth Congress, first session, relative to requiring barbers in the District of Columbia to refrain from the practice of such occupation or trade on Sunday or on Saturday solely because of religious beliefs; to the Committee on the District of Columbia.

2160. Also, petition of the Legislature of the State of California, relative to Assembly Joint Resolution No. 38, memorializing and petitioning the President and the Congress of the United States to include the Santa Maria River flood control and the Santa Ana River flood-control projects in the national program of work relief; to the Committee on Flood Control.

2161. Also, petition of the Legislature of the State of California, relative to Senate Joint Resolution No. 16, memorializing the President and the Congress of the United States to enact legislation proposed by Senate bill 419 and House bill 2288, providing for the granting of aid by the Federal Government to the several States for the support of public education; to the Committee on Education.

2162. By Mr. COFFEE of Washington: Petition of Hobart (Wash.) Grange No. 1084, Juliet Blickfeldt, secretary endorsing Senate bill 1551, by Mr. BONE, of Washington, preventing the courts from aiding railroads attempting to evade taxes; to the Committee on Interstate and Foreign Commerce.

2163. Also, petition of the Northwest Printing Trades Federation, Robert Berwick, secretary-treasurer, Tacoma, Wash., expressing sympathy for the heroic struggles of the loyalist government of Spain to maintain its government

against Fascist invasion; expressing its hostility to General Franco for his opposition to organized labor in Spain; stating that the cause of democracy in Spain is vital to democracy in America; and praising Congressman JOHN COFFEE for his actions in protesting provision of the compromise neutrality bill (sec. 3 (a)), prohibiting the collection of funds, food, clothing, or medical help for the Loyalists; to the Committee on Foreign Affairs.

2164. Also, petition of the Northwest Printing Trades Federation, Robert Berwick, secretary-treasurer, Tacoma, Wash., expressing the sentiment that labor is uniformly supporting President Roosevelt's proposal to reform the Federal judiciary as a measure in the interests of labor, liberals, and of progressives, and praying that all members of the Washington and Oregon congressional delegations in the House and Senate promptly and vigorously champion the President's court proposal; to the Committee on the Judiciary.

2165. By Mr. CULLEN: Petition of the legislature of the State of New York, urging the passage of Senate bill 2296, a bill to regulate interstate transportation of products of child labor; to the Committee on Interstate and Foreign Commerce.

2166. By Mr. ENGLEBRIGHT: Assembly Joint Resolution No. 6 of the department of state, State of California, relative to memorializing the President and Congress to enact legislation furnishing aid in the construction of check dams in the Salinas River Valley; to the Committee on Rivers and Harbors.

2167. Also, Assembly Joint Resolution No. 29 of the department of state, State of California, relative to awarding Distinguished Service Crosses to Tony Siminoff, Oliver F. Rominger, and Robert E. Beck, veterans of the Philippine Insurrection; to the Committee on Military Affairs.

2168. Also, Senate Joint Resolution No. 8 of the department of state, State of California, relative to the control of white-pine blister rust by the United States Government; to the Committee on Agriculture.

2169. Also, House Resolution No. 80 of the assembly legislative department, State of California, that the President's judicial reform program is hereby emphatically endorsed and approved; to the Committee on the Judiciary.

2170. Also, Assembly Joint Resolution No. 38 relative to memorializing and petitioning the President and the Congress of the United States to include the Santa Maria River flood-control and the Santa Ana River flood-control projects in the national program of work relief; to the Committee on Appropriations.

2171. Also, Senate Joint Resolution No. 16 of the department of state, State of California, relative to memorializing the President and the Congress of the United States to enact legislation proposed by Senate bill 419 and House bill 2288, providing for the granting of aid by the Federal Government to the several States for the support of public education; to the Committee on Education.

2172. By Mr. GOODWIN: Petition of the New York State Legislature, urging Congress to enact into law Senate bill 2296, a bill to regulate interstate transportation of products of child labor in certain cases; to the Committee on Labor.

2173. By Mr. HANCOCK of New York: Resolution of the Common Council of the city of Syracuse, N. Y., urging the adoption of the United States Housing Act of 1937; to the Committee on Banking and Currency.

2174. By Mr. HART: Memorial of the Toms River Democratic Club, urging the enactment of House bill 4411, introduced by Mr. SUTPHIN, prohibiting the importation of egg products into the United States; to the Committee on Ways and Means.

2175. By Mr. KEOGH: Petition of the Legislature of the State of New York, stating that the products of free labor in the State of New York are at present subject to unfair competition from products of child labor in other States, to the detriment of adult wage earners and employers of the State of New York; to the Committee on Labor.

2176. Also, petition of the New York State Farm Bureau Federation, concerning the World's Poultry Congress; to the Committee on Foreign Affairs.



2177. Also, petition of the Chamber of Commerce of the State of New York, concerning the proposed reorganization of Federal Government; to the Committee on Appropriations.

2178. Also, petition of the Chamber of Commerce of the State of New York, concerning the Reynolds-Starnes bills on immigration; to the Committee on Immigration and Naturalization.

2179. By Mr. KRAMER: Resolution of the Assembly and Senate of the State of California, pertaining to the award of distinguished services to Tony Siminoff, Oliver F. Rominger, Robert E. Beck; to the Committee on Military Affairs.

2180. Also, resolution of the Assembly and Senate of the State of California, pertaining to the control of White-pine blister rust by the United States Government; to the Committee on Agriculture.

2181. By Mr. LEAVY: Resolution of the Lumber and Sawmill Workers Union of Spokane, Wash., Local No. 2552, opposing the enactment of House bill 4724; to the Committee on the Public Lands.

2182. Also, resolution of the university division of the American Technocratic Association, endorsing President Roosevelt's proposal to reorganize the Federal judiciary; to the Committee on the Judiciary.

2183. Also, resolution of the Spokane (Wash.) Chapter of the National Aeronautic Association, requesting the House of Representatives and the Senate to create standing committees on civil aviation; to the Committee on Rules.

2184. By Mr. PFEIFER: Petition of the Independent Steel & Iron Producers, New York City, concerning the Schwellenbach bill (S. 2025) and the Koppleman bill (H. R. 6278); to the Committee on Military Affairs.

2185. Also, petition of the New York State Farm Bureau Federation, Ithaca, N. Y., concerning appropriation for Federal participation in the World's Poultry Congress in 1939; to the Committee on Foreign Affairs.

2186. Also, petition of the International Ladies' Garment Workers' Union, New York City, concerning continued adult education under the Works Progress Administration; to the Committee on Education.

2187. Also, petition of the East New York Vocational High School, Brooklyn, N. Y., concerning appropriation to carry on vocational education authorized under the George-Deen Act; to the Committee on Appropriations.

2188. Also, petition of the New York State Turkey Association, Baldwinsville, N. Y., concerning appropriation for Government participation in the World's Poultry Congress in 1939; to the Committee on Foreign Affairs.

2189. Also, petition of the Senate of the State of New York, Albany, N. Y., concerning bill to regulate interstate transportation of products of child labor in certain cases (S. 2296); to the Committee on Interstate and Foreign Commerce.

2190. By Mr. RICH: Petition of citizens of Coudersport, Pa., protesting against the passage of Senate bill 1270 and House bill 3291; to the Committee on the District of Columbia.

2191. By Mr. SUTPHIN: Petition of the Toms River Democratic Club, Toms River, N. J., favoring House bill 4411, a measure to prohibit the importation of eggs and egg products into the United States, and citing the increase of production costs without a corresponding rise in egg prices; to the Committee on Ways and Means.

2192. By Mr. THOMAS of New Jersey: Petition of Mrs. Rudolph Schweizer and 28 other members of the Woman's Club of Ramsey, N. J., protesting against the enactment of the Sheppard-Hill bill (H. R. 1954); to the Committee on Military Affairs.

2193. By the SPEAKER: Petition of the city of Sandusky, Ohio, concerning regulation of the interstate natural-gas pipe lines; to the Committee on Interstate and Foreign Commerce.

2194. Also, petition of George D. Sadowski and others, favoring Senate bill 4424 and House bill 5033, United States Housing Act of 1937; to the Committee on Banking and Currency.

2195. Also, petition of the Toms River Democratic Club, County of Ocean, N. J., concerning the prohibition of the importation of egg products; to the Committee on Ways and Means.

2196. Also, petition of the National Farm Loan Association, Montgomery, Ala., concerning interest rate on all Federal land-bank loans; to the Committee on Agriculture.

2197. Also, petition of the Women's International League for Peace and Freedom, concerning national defense; to the Committee on Military Affairs.

## SENATE

TUESDAY, MAY 11, 1937

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O God of Grace, who alone canst move the pitiless to pity and the hard of heart to deeds of brotherly kindness: Take our poor lives, stained with the dust of the world, and make them white in the radiancy of the love of Christ, that we may learn to walk life's way with the lonely, and comfort the desolate with hearts touched to remembrance of the forgotten brethren at our doors.

Let this spirit of kindness prevail throughout the Nation, for every one of us is helpless if Thou be not our guide; remember especially our beloved everywhere, and in all things help us to be true, facing our duties, fighting our battles, carrying crosses or winning crowns 'til we all know Thee and find Thee as Thou seekest us, and as we ourselves go groping after Thee. We ask it in the name of Jesus Christ, our most blessed Lord and Savior. Amen.

HENRIK SHIPSTEAD, a Senator from the State of Minnesota, appeared in his seat today.

### THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 10, 1937, was dispensed with, and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed a bill (H. R. 6410) granting a pension to Mary Lord Harrison, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 74. An act for the relief of Melba Kuehl;

S. 118. An act for the relief of Harry D. McIntosh;

S. 150. An act amending section 2 of Public Law No. 716 of the Seventy-fourth Congress, being an act entitled "An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes";

S. 315. An act for the relief of George W. Hanna and Bertha M. Hanna;

S. 434. An act for the relief of Rufus C. Long;

S. 435. An act for the relief of B. W. Winward;

S. 461. An act for the relief of Frank Dauwe, Alberto Esparza, Frank Van den Hende, Germain Van der Poorten, and Cesar Van Overbenborger;

S. 590. An act for the relief of the estate of Grace M. Moore, deceased;

S. 595. An act to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes;

S. 812. An act for the relief of E. P. Conroy and Graham Conroy;

S. 1147. An act for the relief of Alban C. Sipe;