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JOURNAL OF THE SENATE

OF THE

UNITED STATES OF AMERICA

SPECIAL SESSION OF THE SENATE

BEGUN AND HELD AT THE CITY OF WASHINGTON
MARCH 4, 1933, AND THE

FIRST SESSION

OF THE

SEVENTY-THIRD CONGRESS

BEGUN AND HELD AT THE CITY OF WASHINGTON
MARCH 9, 1933, IN THE ONE HUNDRED AND
FIFTY-SEVENTH YEAR OF THE
INDEPENDENCE OF THE
UNITED STATES

SECRETARIAT
5 FEB 1934
MADRAS GOVERNMENT

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1933



SPECIAL SESSION OF THE SENATE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas public interests require that the Senate of the United States be convened at 12 o'clock on the 4th day of March, 1933, *to receive* such communications as may be made by the Executive;

Now, therefore, I, Herbert Hoover, President of the United States of America, do hereby *proclaim* and declare that an extraordinary occasion requires the Senate of the United States to convene at the Capitol, in the City of Washington, on the 4th day of March next, at 12 o'clock *noon*, of which all persons who shall at that time be entitled to act as Members of that body are hereby required to take notice.

In witness whereof, I have *hereunto* set my hand and caused the seal of the United States to be affixed.

Done at the City of *Washington* this 14th day of February, in the year of our Lord nineteen *hundred and thirty-three*, and of the Independence of the United States of America the one *hundred and fifty-seventh*.

HERBERT HOOVER.

{SEAL.}

By the President:

HENRY L. STIMSON,
Secretary of State.

In conformity with the foregoing *proclamation* of the President of the United States the Senate assembled in its Chamber in the City of Washington.

SATURDAY, MARCH 4, 1933

The Hon. *John N.* Garner, Vice President of the United States and President of the Senate, called the Senate to order, and the Chaplain, Rev. Z&Barney Thorne Phillips, D. D., *offered* prayer.

ADDRESS OF THE VICE PRESIDENT

The Vice President addressed the Senate as follows:

Senators, this is my first and possibly it may be my last opportunity to address the Senate. I am particularly anxious to ingratiate myself into your favorable consideration. Knowing from some observation the disposition of the Senate not to discuss any matter unless it is important and under particular *consideration*, I deem it inappropriate to say more than that I come as your Presiding Officer to cooperate, to be helpful, to do the best I can to help you conduct the proceedings of the Senate.

In carrying out that idea which I have, I shall forego *saying more than that I am happy* to be over here, I am happy to meet you all, and glad of the opportunity to get *better* acquainted with Senators.

READING OF PROCLAMATION OF THE PRESIDENT

The proclamation of the President convening the Senate *in extraordinary* session was read.

CREDENTIALS OF SENATOR DESIGNATE FROM TENNESSEE

Mr. McKellar presented the credentials of Nathan L. Bachman, appointed a Senator by the Governor of the State of Tennessee *on* March 4, 1933, to represent said State in the Senate of the United States until the vacancy therein, caused by the resignation of Hon. Cordell Hull, is filled by election as provided by law; which were read and ordered to be placed on file.

CREDENTIALS OF SENATOR DESIGNATE FROM VIRGINIA

Mr. Glass presented the credentials of Harry Flood Byrd, appointed a Senator by the Governor of the State of Virginia *on* March 4, 1933, to represent said State in the Senate of the United States until the vacancy therein, caused by the resignation of Hon. Claude A. Swanson, is filled by election as provided by law; which were read and ordered to be placed on file.

ADMINISTRATION OF OATHS TO SENATORS

Mr. Bachman and Mr. Byrd, together with the following-named Senators whose credentials had heretofore been presented, appeared, and the oath prescribed by law having been administered to them by the Vice President they took *their seats* in the Senate:

Mr. Alva B. Adams, from the State of Colorado;
Mr. Alben W. Barkley, from the State of Kentucky;
Mr. Hugo L. Black, from the State of Alabama;
Mr. Homer T. Bone, from the State of Washington;
Mr. Fred H. Brown, from the State of New Hampshire;
Mr. Robert J. Bulkley, from the State of Ohio;
Mrs. Hattie W. Caraway, from the State of Arkansas;
Mr. Bennett Champ Clark, from the State of Missouri;
Mr. Porter H. Dale, from the State of Vermont;
Mr. James J. Davis, from the State of Pennsylvania;
Mr. William H. Dieterich, from the State of Illinois;
Mr. F. Ryan Duffy, from the State of Wisconsin;
Mr. Duncan U. Fletcher, from the State of Florida;
Mr. Walter F. George, from the State of Georgia;
Mr. Carl Hayden, from the State of Arizona;
Mr. Augustine Lonergan, from the State of Connecticut;
Mr. William Gibbs McAdoo, from the State of California;
Mr. Patrick A. McCarran, from the State of Nevada;
Mr. George McGill, from the State of Kansas;
Mr. Louis Murphy, from the State of Iowa;
Mr. Peter Norbeck, from the State of South Dakota;
Mr. Gerald P. Nye, from the State of North Dakota;
Mr. John H. Overton, from the State of Louisiana;
Mr. James P. Pope, from the State of Idaho;
Mr. Robert R. Reynolds, from the State of North Carolina;
Mr. Ellison D. Smith, from the State of South Carolina;
Mr. Frederick Steiwer, from the State of Oregon;
Mr. Elbert D. Thomas, from the State of Utah;
Mr. Elmer Thomas, from the State of Oklahoma;
Mr. Millard E. Tydings, from the State of Maryland;
Mr. Frederick Van Nuys, from the State of Indiana; and
Mr. Robert F. Wagner, from the State of New York.

ORDER FOR RECESS

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That after the inaugural ceremonies are concluded the Senate take a recess and reassemble in its Chamber at 2 o'clock p. m.

INAUGURAL CEREMONIES

The President of the United States, the Chief Justice of the United States, and the Associate Justices of the Supreme Court of the United States, the Diplomatic Corps, the members of the President's Cabinet, and other persons, entitled to admission by order of the committee of arrangements, having heretofore entered the Senate Chamber, the Senate, accompanied by them, proceeded to the platform erected at the east front of the Capitol, where the President of the United States delivered the following address:

I am certain that my fellow Americans expect that on my induction into the Presidency I will address them with a candor and a decision which the present situation of our Nation impels. This is preeminently the time to speak the truth, the whole truth, frankly and boldly. Nor need we shrink from honestly facing conditions in our country to-day. This great Nation will endure as it has endured, will revive and will prosper. So, first of all, let me assert my firm belief that the only thing we have to fear is fear itself—nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance. In every dark hour of our national life a leadership of frankness and vigor has met with that understanding and support of the people themselves which is essential to victory. I am convinced that you will again give that support to leadership in these critical days.

In such a spirit on my part and on yours we face our common difficulties. They concern, thank God, only material things. Values have shrunken to fantastic levels; taxes have risen; our ability to pay has fallen; government of all kinds is faced by serious curtailment of income; the means of exchange are frozen in the currents of trade; the withered leaves of industrial enterprise lie on every side; farmers find no markets for their produce; the savings of many years in thousands of families are gone.

More important, a host of unemployed citizens face the grim problem of existence, and an equally great number toil with little return. Only a foolish optimist can deny the dark realities of the moment.

Yet our distress comes from no failure of substance. We are stricken by no plague of locusts. Compared with the perils which our forefathers conquered because they believed and were not afraid, we have still much to be thankful for. Nature still offers her bounty and human efforts have multiplied it. Plenty is at our doorstep, but a generous use of it languishes in the very sight of the supply. Primarily this is because the rulers of the exchange of mankind's goods have failed, through their own stubbornness and their own incompetence, have admitted their failure, and abdicated. Practices of the unscrupulous money changers stand indicted in the court of public opinion, rejected by the hearts and minds of men.

True they have tried, but their efforts have been cast in the pattern of an outworn tradition. Faced by failure of credit they have proposed only the lending of more money. Stripped of the lure of profit by which to induce our people to follow their false leadership, they have resorted to exhortations, pleading tearfully for restored confidence. They know only the rules of a generation of self-seekers. They have no vision, and when there is no vision the people perish.

The money changers have fled from their high seats in the temple of our civilization. We may now restore that temple to the ancient truths. The measure of the restoration lies in the extent to which we apply social values more noble than mere monetary profit.

Happiness lies not in the mere possession of money; it lies in the joy of achievement, in the thrill of creative effort. The joy and moral stimulation of work no longer must be forgotten in the mad chase of evanescent profits. These dark days will be worth all they cost us if they teach us that our true destiny is not to be ministered unto but to minister to ourselves and to our fellow men.

Recognition of the falsity of material wealth as the standard of success goes hand in hand with the abandonment of the false belief that public office and high political position are to be valued only by the standards of pride of place and personal profit; and there must be an end to a conduct in banking and in business which too often has given to a sacred trust the likeness of callous and selfish wrongdoing. Small wonder that confidence languishes, for it thrives only on honesty, on honor, on the sacredness of obligations, on faithful protection, on unselfish performance; without them it can not live.

Restoration calls, however, not for changes in ethics alone. This Nation asks for action, and action now.

Our greatest primary task is to put people to work. This is no unsolvable problem if we face it wisely and courageously. It can be accomplished in part by direct recruiting by the Government itself, treating the task as we would treat the emergency of a war, but at the same time, through this employment, accomplishing greatly needed projects to stimulate and reorganize the use of our natural resources.

Hand in hand with this we must frankly recognize the overbalance of population in our industrial centers and, by engaging on a national scale in a redistribution, endeavor to provide a better use of the land for those best fitted for the land. The task can be helped by definite efforts to raise the values of agricultural products and with this the power to purchase the output of our cities. It can be helped by preventing realistically the tragedy of the growing loss through foreclosure of our small homes and our farms. It can be helped by insistence that the Federal, State, and local governments act forthwith on the demand that their cost be drastically reduced. It can be helped by the unifying of relief activities which to-day are often scattered, uneconomical, and unequal. It can be helped by national planning for and supervision of all forms of transportation and of communications and other utilities which have a definitely public character. There are many ways in which it can be helped, but it can never be helped merely by talking about it. We must act and act quickly.

Finally, in our progress toward a resumption of work we require two safeguards against a return of the evils of the old order; there must be a strict supervision of all banking and credits and investments; there must be an end to speculation with other people's money, and there must be provision for an adequate but sound currency.

These are the lines of attack. I shall presently urge upon a new Congress in special session detailed measures for their fulfillment, and I shall seek the immediate assistance of the several States.

Through this program of action we address ourselves to putting our own national house in order and making income balance outgo. Our international trade relations, though vastly important, are in point of time and necessity secondary to the establishment of a sound national economy. I favor as a practical policy the putting of first things first. I shall spare no effort to restore world trade by international economic readjustment, but the emergency at home can not wait on that accomplishment.

The basic thought that guides these specific means of national recovery is not narrowly nationalistic. It is the insistence, as a first consideration, upon the interdependence of the various elements in and parts of the United States—a recognition of the old and permanently important manifestation of the American spirit of the pioneer. It is the way to recovery. It is the immediate way. It is the strongest assurance that the recovery will endure.

In the field of world policy I would dedicate this Nation to the policy of the good neighbor—the neighbor who resolutely respects himself and, because he does so, respects the rights of others—the neighbor who respects his obligations and respects the sanctity of his agreements in and with a world of neighbors.

If I read the temper of our people correctly, we now realize as we have never realized before our interdependence on each other; that we can not merely take but we must give as well; that if we are to go forward, we must move as a trained and loyal army willing to sacrifice for the good of a common discipline, because without such discipline no progress is made, no leadership becomes effective. We are, I know, ready and willing to submit our lives and property to such discipline, because it makes possible a leadership which aims at a larger good. This I propose to offer, pledging that the larger purposes will bind upon us all as a sacred obligation with a unity of duty hitherto evoked only in time of armed strife.

With this pledge taken, I assume unhesitatingly the leadership of this great army of our people dedicated to a disciplined attack upon our common problems.

Action in this image and to this end is feasible under the form of government which we have inherited from our ancestors. Our Constitution is so simple and practical that it is possible always to meet extraordinary needs by changes in emphasis and arrangement without loss of essential form. That is why our constitutional system has proved itself the most superbly enduring political mechanism the modern world has produced. It has met every stress of vast expansion of territory, of foreign wars, of bitter internal strife, of world relations.

It is to be hoped that the normal balance of executive and legislative authority may be wholly adequate to meet the unprecedented task before us. But it may be that an unprecedented demand and need for undelayed action may call for temporary departure from that normal balance of public procedure.

I am prepared under my constitutional duty to recommend the measures that a stricken nation in the midst of a stricken world may require. These measures, or such other measures as the Congress may build out of its experience and wisdom, I shall seek, within my constitutional authority, to bring to speedy adoption.

But in the event that the Congress shall fail to take one of these two courses, and in the event that the national emergency is still critical, I shall not evade the clear course of duty that will then confront me. I shall ask the Congress for the one remaining instrument to meet the crisis—broad Executive power to wage a war against the emergency, as great as the power that would be given to me if we were in fact invaded by a foreign foe.

For the trust reposed in me I will return the courage and the devotion that befit the time. I can do no less.

We face the arduous days that lie before us in the warm courage of national unity; with the clear consciousness of seeking old and precious moral values; with the clean satisfaction that comes from the stern performance of duty by old and young alike. We aim at the assurance of a rounded and permanent national life.

We do not distrust the future of essential democracy. The people of the United States have not failed. In their need they have registered a mandate that they want direct, vigorous action. They have asked for discipline and direction under leadership. They have made me the present instrument of their wishes. In the spirit of the gift I take it.

In this dedication of a Nation we humbly ask the blessing of God. May He protect each and every one of us. May He guide me in the days to come.

RECESS

The address having been concluded, the Senate, under its order of to-day, stood in recess until 2 o'clock p. m.

AT 2 O'CLOCK P. M.

The Vice President being absent, and the office of President pro tempore being vacant by reason of the expiration of the term of service of Hon. George H. Moses, the Secretary, under Rule I, paragraph 2, called the Senate to order; when,

On motion by Mr. Pittman, and by unanimous consent,

The Senate took a recess for 15 minutes.

AT 2 O'CLOCK AND 15 MINUTES P. M.

The Vice President called the Senate to order.

Mr. La Follette raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Coolidge, Copeland, Costigan, Couzens, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

The Senate resumed its legislative session.

HOUR OF DAILY MEETING

Mr. Robinson of Arkansas submitted the following resolution (S. Res. 1), which was considered by unanimous consent and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

RECESS

On motion by Mr. Robinson of Arkansas, at 2 o'clock and 55 minutes p. m.,

The Senate took a recess until 9 o'clock and 45 minutes a. m. on Monday next.

AT 9 O'CLOCK AND 45 MINUTES A. M. (CALENDAR DAY, MONDAY, MARCH 6, 1933)

FUNERAL OF LATE SENATOR THOMAS J. WALSH

The Senate met at 9.45 a. m. for the purpose of attending the funeral in the Senate Chamber of Hon. Thomas J. Walsh, late a Senator from the State of Montana, held under authority of Senate Resolution 380 (72d Cong.), agreed to March 3, 1933.

Mr. Vandenberg raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Coolidge, Copeland, Costigan, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That at the conclusion of the funeral ceremonies the Senate take a recess for 15 minutes.

The Members elect of the House of Representatives, the Diplomatic Corps, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, the Commandant of the Coast Guard, the President of the United States, and the members of the Cabinet, having been heretofore invited to attend the funeral, entered the Chamber and were escorted to the seats assigned them.

At the conclusion of the services, which were conducted by His Excellency Most Rev. Michael J. Curley, Archbishop of Baltimore, and attending clergy, the invited guests retired; and, at 10 o'clock and 40 minutes a. m.,

The Senate, pursuant to its order of to-day, took a recess for 15 minutes.

AT 10 O'CLOCK AND 55 MINUTES A. M.

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Coolidge, Copeland, Costigan, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Wolcott, Walsh, Wheeler, and White.

A quorum being present,

PRINTING OF PRESIDENT'S INAUGURAL ADDRESS

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the inaugural address of the President of the United States be printed as a Senate document.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

The Senate resumed its legislative session;

When,

ADJOURNMENT SINE DIE

On motion by Mr. Robinson of Arkansas, at 11 o'clock and 8 minutes a. m.,

The Senate adjourned sine die.

JOURNAL OF THE SENATE OF THE UNITED STATES OF AMERICA

Seventy-Third Congress, First Session : : : Beginning March 9, 1933

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas public interests require that the Congress of the United States should be convened in extra session at twelve o'clock, noon, on the Ninth day of March, 1933, to receive such communication as may be made by the Executive;

Now, Therefore, I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the City of Washington on the Ninth day of March, 1933, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

In witness whereof, I have hereunto set my hand and caused to be affixed the great seal of the United States.

Done at the City of Washington this Fifth day of March, in the year of our Lord One Thousand Nine Hundred and Thirty-three, and of the Independence of the United States the One Hundred and Fifty-seventh.

[SEAL.] FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,

Secretary of State.

In conformity with the foregoing proclamation of the President of the United States the Senate assembled in its Chamber in the City of Washington.

THURSDAY, MARCH 9, 1933

The Hon. John N. Garner, Vice President of the United States and President of the Senate, called the Senate to order, and the Chaplain, Rev. ZeBarney Thorne Phillips, D. D., of Washington, D. C., offered prayer.

PROCLAMATION OF THE PRESIDENT

The proclamation of the President convening the Congress in extraordinary session was read.

ASCERTAINMENT OF QUORUM

The Vice President directed the roll to be called to ascertain the presence of a quorum;

When

Eighty-five Senators answered to their names, as follows:

From the State of Alabama:
Messrs. Hugo L. Black and John H. Bankhead.
From the State of Arizona:
Messrs. Henry F. Ashurst and Carl Hayden.
From the State of Arkansas:
Mr. Joseph T. Robinson and Mrs. Hattie W. Caraway.
From the State of California:
Messrs. Hiram W. Johnson and William Gibbs McAdoo.
From the State of Colorado:
Messrs. Edward P. Costigan and Alva B. Adams.
From the State of Connecticut:
Messrs. Frederic C. Walcott and Augustine Lonergan.
From the State of Delaware:
Mr. John G. Townsend, jr.
From the State of Florida:
Messrs. Duncan U. Fletcher and Park Trammell.
From the State of Georgia:
Messrs. Walter F. George and Richard B. Russell, jr.
From the State of Idaho:
Messrs. William E. Borah and James P. Pope.
From the State of Illinois:
Messrs. J. Hamilton Lewis and William H. Dieterich.
From the State of Indiana:
Messrs. Arthur R. Robinson and Frederick Van Nuys.
From the State of Iowa:
Messrs. L. J. Dickinson and Louis Murphy.
From the State of Kansas:
Messrs. Arthur Capper and George McGill.
From the State of Kentucky:
Messrs. Alben W. Barkley and M. M. Logan.
From the State of Louisiana:
Messrs. Huey P. Long and John H. Overton.
From the State of Maine:
Messrs. Frederick Hale and Wallace H. White, jr.
From the State of Maryland:
Messrs. Millard E. Tydings and Phillips Lee Goldsborough.
From the State of Massachusetts:
Messrs. David I. Walsh and Marcus A. Coolidge.
From the State of Michigan:
Messrs. James Couzens and Arthur H. Vandenberg.
From the State of Mississippi:
Messrs. Pat Harrison and Hubert D. Stephens.

From the State of Missouri:
Messrs. Roscoe C. Patterson and Bennett Champ Clark.
From the State of Nebraska:
Mr. George W. Norris.
From the State of Nevada:
Messrs. Key Pittman and Patrick A. McCarran.
From the State of New Hampshire:
Messrs. Henry W. Keyes and Fred H. Brown.
From the State of New Jersey:
Messrs. Hamilton F. Kean and W. Warren Barbour.
From the State of New Mexico:
Mr. Sam G. Bratton.
From the State of New York:
Messrs. Royal S. Copeland and Robert F. Wagner.
From the State of North Carolina:
Messrs. Josiah W. Bailey and Robert R. Reynolds.
From the State of North Dakota:
Mr. Gerald P. Nye.
From the State of Ohio:
Messrs. Simeon D. Fess and Robert J. Bulkley.
From the State of Oklahoma:
Messrs. Elmer Thomas and Thomas P. Gore.
From the State of Oregon:
Messrs. Charles L. McNary and Frederick Steiwer.
From the State of Pennsylvania:
Messrs. David A. Reed and James J. Davis.
From the State of Rhode Island:
Mr. Felix Hebert.
From the State of South Carolina:
Messrs. E. D. Smith and James F. Byrnes.
From the State of South Dakota:
Messrs. Peter Norbeck and William J. Bulow.
From the State of Tennessee:
Messrs. Kenneth McKellar and Nathan L. Bachman.
From the State of Texas:
Messrs. Morris Sheppard and Tom Connally.
From the State of Utah:
Messrs. William H. King and Elbert D. Thomas.
From the State of Vermont:
Messrs. Porter H. Dale and Warren R. Austin.
From the State of Virginia:
Messrs. Carter Glass and Harry F. Byrd.
From the State of Washington:
Messrs. Clarence C. Dill and Homer T. Bone.
From the State of West Virginia:
Mr. M. M. Neely.
From the State of Wisconsin:
Messrs. Robert M. La Follette, Jr., and F. Ryan Duffy.
From the State of Wyoming:
Mr. Robert D. Carey.

NOTIFICATION TO THE PRESIDENT

Mr. Robinson of Arkansas submitted the following resolution (S. Res. 2), which was considered by unanimous consent and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The Vice President thereupon appointed Mr. Robinson of Arkansas and Mr. McNary as the members of the committee on the part of the Senate.

Ordered, That the Secretary notify the House of Representatives thereof.

NOTIFICATION TO THE HOUSE

Mr. McNary submitted the following resolution (S. Res. 3), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. Robinson of Arkansas submitted the following resolution (S. Res. 4), which was considered by unanimous consent and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

PRESIDENT PRO TEMPORE OF THE SENATE

Mr. Robinson of Arkansas submitted the following resolution (S. Res. 5):

Resolved, That Hon. Key Pittman, a Senator from the State of Nevada, be, and he hereby is, elected President pro tempore, to hold office during the pleasure of the Senate in accordance with the resolution of the Senate adopted on the 12th day of March, 1890, on the subject.

The Senate proceeded, by unanimous consent, to consider the said resolution.

On motion by Mr. McNary to amend the same by striking out the words "Key Pittman, a Senator from the State of Nevada," and inserting in lieu thereof *Arthur H. Vandenberg, a Senator from the State of Michigan*,

It was determined in the negative.

The resolution was then agreed to.

SECRETARY OF THE SENATE

Mr. Robinson of Arkansas submitted the following resolution (S. Res. 6), which was considered by unanimous consent and agreed to:

Resolved, That Edwin A. Halsey, of Virginia, be, and he is hereby, elected Secretary of the Senate.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. Robinson of Arkansas submitted the following resolution (S. Res. 7), which was considered by unanimous consent and agreed to:

Resolved, That Chesley W. Jurney, of Texas, be, and he is hereby, elected Sergeant at Arms and Doorkeeper of the Senate.

NOTIFICATION TO PRESIDENT OF ELECTION OF PRESIDENT PRO TEMPORE AND SECRETARY OF THE SENATE

Mr. Robinson of Arkansas submitted the following resolution (S. Res. 8), which was considered by unanimous consent and agreed to:

Resolved, That the President of the United States be notified of the election of Hon. Key Pittman, a Senator from the State of Nevada, as President of the Senate pro tempore, and Edwin A. Halsey, of Virginia, as Secretary of the Senate.

NOTIFICATION TO HOUSE OF ELECTION OF PRESIDENT PRO TEMPORE AND SECRETARY OF THE SENATE

Mr. McNary submitted the following resolution (S. Res. 9), which was considered by unanimous consent and agreed to:

Resolved, That the House of Representatives be notified of the election of Hon. Key Pittman, a Senator from the State of Nevada, as President of the Senate pro tempore, and Edwin A. Halsey, of Virginia, as Secretary of the Senate.

SECRETARY FOR THE MAJORITY

Mr. Robinson of Arkansas submitted the following resolution (S. Res. 10), which was considered by unanimous consent and agreed to:

Resolved, That Leslie L. Biffle, of Arkansas, be, and he is hereby, elected secretary for the majority of the Senate.

SECRETARY FOR THE MINORITY

Mr. McNary submitted the following resolution (S. Res. 11), which was considered by unanimous consent and agreed to:

Resolved, That Carl A. Loeffler, of Pennsylvania, be, and he is hereby, elected secretary for the minority of the Senate.

ADMINISTRATION OF OATH TO PRESIDENT PRO TEMPORE AND SECRETARY

Mr. Pittman and Mr. Halsey, President pro tempore and Secretary, respectively, advanced to the desk and the oath of office prescribed by law was administered to them by the Vice President.

STANDING COMMITTEES OF THE SENATE

Mr. Robinson of Arkansas submitted a resolution (S. Res. 12), which was considered by unanimous consent; and, having been modified by him,

The resolution, as modified, was agreed to, as follows:

Resolved, That paragraph 1 of Rule XXV of the Standing Rules of the Senate be, and it is hereby, amended so as to read as follows:

"1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"Committee on Agriculture and Forestry, to consist of 19 Senators.

"Committee on Appropriations, to consist of 23 Senators.

"Committee to Audit and Control the Contingent Expenses of the Senate, to consist of 5 Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same: *Provided*, That any such resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

"Committee on Banking and Currency, to consist of 20 Senators.

"Committee on Civil Service, to consist of 10 Senators.

"Committee on Claims, to consist of 13 Senators.

"Committee on Commerce, to consist of 20 Senators.

"Committee on the District of Columbia, to consist of 15 Senators.

"Committee on Education and Labor, to consist of 13 Senators.

"Committee on Enrolled Bills, to consist of 3 Senators, who shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and which shall have power to act jointly with the same committee of the House of Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate.

"Committee on Expenditures in the Executive Departments, to consist of 7 Senators.

"Committee on Finance, to consist of 20 Senators.

"Committee on Foreign Relations, to consist of 23 Senators.

"Committee on Immigration, to consist of 14 Senators.

"Committee on Indian Affairs, to consist of 13 Senators.

"Committee on Interoceanic Canals, to consist of 8 Senators.

"Committee on Interstate Commerce, to consist of 20 Senators.

"Committee on Irrigation and Reclamation, to consist of 17 Senators.

"Committee on the Judiciary, to consist of 18 Senators.

"Committee on the Library, to consist of 10 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

"Committee on Manufactures, to consist of 13 Senators.

"Committee on Military Affairs, to consist of 17 Senators.

"Committee on Mines and Mining, to consist of 13 Senators.

"Committee on Naval Affairs, to consist of 17 Senators.

"Committee on Patents, to consist of 7 Senators.

"Committee on Pensions, to consist of 10 Senators.

"Committee on Post Offices and Post Roads, to consist of 19 Senators.

"Committee on Printing, to consist of 7 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

"Committee on Privileges and Elections, to consist of 17 Senators.

"Committee on Public Buildings and Grounds, to consist of 14 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

"Committee on Public Lands and Surveys, to consist of 15 Senators.

"Committee on Rules, to consist of 13 Senators.

"Committee on Territories and Insular Affairs, to consist of 17 Senators."

MEMBERSHIP OF STANDING COMMITTEES

Mr. Robinson of Arkansas submitted an order designating the majority members of the standing committees of the Senate.

Mr. McNary submitted an order designating the minority members, including Mr. Shipstead, of the said committees.

The Senate proceeded to consider the said orders, and the same were agreed to by unanimous consent, as follows:

Ordered, That the following shall constitute the standing committees of the Senate of the Seventy-third Congress:

On Agriculture and Forestry: Ellison D. Smith, of South Carolina (chairman); John B. Kendrick, of Wyoming; Burton K. Wheeler, of Montana; Elmer Thomas, of Oklahoma; George McGill, of Kansas; John H. Bankhead, of Alabama; W. J. Bulow, of South Dakota; Hattie W. Caraway, of Arkansas; Homer T. Bone, of Washington; Louis Murphy, of Iowa; James P. Pope, of Idaho; George W. Norris, of Nebraska; Charles L. McNary, of Oregon; Arthur Capper, of Kansas; Peter Norbeck, of South Dakota; Lynn J. Frazier, of North Dakota; H. D. Hatfield, of West Virginia; Bronson Cutting, of New Mexico; Henrik Shipstead, of Minnesota.

On Appropriations: Carter Glass, of Virginia (chairman); Kenneth McKellar, of Tennessee; John B. Kendrick, of Wyoming; Royal S. Copeland, of New York; Carl Hayden, of Arizona; Sam G. Bratton, of New Mexico; Elmer Thomas, of Oklahoma; James F. Byrnes, of South Carolina; Millard E. Tydings, of Maryland; Richard B. Russell, jr., of Georgia; Marcus A. Coolidge, of Massachusetts; Alva B. Adams, of Colorado; Patrick McCarran, of Nevada; John H. Overton, of Louisiana; Frederick Hale, of Maine; Henry W. Keyes, of New Hampshire; Gerald P. Nye, of North Dakota; Frederick Steiwer, of Oregon; Peter Norbeck, of South Dakota; Porter H. Dale, of Vermont; L. J. Dickinson, of Iowa; John G. Townsend, jr., of Delaware; Robert D. Carey, of Wyoming.

To Audit and Control the Contingent Expenses of the Senate: James F. Byrnes, of South Carolina (chairman); John B. Kendrick, of Wyoming; Millard E. Tydings, of Maryland; Simeon D. Fess, of Ohio; John G. Townsend, jr., of Delaware.

On Banking and Currency: Duncan U. Fletcher, of Florida (chairman); Carter Glass, of Virginia; Robert F. Wagner, of New York; Alben W. Barkley, of Kentucky; Robert J. Bulkley, of Ohio; Thomas P. Gore, of Oklahoma; Edward P. Costigan, of Colorado; Robert R. Reynolds, of North Carolina; James F. Byrnes, of South Carolina; John H. Bankhead, of Alabama; William Gibbs McAdoo, of California; Alva B. Adams, of Colorado; Peter Norbeck, of South Dakota; Phillips Lee Goldsborough, of Maryland; John G. Townsend, jr., of Delaware; Frederic C. Walcott, of Connecticut; Robert D. Carey, of Wyoming; James Couzens, of Michigan; Frederick Steiwer, of Oregon; Hamilton F. Kean, of New Jersey.

On Civil Service: W. J. Bulow, of South Dakota (chairman); Kenneth McKellar, of Tennessee; Walter F. George, of Georgia; M. M. Logan, of Kentucky; M. M. Neely, of West Virginia; William H. Dieterich, of Illinois; Porter H. Dale, of Vermont; Hamilton F. Kean, of New Jersey; Wallace H. White, jr., of Maine; Roscoe C. Patterson, of Missouri.

On Claims: Josiah William Bailey, of North Carolina (chairman); Park Trammell, of Florida; Hubert D. Stephens, of Mississippi; Hugo L. Black, of Alabama; Marcus A. Coolidge, of Massachusetts; M. M. Logan, of Kentucky; ——— ———; Arthur Capper, of Kansas; Robert B. Howell, of Nebraska; John G. Townsend, jr., of Delaware; Wallace H. White, jr., of Maine; Frederic C. Walcott, of Connecticut; Warren R. Austin, of Vermont.

On Commerce: Hubert D. Stephens, of Mississippi (chairman); Duncan U. Fletcher, of Florida; Morris Sheppard, of Texas; Royal S. Copeland, of New York; Robert J. Bulkley, of Ohio; Josiah William Bailey, of North Carolina; Hattie W. Caraway, of Arkansas; Bennett Champ Clark, of Missouri; Louis Murphy, of Iowa; John H. Overton, of Louisiana; ——— ———; ——— ———; Charles L. McNary, of Oregon; Hiram W. Johnson, of California; Porter H. Dale, of Vermont; Gerald P. Nye, of North Dakota; Arthur H. Vandenberg, of Michigan; Roscoe C. Patterson, of Missouri; Robert B. Howell, of Nebraska; Wallace H. White, jr., of Maine.

On the District of Columbia: William H. King, of Utah (chairman); Carter Glass, of Virginia; Royal S. Copeland, of New York; Millard E. Tydings, of Maryland; Thomas P. Gore, of Oklahoma; J. Hamilton Lewis, of Illinois; John H. Bankhead, of Alabama; ——— ———; ——— ———; Arthur Capper, of Kansas; Hamilton F. Kean, of New Jersey; Robert D. Carey, of Wyoming; Warren R. Austin, of Vermont; James J. Davis, of Pennsylvania; James Couzens, of Michigan.

On Education and Labor: David I. Walsh, of Massachusetts (chairman); Royal S. Copeland, of New York; Park Trammell, of Florida; Hugo L. Black, of Alabama; Louis Murphy, of Iowa; Elbert D. Thomas, of Utah; ——— ———; ——— ———; William E. Borah, of Idaho; Jesse H. Metcalf, of Rhode Island; Frederic C. Walcott, of Connecticut; Robert M. La Follette, jr., of Wisconsin; James J. Davis, of Pennsylvania.

On Enrolled Bills: Hattie W. Caraway, of Arkansas (chairman); Augustine Lonergan, of Connecticut; Arthur H. Vandenberg, of Michigan.

On Expenditures in the Executive Departments: J. Hamilton Lewis, of Illinois (chairman); Hubert D. Stephens, of Mississippi; Robert F. Wagner, of New York; Frederick Van Nuys, of Indiana; Daniel O. Hastings, of Delaware; Hamilton F. Kean, of New Jersey; Phillips Lee Goldsborough, of Maryland.

On Finance: Pat Harrison, of Mississippi (chairman); William H. King, of Utah; Walter F. George, of Georgia; David I. Walsh, of Massachusetts; Alben W. Barkley, of Kentucky; Tom Connally, of Texas; Thomas P. Gore, of Oklahoma; Edward P. Costigan, of Colorado; Josiah W. Bailey, of North Carolina; Bennett Champ Clark, of Missouri; William Gibbs McAdoo, of California; Harry Flood Byrd, of Virginia; Augustine Lonergan, of Connecticut; David A. Reed, of Pennsylvania; James Couzens, of Michigan; Henry W. Keyes, of New Hampshire; Robert M. La Follette, jr., of Wisconsin; Jesse H. Metcalf, of Rhode Island; Daniel O. Hastings, of Delaware; Frederic C. Walcott, of Connecticut.

On Foreign Relations: Key Pittman, of Nevada (chairman); Joseph T. Robinson, of Arkansas; Pat Harrison, of Mississippi; Walter F. George, of Georgia; Hugo L. Black, of Alabama; Robert F. Wagner, of New York; Tom Connally, of Texas; J. Hamilton Lewis, of Illinois; Nathan L. Bachman, of Tennessee; Elbert D. Thomas, of Utah; Frederick Van Nuys, of Indiana; F. Ryan Duffy, of Wisconsin; James F. Pope, of Idaho; ——— ———; William E. Borah, of Idaho; Hiram W. Johnson, of California; Arthur Capper, of Kansas; David A. Reed, of Pennsylvania; Simeon D. Fess, of Ohio; Robert M. La Follette, jr., of Wisconsin; Arthur H. Vandenberg, of Michigan; Arthur R. Robinson, of Indiana; Henrik Shipstead, of Minnesota.

On Immigration: Marcus A. Coolidge, of Massachusetts (chairman); William H. King, of Utah; Royal S. Copeland, of New York; Hubert D. Stephens, of Mississippi; George McGill, of Kansas; Richard B. Russell, jr., of Georgia; ——— ———; ——— ———; Hiram W. Johnson, of California; Henry W. Keyes, of New Hampshire; David A. Reed, of Pennsylvania; Gerald P. Nye, of North Dakota; H. D. Hatfield, of West Virginia; Roscoe C. Patterson, of Missouri.

On Indian Affairs: Burton K. Wheeler, of Montana (chairman); Henry F. Ashurst, of Arizona; John B. Kendrick, of Wyoming; Sam G. Bratton, of New Mexico; Elmer Thomas, of Oklahoma; W. J. Bulow, of South Dakota; ——— ———; ——— ———; Lynn J. Frazier, of North Dakota; Thomas D. Schall, of Minnesota; Robert M. La Follette, jr., of Wisconsin; Frederick Steiwer, of Oregon; Peter Norbeck, of South Dakota.

On Interoceanic Canals: Thomas P. Gore, of Oklahoma (chairman); Park Trammell, of Florida; Bennett Champ Clark, of Missouri; ——— ———; ——— ———; Thomas D. Schall, of Minnesota; Felix Hebert, of Rhode Island; W. Warren Barbour, of New Jersey.

On Interstate Commerce: Clarence C. Dill, of Washington (chairman); Ellison D. Smith, of South Carolina; Burton K. Wheeler, of Montana; Robert F. Wagner, of New York; Alben W. Barkley, of Kentucky; M. M. Neely, of West Virginia; William H. Dieterich, of Illinois; Augustine Lonergan, of Connecticut; Huey P. Long, of Louisiana; Fred H. Brown, of New Hampshire; ——— ———; ——— ———; James Couzens, of Michigan; Simeon D. Fess, of Ohio; Robert B. Howell, of Nebraska; Jesse H. Metcalf, of Rhode Island; Hamilton F. Kean, of New Jersey; Daniel O. Hastings, of Delaware; H. D. Hatfield, of West Virginia; Wallace H. White, jr., of Maine.

On Irrigation and Reclamation: Sam G. Bratton, of New Mexico (chairman); Morris Sheppard, of Texas; John B. Kendrick, of Wyoming; Key Pittman, of Nevada; Clarence C. Dill, of Washington; Henry F. Ashurst, of Arizona; John H. Bankhead, of Alabama; Alva B. Adams, of Colorado; James F. Pope, of Idaho; Patrick McCarran, of Nevada; John H. Overton, of Louisiana; Charles L. McNary, of Oregon; Hiram W. Johnson, of California; Robert B. Howell, of Nebraska; John G. Townsend, jr., of Delaware; Robert D. Carey, of Wyoming; Bronson Cutting, of New Mexico.

On the Judiciary: Henry F. Ashurst, of Arizona (chairman); William H. King, of Utah; Hubert D. Stephens, of Mississippi; Clarence C. Dill, of Washington; Sam G. Bratton, of New Mexico; Hugo L. Black, of Alabama; M. M. Neely, of West Virginia; Huey P. Long, of Louisiana; Frederick Van Nuys, of Indiana; Patrick McCarran, of Nevada; ——— ———; William E. Borah, of Idaho; George W. Norris, of Nebraska; Arthur R. Robinson, of Indiana; Daniel O. Hastings, of Delaware; Felix Hebert, of Rhode Island; Thomas D. Schall, of Minnesota; Warren R. Austin, of Vermont.

On the Library: Alben W. Barkley, of Kentucky (chairman); Kenneth McKellar, of Tennessee; Elmer Thomas, of Oklahoma; Hattie W. Caraway, of Arkansas; ——— ———; ——— ———; Simeon D. Fess, of Ohio; Robert B. Howell, of Nebraska; Peter Norbeck, of South Dakota; W. Warren Barbour, of New Jersey.

On Manufactures: Robert J. Bulkley, of Ohio (chairman); Ellison D. Smith, of South Carolina; Burton K. Wheeler, of Montana; Morris Sheppard, of Texas; Edward P. Costigan, of Colorado; Richard B. Russell, jr., of Georgia; Fred H. Brown, of New Hampshire; John H. Overton, of Louisiana; Charles L. McNary, of Oregon; Jesse H. Metcalf, of Rhode Island; Robert M. La Follette, jr., of Wisconsin; Bronson Cutting, of New Mexico; W. Warren Barbour, of New Jersey.

On Military Affairs: Morris Sheppard, of Texas (chairman); Duncan U. Fletcher, of Florida; Hugo L. Black, of Alabama; J. Hamilton Lewis, of Illinois; Marcus A. Coolidge, of Massachusetts; M. M. Logan, of Kentucky; Robert R. Reynolds, of North Carolina; Nathan L. Bachman, of Tennessee; F. Ryan Duffy, of Wisconsin; Elbert D. Thomas, of Utah; David A. Reed, of Pennsylvania; Bronson Cutting, of New Mexico; Roscoe C. Patterson, of Missouri; Robert D. Carey, of Wyoming; L. J. Dickinson, of Iowa; Warren R. Austin, of Vermont; W. Warren Barbour, of New Jersey.

On Mines and Mining: M. M. Logan, of Kentucky (chairman); Key Pittman, of Nevada; Carl Hayden, of Arizona; Duncan U. Fletcher, of Florida; W. J. Bulow, of South Dakota; James P. Pope, of Idaho; Elbert D. Thomas, of Utah; ——— ———; Arthur R. Robinson, of Indiana; Lynn J. Frazier, of North Dakota; Roscoe C. Patterson, of Missouri; H. D. Hatfield, of West Virginia; James J. Davis, of Pennsylvania.

On Naval Affairs: Park Trammell, of Florida (chairman); David I. Walsh, of Massachusetts; Millard E. Tydings, of Maryland; Ellison D. Smith, of South Carolina; George McGill, of Kansas; Richard B. Russell, jr., of Georgia; Homer T. Bone, of Washington; Harry Flood Byrd, of Virginia; William H. Dietrich, of Illinois; ——— ———; Frederick Hale, of Maine; Jesse H. Metcalf, of Rhode Island; Phillips Lee Goldsborough, of Maryland; Hamilton F. Kean, of New Jersey; James J. Davis, of Pennsylvania; Henry W. Keyes, of New Hampshire; Hiram Johnson, of California.

On Patents: Robert F. Wagner, of New York (chairman); Ellison D. Smith, of South Carolina; Clarence C. Dill, of Washington; Park Trammell, of Florida; George W. Norris, of Nebraska; Phillips Lee Goldsborough, of Maryland; Felix Hebert, of Rhode Island.

On Pensions: George McGill, of Kansas (chairman); Burton K. Wheeler, of Montana; David I. Walsh, of Massachuetts; Robert J. Bulkley, of Ohio; Augustine Lonergan, of Connecticut; Elbert D. Thomas, of Utah; Thomas D. Schall, of Minnesota; Lynn J. Frazier, of North Dakota; Arthur R. Robinson, of Indiana; and Henrik Shipstead, of Minnesota.

On Post Offices and Post Roads: Kenneth McKellar, of Tennessee (chairman); Park Trammell, of Florida; Carl Hayden, of Arizona; George McGill, of Kansas; Josiah William Bailey, of North Carolina; W. J. Bulow, of South Dakota; James F. Byrnes, of South Carolina; M. M. Logan, of Kentucky; Fred H. Brown, of New Hampshire; ——— ———; ——— ———; Porter H. Dale, of Vermont; Thomas D. Schall, of Minnesota; Lynn J. Frazier, of North Dakota; Felix Hebert, of Rhode Island; Arthur Capper, of Kansas; Robert M. La Follette, jr., of Wisconsin; W. Warren Barbour, of New Jersey; and James W. Davis, of Pennsylvania.

On Printing: Carl Hayden, of Arizona (chairman); Duncan U. Fletcher, of Florida; David I. Walsh, of Massachusetts; ——— ———; Arthur H. Vandenberg, of Michigan; L. J. Dickinson, of Iowa; and Henrik Shipstead, of Minnesota.

On Privileges and Elections: Walter F. George, of Georgia (chairman); William H. King, of Utah; Ellison D. Smith, of South Carolina; Sam G. Bratton, of New Mexico; Tom Connally, of Texas; Robert J. Bulkley, of Ohio; Thomas P. Gore, of Oklahoma; M. M. Logan, of Kentucky; Nathan L. Bachman, of Tennessee; Fred H. Brown, of New Hampshire; F. Ryan Duffy, of Wisconsin; Daniel O. Hastings, of Delaware; Felix Hebert, of Rhode Island; Warren R. Austin, of Vermont; Phillips Lee Goldsborough, of Maryland; Frederic C. Walcott, of Connecticut; and L. J. Dickinson, of Iowa.

On Public Buildings and Grounds: Tom Connally, of Texas (chairman); Henry F. Ashurst, of Arizona; Park Trammell, of Florida; Millard E. Tydings, of Maryland; David I. Walsh, of Massachusetts; Huey P. Long, of Louisiana; William Gibbs McAdoo, of California; ——— ———; Henry W. Keyes, of New Hampshire; Simeon D. Fess, of Ohio; L. J. Dickinson, of Iowa; Warren R. Austin, of Vermont; W. Warren Barbour, of New Jersey; and Henrik Shipstead, of Minnesota.

On Public Lands and Surveys: John B. Kendrick, of Wyoming (chairman); Key Pittman, of Nevada; Henry F. Ashurst, of Arizona; Robert F. Wagner, of New York; Clarence C. Dill, of Washington; Sam G. Bratton, of New Mexico; ——— ———; ——— ———; ——— ———; Peter Norbeck, of South Dakota; Porter H. Dale, of Vermont; Gerald P. Nye, of North Dakota; Bronson Cutting, of New Mexico; Frederick Steiwer, of Oregon; and Robert D. Carey, of Wyoming.

On Rules: Royal S. Copeland, of New York (chairman); Joseph T. Robinson, of Arkansas; Pat Harrison, of Mississippi; Kenneth McKellar, of Tennessee; M. M. Neely, of West Virginia; Hugo L. Black, of Alabama; Alva B. Adams, of Colorado; Harry Flood Byrd, of Virginia; Frederick Hale, of Maine; Porter H. Dale, of Vermont; David A. Reed, of Pennsylvania; Frederick Steiwer, of Oregon; and Felix Hebert, of Rhode Island.

On Territories and Insular Affairs: Millard E. Tydings, of Maryland (chairman); Key Pittman, of Nevada; Carl Hayden, of Arizona; William H. King, of Utah; Joseph T. Robinson, of Arkansas; Bennett Champ Clark, of Missouri; Robert R. Reynolds, of North Carolina; Homer T. Bone, of Washington; ——— ———; ——— ———; Hiram W. Johnson, of California; Arthur R. Robinson, of Indiana; Gerald P. Nye, of North Dakota; Jesse H. Metcalf, of Rhode Island; Arthur H. Vandenberg, of Michigan; Bronson Cutting, of New Mexico; and Charles L. McNary, of Oregon.

REPORT OF NOTIFICATION COMMITTEE

Mr. Robinson of Arkansas, from the committee appointed to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and ready to proceed to business, reported that they had communicated with the President and that he had stated that he would immediately transmit to the Senate a message in writing.

EMERGENCY BANKING RELIEF

The following message was received from the President of the United States by Mr. Latta, his secretary, which was read:

To the Senate and House of Representatives:

On March 3 banking operations in the United States ceased. To review at this time the causes of this failure of our banking system is unnecessary. Suffice it to say that the Government has been compelled to step in for the protection of depositors and the business of the Nation.

Our first task is to reopen all sound banks. This is an essential preliminary to subsequent legislation directed against speculations with the funds of depositors and other violations of positions of trust.

In order that the first objective—the opening of banks for the resumption of business—may be accomplished, I ask of the Congress the immediate enactment of legislation giving to the executive branch of the Government control over banks for the protection of depositors; authority forthwith to open such banks as have already been ascertained to be in sound condition and other such banks as rapidly as possible; and authority to reorganize and reopen such banks as may be found to require reorganization to put them on a sound basis.

I ask amendments to the Federal reserve act to provide for such additional currency, adequately secured, as it may become necessary to issue to meet all demands for currency and at the same time to achieve this end without increasing the unsecured indebtedness of the Government of the United States.

I can not too strongly urge upon the Congress the clear necessity for immediate action. A continuation of the strangulation of banking facilities is unthinkable. The passage of the proposed legislation will end this condition, and I trust within a short space of time will result in a resumption of business activities.

In addition, it is my belief that this legislation will not only lift immediately all unwarranted doubts and suspicions in regards to banks which are 100 per cent sound but will also mark the beginning of a new relationship between the banks and the people of this country.

The Members of the new Congress will realize, I am confident, the grave responsibility which lies upon me and upon them.

In the short space of five days it is impossible for us to formulate completed measures to prevent the recurrence of the evils of the past. This does not and should not, however, justify any delay in accomplishing this first step.

At an early moment I shall request of the Congress two other measures which I regard as of immediate urgency. With action taken thereon we can proceed to the consideration of a rounded program of national restoration.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 9, 1933.*

Ordered, That the message lie on the table and be printed.

RECESS

On motion by Mr. Robinson of Arkansas, at 12 o'clock and 41 minutes p. m.,

The Senate took a recess until 1 o'clock and 30 minutes p. m.

AT 1 O'CLOCK AND 30 MINUTES P. M.

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, George, Glass, Goldsborough, Gore, Hale, Harrison, Hayden, Hebert, Johnson, Kean, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

EMERGENCY BANKING RELIEF

Mr. Fletcher, by unanimous consent, introduced a bill (S. 1) to provide relief in the existing national emergency in banking, and for other purposes, which was read the first and second times and referred to the Committee on Banking and Currency, with instructions to report the same back to the Senate to-day.

PETITIONS

Mr. Hebert presented the following telegrams, which were referred to the Committee on Banking and Currency:

A telegram from Howard E. Gladding, secretary Morris Plan Co. of Rhode Island, of Providence, R. I., urging the inclusion, in legislation providing for the expansion of Federal reserve currency secured by assets of commercial banks, of receivables of industrial banking institutions, especially Morris Plan banks, as acceptable for such currency;

A telegram from Gov. Theodore Francis Green, of the State of Rhode Island, urging a provision in proposed banking legislation to provide for the issuance of currency by national and state banks and all other banking institutions under the supervision of banking commissioners in the several States or of the Comptroller of the Currency;

A telegram from various wholesale fruit and produce dealers of Providence, R. I., urging the immediate enactment of suitable legislation to release bank deposits for the payment of drafts on shipments of perishable commodities.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as follows:

By Mr. Pope:

A bill (S. 2) for the relief of C. M. Williamson, Mrs. Tura Liljenquist, administratrix of C. E. Liljenquist, deceased, Lottie Redman, and H. N. Smith; to the Committee on Claims.

By Mr. Gore:

A bill (S. 3) to prohibit members of the Federal Farm Loan Board from serving as officers of Federal land banks; to the Committee on Banking and Currency.

By Mr. Townsend:

A joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. Gore:

A joint resolution (S. J. Res. 2) to strengthen the security of deposits in certain banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. Long:

A joint resolution (S. J. Res. 3) proposing an amendment to the Constitution of the United States to permit the taxation of capital without apportionment among the States; to the Committee on the Judiciary.

By Mr. Norris:

A joint resolution (S. J. Res. 4) to improve the navigability, and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense, by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. Ashurst:

A joint resolution (S. J. Res. 5) providing for the payment of the expenses of the Senate in the impeachment trial of Harold Louderback; to the Committee on Appropriations.

RECESS

On motion by Mr. Robinson of Arkansas, at 1 o'clock and 45 minutes p. m.,

The Senate took a recess until 2 o'clock p. m.

AT 2 O'CLOCK P. M.

IMPEACHMENT OF JUDGE HAROLD LOUDERBACK

The Senate, pursuant to its order of the 3d instant, proceeded to the consideration of the articles of impeachment exhibited by the House of Representatives against Harold Louderback, United States district judge for the northern district of California.

After proceedings had therein, as stated in the Record,

The Senate, sitting as a court of impeachment, took a recess, at 2 o'clock and 16 minutes p. m., until 4 o'clock p. m.

The Senate resumed the consideration of legislative business; when

On motion by Mr. Robinson of Arkansas, at 2 o'clock and 18 minutes p. m.,

The Senate took a recess until 4 o'clock and 30 minutes p. m.

AT 4 O'CLOCK P. M.

IMPEACHMENT OF JUDGE HAROLD LOUDERBACK

The Senate, sitting for the trial of Harold Louderback, United States district judge for the northern district of California, upon articles of impeachment exhibited against him by the House of Representatives, resumed its session; and

After proceedings had therein, as stated in the Record,

The Senate, sitting as a court of impeachment, adjourned until 3 o'clock p. m. on Monday next.

AT 4 O'CLOCK AND 30 MINUTES P. M.

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: I am directed to inform the Senate that a quorum of the House of Representatives is assembled; that Henry T. Rainey, a Representative from the State of Illinois, has been elected Speaker; that South Trimble, a citizen of the State of Kentucky, has been elected Clerk; and that the House is ready for business.

I am also directed to inform the Senate that the House has passed the following resolution:

Resolved, That a committee of three be appointed by the Speaker, on the part of the House of Representatives, to join the committee appointed on the part of the Senate, to wait on the President of the United States and notify him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication he may be pleased to make.

The House has passed the bill (H. R. 1491) to provide relief in the existing national emergency in banking, and for other purposes, in which it requests the concurrence of the Senate.

ATTENDANCE OF SENATORS

Mr. Daniel O. Hastings, from the State of Delaware, and Mr. Henrik Shipstead, from the State of Minnesota, attended.

EMERGENCY BANKING RELIEF

Mr. Fletcher, from the Committee on Banking and Currency, to whom was referred, with instructions, the bill (S. 1) to provide relief in the existing national emergency in banking, and for other purposes, reported it without amendment.

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Vice President laid before the Senate the bill (H. R. 1491) to provide relief in the existing national emergency in banking, and for other purposes, this day received from the House of Representatives for concurrence, which was read the first and second times by unanimous consent, and considered.

On motion by Mr. Long to amend the bill by inserting on page 17, after line 24, a section relative to membership of State banks in the Federal reserve system, and having been subsequently modified by him,

The amendment, as modified, was not agreed to.

Ordered, That the bill pass to a third reading.

The said bill was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, { Yeas ---------- 73 / Nays ---------- 7

On motion by Mr. Robinson of Arkansas,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Caraway, Clark, Connally, Coolidge, Copeland, Couzens, Davis, Dickinson, Dill, Duffy, Fess, Fletcher, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hayden, Hebert, Johnson, Kean, Keyes, King, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Overton, Patterson, Pittman, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

Senators who voted in the negative are—

Borah, Carey, Costigan, Dale, La Follette, Nye, and Shipstead.

So it was

Resolved, That the bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Fletcher,

Ordered, That the bill (S. 1) of an identical title be postponed indefinitely.

ORDER FOR RECESS

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That when the Senate concludes its business to-day it take a recess until 12 o'clock m. to-morrow.

PAYMENTS TO EMPLOYEES FROM CONTINGENT FUND

Mr. Hayden, by unanimous consent, submitted the following resolution (S. Res. 13):

Resolved, That all resolutions authorizing payment from the contingent fund of the Senate to persons borne upon the resolution roll for services rendered in designated positions be, and are hereby, discontinued and abolished effective March 15, 1933.

Ordered, That it lie on the table.

RECESS

On motion by Mr. Robinson of Arkansas, and by unanimous consent, at 7 o'clock and 30 minutes p. m.,

The Senate took a recess for 20 minutes.

AT 7 O'CLOCK AND 50 MINUTES P. M.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The Speaker of the House having signed an enrolled bill, viz, H. R. 1491, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 1491) to provide relief in the existing national emergency in banking, and for other purposes.

The Vice President thereupon signed the same, and it was delivered to the committee to be presented to the President of the United States.

RECESS

On motion by Mr. Robinson of Arkansas, at 7 o'clock and 52 minutes p. m.,

The Senate, pursuant to its order of to-day, took a recess until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, FRIDAY, MARCH 10, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dale, Davis, Dickinson, Dill, Duffy, Fess, Fletcher, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hayden, Hebert, Johnson, Kean, Keyes, King, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, and White.

A quorum being present,

FARM BOARD AND GRAIN AND COTTON STABILIZATION CORPORATION EMPLOYEES

The Vice President laid before the Senate a communication from the secretary of the Federal Farm Board, transmitting, in partial response to Senate Resolution 358, Seventy-second Congress, second session, a report of employees of the Federal Farm Board and the Grain Stabilization Corporation, with salaries paid at stated times, and a list of the board of directors and officers of the Cotton Stabilization Corporation; which, with the accompanying papers, was referred to the Committee on Banking and Currency and ordered to be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, memorials, etc., which were referred as indicated:

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to promptly enact legislation to carry out the pledges which were made in the Democratic national platform to the farmers of this country; to the Committee on Agriculture and Forestry.

A joint memorial of the Legislature of the State of Arizona, remonstrating against the enactment of legislation reducing Federal aid for war veterans; to the Committee on Appropriations.

A joint memorial of the Legislature of the State of Wyoming favoring the enactment of legislation providing for a suspension in payment of charges due from the Federal reclamation project settlers to the United States and providing for a loan to the reclamation fund to replace the

income thereto thus suspended; to the Committee on Irrigation and Reclamation.

A memorial of Sacco-Vanzetti Branch, International Labor Defense, remonstrating against the enactment of legislation providing for the exclusion and expulsion of alien communists; to the Committee on Immigration.

A joint memorial of the Legislature of the State of Oregon, urging the enactment of legislation to make available a portion of the funds of the Reconstruction Finance Corporation for the use and benefit of the industrial interests of all States and for providing work for the unemployed;

A joint resolution of the Legislature of the State of North Dakota, memorializing Congress to take over the functions of the banking system of the United States in such manner as to protect the rights and serve the interests of the people of the United States;

A resolution adopted by the borough of Brackenridge, Pa., favoring the enactment of legislation providing for the issuance of national currency to municipalities on the pledge of their bonds; and

A petition of citizens of Erie, Pa., praying the enactment of legislation to revaluate the gold ounce; to the Committee on Banking and Currency.

A memorial of the Senate of the State of New Mexico, favoring the recognition of the United Soviet States of Russia by the United States; to the Committee on Foreign Relations.

Mr. Bratton presented an identical memorial, which was referred to the Committee on Foreign Relations.

The Vice President laid before the Senate a concurrent resolution of the Legislature of the State of South Carolina, and a communication from the Secretary of State transmitting a communication from the Austrian minister in Washington, D. C., expressing sympathy upon the death of Senator Thomas J. Walsh of Montana.

Ordered, That they lie on the table.

Mr. Bailey presented a joint resolution of the Legislature of the State of North Carolina, requesting Congress to refrain from further invasion of the sources of revenue now enjoyed by the States, and favoring the repeal of the present excise tax on gasoline, lubricating oils, consumers' tax on electricity, and the balancing of the Budget without additional excise-tax levies; which was referred to the Committee on Finance.

Mr. Bratton presented the following joint resolution and memorial of the Legislature of the State of New Mexico, which were referred as indicated:

A joint resolution favoring the routing of Federal Highway No. 85 through the village of Wagon Mound, N. Mex.; to the Committee on Post Offices and Post Roads.

A joint memorial favoring the enactment of legislation providing for compensation to settlers and property owners for damages by flood in the Rio Grande Valley in New Mexico in September, 1929; to the Committee on Irrigation and Reclamation.

Mr. Kean presented a resolution adopted by the board of commissioners of Camden, N. J., favoring the enactment of legislation providing for the guarantee of bank deposits by the Federal Government; which was referred to the Committee on Banking and Currency.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Stephens:

A bill (S. 4) to restore the 2-cent postage rate on first-class mail matter; to the Committee on Finance.

By Mr. Barkley:

A bill (S. 5) providing for loans or advances by the Reconstruction Finance Corporation for the purpose of securing the postponement of the foreclosures of certain mortgages for a period of two years, and for other purposes; to the Committee on Banking and Currency.

By Mr. Borah:

A bill (S. 6) to repeal an act entitled "An act to create Federal home-loan banks, to provide for the supervision thereof, and for other purposes," approved July 22, 1932; to the Committee on Banking and Currency.

A bill (S. 7) providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska; to the Committee on Mines and Mining.

A bill (S. 8) to add certain lands to the Boise National Forest; to the Committee on Public Lands and Surveys.

By Mr. Nye:

A bill (S. 9) authorizing the Reconstruction Finance Corporation to make loans to cooperative creamery associations; and

A bill (S. 10) providing for certain loans by the Reconstruction Finance Corporation to producers of wheat and cotton, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 11) for the relief of the Lehigh Briquetting Co.; to the Committee on Claims.

A bill (S. 12) to aid in the reduction of taxes on farm lands and to promote elementary education in rural areas of the United States, and to cooperate with the States in the promotion of these objectives; to the Committee on Education and Labor.

A bill (S. 13) to amend section 617 of the revenue act of 1932 with respect to the tax on gasoline; to the Committee on Finance.

A bill (S. 14) to amend the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914;

A bill (S. 15) to amend the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914;

A bill (S. 16) to establish a Federal Trade Court, and for other purposes; and

A bill (S. 17) to regulate election expenditures; to the Committee on the Judiciary.

A bill (S. 18) to allow credit to homestead settlers and entrymen for certain military service;

A bill (S. 19) to provide for the restoration, through exchange, of certain timberlands to the Yosemite National Park, Calif., and for other purposes; and

A bill (S. 20) to provide for the transfer of certain school lands in North Dakota to the International Peace Garden (Inc.); to the Committee on Public Lands and Surveys.

By Mr. Vandenberg:

A bill (S. 21) to create a Federal time-deposit insurance fund, to provide for the payment of time deposits in certain banks, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 22) granting a pension to Ella F. Lane;

A bill (S. 23) granting a pension to Emma A. McDuffie;

A bill (S. 24) granting an increase of pension to Nancy L. Corwin;

A bill (S. 25) granting an increase of pension to Sarah A. Gilliland; and

A bill (S. 26) granting an increase of pension to Mary J. Welch; to the Committee on Pensions.

By Mr. Patterson:

A bill (S. 27) granting a pension to Maggie L. Adams;

A bill (S. 28) granting a pension to Ida Adamson;

A bill (S. 29) granting a pension to Frederick Boller;

A bill (S. 30) granting a pension to Lucy Brown;

A bill (S. 31) granting a pension to Mary L. Chrisope;

A bill (S. 32) granting a pension to Edna A. Cole;

A bill (S. 33) granting a pension to Sarah K. Copeland;

A bill (S. 34) granting a pension to Martha Day;

A bill (S. 35) granting a pension to Minnie Dean;

A bill (S. 36) granting a pension to Olive Hancock Entrekin;

A bill (S. 37) granting a pension to Lura C. Fields;

A bill (S. 38) granting a pension to Susie Fike;

A bill (S. 39) granting a pension to Eliza Ford;

A bill (S. 40) granting a pension to Stillman Garrett;

A bill (S. 41) granting an increase of pension to Caroline Hall;

A bill (S. 42) granting an increase of pension to Rinda Hammock;

A bill (S. 43) granting a pension to Belle Hockensmith;

A bill (S. 44) granting a pension to David Huffman;

A bill (S. 45) granting a pension to Pearl Laber;

A bill (S. 46) granting a pension to Mary A. Lane;

A bill (S. 47) granting an increase of pension to Nancy A. Mathis;

A bill (S. 48) granting a pension to George H. Miller;

A bill (S. 49) granting a pension to Mary E. Mitchell;

A bill (S. 50) granting a pension to Polly Ann Newton;

A bill (S. 51) granting a pension to Sarah J. Paker;

A bill (S. 52) granting a pension to Alice Paver;

A bill (S. 53) granting an increase of pension to Freely M. Seward;

A bill (S. 54) granting an increase of pension to Sarah J. Shepard;

A bill (S. 55) granting an increase of pension to Minerva E. Shoemaker;

A bill (S. 56) granting an increase of pension to Susan A. Taylor;

A bill (S. 57) granting a pension to Ellen Theurer; and

A bill (S. 58) granting a pension to Nancy Ann Williamson; to the Committee on Pensions.

By Mr. Carey:

A bill (S. 59) for the leasing of agricultural lands by the Secretary of Agriculture for the purpose of reducing overproduction of certain agricultural commodities; to the Committee on Agriculture and Forestry.

By Mr. Hebert:

A bill (S. 60) for the relief of Richard J. Rooney;

A bill (S. 61) for the relief of Apostolis B. Cascambas; and

A bill (S. 62) for the relief of George Lancellotta; to the Committee on Claims.

A bill (S. 63) for the relief of Charles E. Wilson; to the Committee on Military Affairs.

A bill (S. 64) granting a pension to Edward Francis Bailey;

A bill (S. 65) granting a pension to James Francis Feeley; and

A bill (S. 66) granting a pension to Amasa P. Taber; to the Committee on Pensions.

By Mr. Clark:

A bill (S. 67) to amend the act of January 22, 1932 (Public Law, No. 2, 72d Cong.), creating the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

A bill (S. 68) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes; to the Committee on Finance.

By Mr. Bankhead:

A bill (S. 69) to provide for the redistribution of the overbalance of population in industrial centers by aiding in the purchase of subsistence farms, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. Thomas of Oklahoma (for Mr. Wheeler):

A bill (S. 70) to establish bimetallic system of currency, employing gold and silver, to fix the relative value of gold and silver, to provide for the free coinage of silver as well as gold, and for other purposes; to the Committee on Finance.

By Mr. Thomas of Oklahoma:

A bill (S. 71) for the relief of Zoe A. Tilghman; to the Committee on Claims.

A bill (S. 72) to provide for controlled expansion of the currency and the immediate payment to veterans of the face value of their adjusted-service certificates; to the Committee on Finance.

A bill (S. 73) to authorize the Comptroller General to allow claim of District No. 13, Choctaw County, Okla., for payment of tuition for Indian pupils; and

A bill (S. 74) to authorize payment of expenses of formulating claims of the Kiowa, Comanche, and Apache Indians of Oklahoma against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. McAdoo:

A bill (S. 75) to indemnify depositors in "member banks," as defined by the Federal reserve act, and in such other banks as shall comply with requirements prescribed by the Federal Reserve Board, against loss in the event of the failure or suspension of business of such banks; to the Committee on Banking and Currency.

By Mr. Dill:

A bill (S. 76) to provide for checking accounts in postal savings banks, and for other purposes; to the Committee on Post Offices and Post Roads.

A bill (S. 77) to provide a preliminary examination of the Snoqualmie, Skykomish, and Snohomish Rivers and their tributaries in the State of Washington, with a view to the control of their floods; to the Committee on Commerce.

A bill (S. 78) for the relief of F. A. Hoffman;

A bill (S. 79) for the relief of Johnson Bros. (Inc.);

A bill (S. 80) for the relief of William M. Wiser;

A bill (S. 81) for the relief of Molly Stark Williams;

A bill (S. 82) for the relief of Naomi L. Thompson;

A bill (S. 83) for the relief of H. M. Thatcher;

A bill (S. 84) for the relief of the Spokane & Eastern Trust Co., of Spokane, Wash.;

A bill (S. 85) for the relief of Paul J. Sisk;

A bill (S. 86) for the relief of A. L. Ostrander;

A bill (S. 87) for the relief of Lucille McClure;

A bill (S. 88) for the relief of Fred Ferch;

A bill (S. 89) for the relief of Ragnor Dahl;

A bill (S. 90) for the relief of Mick C. Cooper; and

A bill (S. 91) for the relief of James C. Langley and Elena R. Langley; to the Committee on Claims.

A bill (S. 92) authorizing the payment to Peter C. McCartin of allotments made to his children under the veterans' act of 1924; to the Committee on Finance.

A bill (S. 93) for the relief of James J. Walker;

A bill (S. 94) for the relief of Henry Frye;

A bill (S. 95) for the relief of Herman Wulff;

A bill (S. 96) for the relief of Thomas O'Connor;

A bill (S. 97) for the relief of Joseph E. Goddard;

A bill (S. 98) for the relief of William W. Giles, deceased;

A bill (S. 99) for the relief of Francis Gerrity;

A bill (S. 100) for the relief of Walter Gray;

A bill (S. 101) for the relief of Robert Gray Fry;

A bill (S. 102) for the relief of Harry Fallon;

A bill (S. 103) for the relief of John M. Elliott;

A bill (S. 104) for the relief of Robert B. Early;

A bill (S. 105) for the relief of Dennis F. Collins;

A bill (S. 106) for the relief of Presly Holliday, quartermaster sergeant, Quartermaster Corps, on the retired list, and for other purposes;

A bill (S. 107) for the relief of Theophilus Steele;

A bill (S. 108) authorizing the appointment and retirement as a brigadier general, United States Army, of W. R. Abercrombie;

A bill (S. 109) for the relief of William K. Beldin;

A bill (S. 110) for the relief of Thomas M. Buist;

A bill (S. 111) for the relief of William L. Charlton; and

A bill (S. 112) authorizing the appointment and retirement as a major, United States Army, of Harold L. Coffin; to the Committee on Military Affairs.

A bill (S. 113) for the relief of Hans Dahl; to the Committee on Naval Affairs.

A bill (S. 114) granting a pension to Richard J. Queener;

A bill (S. 115) granting a pension to Jay Dee Hoffman;

A bill (S. 116) granting a pension to Hamilton Miller;

A bill (S. 117) granting a pension to Rose Bingman;

A bill (S. 118) granting a pension to Margaret Keefe;

A bill (S. 119) granting a pension to William A. Hone;

A bill (S. 120) granting a pension to Theresa Elizabeth Mapes;

A bill (S. 121) granting an increase of pension to Kate E. Snow;

A bill (S. 122) granting a pension to Nellie J. Wood;
A bill (S. 123) granting a pension to John W. Ferwerda;
A bill (S. 124) granting a pension to Oliver L. Wolford;
A bill (S. 125) granting a pension to James William Vaughn;
A bill (S. 126) granting a pension to Walter J. Taylor;
A bill (S. 127) granting a pension to Lee A. Smith;
A bill (S. 128) granting a pension to Arminda C. Shook;
A bill (S. 129) granting a pension to Andrew J. Shaw;
A bill (S. 130) granting a pension to J. C. Ruark;
A bill (S. 131) granting an increase of pension to Lillie Randall;
A bill (S. 132) granting a pension to Clinton Pickrel;
A bill (S. 133) granting an increase of pension to Helen A. O'Haver;
A bill (S. 134) granting an increase of pension to Max Lilienthal;
A bill (S. 135) granting a pension to Thomas Lamb;
A bill (S. 136) granting a pension to Charles T. Kineth;
A bill (S. 137) granting an increase of pension to John O. Jones;
A bill (S. 138) granting a pension to Nellie Haag;
A bill (S. 139) granting a pension to Minnie H. Goddard;
A bill (S. 140) granting a pension to Ellen Giard;
A bill (S. 141) granting an increase of pension to Mary Ella Flores;
A bill (S. 142) granting a pension to Ardelle Melco;
A bill (S. 143) granting a pension to Stephen S. Floe; and
A bill (S. 144) granting a pension to Margaret E. Brown; to the Committee on Pensions.

By Mr. Pittman:

A bill (S. 145) to authorize payment of foreign debts in silver under certain limitations (with accompanying papers);
A bill (S. 146) to authorize the purchase by the Government of silver produced in the United States, to provide for the issuance of silver certificates in payment therefor, to provide for the coinage of such silver, and for other purposes; and
A bill (S. 147) to authorize the purchase by the Government of $250,000,000 worth of silver, to provide for the issuance of silver certificates in payment therefor, to provide for the coinage of such silver, and for other purposes; to the Committee on Banking and Currency.

By Mr. Ashurst:

A bill (S. 157) to amend an act approved March 4, 1929 (45 Stat. 1548) entitled "An act to supplement the last three paragraphs of section 5 of the act of March 4, 1915 (38 Stat. 1161), as amended by the act of March 21, 1918 (40 Stat. 458); to the Committee on Public Lands and Surveys.

By Mr. Black;

A bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than five days per week or six hours per day; to the Committee on the Judiciary.

By Mr. Byrnes:

A bill (S. 159) to provide for the creation of a Federal land and loan corporation, for the refinancing of farm-mortgage indebtedness in the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. Davis:

A bill (S. 160) providing import duties on coal and coke imported into the United States from foreign countries; to the Committee on Finance.

By Mr. Keyes:

A bill (S. 161) to create an establishment to be known as the national archives, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. McNary (by request):

A bill (S. 162) to provide for the use in motor fuels of alcohol manufactured from agricultural products grown in the United States; to the Committee on Agriculture and Forestry.

By Mr. Reed:

A bill (S. 163) for the relief of Capt. Guy M. Kinman; to the Committee on Claims.

By Mr. Kean:

A bill (S. 164) for the relief of Joseph Gould; to the Committee on Naval Affairs.
A bill (S. 165) to correct the military record of Albert Anderson; and
A bill (S. 166) for the relief of Robert J. Foster; to the Committee on Military Affairs.
A bill (S. 167) granting a pension to Florence L. Bright;
A bill (S. 168) granting a pension to Amanda Loper; and
A bill (S. 169) granting a pension to Joanna Douglass; to the Committee on Pensions.
A bill (S. 170) for the relief of Patrick Henry Walsh;
A bill (S. 171) for the relief of certain purchasers of lands in the borough of Brooklawn, State of New Jersey;
A bill (S. 172) for the relief of the First Camden National Bank & Trust Co., of Camden, N. J.;
A bill (S. 173) for the relief of Martin-Walsh (Inc.);
A bill (S. 174) for the relief of Elizabeth T. Cloud;
A bill (S. 175) for the relief of Lauritis Sorensen;
A bill (S. 176) for the relief of Harry Harsin;
A bill (S. 177) for the relief of Woodhouse Chain Works;
A bill (S. 178) for the relief of the Morristown Trust Co., of Morristown, N. J.; and
A bill (S. 179) for the relief of the Paterson Savings Institution, of Paterson, N. J.; to the Committee on Claims.

By Mr. Smith:

A bill (S. 180) to provide for the purchase and sale of cotton under the supervision of the Secretary of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. Neely:

A bill (S. 181) for the relief of James Evans Monroe; to the Committee on Claims.
A bill (S. 182) granting a pension to Archie Flynn;
A bill (S. 183) granting an increase of pension to Sarah E. Pratt;
A bill (S. 184) granting a pension to Roy Wilcox;
A bill (S. 185) granting a pension to Joseph J. McNeal;
A bill (S. 186) granting an increase of pension to William C. Milliner;
A bill (S. 187) granting a pension to Cale Stinnett;
A bill (S. 188) granting an increase of pension to Blanche Welker;
A bill (S. 189) granting a pension to Anna Marie Flautt;
A bill (S. 190) granting a pension to Hattie Jane Koon; and
A bill (S. 191) granting a pension to Charles Rufus Koon; to the Committee on Pensions.

By Mr. Capper:

A bill (S. 192) for the prevention of obstructions and burdens upon interstate commerce in butter and eggs by regulating transactions relating to future sales on commodity exchanges; to the Committee on Agriculture and Forestry.
A bill (S. 193) to amend section 586c of the act entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions," approved March 2, 1929;
A bill (S. 194) to change the name of B Street SW., in the District of Columbia; and
A bill (S. 195) respecting contracts of industrial life insurance in the District of Columbia; to the Committee on the District of Columbia.
A bill (S. 196) granting a pension to Sarah Hagar Lewis;
A bill (S. 197) granting a pension to Mary A. Beck;
A bill (S. 198) granting a pension to Mary E. Bordwell;
A bill (S. 199) granting an increase of pension to Lena Bradshaw;
A bill (S. 200) granting a pension to Earl Cline;
A bill (S. 201) granting an increase of pension to Mattie F. Colebaugh;
A bill (S. 202) granting an increase of pension to Elizabeth B. Craig;

A bill (S. 203) granting an increase of pension to John C. Denbo;
A bill (S. 204) granting a pension to Hulda Dodds;
A bill (S. 205) granting a pension to Eliza Ellis;
A bill (S. 206) granting a pension to William Edward Fugatt;
A bill (S. 207) granting a pension to George G. Gribben;
A bill (S. 208) granting a pension to Everett Goodwin;
A bill (S. 209) granting an increase of pension to Sarah J. Henderson;
A bill (S. 210) granting a pension to Amos Long;
A bill (S. 211) granting a pension to Allison J. Little;
A bill (S. 212) granting an increase of pension to Minnie Mahler;
A bill (S. 213) granting an increase of pension to Mary A. McNeil;
A bill (S. 214) granting an increase of pension to Jane A. McNelly;
A bill (S. 215) granting a pension to Drusilla Mikesell;
A bill (S. 216) granting an increase of pension to Martha J. Morgan;
A bill (S. 217) granting an increase of pension to Hannah Morrison;
A bill (S. 218) granting a pension to Massie E. Osborn;
A bill (S. 219) granting an increase of pension to Mary L. Parker;
A bill (S. 220) granting an increase of pension to Mary A. Phillippi;
A bill (S. 221) granting an increase of pension to Sarah J. Pitts;
A bill (S. 222) granting a pension to Charles O. Puckett;
A bill (S. 223) granting an increase of pension to Maria Roseberry;
A bill (S. 224) granting a pension to Nancy Jane Ruffin;
A bill (S. 225) granting a pension to Hannah A. Smith;
A bill (S. 226) granting an increase of pension to Alice M. Strine;
A bill (S. 227) granting an increase of pension to Ellen M. Thomas;
A bill (S. 228) granting an increase of pension to Nancy J. Walker;
A bill (S. 229) granting a pension to Frank L. Wilkinson;
A bill (S. 230) granting an increase of pension to Terressa Willoughby; and
A bill (S. 231) granting an increase of pension to Drusilla Wright; to the Committee on Pensions.
A bill (S. 232) conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller; to the Committee on Claims.

By Mr. Robinson of Arkansas:

A bill (S. 233) to maintain the credit of the United States Government; to the Committee on Finance.

By Mr. Ashurst:

A joint resolution (S. J. Res. 6) proposing an amendment to the Constitution of the United States; and
A joint resolution (S. J. Res. 7) proposing an amendment to the Constitution of the United States relative to taxes on certain incomes; to the Committee on the Judiciary.

By Mr. Carey and Mr. Steiwer:

A joint resolution (S. J. Res. 8) authorizing the fixing of grazing fees on lands within national forests; to the Committee on Agriculture and Forestry.

By Mr. Capper:

A joint resolution (S. J. Res. 9) proposing an amendment to the Constitution of the United States providing for national representation for the people of the District of Columbia; and
A joint resolution (S. J. Res. 10) proposing to amend the Constitution of the United States to exclude aliens in counting the whole number of persons in each State for apportionment of Representatives among the several States; to the Committee on the Judiciary.

By Mr. Hebert:

A joint resolution (S. J. Res. 11) authorizing and requesting the President to extend an invitation to foreign governments to be represented by delegates at the Sixth World's Poultry Congress, to be held in the United States in 1936, and to participate in the educational and live-bird exhibits of the congress; and
A joint resolution (S. J. Res. 12) authorizing an appropriation to enable the United States to send an educational exhibit and for the expenses of official delegates to the Fifth World's Poultry Congress to be held at Rome, Italy, September 6 to 15, 1933; to the Committee on Agriculture and Forestry.

By Mr. Nye:

A joint resolution (S. J. Res. 13) authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered; to the Committee on Public Lands and Surveys.

Mr. McGill, by unanimous consent, introduced a bill (S. 148) for the relief of Agnes M. Angle; which was read the first and second times.

Mr. Sheppard, by unanimous consent, introduced a bill (S. 149) for the relief of Daisy Anderson; which was read the first and second times.

Mr. King, by unanimous consent, introduced a bill (S. 150) for the relief of W. H. Hendrickson; which was read the first and second times.

Mr. Robinson of Arkansas (for Mr. Wheeler), by unanimous consent, introduced a bill (S. 151) for the relief of the Holy Family Hospital, St. Ignatius, Mont.; which was read the first and second times.

Mr. Johnson, by unanimous consent, introduced the following bills, which were read the first and second times:

S. 152. A bill to authorize the Secretary of War to grant a right of way to the Alameda Belt Line across the Benton Field Military Reservation, Alameda, Calif.; and

S. 153. A bill to convey certain land in the county of Los Angeles, State of California.

Mr. Fletcher, by unanimous consent, introduced a bill (S. 154) confirming the claim of Francis R. Sanchez, and for other purposes; which was read the first and second times.

Mr. Barkley, by unanimous consent, introduced a bill (S. 155) for the relief of A. Y. Martin; which was read the first and second times.

Mr. McNary, by unanimous consent, introduced a bill (S. 156) providing for an exchange of lands between the Colonial Realty Co. and the United States, and for other purposes.

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Senate proceeded to consider the said bills; and no amendment being made,

Ordered, That they be engrossed and read a third time.

The said bills were severally read the third time by unanimous consent.

Resolved, That they pass, that the preamble to S. 153 be agreed to, and that the respective titles of the said bills be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

EXPENSES OF IMPEACHMENT TRIAL OF JUDGE LOUDERBACK

Mr. Ashurst, by unanimous consent, submitted the following resolution (S. Res. 14), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That not to exceed $5,000 is authorized to be expended from the appropriation for miscellaneous items, contingent expenses of the Senate, for the fiscal year 1932, to defray the expenses of the Senate in the impeachment trial of Harold Louderback.

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PROPOSED RECOGNITION OF SOVIET GOVERNMENT OF RUSSIA

Mr. Borah, by unanimous consent, submitted the following resolution (S. Res. 15), which was referred to the Committee on Foreign Relations:

Resolved, That the Senate of the United States favors the recognition of the present Soviet Government of Russia.

OBSERVANCE OF MOTHER'S DAY

Mr. Copeland, by unanimous consent, submitted the following resolution (S. Res. 16), which was referred to the Committee on Education and Labor:

Whereas by House Joint Resolution No. 263, approved and signed by President Wilson May 8, 1914, the second Sunday in May of each year has been designated as Mother's Day for the expression of our love and reverence for the mothers of our country; and

Whereas there are throughout our land to-day an unprecedentedly large number of mothers and dependent children who, because of unemployment or loss of their bread earners, are lacking many of the necessities of life: Therefore be it

Resolved, That the President of the United States is hereby authorized and requested to issue a proclamation calling upon our citizens to express, on Mother's Day this year, our love and reverence for motherhood—

(a) By the customary display of the United States flag on all Government buildings, homes, and other suitable places;

(b) By the usual tokens and messages of affection to our mothers; and

(c) By making contributions, in honor of our mothers, through our churches or other fraternal and welfare agencies, for the relief and welfare of such mothers and children as may be in need of the necessities of life.

REDUCTION OF GOVERNMENTAL EXPENDITURES

The Vice President laid before the Senate the following message from the President of the United States, which was read:

To the Senate and House of Representatives:

The Nation is deeply gratified by the immediate response given yesterday by the Congress to the necessity for drastic action to restore and improve our banking system. A like necessity exists with respect to the finances of the Government itself, which requires equally courageous, frank, and prompt action.

For three long years the Federal Government has been on the road toward bankruptcy.

For the fiscal year 1931 the deficit was $462,000,000.

For the fiscal year 1932 it was $2,472,000,000.

For the fiscal year 1933 it will probably exceed $1,200,000,000.

For the fiscal year 1934, based on the appropriation bills passed by the last Congress and the estimated revenues, the deficit will probably exceed $1,000,000,000 unless immediate action is taken.

Thus we shall have piled up an accumulated deficit of $5,000,000,000.

With the utmost seriousness I point out to the Congress the profound effect of this fact upon our national economy. It has contributed to the recent collapse of our banking structure. It has accentuated the stagnation of the economic life of our people. It has added to the ranks of the unemployed. Our Government's house is not in order and for many reasons no effective action has been taken to restore it to order.

Upon the unimpaired credit of the United States Government rest the safety of deposits, the security of insurance policies, the activity of industrial enterprises, the value of our agricultural products, and the availability of employment. The credit of the United States Government definitely affects these fundamental human values. It, therefore, becomes our first concern to make secure the foundation. National recovery depends upon it.

Too often in recent history liberal governments have been wrecked on rocks of loose fiscal policy. We must avoid this danger.

It is too late for a leisurely approach to this problem. We must not wait to act several months hence. The emergency is accentuated by the necessity of meeting great refunding operations this spring.

We must move with a direct and resolute purpose now. The Members of the Congress and I are pledged to immediate economy.

I am, therefore, assuming that you and I are in complete agreement as to the urgent necessity, and my constitutional duty is to advise you as to the methods for obtaining drastic retrenchment at this time.

I am not speaking to you in general terms. I am pointing out a definite road.

The last Congress enacted legislation relating to the reorganization and elimination of executive agencies, but the economies thus to be effected are small when viewed in the light of the great deficit for the next fiscal year. They will not meet the pressing needs of our credit situation. Provision for additional saving is essential, and therefore I am asking the Congress to-day for new legislation laying down broad principles for the granting of pensions and other veteran benefits and giving to the Executive the authority to prescribe the administrative details. We are unanimous in upholding the duty of the Government to care for those who suffer in its defense and for their widows and orphans. The application, however, of this great principle to large numbers of people involves complications—so great that it is almost impossible to draw legislation with sufficient flexibility to provide substantial justice in varying situations. The proposed legislation states the principles and, limited by them, permits the Executive to draw the lines of differentiation necessary to justice.

In accord with the same purpose of substantial justice, I request also the enactment of legislation relating to the salaries of civil and military employees of the Government. This would repeal the existing furlough plan, substituting therefor a general principle and authorizing the Executive to make application of this principle. The proper legislative function is to fix the amount of expenditure, the means by which it is to be raised, and the general principles under which the expenditures are to be made. The details of expenditure, particularly in view of the great present emergency, can be more wisely and equitably administered through the Executive. The flexibility of the measures which I am proposing is not only practical but proceeds along the road of constitutional government.

Such economies which can be made will, it is true, affect some of our citizens, but the failure to make them will affect all of our citizens. The very stability of our Government itself is concerned, and when that is concerned the benefits of some must be subordinated to the needs of all.

When a great danger threatens our basic security it is my duty to advise the Congress of the way to preserve it. In so doing I must be fair not only to the few but to the many. It is in this spirit that I appeal to you. If the Congress chooses to vest me with this responsibility, it will be exercised in a spirit of justice to all, of sympathy to those who are in need, and of maintaining inviolate the basic welfare of the United States.

I ask that this legislation go into effect at once without even waiting for the beginning of the next fiscal year. I give you assurance that if this is done there is reasonable prospect that within a year the income of the Government will be sufficient to cover the expenditures of the Government.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 10, 1933.*

Ordered, That the message lie on the table.

RECESS

On motion by Mr. Robinson of Arkansas, at 12 o'clock and 31 minutes p. m.,

The Senate took a recess until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, SATURDAY, MARCH 11, 1933)

The Vice President called the Senate to order.

ATTENDANCE OF SENATOR METCALF

Mr. Jesse H. Metcalf, from the State of Rhode Island, attended.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of Thursday, March 9, and Friday, March 10, 1933, was approved.

QUESTION OF QUORUM

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dale, Dickinson, Dill, Duffy, Fess, Fletcher, George, Glass, Goldsborough, Gore, Hale, Harrison, Hayden, Hebert, Johnson, Kean, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

COMMITTEE TO INVESTIGATE AIR MAIL AND OCEAN MAIL CONTRACTS

The Vice President appointed Mr. Black, Mr. King, Mr. McCarran, Mr. Austin, and Mr. White as the members of the committee to investigate air mail and ocean mail contracts, authorized by Senate resolution 349, agreed to February 25, 1933.

FUNCTIONS AND EXPENSES OF FEDERAL HOME LOAN BANK BOARD

The Vice President laid before the Senate a communication from the chairman of the Federal Home Loan Bank Board, transmitting, in response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the board and the annual cost thereof.

Ordered, That the communication, with the accompanying report, lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A joint resolution of the Legislature of the State of Nevada, requesting Congress to adopt the proposal of Senator Pittman authorizing the President of the United States to accept certain payments in silver from Great Britain toward its debt to the United States;

A concurrent resolution of the Legislature of the State of New York, urging the enactment of legislation authorizing the Reconstruction Finance Corporation to make to worthy State banks loans which shall be subordinated to deposit liability as would be provided by the issuance of nonassessable preferred stock and to make available to such banks Federal Reserve bank notes provided for in the recent act providing relief in the existing national emergency in banking;

A joint resolution of the Legislature of the State of North Dakota, *memorializing Congress to take over the exercise* of the functions usually performed by the banking system of the United States; and

A resolution adopted by the Socialists of Tompkins County, N. Y., favoring the socialization of the entire banking system; to the Committee on Banking and Currency.

Resolutions adopted by the town council of West Warwick, R. I., and the city council of Brockton, Mass., favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciuszko; to the Committee on Post Offices and Post Roads.

Mr. Fess presented a similar resolution of the council of the city of Columbus, Ohio, which was referred to the Committee on Post Offices and Post Roads.

Mr. Goldsborough presented a communication addressed to him by the Governor of the State of Maryland, transmitting a joint resolution of the legislature of that State urging promptness and equality of treatment to the State and national banks of Maryland in the matter of the distribution of the new national currency and the prompt appraisal of bank assets under the provisions of the recent act to provide relief in the existing national emergency in banking.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A resolution adopted by Richmond County Post, No. 248, Veterans of Foreign Wars, of Staten Island, N. Y., remonstrating against any reduction in disability compensation or allowances to war veterans, and favoring the immediate cash payment of adjusted compensation certificates;

A memorial of William F. Shanley, of Brooklyn, N. Y., remonstrating against the curtailment of benefits accorded to Spanish-American War veterans; and

A petition of citizens of the State of New York, praying the enactment of legislation providing for reductions in governmental expenditures under the proposed program of *the National Economy League; to the Committee on Finance.*

A resolution adopted by Second Division Post, No. 860, American Legion, of New York, N. Y., remonstrating against any reduction of the military forces;

A resolution adopted by the Clinton Chamber of Commerce, of Clinton, N. Y., remonstrating against the expenditure of Federal appropriations for the Great Lakes-St. Lawrence waterway, for western highway construction, Federal aid for State schools, irrigation projects, and reforestation, and for the extension of aid to cotton and wheat farmers; and

A resolution adopted by Parker F. Dunn Auxiliary Unit 971, of Albany, N. Y., favoring the maintenance of adequate national defense forces and the carrying out of the provisions of the national defense act; to the Committee on Appropriations.

A petition of citizens of the State of New York, praying the revaluation of the gold ounce and remonstrating against the enactment of legislation affording relief to certain groups *or classes of citizens;* to the Committee on Banking and Currency.

A resolution adopted by Livingston County Pomona Grange, of Lima, N. Y., favoring a reduction of interest rates on farm mortgages and farm loans; to the Committee on Agriculture and Forestry.

A resolution adopted by the Chamber of Commerce of the village of Alexandria Bay, N. Y., favoring the ratification of the Great Lakes-St. Lawrence seaway treaty with Canada;

A resolution adopted by the Cobleskill Chamber of Commerce, of Cobleskill, N. Y., remonstrating against the ratification of the said treaty; and

A petition of citizens of the State of New York, praying the enactment of legislation to permit the President to place an embargo on the exportation of arms; to the Committee on Foreign Relations.

A resolution adopted by Orange County (N. Y.) Pomona Grange, Patrons of Husbandry, remonstrating against the repeal of the eighteenth amendment to the Constitution and favoring *the enforcement* of the prohibition laws; to the Committee on the Judiciary.

A resolution adopted by the Agenda Club of the Union Theological Seminary, of New York City, remonstrating against the training of unemployed youths at military posts; to the Committee on Military Affairs.

A petition of Indian residents of the Tuscarora Nation of Indians reservation in Lewiston, N. Y., praying the enactment of legislation to place them and their tribal reserve

under the protection of the general laws of the State of New York, with exemption from taxation; to the Committee on Indian Affairs.

Mr. Thomas of Oklahoma presented a concurrent resolution of condolence of the Legislature of the State of Oklahoma on the death of Senator Thomas J. Walsh of Montana.

Ordered, That it lie on the table.

REPORT OF COMMITTEE ON FINANCE

Mr. Harrison, by unanimous consent, from the Committee on Finance, to whom was referred the bill (S. 233) to maintain the credit of the United States Government, reported it with amendments and submitted a report (No. 1) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Dill:

A bill (S. 234) to authorize the Secretary of the Treasury to purchase silver by issuance of silver certificates and for the redemption of the same, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 235) for the relief of C. H. Reynolds, assignee of the Bitu-Mass Paving Co., of Spokane, Wash.; to the Committee on Claims.

A bill (S. 236) to provide funds for cooperation with the school board at Queets, Wash., in the construction of a public-school building to be available to Indian children of the village of Queets, Jefferson County, Wash.; to the Committee on Indian Affairs.

A bill (S. 237) granting a pension to Jack B. Hamilton (with accompanying papers); and

A bill (S. 238) granting a pension to Ellen B. Rader (with accompanying papers); to the Committee on Pensions.

A bill (S. 239) for the relief of Earl A. Ross; and

A bill (S. 240) for the relief of Frank P. Ross; to the Committee on Public Lands and Surveys.

By Mr. Hebert:

A bill (S. 241) to provide protection by registration of designs for textiles and other materials; to the Committee on Patents.

By Mr. Bankhead:

A bill (S. 242) to provide for the issuance of stamped money certificates, and for other purposes; to the Committee on Banking and Currency.

By Mr. Fess:

A bill (S. 243) to compensate Harriet C. Holaday; to the Committee on Foreign Relations.

A bill (S. 244) granting a pension to Lucie P. Cranston; to the Committee on Pensions.

By Mr. Glass:

A bill (S. 245) to provide for the safer and more effective use of the assets of Federal reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes; to the Committee on Banking and Currency.

By Mr. Barbour:

A bill (S. 246) for the relief of John Henry Tackett; to the Committee on Claims.

A bill (S. 247) to amend the act of May 29, 1930, relating to the retirement of employees in the classified civil service; to the Committee on Civil Service.

A bill (S. 248) for the relief of Rolando B. Moffett; to the Committee on Military Affairs.

By Mr. McNary and Mr. Steiwer:

A bill (S. 249) to provide for the construction of works for the development of the Columbia River and minor tributaries, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. Steiwer:

A bill (S. 250) for the relief of Fred Herrick; and

A bill (S. 251) authorizing and directing the Secretary of Agriculture to investigate all phases of taxation in relation to agriculture; to the Committee on Agriculture and Forestry.

A bill (S. 252) for the relief of the American Bonding Co., of Baltimore;

A bill (S. 253) for the relief of Clatsop County, Oreg.;

A bill (S. 254) for the relief of Fred H. Cotter;

A bill (S. 255) for the relief of John Hampshire;

A bill (S. 256) for the relief of Milburn Knapp;

A bill (S. 257) for the relief of Ivan Matson;

A bill (S. 258) for the relief of Wallace E. Ordway; and

A bill (S. 259) for the relief of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. Callib, J. J. Beckham, and John Toles; to the Committee on Claims.

A bill (S. 260) authorizing a preliminary examination and survey of Chetco Cove, Oreg.; and

A bill (S. 261) to provide an examination and survey of Seaside Harbor, Oreg.; to the Committee on Commerce.

A bill (S. 262) to aid agriculture by exempting from income tax income from agricultural loans, and for other purposes; to the Committee on Finance.

A bill (S. 263) authorizing certain improvements in the Tule Lake sump area of the Klamath irrigation project; and

A bill (S. 264) to provide for the improvement of the Columbia River between Celilo Falls, Oreg., and Wallula, Wash.; to the Committee on Irrigation and Reclamation.

A bill (S. 265) for the relief of Alonzo M. Boyden;

A bill (S. 266) for the relief of John Fisher;

A bill (S. 267) for the relief of Elijah L. Gum;

A bill (S. 268) for the relief of Andrew J. McCallen;

A bill (S. 269) for the relief of Walter Malone; and

A bill (S. 270) authorizing the President to present medals in the name of Congress, to certain survivors of the sinking of the steamship *Tuscania;* to the Committee on Military Affairs.

A bill (S. 271) granting pensions to certain persons who served in the Indian wars from 1817 to 1898;

A bill (S. 272) to amend section 3 of the act entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes," approved March 3, 1927;

A bill (S. 273) granting a pension to Mark Baldwin;

A bill (S. 274) granting a pension to Myrtle J. Buzan;

A bill (S. 275) granting a pension to Harold C. Cline;

A bill (S. 276) granting a pension to John L. Hammack;

A bill (S. 277) granting a pension to Matilda Jane Hart;

A bill (S. 278) granting an increase of pension to Blanche C. Hurd;

A bill (S. 279) granting a pension to John R. Liles;

A bill (S. 280) granting a pension to Mary Nightingale;

A bill (S. 281) granting a pension to J. B. Stanfield;

A bill (S. 282) granting a pension to Arminta Sullivan; and

A bill (S. 283) granting a pension to Christiana L. Todd; to the Committee on Pensions.

A bill (S. 284) authorizing the conveyance of certain lands to school district No. 28, Deschutes County, Oreg.; and

A bill (S. 285) to authorize the addition of certain lands to the Ochoco National Forest, Oreg.; to the Committee on Public Lands and Surveys.

By Mr. Trammell:

A bill (S. 286) to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933, by adding a new section thereto; to the Committee on Banking and Currency.

By Mr. King:

A bill (S. 287) to provide for review of the action of consular officers in refusing immigration visas; to the Committee on Immigration.

A bill (S. 288) to establish a department of national defense, and for other purposes; and

A bill (S. 289) to repeal the act entitled "An act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the governments of the Latin-American republics in military and naval matters," approved May 19, 1926; to the Committee on Military Affairs.

A bill (S. 290) to provide compulsory licenses for unused patents; to the Committee on Patents.

A bill (S. 291) granting certain unreserved and unappropriated public lands to the several States; to the Committee on Public Lands and Surveys.

By Mr. Capper:

A bill (S. 292) for the relief of Viola Addis;

A bill (S. 293) for the relief of William Schick; and

A bill (S. 294) for the relief of Stanton and Jones; to the Committee on Claims.

A bill (S. 295) authorizing the Commissioners of the District of Columbia to grant a permit for the construction of an oil and gasoline pipe line; and

A bill (S. 296) to provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 297) for the relief of Dewey Newman; and

A bill (S. 298) to repeal section 751 of the revenue act of 1932; to the Committee on Finance.

A bill (S. 299) to define the intent of the antitrust laws as to certain agreements; to the Committee on Interstate Commerce.

A bill (S. 300) for the relief of John J. Delaney; to the Committee on Military Affairs.

By Mr. Fletcher:

A bill (S. 301) providing for the guarantee of bank deposits, and for other purposes; to the Committee on Banking and Currency.

By Mr. Metcalf:

A bill (S. 302) to amend section 57 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended and supplemented, with respect to proof and allowance of claims by trustees for bondholders; to the Committee on the Judiciary.

By Mr. Carey:

A bill (S. 303) for the relief of Con Murphy; to the Committee on Claims.

A bill (S. 304) granting an honorable discharge to Edward Barrett;

A bill (S. 305) for the relief of William T. J. Ryan;

A bill (S. 306) to grant an honorable discharge to Robert French Griffin;

A bill (S. 307) to grant an honorable discharge to Claris N. Corwine; and

A bill (S. 308) to authorize the award of a decoration for distinguished service to Harry H. Horton; to the Committee on Military Affairs.

A bill (S. 309) granting an honorable discharge to Willard Heath Mitchell; to the Committee on Naval Affairs.

A bill (S. 310) granting an increase of pension to Melinda Morford; and

A bill (S. 311) granting an increase of pension to Elizabeth Harrington; to the Committee on Pensions.

A bill (S. 312) validating application for entry upon public lands; and

A bill (S. 313) to amend section 5 of the act approved July 10, 1890 (28 Stat. 664), relating to the admission into the Union of the State of Wyoming; to the Committee on Public Lands and Surveys.

By Mr. Adams:

A bill (S. 314) to amend the act of Congress approved March 9, 1933, entitled "An act to provide relief in the existing national emergency in banking, and for other purposes"; to the Committee on Banking and Currency.

By Mr. King:

A bill (S. 315) authorizing the Reconstruction Finance Corporation to make loans to aid in refunding or refinancing certain obligations of irrigation and drainage districts; to the Committee on Banking and Currency.

A bill (S. 316) relative to the qualifications of practioners of law in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 317) authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund; to the Committee on Irrigation and Reclamation.

A bill (S. 318) granting certain lands to the State of Utah for use and benefit of the water storage commission of such State and for the use and benefit of the University of Utah; to the Committee on Public Lands and Surveys.

HEARINGS BEFORE THE COMMITTEE ON APPROPRIATIONS

Mr. Glass, by unanimous consent, submitted the following resolution (S. Res. 17), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Appropriations, or any subcommittee thereof, is authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

RELIEF OF J. A. TIPPIT AND OTHERS

Mr. Steiwer, by unanimous consent, submitted the following resolution (S. Res. 18), which was referred to the Committee on Claims:

Resolved, That the bill (S. 259) entitled "A bill for the relief of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. McCallib, J. J. Beckham, and John Toles," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

HEARINGS BEFORE THE COMMITTEE ON EDUCATION AND LABOR

Mr. Walsh, by unanimous consent, submitted the following resolution (S. Res. 19), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Education and Labor, or any subcommittee thereof, is hereby authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and employ a stenographer at a cost not exceeding 25 cents per hundred words to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

DELEGALIZATION OF WAR

Mr. King, by unanimous consent, submitted the following resolution (S. Res. 20), which was referred to the Committee on Foreign Relations:

Whereas permanent peace is essential to the happiness and welfare of the human race, and civilization would be jeopardized by another world war; and

Whereas all people earnestly desire that international conflicts shall cease and that war shall not only be renounced as an instrument of national policy but outlawed by all civilized nations; and

Whereas both political parties in their national platforms have approved our adherence to the Permanent Court of International Justice and the adoption of policies of conciliation, consultation, and conferences in case of threatened violations of treaties for the purpose of preventing war; and

Whereas the cause of world peace would be advanced and made more certain by an enactment that would be an integral part of international law: Therefore be it

Resolved, That the President be requested to enter into negotiations with all civilized nations for the purpose of securing the adoption of measures and enactments for the delegalization of war that will make the prohibition of war between sovereign nations a basic principle of international law, remove from the protection and place under the condemnation of law as an international criminal any nation that, in violation of its treaty obligations, attempts to settle disputes by war, and by which any possession or gain thereafter acquired by any other than peaceful means shall be held an illegal possession subject to recovery under such measure or law so enacted.

INVESTIGATION OF CONDITIONS IN SOVIET RUSSIA

Mr. King, by unanimous consent, submitted the following resolution (S. Res. 21), which was referred to the Committee on Foreign Relations:

Whereas extensive propaganda has been circulated urging recognition by the United States of the Russian Soviet Government; and

Whereas early in the history of the Russian Soviet Government the United States announced a policy of nonrecognition of such Government so long as conditions then existing and policies then adhered to continued; and

Whereas this policy of nonrecognition has been steadily adhered to by this Government; and

Whereas before the Government of the United States should take any steps looking to the recognition of the Russian Soviet Government or the adoption of a different policy than that heretofore adhered to, a full and complete investigation should be made of all matters bearing upon the question of recognition: Therefore be it

Resolved, That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of economic, political, and other conditions existing in the Union of Soviet Socialist Republics, including the position of the Russian Soviet Government with respect to recognition by the United States of such Government, the attitude generally of the Russian Soviet Government toward the Government of the United States and other governments, and any other facts bearing upon the question of recognition of the Russian Soviet Government. The committee shall report its findings to the Senate at the earliest practicable date.

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

STATE BANK MEMBERSHIP IN FEDERAL RESERVE SYSTEM

Mr. Long, by unanimous consent, submitted the following resolution (S. Res. 22), which was referred to the Committee on Banking and Currency:

Resolved, That upon such terms and conditions as the President may see fit to prescribe, either generally or for specific case or cases, any State bank may, with its consent, be declared a member of the Federal reserve system and thereby receive all the benefits and protection of this act in so far as applicable to State banks, but under such conditions, requirements, and limitations as the President may prescribe.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

The Senate resumed its legislative session.

DEATH OF SENATOR HOWELL, OF NEBRASKA

Mr. Norris announced the death of his colleague, Hon. Robert B. Howell, which occurred at Walter Reed Hospital in this city at 1.48 o'clock this afternoon; and

He submitted the following resolution (S. Res. 23), which was considered by unanimous consent and unanimously agreed to:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. Robert B. Howell, late a Senator from the State of Nebraska.

Resolved, That a committee of 15 Senators be appointed by the Vice President to take order for superintending the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The Vice President, under the second paragraph of the resolution, appointed as the committee Mr. Norris, Mr. Pittman, Mr. Johnson, Mr. King, Mr. Shipstead, Mr. Trammell, Mr. La Follette, Mr. Bulow, Mr. Robinson of Indiana, Mr. Nye, Mr. Vandenberg, Mr. Kean, Mr. Murphy, Mr. Carey, and Mr. Dickinson.

On motion by Mr. Norris, as a further mark of respect to the memory of the deceased,

The Senate adjourned.

MONDAY, MARCH 13, 1933

The Vice President called the Senate to order, and the Chaplain offered prayer.

ATTENDANCE OF SENATORS

Mr. Lynn J. Frazier, from the State of North Dakota, and Mr. Henry D. Hatfield, from the State of West Virginia, attended.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar day of Saturday, March 11, 1933, was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H. R. 2820) to maintain the credit of the United States Government, in which it requests the concurrence of the Senate.

The House has passed the following resolution (H. Res. 35), which I am directed to communicate to the Senate:

Resolved, That the House has heard with profound sorrow of the death of Hon. Robert B. Howell, a Senator of the United States from the State of Nebraska.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of two Members be appointed on the part of the House to join with the committee appointed on the part of the Senate to attend the funeral.

Resolved, That as a further mark of respect this House do now adjourn.

The President of the United States has informed the House that on March 9, 1933, he approved and signed the act (H. R. 1491) to provide relief in the existing national emergency in banking, and for other purposes.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Costigan, Couzens, Dale, Dickinson, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A joint memorial of the Legislature of the State of Montana, urging the enactment of legislation providing for a suspension in payment of charges due from the Federal reclamation project settlers to the United States, and to authorize advances to the reclamation fund to replace the income thereto thus suspended; to the Committee on Irrigation and Reclamation.

A joint resolution of the Legislature of the State of Nevada, to provide for the purchase by the Government of silver, the issuance of silver certificates in payment therefor, and for the coinage of such silver, and favoring the calling by the President of an international conference to rehabilitate silver; to the Committee on Banking and Currency.

A joint resolution of the Legislature of the State of Nevada, favoring the enactment of legislation to provide for a system of bimetallic currency; to the Committee on Finance.

A resolution adopted by the Georgetown (D. C.) Progressive Business Club, recommending the appointment of George W. Offutt as a commissioner of the District of Columbia; to the Committee on the District of Columbia.

Resolutions of the council of the city of Columbus, Ohio, and the common council of South Bend, Ind., favoring the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciuszko; to the Committee on Post Offices and Post Roads.

The Vice President laid before the Senate resolutions of condolence on the death of Senator Thomas J. Walsh of Montana adopted by the Senate of the State of Nebraska and the council of the city of Newark, Ohio.

Ordered, That they lie on the table.

Mr. King presented a petition of 95 citizens of Tremonton, Utah, praying a reexamination of war veterans being paid allowances on account of disabilities with a view to reduction in payments.

Ordered, That it lie on the table.

Mr. Duffy presented a telegram from the Governor of the State of Wisconsin, remonstrating against the removal from Federal hospitals of veterans being treated with nonservice-connected disabilities.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorial, which were referred as indicated:

Resolutions adopted by the Chambers of Commerce of Watertown and Winthrop, in the State of New York, urging the ratification of the Great Lakes-St. Lawrence seaway treaty with Canada; and

A resolution adopted at Newburgh, N. Y., by the Hudson Valley Federated Chamber of Commerce, remonstrating against the ratification of said treaty; to the Committee on Foreign Relations.

A resolution adopted at Walden, N. Y., by members of Farmers' Local, Dairymen's League Cooperative Association (Inc.), favoring the enactment of legislation to change the monetary system of the United States so as to cause commodity prices to be restored to the average price levels of 1921–1929;

A resolution adopted at Buffalo, N. Y., by the J. W. K. Political and Social Club (Inc.), favoring the revaluation of the gold ounce and the enactment of legislation to provide for limiting the operation of machinery by manufacturers and contractors to prevent overproduction; and

A petition of citizens of Buffalo, N. Y., praying the revaluation of the gold ounce, the correction of financial abuses, and a tax on labor-reducing machinery; to the Committee on Banking and Currency.

Mr. Copeland presented the following petition and memorial:

A resolution adopted by the executive committee of the New York State Economic Council, of New York City, urging Congress to give to the President all necessary power to enable him to reduce the expenditures of the Federal Government to the utmost possible extent; and

A memorial of M. Egan, of Brooklyn, N. Y., remonstrating against the curtailment of benefits accorded to veterans of the Spanish-American War.

Ordered, That they lie on the table.

Mr. Tydings presented a joint resolution of the Legislature of the State of Maryland, favoring equality of treatment to National and State banks in the State of Maryland in the distribution of national currency under the provisions of the recent act to provide relief in the existing national emergency in banking, and urging prompt appraisal of bank assets; which was referred to the Committee on Banking and Currency.

Mr. Walsh presented the following petitions and memorials, which were referred as indicated:

An article from the March 12 issue of the Worcester (Mass.) Telegram relative to restrictions on gold and currency expansion; and

Petitions of citizens of Wakefield, Holliston, Charlestown, and Worcester, in the State of Massachusetts, praying the revaluation of the gold ounce and the elimination of abuses connected with present mass production; to the Committee on Banking and Currency.

Resolutions adopted by the Hampshire County Woman's Christian Temperance Union, of Northampton; the Palmer Woman's Tuesday Club, of Palmer; and petitions of citizens, all in the State of Massachusetts, praying Federal regulation of the motion-picture industry; to the Committee on Interstate Commerce.

A memorial of citizens of Worcester and Southbridge, in the State of Massachusetts, remonstrating against the repeal of the eighteenth amendment to the Constitution or the modification of the national prohibition act; to the Committee on the Judiciary.

A resolution adopted by Gilbert-Perry Post No. 115, Veterans of Foreign Wars, of Attleboro, Mass., remonstrating against any reduction in the active naval forces of the United States; to the Committee on Naval Affairs.

Mr. Fess presented the following petitions and memorials:

Telegrams from George White, Governor of the State of Ohio, and other citizens and organizations of the State of Ohio, praying the passage of legislation to maintain the credit of the Government of the United States, the so-called economy bill; and

Telegrams from other citizens and organizations of the State of Ohio remonstrating against the enactment of said legislation.

Ordered, That they lie on the table.

Mr. Fletcher presented a communication from the Mayor of Coral Gables, Fla., together with an opinion by Thomson, Wood & Hoffman, attorneys, of New York City, relative to the constitutionality of legislation designed to afford relief to municipalities in bankruptcy proceedings; which, with the accompanying papers, was referred to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced, severally read the first and second times by unanimous consent, and referred as follows:

By Mr. McNary:

A bill (S. 319) to extend the boundaries of the Fremont National Forest; to the Committee on Agriculture and Forestry.

By Mr. Robinson of Arkansas:

A bill (S. 320) to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases; to the Committee on Banking and Currency.

By Mr. Nye:

A bill (S. 321) to amend section 99 of the Judicial Code (U. S. C., title 28, sec. 180), as amended; to the Committee on the Judiciary.

By Mr. Trammell:

A bill (S. 322) to amend the act entitled "An act to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes," approved February 4, 1933; to the Committee on Agriculture and Forestry.

A bill (S. 323) to amend the emergency relief and construction act of 1932 with respect to time for payment of loans to fruit growers made by regional agricultural credit corporations; to the Committee on Banking and Currency.

By Mr. Fletcher and Mr. Trammell:

A bill (S. 324) to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. Costigan:

A bill (S. 325) to provide emergency financing facilities for unemployed workers, to relieve their distress, to increase their purchasing power and employment, and for other purposes; to the Committee on Manufactures.

By Mr. Frazier:

A bill (S. 326) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement; to the Committee on Indian Affairs.

By Mr. Hale:

A bill (S. 327) to correct the naval record of Fred Allen Wickett:

A bill (S. 328) for the relief of William Frank Dunn;

A bill (S. 329) for the relief of Bernard Leroy Eaton;

A bill (S. 330) to correct the naval record of George Edward Maroon;

A bill (S. 331) for the relief of Oscar Pinette;

A bill (S. 332) for the relief of William C. Whitehead; and

A bill (S. 333) for the relief of Clarence Leroy Witham; to the Committee on Naval Affairs.

By Mr. Bulkley:

A bill (S. 334) to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933; to the Committee on Banking and Currency.

By Mr. Dill:

A bill (S. 335) to amend the law relative to citizenship and naturalization, and for other purposes; to the Committee on Immigration.

A bill (S. 336) for the relief of the Edward F. Gruver Co.;

A bill (S. 337) for the relief of Heimo Sarkkinen; and

A bill (S. 338) for the relief of John J. Sanford; to the Committee on Claims.

A bill (S. 339) for the refundment of certain countervailing customs duties collected upon logs imported from British Columbia; and

A bill (S. 340) to prohibit appointment of Members of Congress to offices of the Federal Government for a period of two years after the expiration of their term of service in Congress; to the Committee on the Judiciary.

A bill (S. 341) relating to suits for infringement of patents where the patentee is violating the antitrust laws; and

A bill (S. 342) to amend and consolidate the acts respecting copyright; to the Committee on Patents.

A bill (S. 343) to aid the several States in constructing post roads; to the Committee on Post Offices and Post Roads.

By Mr. Townsend:

A bill (S. 344) to protect depositors in national banks, to regulate the withdrawal of deposits in such banks in certain cases, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 345) for the relief of Ida C. Buckson, executrix of E. C. Buckson, deceased;

A bill (S. 346) for the relief of the Hamburg-American Line;

A bill (S. 347) for the relief of Alfred L. Hudson; and

A bill (S. 348) for the relief of Stanley E. Richardson; to the Committee on Claims.

A bill (S. 349) for the relief of Edward Xavier Linck; to the Committee on Naval Affairs.

A bill (S. 350) granting an increase of pension to Mary Elizabeth Hall; to the Committee on Pensions.

By Mr. Tydings:

A bill (S. 351) to amend section 206 of the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933; and

A bill (S. 352) to amend section 304 of the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933; to the Committee on Banking and Currency.

By Mr. Capper:

A bill (S. 353) to renew and extend certain letters patent; to the Committee on Patents.

A bill (S. 354) to provide old-age securities for persons over 60 years of age residing in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. Copeland:

A bill (S. 355) for the relief of George B. Pfeiffer; and

A bill (S. 356) for the relief of the Great American Indemnity Co. of New York; to the Committee on Claims.

A bill (S. 357) to amend the law relative to citizenship and naturalization, and for other purposes; to the Committee on Immigration.

By Mr. Reed:

A bill (S. 358) to authorize the Court of Claims of the United States to hear and determine the claim of Samuel W. Carter; to the Committee on Claims.

By Mr. McAdoo:

A joint resolution (S. J. Res. 14) authorizing the President of the United States to expend $5,000,000 to relieve distress in those counties of California which have suffered from the catastrophe of earthquake in the year 1933; to the Committee on Appropriations.

By Mr. McNary:

A joint resolution (S. J. Res. 15) extending to the whaling industry certain benefits granted under section 11 of the merchant marine act, 1920; to the Committee on Commerce.

By Mr. Neely:

A joint resolution (S. J. Res. 16) providing for the investigation, survey, and report of a continuous water line from the James River in Virginia to the New and Kanawha Rivers in West Virginia; to the Committee on Commerce

By Mr. Costigan:

A joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States to permit the taxation of tax-exempt securities; to the Committee on the Judiciary.

By Mr. Gore (by request):

A joint resolution (S. J. Res. 18) proposing an amendment to the Constitution of the United States relative to bankruptcy laws; to the Committee on the Judiciary.

BILLS AFFECTING JURISDICTION OF CONSTITUTIONAL COURTS

Mr. McCarran submitted the following resolution (S. Res. 24):

Resolved, That all bills introduced during the Seventy-third Congress which affect the jurisdiction of constitutional courts shall, before passage by the Senate, be referred to the Committee on the Judiciary.

Ordered, That the resolution lie over one day under the rule.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS

Mr. Sheppard submitted the following resolution (S. Res. 25), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, is authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

REDUCTION OF GOVERNMENTAL EXPENDITURES

On motion by Mr. Harrison,

The Senate proceeded to consider the bill (S. 233) to maintain the credit of the United States Government.

On motion by Mr. McCarran that the bill be referred to the Committee on the Judiciary,

Pending debate,

On motion by Mr. Harrison to lay Mr. McCarran's motion on the table,

It was determined in the affirmative, Yeas 60, Nays 20

On motion by Mr. McCarran,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Copeland, Dale, Dickinson, Dill, Fess, Fletcher, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hayden, Hebert, Johnson, Kean, Keyes, King, Lewis, Lonergan, McAdoo, McKellar, McNary, Metcalf, Murphy, Overton, Pope, Reed, Robinson of Arkansas, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Trammell, Tydings, Van Nuys, Wagner, Walcott, Walsh, and White.

Senators who voted in the negative are—

Black, Borah, Caraway, Clark, Connally, Couzens, Duffy, Frazier, Hatfield, La Follette, Long, McCarran, McGill, Neely, Nye, Patterson, Reynolds, Robinson of Indiana, Thomas of Oklahoma, and Vandenberg.

So Mr. McCarran's motion was laid on the table.

Pending debate,

MANUFACTURE AND SALE OF CERTAIN ALCOHOLIC BEVERAGES

The Vice President laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on Finance, and ordered to be printed:

To the Congress:

I recommend to the Congress the passage of legislation for the immediate modification of the Volstead Act, in order to legalize the manufacture and sale of beer and other beverages of such alcoholic content as is permissible under the Constitution; and to provide through such manufacture and sale, by substantial taxes, a proper and much needed revenue for the Government.

I deem action at this time to be of the highest importance.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 13, 1933.*

COMMITTEE SERVICE

On motion by Mr. Reed, and by unanimous consent,

Ordered, That Mr. Fess be excused from further service on the Committee to Audit and Control the Contingent Expenses of the Senate;

That Mr. Goldsborough be excused from further service on the Committee on Privileges and Elections, and that he be assigned to service on the Committee to Audit and Control the Contingent Expenses of the Senate.

REDUCTION OF GOVERNMENTAL EXPENDITURES

The Senate resumed the consideration of the bill (S. 233) to maintain the credit of the United States Government.

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the joint resolution (H. J. Res. 75) to provide for certain expenses incident to the first session of the Seventy-third Congress, in which it requests the concurrence of the Senate.

CERTAIN EXPENSES OF PRESENT SESSION OF CONGRESS

The joint resolution (H. J. Res. 75) to provide for certain expenses incident to the first session of the Seventy-third Congress, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent, and considered; and no amendment being made,

Ordered, That it pass to a third reading.

The said joint resolution was read the third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Borah subsequently entered a motion to reconsider the vote on the passage of the foregoing joint resolution; and,

On motion by him,

Ordered, That the Secretary request the House of Representatives to return the said joint resolution to the Senate.

IMPEACHMENT OF JUDGE HAROLD LOUDERBACK

The Vice President announced that the hour of 3 o'clock p. m. had arrived; and

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

After proceedings had therein, as stated in the record,

The Senate resumed its legislative session.

REDUCTION OF GOVERNMENTAL EXPENDITURES

The Senate resumed the consideration of the bill (S. 233) to maintain the credit of the United States Government.

Pending debate,

Mr. Bratton raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Clark in the chair) directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Costigan, Couzens, Dale, Dickinson, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

Pending debate,

The bill (H. R. 2820) to maintain the credit of the United States Government, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent, and considered;

Pending debate,

On motion by Mr. Harrison, and by unanimous consent,

Ordered, That the bill be printed showing therein the amendments reported by the Committee on Finance to the bill (S. 233) of an identical title.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 43 minutes p. m.,

The Senate took a recess until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, TUESDAY, MARCH 14, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

EMPLOYEES OF FARMERS' SEED AND CROP PRODUCTION LOAN OFFICES

The Vice President laid before the Senate a communication from the Secretary of Agriculture, transmitting, in partial response to Senate Resolution 358, agreed to February 14, 1933, a report of the number of employees of the farmers' seed loan office and the crop production loan office of the department and the aggregate salaries paid at stated times; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A joint memorial of the Legislature of the State of Montana, urging the enactment of legislation reducing the rate of interest required to be paid on loans made by the Reconstruction Finance Corporation in aid of industries and pursuits; and

A petition of citizens of Albuquerque, N. Mex., praying the enactment of legislation to refinance farm mortgages at 4 per cent interest, the inflation of the currency to make the present dollar equal in value to the dollar of three years ago, and the reduction in tariff and freight rates on agricultural products; to the Committee on Banking and Currency.

A joint memorial of the Legislature of the State of Oregon, urging the modification of the Great Lakes-St. Lawrence waterway treaty so as to provide for continuation of a sufficient amount of existing diversion of water from Lake Michigan to insure a commercially navigable waterway from the Lakes to the Gulf; to the Committee on Foreign Relations.

Mr. Bratton presented the following resolution and joint memorials of the Legislature of the State of New Mexico, which were referred as indicated:

A resolution of the house of representatives requesting a complete and thorough investigation of alleged improper disclosures of confidential information by an officer or officers in the employ of the district office of the United States Veterans' Administration, at Albuquerque, N. Mex.; to the Committee on the Judiciary.

A joint memorial of the legislature memorializing Congress to impose a duty on importations of undressed skins of fur-bearing animals; to the Committee on Finance.

A joint memorial of the legislature urging the enactment of legislation to transfer immediately in fee simple title to lands owned by the United States to the State in which such lands may be situated, including all minerals lying in, upon, or under such lands; to the Committee on Public Lands and Surveys.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Metcalf:

A bill (S. 359) for the relief of Anna Ventrone; to the Committee on Claims.

A bill (S. 360) granting a pension to Viola May Snow;

A bill (S. 361) granting an increase of pension to Carrie M. Field; and

A bill (S. 362) granting an increase of pension to Sarah J. Jaegar (with accompanying papers); to the Committee on Pensions.

By Mr. Neely:

A bill (S. 363) granting a pension to George W. Criss; and

A bill (S. 364) granting a pension to Columbus R. Fulks; to the Committee on Pensions.

By Mr. Walcott:

A bill (S. 365) for the relief of Archibald MacDonald; to the Committee on Claims.

A bill (S. 366) for the refund of income and profits taxes erroneously collected; to the Committee on Finance.

A bill (S. 367) for the relief of Hugh Flaherty; to the Committee on Naval Affairs.

A bill (S. 368) granting a pension to Emma J. Hayward;

A bill (S. 369) granting a pension to Ida D. Fletcher;

A bill (S. 370) granting a pension to Cora L. H. Duntz;

A bill (S. 371) granting a pension to Elmira D. Briggs; and

A bill (S. 372) granting a pension to Julia Schultz; to the Committee on Pensions.

By Mr. Bulkley:

A bill (S. 373) for the relief of Charles W. Dworack;

A bill (S. 374) for the relief of Primo Tiburzio;

A bill (S. 375) to reimburse the estate of Mary Agnes Roden;

A bill (S. 376) for the relief of Beatrice I. Manges;

A bill (S. 377) for the relief of the Fred G. Clark Co.;

A bill (S. 378) for the relief of the Upson-Walton Co.; and

A bill (S. 379) for the relief of Frederick G. Barker; to the Committee on Claims.

A bill (S. 380) for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of catastrophes of nature; to the Committee on Foreign Relations.

A bill (S. 381) to correct the military record of Samson Davis; to the Committee on Military Affairs.

A bill (S. 382) for the relief of Junius A. Bandy; and

A bill (S. 383) to correct the military record of Frank A. Post; to the Committee on Naval Affairs.

A bill (S. 384) granting a pension to Edward Brennenstuhl;

A bill (S. 385) granting a pension to Mary Ida Cox;

A bill (S. 386) granting a pension to Richard R. Denton;

A bill (S. 387) granting a pension to Fannie S. Greene;

A bill (S. 388) granting a pension to Florella Roe;

A bill (S. 389) granting a pension to Chester Shartzer;

A bill (S. 390) granting a pension to Mary C. Smith;

A bill (S. 391) granting a pension to Hazel A. Snyder and minor children;

A bill (S. 392) granting an increase of pension to Mary C. Brant;

A bill (S. 393) granting an increase of pension to Letha C. Durflinger;

A bill (S. 394) granting an increase of pension to Polly Fuller;

A bill (S. 395) granting an increase of pension to Rachel Heizeman;

A bill (S. 396) granting an increase of pension to Alice V. Keeler;

A bill (S. 397) granting an increase of pension to Margaret Jane Loar;

A bill (S. 398) granting an increase of pension to Lucy Montgomery;

A bill (S. 399) granting an increase of pension to Georgette M. Perkins;

A bill (S. 400) granting an increase of pension to Anna Robinson;

A bill (S. 401) granting an increase of pension to Amelia Shultz; and

A bill (S. 402) granting an increase of pension to Melise Wise; to the Committee on Pensions.

By Mr. Fletcher:

A bill (S. 403) to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended and supplemented, with respect to municipalities and other political subdivisions; to the Committee on the Judiciary.

By Mr. Walsh:

A bill (S. 404) for the relief of William H. Ames;

A bill (S. 405) for the relief of Capt. Asa G. Ayer;

A bill (S. 406) for the relief of Warren J. Clear;

A bill (S. 407) for the relief of Willie B. Cleverly;

A bill (S. 408) for the relief of John J. Corcoran;

A bill (S. 409) for the relief of Edmund Glover Evans;

A bill (S. 410) for the relief of T. Perry Higgins;

A bill (S. 411) for the relief of the International Manufacturers' Sales Co. of America (Inc.);

A bill (S. 412) for the relief of Edwin C. Jenney, receiver of the First National Bank of Newton, Mass.;

A bill (S. 413) for the relief of Edith N. Lindquist;

A bill (S. 414) for the relief of Dean Scott;

A bill (S. 415) for the relief of Tom Small; and

A bill (S. 416) for the relief of Julia E. Smith; to the Committee on Claims.

A bill (S. 417) for the relief of Marino Ambrogi;

A bill (S. 418) for the relief of William H. Connors;

A bill (S. 419) for the relief of William H. Fleming;

A bill (S. 420) for the relief of Arthur B. Giroux;

A bill (S. 421) for the relief of Joseph Gorman;

A bill (S. 422) for the relief of Albert A. Marquardt;

A bill (S. 423) for the relief of Michael J. Moran;

A bill (S. 424) for the relief of Hector H. Perry;

A bill (S. 425) for the relief of William Thibeault; and

A bill (S. 426) for the relief of Robert H. Wilder; to the Committee on Military Affairs.

A bill (S. 427) for the relief of Edgar Joseph Casey;

A bill (S. 428) to place William H. Clinton on the retired list of the Navy;

A bill (S. 429) for the relief of Dominick Edward Maggio;

A bill (S. 430) for the relief of Leo James McCoy;

A bill (S. 431) for the relief of John Thomas Simpkin;

A bill (S. 432) for the relief of Albert Lawrence Sliney; and

A bill (S. 433) directing the retirement of acting assistant surgeons of the United States Navy at the age of 64 years; to the Committee on Naval Affairs.

A bill (S. 434) for the relief of Edmund L. Moore; to the Committee on Patents.

A bill (S. 435) granting a pension to George E. Kenson;

A bill (S. 436) granting a pension to Elizabeth Rose Clark;

A bill (S. 437) granting a pension to Mary C. Daly;

A bill (S. 438) granting a pension to Beatrice E. Duke;

A bill (S. 439) granting a pension to Susie Fiedler;

A bill (S. 440) granting a pension to Emma J. Moore;

A bill (S. 441) granting a pension to Mary Roode;

A bill (S. 442) granting a pension to Mary J. Winslow;

A bill (S. 443) granting an increase of pension to Mary A. Ainslie (with accompanying papers);

A bill (S. 444) granting an increase of pension to Emma F. Burrell;

A bill (S. 445) granting an increase of pension to Cynthia J. A. Grant;

A bill (S. 446) granting an increase of pension to Herbert W. Leach;

A bill (S. 447) granting an increase of pension to Rose Toward; and

A bill (S. 448) granting an increase of pension to Lucy J. Whipple; to the Committee on Pensions.

By Mr. Hatfield:

A bill (S. 449) to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933, with respect to preferred stock issued by banks; to the Committee on Banking and Currency.

By Mr. Capper:

A bill (S. 450) to empower the health officer of the District of Columbia to authorize the opening of graves, and the disinterment and reinterment of dead bodies, in cases where death has been caused by certain contagious diseases; to the Committee on the District of Columbia.

By Mr. Copeland:

A bill (S. 451) to amend section 3 of the act of May 28, 1928, relating to salary rates of certain civil-service positions; to the Committee on Civil Service.

A bill (S. 452) for the relief of the owners of cargo laden aboard the United States transport *Florence Luckenbach* on or about December 27, 1918; and

A bill (S. 453) for the relief of owners of cargo aboard the steamship *Boxley*; to the Committee on Claims.

A bill (S. 454) to amend section 24 of the trading with the enemy act, as amended; to the Committee on Finance.

A bill (S. 455) for the relief of James W. Kelly; to the Committee on Naval Affairs.

A bill (S. 456) granting a pension to Juan Lopez; to the Committee on Pensions.

By Mr. Walcott:

A joint resolution (S. J. Res. 19) to authorize the issuance of a special series of stamps commemorative of the one hundred and fiftieth anniversary of the naturalization as an American citizen of Brig. Gen. Thaddeus Kosciusko; to the Committee on Post Offices and Post Roads.

By Mr. Walsh:

A joint resolution (S. J. Res. 20) authorizing the issuance of a special postage stamp in honor of Brig. Gen. Thaddeus Kosciusko; to the Committee on Post Offices and Post Roads.

By Mr. Copeland:

A joint resolution (S. J. Res. 21) authorizing the erection in Washington, D. C., of a monument in memory of Col. Robert Ingersoll; to the Committee on the Library.

FUNERAL EXPENSES OF THE LATE SENATOR HOWELL, OF NEBRASKA

Mr. McNary, by unanimous consent, submitted the following resolution (S. Res. 26), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Robert B. Howell, late a Senator from the State of Nebraska, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

HEARINGS BEFORE COMMITTEE ON IRRIGATION AND RECLAMATION

Mr. Bratton, by unanimous consent, submitted the following resolution (S. Res. 27), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Irrigation and Reclamation, or any subcommittee thereof, is authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said

committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: I am directed by the House of Representatives to return to the Senate, in compliance with its request, the joint resolution (H. J. Res. 75) to provide for certain expenses incident to the first session of the Seventy-third Congress.

REDUCTION OF GOVERNMENTAL EXPENDITURES

The Senate resumed the consideration of the bill (H. R. 2820) to maintain the credit of the United States Government.

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The President pro tempore directed the roll to be called;

When

Eighty-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

FEDERAL RESERVE BANK LOANS TO STATE BANKS

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 320) to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases, reported it without amendment.

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Bratton in the chair) directed the roll to be called;

When

Eighty-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Senate proceeded to consider the said bill; and having been amended on his motion,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass.

On motion by Mr. Robinson of Arkansas,

Resolved, That the title be amended by adding, after the word "cases," the following: , *and for other purposes.*

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

EMERGENCY BANKING RELIEF

Mr. Bulkley, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 334) to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933, reported it with amendments and submitted a report (No. 2) thereon.

RELIEF OF DISTRESS FROM CALIFORNIA EARTHQUAKE

Mr. Glass, by unanimous consent, from the Committee on Appropriations, to whom was referred the joint resolution (S. J. Res. 14) authorizing the President of the United States to expend $5,000,000 to relieve distress in those counties of California which have suffered from the catastrophe of earthquake in the year 1933, reported it with amendments.

The Senate proceeded, by unanimous consent, to consider the said joint resolution; and the reported amendments having been agreed to,

Ordered, That the joint resolution be engrossed and read a third time.

The said joint resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H. R. 3341) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes, in which it requests the concurrence of the Senate.

HOUSE BILL REFERRED

The bill H. R. 3341, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Finance.

SPECIAL COMMITTEE ON INVESTIGATION OF CAMPAIGN EXPENDITURES

The Presiding Officer (Mr. Barkley in the chair) appointed Mr. Logan a member of the Special Committee on Investigation of Campaign Expenditures, created by Senate Resolution 174, agreed to July 11, 1932, to fill the vacancy caused by the death of Hon. Robert B. Howell, late Senator from Nebraska.

REDUCTION OF GOVERNMENTAL EXPENDITURES

The Senate resumed the consideration of the bill (H. R. 2820) to maintain the credit of the United States Government.

Pending debate,

The reported amendment on page 2, line 6, was agreed to.

Mr. Hatfield raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Barkley in the chair) directed the roll to be called;

When

Seventy-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

The residue of the reported amendments were agreed to.

On motion by Mr. Black to further amend the bill by inserting on page 10, line 12, after the word "commenced," certain words,

Pending debate,

On motion by Mr. Harrison to amend the amendment by inserting in lieu thereof certain words,

Pending further debate,

Mr. Black modified his proposed amendment.

On the question of agreeing to the amendment proposed to Mr. Black's amendment by Mr. Harrison, viz, in lieu of the language contained therein, insert the following:

Or (2) with payments hereafter to be made under contracts of yearly renewable term insurance, where suit on such insurance has been instituted and trial had prior to the enactment of this act and judgment has heretofore been or hereafter is entered and has become or becomes a final judgment: Provided further, That no costs shall be taxed against any plaintiff whose right to continue his suit on yearly renewable term insurance is abrogated by this section.

It was determined in the negative, {Yeas---------- 18 / Nays---------- 56}

On motion by Mr. Black,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bankhead, Barbour, Barkley, Byrd, Byrnes, Dickinson, Fletcher, Gore, Harrison, Lewis, McNary, Metcalf, Reed, Robinson of Arkansas, Sheppard, Stephens, and Tydings.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Black, Bone, Borah, Bratton, Brown, Bulow, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dill, Duffy, Fess, Frazier, George, Goldsborough, Hale, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lonergan, Long, McCarran, McGill, McKellar, Murphy, Neely, Nye, Patterson, Pittman, Pope, Reynolds, Robinson of Indiana, Russell, Smith, Steiwer, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

So Mr. Harrison's amendment was not agreed to.

The question recurring on agreeing to the amendment, as modified, proposed by Mr. Black,

It was determined in the affirmative.

The bill was further amended on the motion of Mr. Walsh.

A further amendment to the bill having been proposed by Mr. Dill, on page 2, line 10, after the word "disease,"

Pending debate,

On motion by Mr. Harrison, and by unanimous consent,

Ordered, That beginning to-morrow no Senator shall speak longer than 30 minutes on the bill or longer than 15 minutes on any amendment thereto.

RECESS

On motion by Mr. Harrison, at 10 o'clock and 18 minutes p. m.,

The Senate took a recess until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, WEDNESDAY, MARCH 15, 1933)

The Vice President called the Senate to order.

ATTENDANCE OF SENATOR WHEELER, OF MONTANA

Mr. Burton K. Wheeler, from the State of Montana, attended.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Monday, March 13, and Tuesday, March 14, 1933, was approved.

GEORGETOWN-WASHINGTON GAS LIGHT COS. MERGER

The Vice President laid before the Senate a communication from the chairman of the Public Utilities Commission of the District of Columbia, transmitting a draft of a bill to authorize the merger of the Georgetown Gaslight Co. with and into the Washington Gas Light Co., and for other purposes; which, with the accompanying papers, was referred to the Committee on the District of Columbia.

FUNCTIONS AND EXPENDITURES OF BOARD OF MEDIATION

The Vice President laid before the Senate a communication from the chairman of the United States Board of Mediation, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report covering the functions of the Board of Mediation, together with certain information concerning employees and salaries; which, with the accompanying papers, was ordered to lie on the table and be printed with the accompanying illustration.

SALARIES AND EMPLOYEES OF FEDERAL FARM LOAN BOARD, FEDERAL LAND BANKS, JOINT-STOCK LAND BANKS, AND INTERMEDIATE-CREDIT BANKS

The Vice President laid before the Senate a communication from the secretary of the Farm Loan Board, transmitting, in response to Senate Resolution 358, agreed to February 14, 1933, certain information concerning salaries and employees of the said board, the Federal land banks, joint-stock land banks, and intermediate-credit banks.

Ordered, That the communication, with the accompanying papers, lie on the table and be printed.

PETITIONS AND MEMORIAL

Mr. Robinson of Arkansas presented the following petitions and memorial, which were referred to the Committee on Banking and Currency:

Telegrams from the Russellville Chamber of Commerce, of Russellville, and the Fort Smith Automotive Supply Co., of Fort Smith, in the State of Arkansas, favoring the guaranty of bank deposits by the Federal Government; and

A communication from John L. Ingram, of Stuttgart, Ark., remonstrating against such guaranty.

Mr. Pittman presented the following joint resolutions of the Legislature of the State of Nevada, which were referred as indicated:

A joint resolution favoring the enactment of legislation providing for a system of bimetallic currency; to the Committee on Finance.

A joint resolution memorializing Congress to enact legislation providing for the acceptance from Great Britain of payment in silver in a certain amount on its debt to the United States; and

A joint resolution favoring the enactment of legislation to authorize the purchase of silver by the Government, the issuance of silver certificates in payment therefor, and the coinage of such silver, and the calling of an international conference by the President to rehabilitate silver; to the Committee on Banking and Currency.

REPORT OF COMMITTEE ON FINANCE

Mr. Harrison, by unanimous consent, from the Committee on Finance, to whom was referred the bill (H. R. 3341) to provide revenue by taxation of certain nonintoxicating liquor, and for other purposes, reported it with amendments and submitted a report (No. 3) thereon.

EXECUTIVE REPORT

As in executive session, and by unanimous consent,

Mr. Dill, from the Committee on Interstate Commerce, to whom was referred the nomination of Eugene O. Sykes to be a member of the Federal Radio Commission, reported it favorably.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Frazier:

A bill (S. 457) to liquidate and refinance agricultural indebtedness at a reduced rate of interest by establishing an efficient credit system, through the use of the Federal farm-loan system, the Federal reserve banking system, and creating a board of agriculture to supervise the same; to the Committee on Agriculture and Forestry.

By Mr. Hale:

A bill (S. 458) for the relief of Lyman I. Collins; to the Committee on Military Affairs.

A bill (S. 459) for the relief of Thomas A. Sears; to the Committee on Naval Affairs.

A bill (S. 460) granting a pension to Elsie Blanchard;

A bill (S. 461) granting a pension to Hannah Collins;

A bill (S. 462) granting a pension to William M. Forrest;

A bill (S. 463) granting a pension to Nellie Fredericks;

A bill (S. 464) granting a pension to Lillian M. Johnson;

A bill (S. 465) granting a pension to Martha W. Keeler;

A bill (S. 466) granting a pension to Nellie B. Leighton;

A bill (S. 467) granting a pension to Angie L. Moulton;

A bill (S. 468) granting a pension to Roy M. Osborne;

A bill (S. 469) granting a pension to Alice L. Preston;

A bill (S. 470) granting a pension to Warren A. Small;

A bill (S. 471) granting an increase of pension to Elizabeth Burrell;

A bill (S. 472) granting an increase of pension to Clara A. Colby;

A bill (S. 473) granting an increase of pension to Mary Coles;

A bill (S. 474) granting an increase of pension to Susie D. Hanscome;

A bill (S. 475) granting an increase of pension to Mary M. Joy;

A bill (S. 476) granting an increase of pension to Frances V. Morrill;

A bill (S. 477) granting an increase of pension to Julia L. Morrison;

A bill (S. 478) granting an increase of pension to George Neill;

A bill (S. 479) granting an increase of pension to Joanna A. Small;

A bill (S. 480) granting an increase of pension to Josie M. Smart;

A bill (S. 481) granting an increase of pension to Charlotte W. Stevens;

A bill (S. 482) granting an increase of pension to Margaret Thompson;

A bill (S. 483) granting an increase of pension to Martha L. Trefethen;

A bill (S. 484) granting an increase of pension to Mary G. Walsh; and

A bill (S. 485) granting an increase of pension to James D. Wilder; to the Committee on Pensions.

By Mr. Copeland:

A bill (S. 486) for the relief of the owners of the barge *Consolidation Coastwise No. 24;*

A bill (S. 487) for the relief of the owner of the barge *Consolidation Coastwise No. 10;*

A bill (S. 488) for the relief of Norman Beier;

A bill (S. 489) for the relief of the J. M. Dooley Fireproof Warehouse Corporation, of Brooklyn, N. Y.; and

A bill (S. 490) for the relief of certain Army officers whose household and other effects were damaged on Government property; to the Committee on Claims.

By Mr. Dill:

A bill (S. 491) to require the employment of American citizens on observation cars, club cars, dining cars, and sleeping cars used by railroads in interstate commerce; to the Committee on Interstate Commerce.

A bill (S. 492) to fix the date of meeting for the second session of Congress; to the Committee on the Judiciary.

A bill (S. 493) to protect labor in its old age; to the Committee on Pensions.

By Mr. McGill:

A bill (S. 494) granting an increase of pension to Catherine E. Elliott; and

A bill (S. 495) granting an increase of pension to Nancy McAllister; to the Committee on Pensions.

A bill (S. 496) for the relief of Percy C. Wright; to the Committee on Military Affairs.

By Mr. Capper:

A bill (S. 497) to define the intent of the antitrust laws as to certain agreements; to the Committee on Interstate Commerce.

By Mr. Norbeck:

A bill (S. 498) to repeal section 2 of chapter 333, Forty-fifth Statutes; to the Committee on the Judiciary.

By Mr. Dill:

A joint resolution (S. J. Res. 22) proposing an amendment to the Constitution of the United States authorizing Congress to take private property for public use during time of war with or without compensation; to the Committee on the Judiciary.

By Mr. Capper:

A joint resolution (S. J. Res. 23) providing that it shall be unlawful, unless otherwise provided by act of Congress or by proclamation of the President, to export to any country violating the terms of the pact of Paris arms, munitions, implements of war, or other articles for use in war, or make any such trade or financial arrangements with the violating country or its nationals as in the judgment of the President may be used to strengthen or maintain the violation; to the Committee on Foreign Relations.

HEARINGS BEFORE COMMITTEE ON INTERSTATE COMMERCE

Mr. Dill, by unanimous consent, submitted the following resolution (S. Res. 28), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, is authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

BROADCASTING OF PROCEEDINGS OF SENATE

Mr. Dill, by unanimous consent, submitted the following resolution (S. Res. 29), which was referred to the Committee on Rules:

Resolved, That the Sergeant at Arms of the Senate is hereby directed, at as early a date as practicable, to equip the Senate Chamber with the proper electrical connections to which microphones for radio broadcasting may be attached, and also to install microphones, control switchboards, and all other apparatus necessary for connection of microphones with any broadcasting station or stations for the purpose of broadcasting speeches, debates, or proceedings of the Senate as may be decided from time to time by the Senate Committee on Rules, and the necessary expense for such installation of electrical connections and equipment and for maintenance and operation of the same is hereby authorized to be paid out of the contingent fund of the Senate.

The Committee on Rules of the Senate is hereby authorized to make arrangements for the broadcasting of such proceedings of the Senate as the committee may determine through such radiobroadcasting stations as it may be possible to arrange for broadcasting without expense to the Senate or the Government.

HEARINGS BEFORE COMMITTEE ON FOREIGN RELATIONS

Mr. Pittman, by unanimous consent, submitted the following resolution (S. Res. 30), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, be, and hereby is, authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

REDUCTION OF GOVERNMENTAL EXPENDITURES

The Senate resumed the consideration of the bill (H. R. 2820) to maintain the credit of the United States Government.

The question being on agreeing to the amendment yesterday proposed by Mr. Dill, inserting on page 2, line 10, after the word "disease," a provision relative to Spanish-American War veterans; and having been subsequently modified by him,

After debate,

The amendment, as modified, was agreed to.

The bill was further amended on the motion of Mr. Reed, the motion of Mr. Barkley, and the motion of Mr. Copeland.

On motion by Mr. Bone to further amend the bill by inserting on page 10, after line 25, a provision relative to rates under the merchant marine act,

Pending debate,

Mr. Copeland raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Tydings in the chair) directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The amendment proposed by Mr. Bone was disagreed to.

On motion by Mr. La Follette to further amend the bill by striking out all after line 4, on page 1, down to and including line 25, on page 10, as amended, and inserting in lieu thereof the following:

Section 1. The rate of pension or compensation of each person receiving pension or compensation after the date of enactment of this act is hereby reduced by 15 per centum. When used in this section, the term "compensation" shall include military and naval compensation for death of disability payable under the war risk insurance act, as amended, the World War veterans' act, 1924, as amended, or any special act of Congress authorizing payment of such compensation, and the annuities authorized by the acts approved May 23, 1908, February 28, 1929, as amended, and January 31, 1931. When used in this section, the term "pension" shall include any amount payable to any person by virtue of being placed on the pension rolls of the Veterans' Administration pursuant to any act of Congress.

Pending debate,

Mr. Harrison raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. George in the chair) directed the roll to be called;

When

Eighty-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

On the question of agreeing to Mr. La Follette's amendment,

It was determined in the negative, {Yeas ---------- 16 / Nays ---------- 62}

On motion by Mr. La Follette,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Bone, Borah, Caraway, Clark, Frazier, Hatfield, La Follette, Long, McCarran, McGill, Neely, Nye, Patterson, Steiwer, Thomas of Oklahoma, and Wheeler.

Senators who voted in the negative are—

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Connally, Copeland, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hayden, Hebert, Johnson, Kean, Keyes, Lewis, Lonergan, McAdoo, McKellar, McNary, Metcalf, Murphy, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Thomas of Utah, Townsend, Trammell, Tydings, Van Nuys, Wagner, Walcott, Walsh, and White.

So Mr. La Follette's amendment was not agreed to.

On motion by Mr. Connally to further amend the bill by inserting on page 10, after line 25, the following new section:

Sec. —. Notwithstanding any of the provisions contained in this title, in no event shall World War service-connected disability compensation of any veteran or the pension of any veteran of a war prior to the World War be reduced more than 25 per cent of the amount thereof according to existing rates and subject to any rerating of disability under this act.

After debate,

It was determined in the negative, {Yeas ---------- 28 / Nays ---------- 45}

On motion by Mr. Long,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Black, Bone, Borah, Bratton, Caraway, Clark, Connally, Copeland, Couzens, Dill, Duffy, Frazier, Hatfield, La Follette, Long, McCarran, McGill, Neely, Nye, Patterson, Robinson of Indiana, Russell, Steiwer, Thomas of Oklahoma, Trammell, Vandenberg, Wheeler, and White.

Senators who voted in the negative are—

Adams, Austin, Bailey, Bankhead, Barbour, Barkley, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Dale, Dick-

inson, Dieterich, Fess, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hebert, Johnson, Kean, Keyes, Lewis, Lonergan, McKellar, McNary, Metcalf, Murphy, Pope, Reed, Reynolds, Robinson of Arkansas, Sheppard, Stephens, Thomas of Utah, Townsend, Tydings, Van Nuys, Wagner, Walcott, and Walsh.

So Mr. Connally's amendment was not agreed to.

On motion by Mr. Borah to further amend the bill by inserting at the proper place therein the following:

The mileage allowances of Senators, Representatives in Congress, and the Delegates from Hawaii and from Alaska, the Resident Commissioners from the Philippines shall be at the rate of 5 cents per mile, to be estimated by the nearest route covering traveling in going to and returning from each regular session; all acts and parts of acts in conflict with this amendment are hereby repealed.

After debate,

It was determined in the negative, {Yeas---------- 35 / Nays---------- 42}

On motion by Mr. Borah,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Bailey, Barkley, Black, Bone, Borah, Brown, Byrd, Byrnes, Capper, Caraway, Connally, Couzens, Gore, Hatfield, Hebert, La Follette, McCarran, Murphy, Neely, Pope, Reynolds, Robinson of Indiana, Russell, Sheppard, Stephens, Thomas of Oklahoma, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, and Walsh.

Senators who voted in the negative are—

Adams, Austin, Bachman, Bankhead, Barbour, Bratton, Bulkley, Bulow, Clark, Copeland, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Frazier, George, Goldsborough, Hale, Harrison, Hastings, Hayden, Johnson, Kean, Keyes, Lewis, Lonergan, Long, McGill, McKellar, McNary, Metcalf, Nye, Overton, Patterson, Reed, Robinson of Arkansas, Steiwer, Thomas of Utah, Wheeler, and White.

So Mr. Borah's amendment was not agreed to.

On motion by Mr. Dickinson to further amend the bill by striking out all after line 4, on page 1, down to and including line 25, on page 10, as amended, and inserting in lieu thereof a substitute,

Pending debate,

Mr. Dickinson raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Duffy in the chair) directed the roll to be called;

When

Seventy-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. Dickinson's amendment was not agreed to.

The bill was further amended on the motion of Mr. Black.

On motion by Mr. La Follette to further amend the bill, as follows:

On page 12, line 14, after the word "employee," insert a comma and the following: *if such compensation is at a rate of more than $1,000 per annum*;

On page 12, after line 23, insert the following:

(c) If application of the provisions of this section to any officer or employee would reduce his rate of compensation to less than $1,000 per annum, such provisions shall be applied to him only to the extent necessary to reduce his rate of compensation to $1,000 per annum.

On page 18, line 22, after the comma, insert the following: *if such compensation is at the rate of more than $1,000 per annum*;

On page 18, line 24, before the quotation marks, insert the following:

This subsection shall not operate so as to reduce any rate of compensation to less than $1,000 per annum.

After debate,

The question being taken, by unanimous consent, on agreeing to the amendments en bloc,

It was determined in the negative, {Yeas---------- 32 / Nays---------- 42}

On motion by Mr. La Follette,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Bone, Borah, Bulow, Capper, Caraway, Copeland, Couzens, Dill, Duffy, Frazier, Hatfield, Johnson, La Follette, Lonergan, Long, McCarran, McGill, Murphy, Neely, Nye, Patterson, Robinson of Indiana, Russell, Steiwer, Thomas of Oklahoma, Thomas of Utah, Townsend, Vandenberg, Wagner, Walsh, and White.

Senators who voted in the negative are—

Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Bratton, Brown, Bulkley, Byrd, Byrnes, Clark, Connally, Dale, Dickinson, Dieterich, Fess, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hebert, Kean, Keyes, Lewis, McKellar, McNary, Metcalf, Pope, Reed, Reynolds, Robinson of Arkansas, Sheppard, Smith, Stephens, Trammell, Tydings, Van Nuys, and Walcott.

So Mr. La Follette's amendments were not agreed to.

The bill was further amended on the motion of Mr. Dill, the motion of Mr. La Follette, and the motion of Mr. Walsh.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, {Yeas---------- 62 / Nays---------- 13}

On motion by Mr. Borah,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Connally, Copeland, Dale, Dieterich, Dill, Duffy, Fess, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hebert, Johnson, Kean, Keyes, Lewis, Lonergan, McKellar, McNary, Metcalf, Murphy, Neely, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

Senators who voted in the negative are—

Borah, Clark, Couzens, Dickinson, Frazier, Hatfield, Long, McCarran, McGill, Nye, Patterson, Robinson of Indiana, and Steiwer.

So it was

Resolved, That the bill pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

On motion by Mr. Harrison,

Ordered, That the bill be printed showing the amendments of the Senate numbered.

On motion by Mr. Harrison,

Ordered, That the bill (S. 233) to maintain the credit of the United States Government be postponed indefinitely.

NOMINATIONS AND TREATIES REFERRED

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, as in executive session, That the nominations this day received from the President of the United States be referred to the appropriate committees; and

ORDER FOR REFERENCE OF NOMINATIONS AND TREATIES

As in executive session, and by unanimous consent,

Mr. Robinson of Arkansas submitted the following order, which was considered by unanimous consent and agreed to:

Ordered, That on calendar days of the present session of the Congress when no executive session is held, nominations or treaties received from the President of the United States may, where no objection is interposed, be referred, as in executive session, to the appropriate committees by the Presiding Officer of the Senate.

CERTAIN EXPENSES OF THE PRESENT SESSION OF CONGRESS

Mr. Borah, by unanimous consent, withdrew the motion heretofore entered by him to reconsider the vote on the passage of the joint resolution (H. J. Res. 75) to provide for certain expenses incident to the Seventy-third Congress.

Ordered, That the Secretary return the joint resolution to the House of Representatives.

RECESS

On motion by Mr. Robinson of Arkansas, at 9 o'clock and 27 minutes p. m.,

The Senate took a recess until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, MARCH 16, 1933)

The Vice President called the Senate to order.

MANUFACTURE AND SALE OF CERTAIN NONINTOXICATING LIQUORS

On motion by Mr. Harrison that the Senate proceed to the consideration of the bill (H. R. 3341) to provide revenue by the taxation of certain nonintoxicating liquors,

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Capper, Caraway, Clark, Connally, Copeland, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The motion of Mr. Harrison was agreed to; and

The Senate thereupon proceeded to consider the said bill.

Pending debate,

The reported amendment on page 1, line 4, was agreed to.

On the question of agreeing to the reported amendment on page 2, line 1,

Pending debate,

CREDENTIALS OF SENATOR DESIGNATE FROM MONTANA

Mr. Wheeler presented the credentials of John Edward Erickson, appointed a Senator by the Governor of the State of Montana on March 13, 1933, to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Hon. Thomas J. Walsh, is filled by election as provided by law; which were read and ordered to be placed on file.

PETITION

Mr. Frazier presented a concurrent resolution of the Legislature of the State of North Dakota, requesting the enactment of legislation to provide for the acquisition of land for Federal game reserves in North Dakota, and for the maintenance of such reserves on or near the Fort Berthold and the Standing Rock Indian Reservations; which was referred to the Committee on Agriculture and Forestry.

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EXECUTIVE CONFIRMATIONS

As in executive session, and by unanimous consent,

Mr. Trammell, from the Committee on Naval Affairs, to whom were referred the nominations of Henry Latrobe Roosevelt to be Assistant Secretary of the Navy; Medical Director Perceval S. Rossiter to be Surgeon General and Chief of the Bureau of Medicine and Surgery in the Navy; and Naval Constructor Emory S. Land to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, reported them favorably.

The Senate proceeded, by unanimous consent, to consider the said nominations; and

Resolved, That the Senate advise and consent thereto.

Ordered, That the Secretary notify the President of the United States thereof.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Austin:

A bill (S. 499) to amend section 337 of the tariff act of 1930; to the Committee on Finance.

By Mr. Walsh:

A bill (S. 500) for the relief of Lieut. Thomas O'C. McCarthy, United States Navy; to the Committee on Claims.

By Mr. George:

A bill (S. 501) to amend section 201 of the emergency relief and construction act of 1932 to provide for certain loans by the Reconstruction Finance Corporation to aid in the support and maintenance of public schools; to the Committee on Banking and Currency.

By Mr. Tydings:

A bill (S. 502) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes; to the Committee on the District of Columbia.

By Mr. Metcalf:

A bill (S. 503) to confer jurisdiction on the Court of Claims to hear and determine the claim of A. C. Messler Co.; to the Committee on Claims.

By Mr. Kean:

A bill (S. 504) to authorize the Secretary of the Navy to make a long-term contract for a supply of water to the United States naval station at Guantanamo Bay, Cuba; to the Committee on Naval Affairs.

By Mr. Clark:

A bill (S. 505) for the relief of Michael Dalton; to the Committee on Claims.

By Mr. McKellar:

A bill (S. 506) conferring upon the President the power to reduce subsidies, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. Black:

A bill (S. 508) to further regulate mail contracts and salaries of individuals, companies, and corporations receiving Government subsidies and Government loans; to the Committee on Post Offices and Post Roads.

By Mr. Frazier:

A joint resolution (S. J. Res. 24) proposing an amendment to the Constitution of the United States prohibiting war; to the Committee on the Judiciary.

By Mr. Capper:

A joint resolution (S. J. Res. 25) proposing an amendment to the Constitution of the United States relative to taxes on certain incomes; to the Committee on the Judiciary.

HEARINGS BEFORE COMMITTEE ON PATENTS

Mr. Wagner, by unanimous consent, submitted the following resolution (S. Res. 31), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Patents, or any subcommittee thereof, is authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per 100 words to report such hearings as may be

had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee or any subcommittee thereof may sit during any session or recess of the Senate.

EMPLOYMENT OF MAIL CARRIERS IN SENATE POST OFFICE

Mr. McKellar, by unanimous consent, submitted the following resolution (S. Res. 32), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms hereby is authorized and directed to employ six mail carriers for service in the Senate post office for seven days to be paid from the contingent fund of the Senate at the rate of $1,620 each per annum.

HEARINGS BEFORE COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. Smith, by unanimous consent, submitted the following resolution (S. Res. 33), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, is hereby authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed, each without amendment, the following bills of the Senate:

S. 148. An act for the relief of Agnes M. Angle;

S. 149. An act for the relief of Daisy Anderson;

S. 150. An act for the relief of W. H. Hendrickson;

S. 151. An act for the relief of the Holy Family Hospital, St. Ignatius, Mont.;

S. 152. An act to authorize the Secretary of War to grant a right of way to the Alamenda Belt Line across the Benton Field Military Reservation, Alameda, Calif.;

S. 153. An act to convey certain land in the county of Los Angeles, State of California;

S. 154. An act confirming the claim of Francis R. Sanchez, and for other purposes;

S. 155. An act for the relief of A. Y. Martin; and

S. 156. An act providing for an exchange of lands between the Colonial Realty Co. and the United States, and for other purposes.

RELIEF OF AGRICULTURE

The Presiding Officer (Mr. George in the chair) laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

At the same time that you and I are joining in emergency action to bring order to our banks, and to make our regular Federal expenditures balance our income, I deem it of equal importance to take other and simultaneous steps without waiting for a later meeting of the Congress. One of these is of definite constructive importance to our economic recovery.

It relates to agriculture and seeks to increase the purchasing power of our farmers and the consumption of articles manufactured in our industrial communities; and at the same time greatly to relieve the pressure of farm mortgages and to increase the asset value of farm loans made by our banking institutions.

Deep study and the joint counsel of many points of view have produced a measure which offers great promise of good results. I tell you frankly that it is a new and untrod path, but I tell you with equal frankness that an unprecedented condition calls for the trial of new means to rescue agriculture. If a fair administrative trial of it is made and it does not produce the hoped-for results, I shall be the first to acknowledge it and advise you.

The proposed legislation is necessary now for the simple reason that the spring crops will soon be planted, and if we wait for another month or six weeks the effect on the prices of this year's crops will be wholly lost.

Furthermore, by action at this time, the United States will be in a better position to discuss problems affecting world crop surpluses at the proposed World Economic Conference.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 16, 1933.*

Ordered, That the message be referred to the Committee on Agriculture and Forestry and printed.

Mr. Smith, by unanimous consent, introduced a bill (S. 507) to relieve the existing national economic emergency by increasing agricultural purchasing power, which was read the first and second times by unanimous consent and referred to the Committee on Agriculture and Forestry.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the amendments of the Senate to the bill (H. R. 2820) to maintain the credit of the United States Government.

The Speaker of the House having signed an enrolled joint resolution, viz, H. J. Res. 75, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the joint resolution (H. J. Res. 75) to provide for certain expenses incident to the first session of the Seventy-third Congress.

The Vice President thereupon signed the same, and it was delivered to the committee to be delivered to the President of the United States.

MANUFACTURE AND SALE OF CERTAIN NONINTOXICATING LIQUORS

The Senate resumed the consideration of the bill (H. R. 3341) to provide revenue by the taxation of certain nonintoxicating liquors.

The reported amendment on page 2, line 1, was agreed to.

On motion by Mr. Harrison, and by unanimous consent,

Ordered, That in lieu of the figures "3.2", wherever they occur in the bill or the reported amendments, the figures *3.05* be inserted.

The residue of the reported amendments were agreed to.

On motion by Mr. Dill to further amend the bill by inserting on page 5, after line 11, the following:

(d) It shall be unlawful to advertise by any means or method any of the liquors or fruit juices described in subsection (a) of this section, or the manufacture, sale, keeping for sale, or furnishing the same, or where, how, from whom, or at what price the same may be obtained, in any State, Territory or District of the United States, if by the law in force at the time in such State, Territory, or District, it is unlawful to manufacture or sell such liquors or fruit juices: Provided, That nothing in this subsection shall apply to newspapers, magazines, or periodicals published outside such State, Territory, or District when mailed or otherwise transported into such State, Territory, or District. Any violation of the provisions of this subsection shall be punished in the manner provided by law for violations of section 17 of the national prohibition act.

After debate,

It was determined in the negative, {Yeas---------- 36 / Nays---------- 38}

On motion by Mr. Dill,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bankhead, Black, Bone, Borah, Bratton, Capper, Caraway, Connally, Dale, Dill, Fess, Frazier, Goldsborough, Gore, Hale, Hastings, Hatfield, Hayden, Keyes, McGill, Neely, Norris, Nye, Pope, Robinson of Indiana, Russell, Sheppard, Smith, Stephens, Thomas of Oklahoma, Townsend, Vandenberg, and White.

Senators who voted in the negative are—

Bachman, Barbour, Brown, Bulkley, Bulow, Clark, Copeland, Couzens, Dieterich, Duffy, Fletcher, Harrison, Hebert, Johnson, Kean, La Follette, Lonergan, Long, McCarran, McKellar, McNary, Metcalf, Murphy, Overton, Patterson, Pittman, Reed, Reynolds, Robinson of Arkansas, Steiwer, Thomas of Utah, Trammell, Tydings, Van Nuys, Wagner, Walcott, Walsh, and Wheeler.

So Mr. Dill's amendment was not agreed to.

On motion by Mr. Borah to further amend the bill by inserting, at the proper place therein, the following:

It shall be unlawful to give or sell any of the above beverages to persons under sixteen years of age. Any person violating this provision shall be subject to a fine not exceeding $100 or be imprisoned not to exceed six months.

After debate,

It was determined in the affirmative, {Yeas---------- 50 / Nays---------- 23}

On motion by Mr. Borah,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bankhead, Black, Borah, Bratton, Byrd, Capper, Caraway, Connally, Copeland, Dale, Dill, Fess, Frazier, Goldsborough, Gore, Hale, Hastings, Hatfield, Hayden, Hebert, Johnson, Keyes, McGill, McKellar, McNary, Neely, Norris, Nye, Patterson, Pope, Reed, Reynolds, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Walcott, Wheeler, and White.

Senators who voted in the negative are—

Bachman, Barbour, Brown, Bulkley, Bulow, Clark, Couzens, Dieterich, Duffy, Fletcher, Harrison, Kean, La Follette, Lonergan, McCarran, Metcalf, Murphy, Overton, Pittman, Robinson of Arkansas, Van Nuys, Wagner, and Walsh.

So Mr. Borah's amendment was agreed to.

No further amendment being proposed,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, {Yeas---------- 43 / Nays---------- 30}

On motion by Mr. Harrison,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Bachman, Bankhead, Barbour, Black, Bone, Brown, Bulkley, Bulow, Clark, Copeland, Couzens, Dieterich, Dill, Duffy, Fletcher, Harrison, Hebert, Johnson, Kean, La Follette, Lonergan, Long, McCarran, McKellar, McNary, Metcalf, Murphy, Norris, Overton, Pittman, Reed, Reynolds, Robinson of Arkansas, Steiwer, Thomas of Utah, Trammell, Tydings, Van Nuys, Wagner, Walcott, Walsh, and Wheeler.

Senators who voted in the negative are—

Adams, Austin, Borah, Bratton, Byrd, Capper, Caraway, Connally, Dale, Fess, Frazier, Goldsborough, Hale, Hastings, Hatfield, Hayden, Keyes, McGill, Neely, Nye, Patterson, Pope, Robinson of Indiana, Russell, Sheppard, Stephens, Thomas of Oklahoma, Townsend, Vandenberg, and White.

So it was

Resolved, That the bill pass.

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Mr. Gore, for reasons assigned by him, was excused from voting on the question of the passage of the bill.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

EMERGENCY BANKING RELIEF

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Senate proceeded to consider the bill (S. 334) to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933; and the reported amendments having been agreed to,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 35 minutes p. m.,

The Senate took a recess, as in legislative session, until 12 o'clock m. on Monday next.

AT 12 O'CLOCK M. (CALENDAR DAY, MONDAY, MARCH 20, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the joint resolution (S. J. Res. 14) to relieve distress in those counties of California which have suffered from the catastrophe of earthquake in the year 1933, with amendments, in which it requests the concurrence of the Senate.

The House has disagreed to the amendments of the Senate to the bill (H. R. 3341) to provide revenue by taxation of certain nonintoxicating liquor, and for other purposes; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Doughton, Mr. Cullen, Mr. McCormack, Mr. Treadway, and Mr. Watson managers at the same on its part.

The Speaker of the House having signed 10 enrolled bills, viz, S. 148, S. 149, S. 150, S. 151, S. 152, S. 153, S. 154, S. 155, S. 156, and H. R. 2820, I am directed to bring the same to the Senate for the signature of its President.

SENATOR FROM MONTANA

Mr. John Edward Erickson, whose credentials had heretofore been presented, appeared, and the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of Wednesday, March 15, and Thursday, March 16, 1933, was approved.

MEMBER OF PUBLIC BUILDINGS COMMISSION

The Vice President appointed Mr. Keyes as a member of the Public Buildings Commission, under authority of section 1, chapter 1, title 40 of the United States Code, to fill the vacancy caused by the expiration of the term of service as Senator of Hon. Reed Smoot.

SENATOR FROM MONTANA

The Vice President laid before the Senate a communication from George M. Bourquin, of Helena, Mont., remonstrating against the seating of John E. Erickson, appointed a Senator by the Governor of the State of Montana to fill the vacancy occasioned by the death of Hon. Thomas J. Walsh; which was referred to the Committee on Privileges and Elections.

RELIEF OF DISTRESS FROM CALIFORNIA EARTHQUAKE

The Vice President laid before the Senate the amendment this day received from the House of Representatives for concurrence to the text of the joint resolution (S. J. Res. 14) to relieve distress in those counties of California which have suffered from the catastrophe of earthquake in the year 1933, together with the amendment to the title providing the same read as follows: "Joint resolution to authorize the Reconstruction Finance Corporation to make loans for financing the repair or reconstruction of buildings damaged by earthquake in 1933."

On motion by Mr. Glass,

Resolved, That the Senate disagree to the amendments of the House of Representatives to the said joint resolution, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Glass, Mr. McKellar, Mr. Kendrick, Mr. Hale, and Mr. Keyes.

Ordered, That the Secretary notify the House of Representatives thereof.

MANUFACTURE AND SALE OF CERTAIN NONINTOXICATING LIQUOR

The Vice President laid before the Senate the message this day received from the House of Representatives, announcing its action on the amendments of the Senate to the bill (H. R. 3341) to provide revenue by taxation of certain nonintoxicating liquor, and for other purposes.

On motion by Mr. Harrison,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Harrison, Mr. King, Mr. Walsh, Mr. Reed, and Mr. Couzens.

Ordered, That the Secretary notify the House of Representatives thereof.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 148. An act for the relief of Agnes M. Angle;

S. 149. An act for the relief of Daisy Anderson;

S. 150. An act for the relief of W. H. Hendrickson;

S. 151. An act for the relief of the Holy Family Hospital, St. Ignatius, Mont.;

S. 152. An act to authorize the Secretary of War to grant a right of way to the Alameda Belt Line across the Benton Field Military Reservation, Alameda, Calif.;

S. 153. An act to convey certain land in the county of Los Angeles, State of California;

S. 154. An act confirming the claim of Francis R. Sanchez, and for other purposes;

S. 155. An act for the relief of A. Y. Martin;

S. 156. An act providing for an exchange of lands between the Colonial Realty Co. and the United States, and for other purposes; and

H. R. 2820. An act to maintain the credit of the United States Government.

The Vice President thereupon signed the same, and they were delivered to the commitee to be presented to the President of the United States.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, etc., which were referred as indicated:

A resolution adopted by the city council of Lynwood, Calif., indorsing a resolution of the Board of Supervisors of Los Angeles County, favoring the authorization of loans by the Reconstruction Finance Corporation for use in the relief of sufferers from earthquake in southern California; and

A resolution of the city council of Minneapolis, Minn., favaring an increase in Federal aid for public construction work; to the Committee on Banking and Currency.

A joint memorial of the Legislature of the State of Colorado, memorializing Congress to enact legislation waiving the first payment on grazing fees on national forest reserves for the year 1933; to the Committee on Agriculture and Forestry.

A resolution adopted by the Democratic Precinct Club, fourth representative district, Territory of Hawaii, of Honolulu, Hawaii, recommending the appointment of Ralph Julian MacBrayne as collector of customs of Honolulu; and

A joint memorial of the Legislature of the State of Idaho, praying the enactment of legislation to confer upon the States of Montana, Wyoming, and Idaho the right to tax for State and county purposes the property within that portion of the Yellowstone National Park which lies within the boundary lines of said States; to the Committee on Finance.

A joint resolution of the Legislature of the State of Tennessee, recommending the appointment of William L. Covington as a member of the United States Civil Service Commission; to the Committee on Civil Service.

A joint memorial of the Legislature of the State of Washington, favoring Federal relief of Indians on the Colville Indian Reservation in that State; to the Committee on Indian Affairs.

A joint resolution of the Legislature of the State of Wisconsin, favoring the use of granite in Federal construction; to the Committee on Public Buildings and Grounds.

A memorial of the House of Representatives of the State of Colorado, favoring the adoption by the Government of certain restrictions upon the purchase of materials and the employment of labor with respect to living standards and hours of work on governmental construction work, and which shall apply to those obtaining loans from the Reconstruction Finance Corporation; to the Committee on Education and Labor.

Mr. Costigan presented an identical memorial, which was referred to the Committee on Education and Labor.

The Vice President laid before the Senate the following petitions, memorials, etc.:

A joint resolution of the Legislature of the State of Wisconsin, expressing confidence in, and support of, the measures taken by President Roosevelt and the national administration in the present banking crisis;

A concurrent resolution of the Legislature of the State of Minnesota, remonstrating against the curtailment of benefits accorded to war veterans;

Resolutions of condolence adopted by the Senate of the State of Nebraska on the death of Hon. Robert B. Howell.

A resolution of the City Council of the City of Cambridge, Mass., urging the support of the President of the United States in governmental economies; and

A communication from Frank I. Hogan, of Cleveland, Ohio, suggesting legislation on banking, foreclosures, utilities, etc.

Ordered, That they lie on the table.

Mr. Thomas of Oklahoma presented a concurrent resolution of the Legislature of the State of Oklahoma, memorializing Congress to include in the plan for an adequate flood control of the Mississippi River area the construction of flood-control reservoirs on the Dry Cimarron River within the States of Oklahoma and New Mexico; which was referred to the Committee on Commerce.

Mr. Reed presented a resolution adopted at Washington, D. C., by delegates from the State of Pennsylvania to the National Defense Conference expressing approval of the resolution of the legislature of that State which memorializes Congress to refrain from taking any action that will further decrease the strength and effectiveness of the armed forces of the United States and the several States; which was referred to the Committee on Military Affairs.

Mr. Black presented a joint resolution of the Legislature of the State of Alabama, requesting the suspension of all laws levying a Federal tax on the issuance of scrip, for the period of the present banking emergency; which was referred to the Committee on Banking and Currency.

Mr. Walsh presented telegrams from citizens of Boston, East Boston, and Salem, in the State of Massachusetts, remonstrating against certain provisions in proposed legislation providing for agricultural relief; which were referred to the Committee on Agriculture and Forestry.

Mr. Clark presented a telegram from O. H. Moberly, commissioner of finance of the State of Missouri, favoring an amendment to the emergency banking act to provide for the issuance of demand notes and debentures by State banks for sale to the Reconstruction Finance Corporation where double liability exists or unanimous consent of all stockholders is required for the issuance of preferred stock under the said banking act; which was referred to the Committee on Banking and Currency.

Mr. Barbour presented a joint resolution of the Legislature of the State of New Jersey, favoring the prompt ratification of the World Court protocols; which was referred to the Committee on Foreign Relations.

Mr. Tydings presented the following petitions, which were referred as indicated:

Petitions of citizens of Baltimore, Md., praying the revaluation of the gold ounce; to the Committee on Banking and Currency.

A petition of Glasva Grange, No. 393, and the South Maryland Civic Club, of the State of Maryland, praying reductions in governmental salaries, the payment of pensions only for wounds incurred in service, the loaning of money on mortgages by the Government, restriction of importations, and the prohibition of speculation in farm products; to the Committee on Finance.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

Resolutions adopted by the Kiwanis Club, of Gloversville, N. Y., favoring the regulation of trucks, busses, and intercoastal transportation, and the balancing of the Budget; and

A petition of members of the Dobbs Ferry Woman's Club (Inc.), of Dobbs Ferry-on-the-Hudson, N. Y., praying Federal regulation of the motion picture industry; to the Committee on Interstate Commerce.

A petition of citizens of the State of New York, praying the enactment of legislation to prohibit the exportation of arms or munitions of war from the United States;

Resolutions adopted by the Chambers of Commerce of Waddington and Carthage, and the Board of Trade of Cape Vincent, in the State of New York, favoring the ratification of the Great Lakes-St. Lawrence seaway treaty with Canada; and

A resolution adopted by the West Side Association of Commerce in the City of New York (Inc.), remonstrating against the ratification of the said treaty; to the Committee on Foreign Relations.

A resolution adopted by the Otego-Susquehanna Valley Grange, No. 1417, of Otego, N. Y., remonstrating against any curtailment in rural mail delivery service; to the Committee on Post Offices and Post Roads.

A petition of William E. Lockner, of Lockport, N. Y., attorney for the Tuscarora Nation of Indians, of New York State, supplementing a petition presented in the Seventy-second Congress, second session, praying the placing of the Tuscarora Indian Reservation and residents thereon under the protection of the general laws of the State of New York, with exemption from taxation; to the Committee on Indian Affairs.

A petition and resolution adopted at a mass meeting of home owners at Long Island City, N.Y., praying the enactment of legislation to modify certain contractual rights, to prohibit the foreclosure of mortgages on small homes, and to provide that mortgage interest payments above 4 percent and amortization payments be waived and deficiency judgments be abrogated; to the Committee on Banking and Currency.

Mr. Copeland presented the following petitions and memorials:

A resolution adopted by First Sergt. Charles H. Adrean, Distinguished Service Cross Post, No. 368, Veterans of Foreign Wars, of Utica, N. Y., remonstrating against any reductions in pensions, compensation, or disability allowances to veterans;

A resolution of Far Rockaway (N. Y.) American Legion Auxiliary, No. 423, and a petition of Mrs. P. H. Clune, of Albany, N. Y., praying the maintenance of the land, sea, and air defense forces, and the carrying out of the provisions of the national defense act;

Resolutions adopted by veterans' and other organizations of the State of New York, urging the support of the President of the United States in his efforts to balance the Budget and to provide for the economic adjustment and recovery of the Nation; and

Memorials of citizens of Wyoming County, N. Y., remonstrating against the holding of State conventions for the repeal of the eighteenth amendment to the Constitution.

Ordered, That they lie on the table.

Mr. Capper presented a petition of citizens of Reno County, Kans., praying the enactment of legislation providing for agricultural relief through the so-called domestic allotment plan or any similar plan which will make the tariff effective on the part of farm production domestically consumed, and favoring the control of farm production; which was referred to the Committee on Agriculture and Forestry.

Mr. Robinson of Arkansas presented a petition of the bible class of the Presbyterian Church of Helena, Ark., praying an embargo on the exportation of arms and munitions of war; which was referred to the Committee on Foreign Relations.

Mr. Wheeler presented a telegram from E. B. Collidge, chairman of the Progressive Republican Ayers for Congress Club, of Great Falls, Mont., relative to the protest of George M. Bourquin, of Helena, Mont., against the seating of John E. Erickson as Senator from Montana by appointment of the Governor of that State; which was referred to the Committee on Privileges and Elections.

REPORTS OF COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom were referred the following resolutions, reported them each without amendment:

S. Res. 14. Resolution providing for payment of the expenses in the impeachment trial of Harold Louderback;

S. Res. 17. Resolution authorizing the Committee on Appropriations to hold hearings during the Seventy-third Congress;

S. Res. 19. Resolution authorizing the Committee on Education and Labor to hold hearings during the Seventy-third Congress;

S. Res. 25. Resolution authorizing the Committee on Military Affairs to hold hearings during the Seventy-third Congress;

S. Res. 27. Resolution authorizing the Committee on Irrigation and Reclamation to hold hearings during the Seventy-third Congress;

S. Res. 28. Resolution authorizing the Committee on Interstate Commerce to hold hearings during the Seventy-third Congress;

S. Res. 31. Resolution authorizing the Committee on Patents to hold hearings during the Seventy-third Congress;

S. Res. 32. Resolution authorizing the temporary employment of six mail carriers for the Senate post office; and

S. Res. 33. Resolution authorizing the Committee on Agriculture and Forestry to hold hearings during the Seventy-third Congress.

The Senate proceeded, by unanimous consent, to consider the said resolutions; and

Resolved, That the Senate agree thereto.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Wagner:

A bill (S. 509) to amend the emergency relief and construction act of 1932; to the Committee on Banking and Currency.

A bill (S. 510) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes; to the Committee on Education and Labor.

By Mr. Costigan:

A bill (S. 511) providing for the suspension of annual assessment work on mining claims held on location in the United States and Alaska; to the Committee on Mines and Mining.

By Mr. Wheeler:

A bill (S. 512) for the relief of Peter Pierre; to the Committee on Claims.

By Mr. Tydings:

A bill (S. 513) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Lillian Stecher Waldecker, formerly Lillian A. Stecher; to the Committee on Claims.

A bill (S. 514) authorizing the President to order Maj. E. P. Duvall before a retiring board for a hearing of his case and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation; to the Committee on Military Affairs.

By Mr. Neely:

A bill (S. 515) to amend section 113 of the Judicial Code, as amended, with respect to the southern judicial district in the State of West Virginia; to the Committee on the Judiciary.

A bill (S. 516) for the relief of Clay W. Leps; to the Committee on Claims.

A bill (S. 517) for the relief of Emma Susan McMurdo; to the Committee on Finance.

A bill (S. 518) granting a pension to Fred Starling;

A bill (S. 519) granting an increase of pension to Fred Cook; and

A bill (S. 520) granting an increase of pension to Frank Spradling; to the Committee on Pensions.

By Mr. Walsh:

A bill (S. 521) for the relief of Henry Poole; and

A bill (S. 522) for the relief of Patrick J. Sullivan; to the Committee on Military Affairs.

A bill (S. 523) for the relief of Grant MacInnes; and

A bill (S. 524) for the relief of Napoleon Moran; to the Committee on Naval Affairs.

By Mr. Frazier:

A bill (S. 525) to restore to national farm-loan associations commissions illegally withheld by Federal land banks and to assure payment of such commissions hereafter; and

A bill (S. 526) to reimburse national farm-loan associations for losses sustained on account of illegal denial of the privilege of obtaining their funds in the form of farm-loan bonds instead of cash; to the Committee on Banking and Currency.

A bill (S. 527) for the relief of Lillian Morden; to the Committee on Claims.

A bill (S. 528) relating to the removal of certain employees in the Indian Service; and

A bill (S. 529) authorizing the creation of Indian tribal councils, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 530) for the relief of Mary L. Crowell;

A bill (S. 531) for the relief of Dan Davis;

A bill (S. 532) for the relief of Harvey R. King; and

A bill (S. 533) for the relief of Charles F. Poitra; to the Committee on Military Affairs.

A bill (S. 534) granting a pension to Nellie Gates;

A bill (S. 535) granting a pension to Patsy Dennis Johnson;

A bill (S. 536) granting a pension to Rosalia Lange;

A bill (S. 537) granting a pension to Margaret M. Miller;

A bill (S. 538) granting a pension to Mary Perry;

A bill (S. 539) granting a pension to Edwin K. Williams;

A bill (S. 540) granting an increase of pension to Sarah J. Carpenter; and

A bill (S. 541) granting an increase of pension to Orpha D. Bell King; to the Committee on Pensions.

By Mr. McNary:

A bill (S. 542) for the relief of William J. Ewing;

A bill (S. 543) for the relief of Kate Hatton; and

A bill (S. 544) for the relief of Theodor Knudson; to the Committee on Claims.

A bill (S. 545) to authorize the Secretary of the Navy to make a long-term contract for a supply of water to the United States naval station at Guantanamo Bay, Cuba; to the Committee on Naval Affairs.

A bill (S. 546) granting a pension to Edith Corbit;

A bill (S. 547) granting a pension to Edwin C. Derrick; and

A bill (S. 548) granting a pension to Thomas A. Rinehart; to the Committee on Pensions.

A bill (S. 549) to provide for the acquisition of certain timberlands and the sale thereof to the State of Oregon for recreational and scenic purposes; to the Committee on Public Lands and Surveys.

By Mr. Thomas of Oklahoma:

A bill (S. 550) for the relief of Beryl Elliott;

A bill (S. 551) for the relief of A. W. Holland;

A bill (S. 552) for the relief of Manuel Merritt;

A bill (S. 553) for the relief of William Sheldon; and

A bill (S. 554) providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury; to the Committee on Claims.

A bill (S. 555) to authorize the acquisition by the United States of the land upon which the Seneca Indian School, Wyandotte, Okla., is located; to the Committee on Indian Affairs.

A bill (S. 556) for the relief of Sidney M. Blackburn;

A bill (S. 557) for the relief of John Ernst; and

A bill (S. 558) for the relief of Beryl M. McHam; to the Committee on Military Affairs.

A bill (S. 559) for the relief of Joseph Thompson; to the Committee on Naval Affairs.

A bill (S. 560) granting a pension to Minnie Cantlon; to the Committee on Pensions.

By Mr. Copeland:

A bill (S. 561) for the creation of a housing board and authorizing the incorporation of limited-dividend housing corporations in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 562) relating to the prescribing of medicinal liquors; to the Committee on the Judiciary.

A bill (S. 563) for the relief of Elizabeth Bolger;

A bill (S. 564) for the relief of G. Elias & Bro. (Inc.);

A bill (S. 565) for the relief of G. Elias & Bro. (Inc.);

A bill (S. 566) for the relief of James Elliott & Co. (Inc.);

A bill (S. 567) for the relief of J. A. Finn & Co. (Inc.); and

A bill (S. 568) for the relief of Winifred Meagher; to the Committee on Claims.

A bill (S. 569) granting a pension to Anna McNamara;

A bill (S. 570) granting a pension to Joseph F. Sourek;

A bill (S. 571) granting a pension to Carl M. Toepper; and

A bill (S. 572) granting a pension to Samuel Herkowitz; to the Committee on Pensions.

A bill (S. 573) to repeal the act entitled "An act to authorize the acquisition for military purposes of land in Orange County, N. Y., for use as an addition to the West Point Military Reservation," approved March 3, 1931; to the Committee on Military Affairs.

By Mr. Metcalf:

A bill (S. 574) for the relief of Lillian G. Frost; to the Committee on Claims.

A bill (S. 575) for the relief of Maurice M. Keleher; to the Committee on Naval Affairs.

A bill (S. 576) granting an increase of pension to Lena Hook;

A bill (S. 577) granting an increase of pension to Martha W. Howland;

A bill (S. 578) granting an increase of pension to Lillian M. Hoxie;

A bill (S. 579) granting an increase of pension to Louise M. Ide; and

A bill (S. 580) granting an increase of pension to Annie Monkhouse; to the Committee on Pensions.

By Mr. King:

A bill (S. 581) to provide for the protection of watersheds in and adjacent to national forests; to the Committee on Agriculture and Forestry.

A bill (S. 582) to secure greater economy and efficiency in the disbursement of public money, and for other purposes; to the Committee on Appropriations.

A bill (S. 583) relating to the classified civil service; to the Committee on Civil Service.

A bill (S. 584) to extend the powers of the Commissioners of the District of Columbia;

A bill (S. 585) relating to the release of real-estate mortgages and deeds of trust in the District of Columbia;

A bill (S. 586) to regulate foreclosure of mortgages and deeds of trust in the District of Columbia; and

A bill (S. 587) to amend section 1180 of the Code of Law for the District of Columbia with respect to usury; to the Committee on the District of Columbia.

A bill (S. 588) to amend the Judicial Code by adding a new section to be numbered 274D; to the Committee on the Judiciary.

A bill (S. 589) to provide for the establishment and maintenance, under the Bureau of Mines, of a research station at Salt Lake City, Utah; to the Committee on Mines and Mining.

A bill (S. 590) to amend the act approved March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; to the Committee on Pensions.

A bill (S. 591) granting certain lands to Salt Lake City, Utah; and

A bill (S. 592) granting certain lands to the State of Utah for use and benefit of the Utah State Agricultural College; to the Committee on Public Lands and Surveys.

By Mr. Reed:

A bill (S. 593) to amend the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States," approved June 21, 1930, so as to give class B officers of the Army benefits of such act; to the Committee on Military Affairs.

By Mr. Wagner:

A joint resolution (S. J. Res. 26) to promote the establishment of unemployment insurance systems and wage reserves, and for other purposes; to the Committee on Finance.

By Mr. Thomas of Oklahoma:

A joint resolution (S. J. Res. 27) to provide protection and relief to farmers by aiding them to conserve and liquefy their mineral rights through recognized and established cooperative agencies engaged in the pooling of mineral rights underlying farm lands; to the Committee on Banking and Currency.

By Mr. Walsh:

A joint resolution (S. J. Res. 28) directing the President to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

HEARINGS BEFORE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. King, by unanimous consent, submitted the following resolution (S. Res. 34), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the District of Columbia, or any subcommittee thereof, is hereby authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON POST OFFICES AND POST ROADS

Mr. McKellar, by unanimous consent, submitted the following resolution (S. Res. 35), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, is hereby authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had in connection with any subject which may be before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks:

Mr. President: The Speaker of the House of Representatives has appointed Mr. Ragon as a manager on the part of the House at the conference of the two Houses on the amendments of the Senate to the bill (H. R. 3341) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes, in place of Mr. Doughton, resigned.

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they this day presented to the President of the United States the following enrolled bills:

S. 148. An act for the relief of Agnes M. Angle;

S. 149. An act for the relief of Daisy Anderson;

S. 150. An act for the relief of W. H. Hendrickson;

S. 151. An act for the relief of the Holy Family Hospital, St. Ignatius, Mont.;

S. 152. An act to authorize the Secretary of War to grant a right of way to the Alameda Belt Line across the Benton Field Military Reservation, Alameda, Calif.;

S. 153. An act to convey certain land in the county of Los Angeles, State of California;

S. 154. An act confirming the claim of Francis R. Sanchez, and for other purposes;

S. 155. An act for the relief of A. Y. Martin; and

S. 156. An act providing for an exchange of lands between the Colonial Realty Co. and the United States, and for other purposes.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 12 o'clock and 27 minutes p. m.,

The Senate, as in legislative session, took a recess until 3 o'clock p. m. to-day.

AT 3 O'CLOCK P. M.

The Vice President called the Senate to order.

MANUFACTURE AND SALE OF CERTAIN NONINTOXICATING LIQUOR

Mr. Harrison submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3341) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 5, 8, 10, 13, 17, 26, 27, 31, 33, 37, 40, 41, 42, and 43.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 7, 9, 11, 12, 14, 15, 16, 18, 19, 20, 21, 24, 25, 28, 29, 30, 32, 34, 35, 36, 38, and 39, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Strike out the figures "3.05" in said amendment and insert 3.2; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: Strike out the figures "3.05" in said amendment and insert 3.2; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows:

Strike out the figures "3.05" in said amendment and insert 3.2; and the Senate agree to the same.

PAT HARRISON,
WILLIAM H. KING,
DAVID I. WALSH,
DAVID A. REED,
JAMES COUZENS,
Managers on the part of the Senate.
HEARTSILL RAGON,
THOS. H. CULLEN,
JOHN W. MCCORMACK,
ALLEN T. TREADWAY,
HENRY W. WATSON,
Managers on the part of the House.

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The Senate proceeded, by unanimous consent, to consider the said report; and

On the question of agreeing to the same,

After debate,

It was determined in the affirmative, {Yeas---------- 43 / Nays---------- 36}

On motion by Mr. Borah,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Barbour, Barkley, Bone, Brown, Bulkley, Bulow, Byrnes, Carey, Clark, Coolidge, Copeland, Couzens, Dieterich, Dill, Duffy, Erickson, Harrison, Johnson, King, La Follette, Lewis, Lonergan, Long, McAdoo, McCarran, McKellar, McNary, Metcalf, Murphy, Overton, Pittman, Reed, Reynolds, Robinson of Arkansas, Steiwer, Thomas of Utah, Tydings, Van Nuys, Wagner, Walcott, Walsh, and Wheeler.

Senators who voted in the negative are—

Adams, Austin, Black, Borah, Bratton, Byrd, Capper, Caraway, Connally, Costigan, Dickinson, Fess, Fletcher, Frazier, George, Glass, Hale, Hatfield, Hayden, Keyes, McGill, Neely, Norbeck, Norris, Nye, Patterson, Pope, Robinson of Indiana, Russell, Sheppard, Smith, Stephens, Thomas of Oklahoma, Townsend, Vandenberg, and White.

So it was

Resolved, That the Senate agree to the said report.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks:

Mr. President: The House of Representatives insists upon its amendments to the joint resolution (S. J. Res. 14) authorizing the President of the United States to expend $5,000,000 to relieve distress in those counties of California which have suffered from the catastrophe of earthquake in the year 1933, disagreed to by the Senate; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Buchanan, Mr. Taylor of Colorado, Mr. Ayres, Mr. Taber, and Mr. Bacon managers at the same on its part.

MEMBER OF BOARD OF VISITORS TO NAVAL ACADEMY

The Vice President appointed Mr. Byrd a member of the Board of Visitors to the United States Naval Academy to fill the vacancy occasioned by the expiration of the term of service as Senator of Hon. Samuel M. Shortridge, former chairman of the Committee on Naval Affairs and ex-officio member of said board, and the subsequent election by the Senate as chairman of said committee of Hon. Park Trammell, previously appointed by the Vice President to fill the vacancy caused by the resignation of Hon. Claude A. Swanson as a Senator from the State of Virginia.

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The Vice President, pursuant to the order of the Senate, referred to the appropriate committees certain nominations this day received from the President of the United States.

RECESS

On motion by Mr. Robinson of Arkansas, at 4 o'clock and 2 minutes p. m.,

The Senate took a recess until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, TUESDAY, MARCH 21, 1933)

The Vice President called the Senate to order.

ATTENDANCE OF SENATOR KENDRICK, OF WYOMING

Mr. John B. Kendrick, from the State of Wyoming, attended.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H. R. 3757) to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases, in which it requests the concurrence of the Senate.

The President of the United States has informed the House that he approved and signed an act and a joint resolution, as follows:

On March 17, 1933:

H. J. Res. 75. Joint resolution to provide for certain expenses incident to the first session of the Seventy-third Congress.

On March 20, 1933:

H. R. 2820. An act to maintain the credit of the United States Government.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

HOUSE BILL REFERRED

The bill, H. R. 3757, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent; and,

On motion by Mr. Robinson of Arkansas,

Ordered, That it be referred to the Committee on Banking and Currency.

UNEMPLOYMENT RELIEF

The Vice President laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

It is essential to our recovery program that measures immediately be enacted aimed at unemployment relief. A direct attack in this problem suggests three types of legislation.

The first is the enrollment of workers now by the Federal Government for such public employment as can be quickly started and will not interfere with the demand for or the proper standards of normal employment.

The second is grants to States for relief work.

The third extends to a broad public works labor-creating program.

With reference to the latter, I am now studying the many projects suggested and the financial questions involved. I shall make recommendations to the Congress presently.

In regard to grants to States for relief work, I advise you that the remainder of the appropriation of last year will last until May. Therefore, and because a continuance of Federal aid is still a definite necessity for many States, a further appropriation must be made before the end of this special session.

I find a clear need for some simple Federal machinery to coordinate and check these grants of aid. I am, therefore, asking that you establish the office of Federal relief administrator, whose duty it will be to scan requests for grants and to check the efficiency and wisdom of their use.

The first of these measures which I have enumerated, however, can and should be immediately enacted. I propose to create a civilian conservation corps to be used in simple work, not interfering with normal employment, and confining itself to forestry, the prevention of soil erosion, flood control, and similar projects. I call your attention to the fact that this type of work is of definite, practical value, not only through the prevention of great present financial loss but also as a means of creating future national wealth. This is brought home by the news we are receiving to-day of vast damage caused by floods on the Ohio and other rivers.

Control and direction of such work can be carried on by existing machinery of the Departments of Labor, Agriculture, War, and Interior.

I estimate that 250,000 men can be given temporary employment by early summer if you give me authority to proceed within the next two weeks.

I ask no new funds at this time. The use of unobligated funds, now appropriated for public works, will be sufficient for several months.

This enterprise is an established part of our national policy. It will conserve our precious natural resources. It will pay dividends to the present and future generations. It will make improvements in National and State domains which have been largely forgotten in the past few years of industrial development.

More important, however, than the material gains will be the moral and spiritual value of such work. The overwhelming majority of unemployed Americans, who are now walking the streets and receiving private or public relief, would infinitely prefer to work. We can take a vast army of these unemployed out into healthful surroundings. We can eliminate to some extent at least the threat that enforced idleness brings to spiritual and moral stability. It is not a panacea for all the unemployment, but it is an essential step in this emergency. I ask its adoption.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 21, 1933.*

Ordered, That the message be referred to the Committee on Education and Labor and printed.

COTTON VELVETEENS AND VELVETS

The Vice President laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in partial response to Senate Resolution 440 (71st Cong.), a report of the commission of an investigation with respect to cotton velveteens and velvets, made under the provisions of section 336 of the tariff act of 1930; which, with the accompanying report, was referred to the Committee on Finance.

AGRICULTURAL HAND TOOLS

The Vice President laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in partial response to Senate Resolution 295 (71st Cong.), a report of the commission of an investigation with respect to agricultural hand tools, made under the provisions of section 336 of the tariff act of 1930; which, with the accompanying report, was referred to the Committee on Finance.

OPTICAL FIRE CONTROL AND PRECISION DRAWING INSTRUMENTS

The Vice President laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in partial response to Senate Resolution 227 (72d Cong.), a report of the commission of an investigation with respect to optical fire control instruments and precision drawing instruments, made under the provisions of section 336 of the tariff act of 1930; which, with the accompanying report, was referred to the Committee on Finance.

NONEDIBLE GELATIN AND GLUE

The Vice President laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in response to Senate Resolution 458 (71st Cong.), a report of the commission of an investigation with respect to nonedible gelatin and glue, made under the provisions of section 336 of the tariff act of 1930; which, with the accompanying report, was referred to the Committee on Finance.

BLOWN-GLASS TABLEWARE

The Vice President laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in response to Senate Resolution 330 (71st Cong.), a report of the commission of an investigation with respect to blown-glass tableware, made under the provisions of section 336 of the tariff act of 1930; which, with the accompanying report, was referred to the Committee on Finance.

CRAB MEAT

The Vice President laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in response to Senate Resolution 122 (72d Cong.), a report of the commission of an investigation with respect to crab meat, made under the provisions of section 336 of the tariff act of 1930; which, with the accompanying report, was referred to the Committee on Finance.

PETITION

The Vice President laid before the Senate a concurrent resolution of the Legislature of the Territory of Hawaii, urging an appropriation for the construction of a road from the boundary of the Haleakala National Park to the crater at the summit of Haleakala, on the island of Maui; which was referred to the Committee on Territories and Insular Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Norris:

A bill (S. 594) granting a pension to Emery Ray Greenwood (with accompanying papers); to the Committee on Pensions.

By Mr. McNary:

A bill (S. 595) granting a pension to Grace V. Foster; and

A bill (S. 596) granting a pension to Fay B. Weekley; to the Committee on Pensions.

By Mr. Hebert:

A bill (S. 597) for the relief of Elmer M. Place, jr.; to the Committee on Naval Affairs.

By Mr. Robinson of Arkansas and Mr. Wagner:

A bill (S. 598) for the relief of unemployment through the performance of useful public work, and for other purposes; to the Committee on Education and Labor.

By Mr. Overton:

A bill (S. 599) to authorize removal of wreck of ex-U. S. S. *Cincinnati;* to the Committee on Commerce.

By Mr. McAdoo:

A bill (S. 600) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. Carey:

A bill (S. 601) to meet the existing emergency in the agricultural industry, to provide for the reduction of the interest on certain existing farm mortgages, to amend and supplement the Federal farm loan act; to the Committee on Banking and Currency.

A bill (S. 602) to provide for the storage for diversion of the waters of the North Platte River and construction of the Saratoga reclamation project; to the Committee on Irrigation and Reclamation.

A bill (S. 603) granting an honorable discharge to Walter Joseph Shikany; to the Committee on Naval Affairs.

A bill (S. 604) amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454); to the Committee on Public Lands and Surveys.

By Mr. Logan:

A bill (S. 605) authorizing national banks to establish branches in certain cases; to the Committee on Banking and Currency.

A bill (S. 606) to authorize the waiver or remission of certain coal-lease rentals, and for other purposes;

A bill (S. 607) for the relief of the Union Bank & Trust Co., of Lexington, Ky.;

A bill (S. 608) for the relief of the State Bank & Trust Co., of Richmond, Ky.; and

A bill (S. 609) for the relief of the Shelby County Trust & Banking Co., of Shelbyville, Ky.; to the Committee on Claims.

A bill (S. 610) for the relief of Thomas Salleng; and

A bill (S. 611) for the relief of Charles Wilson; to the Committee on Military Affairs.

A bill (S. 612) granting a pension to Winnie Hood;

A bill (S. 613) granting a pension to Green Isaacs;

A bill (S. 614) granting a pension to John M. Roundtree;

A bill (S. 615) granting a pension to William Russell;

A bill (S. 616) granting a pension to W. P. Saling; and

A bill (S. 617) granting an increase of pension to Charles Steffey; to the Committee on Pensions.

A bill (S. 618) to amend the act of May 25, 1926, entitled "An act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes"; to the Committee on Public Lands and Surveys.

By Mr. Johnson:

A bill (S. 619) for the relief of Arabella E. Bodkin;

A bill (S. 620) for the relief of Catherine Wright; and

A bill (S. 621) conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad; to the Committee on Claims.

A bill (S. 622) to authorize the presentation to Robert A. Roos of a distinguished-service medal; to the Committee on Military Affairs.

A bill (S. 623) granting a pension to Wiley E. Bolt;

A bill (S. 624) granting a pension to Robert E. McCann;

A bill (S. 625) granting a pension to Lottie A. Torrance;

A bill (S. 626) granting a pension to Michael L. Walsh; and

A bill (S. 627) granting an increase of pension to Mary E. Jasper; to the Committee on Pensions.

By Mr. Walsh:

A bill (S. 628) for the relief of Joanna A. Sheehan; to the Committee on Claims.

A bill (S. 629) granting compensation to Philip R. Roby; to the Committee on Finance.

A bill (S. 630) for the relief of Ray Funcannon; to the Committee on Naval Affairs.

By Mr. Patterson:

A bill (S. 631) for the relief of Charles P. Shipley Saddlery & Mercantile Co.; to the Committee on Claims.

A bill (S. 632) granting a pension to Sallie Babb;

A bill (S. 633) granting a pension to Frank A. Boster;

A bill (S. 634) granting a pension to Ida C. Cantrell;

A bill (S. 635) granting a pension to Angeline Hart;

A bill (S. 636) granting a pension to Tennie Hembree;

A bill (S. 637) granting a pension to Sarah E. Hermanstorfer;

A bill (S. 638) granting a pension to Belle Shanholtzer McGary;

A bill (S. 639) granting a pension to Ida Madden;

A bill (S. 640) granting a pension to Mary J. Mayhew;

A bill (S. 641) granting a pension to Agnes P. Miller;

A bill (S. 642) granting a pension to Mary E. Norris;

A bill (S. 643) granting a pension to Mary A. Phillips;

A bill (S. 644) granting a pension to Mattie Randolph;

A bill (S. 645) granting a pension to Martha E. Robbins;

A bill (S. 646) granting a pension to Melissa P. Seneker;

A bill (S. 647) granting a pension to Clara Slyker;

A bill (S. 648) granting a pension to E. Jane Spencer;

A bill (S. 649) granting a pension to Lillie E. Sullivan (with accompanying papers);

A bill (S. 650) granting a pension to Mollie Turner (with accompanying papers);

A bill (S. 651) granting a pension to Eva Whittington;

A bill (S. 652) granting a pension to Lou C. Witt;

A bill (S. 653) granting an increase of pension to Mary E. Bonebrake;

A bill (S. 654) granting an increase of pension to Anna Callahan;

A bill (S. 655) granting an increase of pension to Adaline Calton;

A bill (S. 656) granting an increase of pension to Rachel C. Carrico;

A bill (S. 657) granting an increase of pension to Mary E. Chenoweth;

A bill (S. 658) granting an increase of pension to Anna L. Cowen;

A bill (S. 659) granting an increase of pension to Alice B. Davis;

A bill (S. 660) granting an increase of pension to Helen Dorsey;

A bill (S. 661) granting an increase of pension to Mary J. Easley;

A bill (S. 662) granting an increase of pension to Mary E. Fields;

A bill (S. 663) granting an increase of pension to Mary M. Fipps;

A bill (S. 664) granting an increase of pension to Lucinda E. Fleming;

A bill (S. 665) granting an increase of pension to Melvin E. Goodding;

A bill (S. 666) granting an increase of pension to Missouri E. Griffith;

A bill (S. 667) granting an increase of pension to Nancy G. Gurley;

A bill (S. 668) granting an increase of pension to Mary E. Hiles;

A bill (S. 669) granting an increase of pension to Sarah Hitchcock;

A bill (S. 670) granting an increase of pension to Hattie Hodges;

A bill (S. 671) granting an increase of pension to Serena Ivey;

A bill (S. 672) granting an increase of pension to Eliza J. Keith;

A bill (S. 673) granting an increase of pension to Virginia Lee;

A bill (S. 674) granting an increase of pension to Sarah E. Lewis;

A bill (S. 675) granting an increase of pension to Sarah A. Lofton;

A bill (S. 676) granting an increase of pension to Julia R. Moore;

A bill (S. 677) granting an increase of pension to Mira A. Murphy;

A bill (S. 678) granting an increase of pension to Maria M. Parmele;

A bill (S. 679) granting an increase of pension to Emma S. Rakestraw; and

A bill (S. 680) granting an increase of pension to Mary R. Ramsey; to the Committee on Pensions.

By Mr. Norris:

A joint resolution (S. J. Res. 29) proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. Walsh:

A joint resolution (S. J. Res. 30) to authorize the erection of a monument to Queen Isabella; to the Committee on the Library.

STRENGTHENING OF ANTITRUST LAWS

Mr. King, by unanimous consent, submitted the following resolution (S. Res. 36), which was referred to the Committee on the Judiciary:

Whereas to prevent monopolies and combinations in restraint of trade and efforts to obtain monopolistic control of trade and commerce laws were enacted by the Congress which are still in force; and

Whereas notwithstanding the enactment of said laws, monopolies and organizations seeking monopolistic control of industry, trade, commerce, and credit still exist, and the contention is made that some of them are not within the terms of said laws; and

Whereas it is believed that said laws should be strengthened in order that the purpose for which they were enacted might be realized: Now, therefore, be it

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized to conduct an investigation for the purpose of determining what, if any, legislation is required to strengthen and extend the provisions of said laws.

The committee shall report as soon as practicable the results of its investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings; to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third and succeeding Congresses until the final report is submitted; to employ such clerical and other assistants, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

REPORT ON COLUMBIA AND LOWER WILLAMETTE RIVERS

Mr. Dill, by unanimous consent, submitted the following resolution (S. Res. 37), which was referred to the Committee on Commerce:

Resolved, That the Board of Engineers for Rivers and Harbors, created under section 3 of the river and harbor act approved June 13, 1902, be, and is hereby requested to review the report on Columbia and lower Willamette Rivers between Portland, Oreg., and the sea, submitted in House Document No. 195, Seventieth Congress, first session, with a view to determining whether modification is advisable to the extent of improving Cathlamet channel.

HEARINGS BEFORE COMMITTEE ON IMMIGRATION

Mr. Coolidge, by unanimous consent, submitted the following resolution (S. Res. 38), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Immigration, or any subcommittee thereof, hereby is authorized during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON PUBLIC LANDS AND SURVEYS

Mr. Kendrick by unanimous consent, submitted the following resolution (S. Res. 39), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Lands and Surveys, or any subcommittee thereof, be, and hereby is authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not to exceed 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

COMMITTEE SERVICE OF SENATOR FROM MONTANA

On motion by Mr. Robinson of Arkansas,

Ordered, That Mr. Erickson be assigned to service on the Committee on Education and Labor, the Committee on Mines and Mining, the Committee on Post Offices and Post Roads, and the Committee on Public Lands and Surveys.

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The Vice President, under the order heretofore agreed to, referred to the Committee on Military Affairs certain nominations this day received from the President of the United States.

RECESS

On motion by Mr. Robinson of Arkansas, at 12 o'clock and 34 minutes p. m.,

The Senate took a recess until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, WEDNESDAY, MARCH 22, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 14) authorizing the President of the United States to expend $5,000,000 to relieve distress in those counties of California which have suffered from the catastrophe of earthquake in the year 1933.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3341) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes.

The Speaker of the House having signed an enrolled bill, viz, H. R. 3341, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the

bill (H. R. 3341) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Monday, March 20, and Tuesday, March 21, 1933, was approved.

MEMBER OF PUBLIC BUILDINGS COMMISSION

The Vice President, under authority of section 1, chapter 1, of title 40 of the United States Code, appointed Mr. Connally a member of the Public Buildings Commission, to fill the vacancy caused by the resignation as Senator of Hon. Claude A. Swanson.

RELIEF OF DISTRESS FROM CALIFORNIA EARTHQUAKE

Mr. Glass submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 14) authorizing the President of the United States to expend $5,000,000 to relieve distress in those counties of California which have suffered from the catastrophe of earthquake in the year 1933, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the first amendment of the House, and agree to the same with an amendment, as follows: After the numerals "1933" in the last line of the matter inserted by the House amendment, insert the following: *The aggregate of the loans made under this paragraph shall not exceed $5,000,000*; and the House agree to the same.

That the Senate agree to the amendment of the House amending the title of the joint resolution.

CARTER GLASS,
KENNETH MCKELLAR,
FREDERICK HALE,
HENRY W. KEYES,
Managers on the part of the Senate.
J. P. BUCHANAN,
EDWARD T. TAYLOR,
W. A. AYRES,
JOHN TABER,
ROBERT L. BACON,
Managers on the part of the House.

The Senate proceeded, by unanimous consent, to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

PETITIONS AND MEMORIALS

The Vice President land before the Senate the following petition and communication, which were referred as indicated:

A resolution of the House of Representatives of the State of Massachusetts, memorializing Congress to regulate the hours and wages of persons employed in manufacturing and industrial establishments; to the Committee on Education and Labor.

A communication from R. P. Taylor, of Chicago, Ill., indorsing Senator Long's plan for the decentralization and distribution of the wealth of this country; to the Committee on Finance.

Mr. Erickson presented a joint memorial of the Legislature of the State of Montana, urging the enactment of legislation providing for a suspension in payment of charges due from the Federal reclamation project settlers to the United States, and to authorize advances to the reclamation fund to replace the income thereto thus suspended; which was referred to the Committee on Irrigation and Reclamation.

Mr. Erickson presented a joint memorial of the Legislature of the State of Montana, urging the enactment of legislation reducing the rate of interest required to be paid on loans made by the Reconstruction Finance Corporation in aid of industries and pursuits; which was referred to the Committee on Banking and Currency.

Mr. Goldsborough presented the following petitions and memorial, which were referred as indicated:

A resolution adopted by the Maryland section, American Society of Civil Engineers, of Baltimore, Md., favoring a continuance of appropriations for stream gauging in cooperation with the States; and

A resolution adopted at Baltimore, Md., at a mass meeting of the Business and Professional Women's Council, Maryland Branch, National Woman's Party, demanding the repeal of section 213 of the so-called economy act relating to the reduction of personnel by the dismissal of certain married persons; to the Committee on Appropriations.

A resolution adopted at Baltimore, Md., by the Eastern Livestock Cooperative Marketing Association, favoring the retention of the agricultural marketing act as applied to a continuation and development of cooperative agricultural marketing organizations, and favoring the retention of the Federal Farm Board as an independent office of the Government; to the Committee on Agriculture and Forestry.

A resolution adopted by Fort Washington Chapter, No. 2, Disabled American Veterans of the World War, of Cumberland, Md., remonstrating against the publication of the names of disabled veterans now receiving compensation from the Government;

A resolution adopted by the United Food Stores (Inc.), and telegrams from the Lime and Cement Exchange and the Wm. Schluderberg T. J. Kurdle Co., all of Baltimore, Md., favoring the repeal of the tax on bank checks; to the Committee on Finance.

Mr. Wheeler presented resolutions adopted by four labor organizations of Butte, and Great Falls, Mont., Lincoln, Nebr., and La Grande, Oreg., respectively, favoring the enactment of legislation establishing a system of bimetallic currency; which were referred to the Committee on Banking and Currency.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Johnson:

A bill (S. 681) requiring publicity for certain foreign-loan transactions;

A bill (S. 682) to prohibit financial transactions with any foreign government in default on its obligations to the United States; and

A bill (S. 683) to provide for the more effective supervision of foreign commercial transactions, and for other purposes; to the Committee on the Judiciary.

A bill (S. 684) to grant a patent to Albert M. Johnson and Walter Scott; and

A bill (S. 685) to extend the mining laws of the United States to the Death Valley National Monument in California; to the Committee on Public Lands and Surveys.

By Mr. Dill:

A bill (S. 686) granting a pension to Ferdinand Beyersdorf; to the Committee on Pensions.

By Mr. Fletcher:

A bill (S. 687) providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla.; to the Committee on the Judiciary.

By Mr. George:

A bill (S. 688) to provide for the refinancing of farm-mortgage indebtedness by the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

By Mr. Tydings:

A bill (S. 689) to extend the benefits of the employees' compensation act of September 7, 1916, to Lillian A. Stecher; to the Committee on Claims.

By Mr. Bratton:

A bill (S. 690) for the relief of Charles L. Graves; to the Committee on Indian Affairs.

By Mr. Bratton (for himself and Mr. Cutting):

A bill (S. 691) to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the act approved June 7, 1924, in certain respects; to the Committee on Indian Affairs.

By Mr. Bratton (for himself and Mr. Cutting), Mr. Sheppard, and Mr. Connally:

A bill (S. 692) providing for the issuance of patents upon certain conditions to lands and accretions thereto determined to be within the State of New Mexico in accordance with the decree of the Supreme Court of the United States entered April 9, 1928; to the Committee on Public Lands and Surveys.

By Mr. Dickinson:

A bill (S. 693) relating to the paid-in surplus of Federal land banks; and

A bill (S. 694) to provide for the liquidation of joint-stock land banks, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 695) to extend the benefits of the employees' compensation act of September 7, 1916, to James R. Kelly; to the Committee on Claims.

A bill (S. 696) to authorize Frank W. Mahin, retired American Foreign Service officer, to accept from Her Majesty, the Queen of the Netherlands, the brevet and insignia of the Royal Netherland Order of Orange Nassau; to the Committee on Foreign Relations.

A bill (S. 697) for the relief of Aileen Random Weber; to the Committee on Claims.

A bill (S. 698) granting a pension to Helen R. Benson;

A bill (S. 699) granting a pension to Charles T. Griggs;

A bill (S. 700) granting a pension to Anna Ross;

A bill (S. 701) granting a pension to Anna M. Shumaker;

A bill (S. 702) granting a pension to Elizabeth Spafford;

A bill (S. 703) granting a pension to Jemima E. Trowbridge;

A bill (S. 704) granting a pension to Mary S. Tuffree;

A bill (S. 705) granting a pension to Mary Jane Willey; and

A bill (S. 706) granting an increase of pension to Lydia J. Barton; to the Committee on Pensions.

By Mr. Borah:

A bill (S. 707) for the relief of James J. Jordan; to the Committee on Military Affairs.

A bill (S. 708) granting a pension to John Bivens;

A bill (S. 709) granting a pension to Granville Brown;

A bill (S. 710) granting a pension to Charles D. Chinn;

A bill (S. 711) granting a pension to Edwin F. Guyon;

A bill (S. 712) granting a pension to Narcissa Hussey;

A bill (S. 713) granting a pension to Wilbern Alonzo Hussey;

A bill (S. 714) granting a pension to Stephen D. Jones;

A bill (S. 715) granting a pension to Olive A. Lewis;

A bill (S. 716) granting a pension to Taylor C. Lyon;

A bill (S. 717) granting an increase of pension to Tennessee F. Maynard;

A bill (S. 718) granting a pension to Ida H. McCullough;

A bill (S. 719) granting a pension to Hanna White; and

A bill (S. 720) granting an increase of pension to Truman H. Wilkinson; to the Committee on Pensions.

By Mr. Wheeler:

A bill (S. 721) authorizing the Arapahoe and Cheyenne Indians to submit claims to the Court of Claims for adjudication and settlement; to the Committee on Claims.

A bill (S. 722) amending an act entitled "An act to provide for the allotting in severalty lands within the Northern Cheyenne Indian Reservation in Montana, and for other purposes";

A bill (S. 723) to amend the act of March 13, 1924 (43 Stat. L. 21), so as to permit the Flathead, Kootenai, and Upper Pend d'Oreille Tribes or Nations of Indians to file suit thereunder;

A bill (S. 724) defining the term "Indian" with respect to guardianship by the United States;

A bill (S. 725) authorizing the Secretary of the Interior in behalf of Indians to purchase the allotments of deceased Indians, and for other purposes; and

A bill (S. 726) to reduce the area of the Fort Peck irrigation project in the State of Montana; to the Committee on Indian Affairs.

A bill (S. 727) for the relief of Francis N. Dominick; to the Committee on Military Affairs.

A bill (S. 728) granting a pension to Ba-ta-wa-ha-cha, or Take the Bow Numbered 2;

A bill (S. 729) granting a pension to James A. Boone;

A bill (S. 730) granting a pension to James Conroy;

A bill (S. 731) granting a pension to Crooked Faced Child;

A bill (S. 732) granting a pension to Waumdi Duba (Red Eagle);

A bill (S. 733) granting a pension to Sarah J. Gould;

A bill (S. 734) granting a pension to Caroline Henkel;

A bill (S. 735) granting a pension to Jens A. Jepsen;

A bill (S. 736) granting a pension to Daniel S. J. Leif;

A bill (S. 737) granting a pension to John Ransom;

A bill (S. 738) granting a pension to Marie Taylor; and

A bill (S. 739) granting a pension to Joseph E. Williams; to the Committee on Pensions.

By Mr. Goldsborough:

A bill (S. 740) for the relief of William G. Fulton; to the Committee on Claims.

A bill (S. 741) for the relief of Jennie Bruce Gallahan; to the Committee on the District of Columbia.

By Mr. Bone:

A bill (S. 742) to establish a national cemetery within the Fort Lewis Military Reservation, State of Washington; to the Committee on Military Affairs.

By Mr. Stephens:

A bill (S. 743) to amend the act approved June 30, 1932 "Providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of Interior, and for other purposes"; to the Committee on Commerce.

By Mr. Neely:

A bill (S. 744) granting a pension to Eliza Gawthrop;

A bill (S. 745) granting a pension to Elmira F. Miller; and

A bill (S. 746) granting a pension to Cassie Randolph; to the Committee on Pensions.

By Mr. Sheppard:

A bill (S. 747) to amend section 13 of the Federal reserve act by making notes of finance and credit companies subject to discount; to the Committee on Banking and Currency.

A bill (S. 748) for the relief of W. F. Lueders; to the Committee on Claims.

By Mr. Stephens:

A joint resolution (S. J. Res. 31) consenting that certain States may sue the United States, and providing for trial on the merits in any suit brought hereunder by a State to recover direct taxes alleged to have been illegally collected by the United States during the fiscal years ending June 30, 1866, 1867, and 1868, and vesting the right in each State to sue in its own name; to the Committee on Claims.

HEARINGS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. King, by unanimous consent, submitted the following resolution (S. Res. 40), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, is authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 20 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS

Mr. Wheeler, by unanimous consent, submitted the following resolution (S. Res. 41), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, is hereby authorized during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

INDIAN AFFAIRS ITEMS IN INTERIOR DEPARTMENT APPROPRIATION BILLS

Mr. Wheeler, by unanimous consent, submitted the following resolutions (S. Res. 42), which was referred to the Committee on Rules:

Resolved, That clause 6 of Rule XVI of the Standing Rules of the Senate is amended by inserting immediately before the period at the end thereof a semicolon and the following: "and that three members of the Committee on Indian Affairs, to be selected by said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the items pertaining to Indian affairs are being considered by the Committee on Appropriations in the bill making appropriations for the Department of the Interior, and at least one member of the Committee on Indian Affairs shall be a member of any conference committee appointed to confer with the House upon items pertaining to Indian affairs contained in the bill making appropriations for the Department of the Interior."

HEARINGS BEFORE COMMITTEE ON COMMERCE

Mr. Stephens, by unanimous consent, submitted the following resolution (S. Res. 43), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce, or any subcommittee thereof, is authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

SPECIAL EMPLOYEES OF THE SENATE

Mr. Hayden, by unanimous consent, submitted the following resolution (S. Res. 44), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms hereby is authorized and directed to appoint four special employees to be paid from the contingent fund of the Senate at the rate of $1,000 each per annum until otherwise ordered by the Senate.

FEDERAL RESERVE BANK LOANS TO STATE BANKS AND TRUST COMPANIES

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (H. R. 3757) to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases, reported it with amendments and submitted a report (No. 4) thereon.

A request for unanimous consent for the present consideration of the said bill having been made, and discussion having arisen,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the Senate, as in legislative session, take a recess until 4 o'clock p. m. to-day, at which hour it shall proceed to the consideration of the bill (H. R. 3757) to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases.

Thereupon, at 12 o'clock and 44 minutes p. m.,

The Senate, pursuant to its order, took a recess until 4 o'clock p. m.

AT 4 O'CLOCK P. M.

The Vice President called the Senate to order.

FEDERAL RESERVE BANK LOANS TO STATE BANKS AND TRUST COMPANIES

The Senate, pursuant to its order of to-day, proceeded to consider the bill (H. R. 3757) to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases.

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Hatfield, Hayden, Johnson, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On the question of agreeing to the reported amendment, striking out all after the enacting clause and inserting in lieu thereof certain words, and the part proposed to be inserted having been modified by Mr. Fletcher, on behalf of the Committee on Banking and Currency;

On motion by Mr. Long to amend the part proposed to be inserted by adding at the end thereof a new section; and

Mr. Long subsequently having modified his amendment,

After debate,

The amendment, as modified, was not agreed to.

A further amendment having been proposed by Mr. Adams to the reported amendment on page 3, line 19,

Pending debate,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 52 minutes p. m.,

The Senate took a recess, as in legislative session, until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, MARCH 23, 1933)

The Vice President called the Senate to order.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar day of yesterday was approved.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-six Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dietrich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power, in which it requests the concurrence of the Senate.

The Speaker of the House having signed an enrolled joint resolution, viz, S.J.Res. 14, I am directed to bring the same to the Senate for the signature of its President.

The House has passed the following resolution (H.Res. 70), which I am directed to communicate to the Senate:

Whereas in the Seventy-second Congress, on the 27th day of February, 1933, Hatton W. Sumners, Gordon Browning, Malcolm C. Tarver, Fiorello H. LaGuardia, and Charles I. Sparks, Members of the House of Representatives, were appointed managers on the part of the House of Representatives to conduct the impeachment against Harold Louderback, a United States district judge for the Northern District of California; and

Whereas the said LaGuardia and Sparks are no longer Members of the House of Representatives: Therefore be it

Resolved, That Randolph Perkins and U. S. Guyer, Members of the House of Representatives, be, and they are hereby, appointed in lieu of the said LaGuardia and Sparks to serve with the said Hatton W. Sumners, Gordon Browning, and Malcolm C. Tarver as the managers on the part of the House of Representatives to conduct the impeachment pending in the United States Senate against Harold Louderback, a United States district judge for the northern district of California.

ENROLLED JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the joint resolution (S.J.Res. 14) to authorize the Reconstruction Finance Corporation to make loans for financing the repair or reconstruction of buildings damaged by earthquake in 1933.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate a joint resolution of the Legislature of the State of North Carolina, praying an appropriation for the purpose of retiring part of the bonded indebtedness of the counties of Haywood and Swain in that State, due to loss in the taxable valuation of lands in said counties acquired for the establishment of the Great Smoky Mountains National Park; which was referred to the Committee on Appropriations.

Mr. Robinson of Arkansas presented a plan of Tom Hart, of Fayetteville, Ark., to restore confidence and furnish collateral to depositors in banks; which was referred to the Committee on Banking and Currency.

Mr. Ashurst presented resolutions adopted at Tucson, Ariz., by members of the National Society Daughters of the American Revolution assembled in State conference, remonstrating against the recognition of the Union of Socialist Soviet Republics of Russia by the United States Government, and favoring the enactment of legislation providing for the exclusion and expulsion of alien communists; which were referred to the Committee on Foreign Relations.

Mr. Bone presented the following petitions, which were referred as indicated:

A joint resolution of the Legislature of the State of Washington, praying relief for Indians on the Colville Indian Reservation in that State; to the Committee on Indian Affairs.

A resolution adopted by the White Center Local of the Unemployed Citizens League of the State of Washington, indorsing the President's position on the necessity of unemployment relief; to the Committee on Education and Labor.

Mr. Shipstead presented resolutions of the House of Representatives of the State of Minnesota, memorializing Congress to issue directly to the several States on the security of the natural resources of such States money to be loaned or issued directly to the people through established State agencies, and to enact legislation to liquidate all national banks of issue and establish Government owned and controlled banks; which were referred to the Committee on Banking and Currency.

Mr. Wheeler presented a copy of a decision of the United States Circuit Court of Appeals for the Second Circuit in the case of *Baush Machine Tool Co.* v. *Aluminum Co. of America;* which was referred to the Committee on the Judiciary.

REPORT OF COMMITTEE ON COMMERCE

Mr. Stephens, by unanimous consent, from the Committee on Commerce, to whom was referred the bill (S. 743) to amend the act approved June 30, 1932, entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the Board of Road Commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes," reported it without amendment and submitted a report (No. 5) thereon.

CHANGE OF REFERENCE

On motion by Mr. Thomas of Oklahoma, and by unanimous consent,

Ordered, That the Committee on Claims be discharged from the further consideration of the bill (S. 554) pro-

viding for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury and that it be referred to the Committee on Indian Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Norris:

A bill (S. 749) for the relief of the Fairmont Creamery Co., of Omaha, Nebr.;

A bill (S. 750) for the relief of the Lebanon Equity Exchange, of Lebanon, Nebr.; and

A bill (S. 751) authorizing the Secretary of the Treasury of the United States to refund to the Farmers' Grain Co., of Omaha, Nebr., income taxes illegally paid to the United States Treasurer; to the Committee on Claims.

By Mr. Johnson:

A bill (S. 752) to amend section 24 of the Judicial Code, as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to orders of State administrative boards; to the Committee on the Judiciary.

By Mr. Trammell:

A bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy; to the Committee on Naval Affairs.

By Mr. Pittman:

A bill (S. 754) for the relief of Fred M. Munn; to the Committee on Military Affairs.

A bill (S. 755) granting a pension to Roy E. Donnelly; and

A bill (S. 756) granting a pension to Earnest G. Harvey; to the Committee on Pensions.

By Mr. Shipstead:

A bill (S. 757) to relieve agricultural distress through the consolidation and adjustment of indebtedness and the reduction of the rate of interest thereon, to release frozen credits and stimulate the recovery of business, to create in the Department of Agriculture an administration of agricultural loans with which will be consolidated, in the interest of economy and efficiency, all agencies of the Federal Government concerned with agricultural credit, and for other purposes; and

A bill (S. 758) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended, relating to misbranded foods; to the Committee on Agriculture and Forestry.

A bill (S. 759) authorizing the Reconstruction Finance Corporation to make loans to certain hospitals; and

A bill (S. 760) to authorize the Reconstruction Finance Corporation to make loans to private colleges, universities, and institutions of higher learning, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 761) to provide funds for cooperation with the Minnesota State Board of Control in the extension of the Minnesota State Sanatorium at Ah-Gwah-Ching, Minn.; to the Committee on Indian Affairs.

A bill (S. 762) for the relief of Teresa de Prevost;

A bill (S. 763) for the relief of John Gorman;

A bill (S. 764) for the relief of Pete Jelovac;

A bill (S. 765) for the relief of Mary A. Rockwell;

A bill (S. 766) for the relief of Earl W. Thomas;

A bill (S. 767) for the relief of Howland and Waltz Co., Ltd.;

A bill (S. 768) for the relief of the Waterous Co.;

A bill (S. 769) for the relief of Gustave C. Wetterlind; and

A bill (S. 770) for the relief of certain claimants who suffered loss by fire in the State of Minnesota during October 1918; to the Committee on Claims.

A bill (S. 771) for the relief of James Darcy; and

A bill (S. 772) for the relief of Robert J. Smith; to the Committee on Military Affairs.

A bill (S. 773) granting a pension to Matilda Davison;

A bill (S. 774) granting a pension to Iva B. Erickson;

A bill (S. 775) granting an increase of pension to Mary H. Fetzer;

A bill (S. 776) granting a pension to Katherine M. Owens;

A bill (S. 777) granting a pension to Ann E. Thomas;

A bill (S. 778) granting a pension to Mary E. Verrill;

A bill (S. 779) granting an increase of pension to Adaline A. Allen;

A bill (S. 780) granting an increase of pension to Mary A. Dittman; and

A bill (S. 781) granting an increase of pension to Nora Mitchell; to the Committee on Pensions.

By Mr. King:

A bill (S. 782) to prevent the use of the mails and of telegraph and telephone facilities in furtherance of fraudulent and harmful transactions on stock exchanges; to the Committee on Banking and Currency.

By Mr. Copeland:

A bill (S. 783) to prohibit the counterfeiting of drugs, to provide penalties therefor, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 784) for the relief of Anna Marie Sanford; and

A bill (S. 785) for the relief of Elizabeth Bolger; to the Committee on Claims.

By Mr. Thomas of Oklahoma:

A bill (S. 786) for the relief of Frederick E. Dixon; to the Committee on Civil Service.

A bill (S. 787) for the relief of Grady D. Coleman; to the Committee on Military Affairs.

A bill (S. 788) for the relief of the people and the Government of the United States through a system of controlled expansion of the currency; to the Committee on Banking and Currency.

By Mr. Logan:

A bill (S. 789) for the relief of James Lowe; to the Committee on Claims.

A bill (S. 790) for the relief of Charles B. Arrington;

A bill (S. 791) for the relief of Elmer Blair;

A bill (S. 792) for the relief of Curtis Jett; and

A bill (S. 793) for the relief of Homer H. Keffer; to the Committee on Military Affairs.

A bill (S. 794) for the relief of Luther Foster; and

A bill (S. 795) for the relief of James Earl Johnston; to the Committee on Naval Affairs.

A bill (S. 796) granting a pension to Maude Kinser Alexander;

A bill (S. 797) granting a pension to Squire O. Baker;

A bill (S. 798) granting a pension to Mary Burton;

A bill (S. 799) granting a pension to Price V. Hendricks;

A bill (S. 800) granting a pension to John S. Marcum;

A bill (S. 801) granting a pension to Mary A. Newkirk;

A bill (S. 802) granting an increase of pension to Mary E. Fowler; and

A bill (S. 803) granting an increase of pension to William G. Patton; to the Committee on Pensions.

By Mr. Dill:

A bill (S. 804) to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co.; to the Committee on Military Affairs.

By Mr. Capper:

A bill (S. 805) to provide for loans by the Reconstruction Finance Corporation to farmers to enable them to refinance their farm-mortgage indebtedness, and for other purposes; to the Committee on Banking and Currency.

By Mr. Frazier:

A bill (S. 806) establishing the Bank of the United States, owned, operated, and controlled by the Government of the United States; defining the scope and manner of its operation; defining the powers and duties of the persons charged with its management; creating a board of directors, and for other purposes; to the Committee on Banking and Currency.

By Mr. Clark:

A bill (S. 807) for the relief of G. C. Vandover; to the Committee on Claims.

By Mr. Norris:

A bill (S. 808) to amend the Federal Water Power Act, as amended; to the Committee on Interstate Commerce.

By Mr. Thomas of Utah:

A bill (S. 809) granting a pension to James H. Allred; to the Committee on Pensions.

By Mr. Johnson:

A joint resolution (S.J.Res. 32) authorizing an annual appropriation for the expenses of participation by the United States in the International Institute of Agriculture at Rome, Italy; to the Committee on Foreign Relations.

By Mr. King:

A joint resolution (S.J.Res. 33) to prohibit the exportation of arms or munitions of war from the United States under certain conditions; to the Committee on Foreign Relations.

HEARINGS BEFORE COMMITTEE ON MANUFACTURES

Mr. Bulkley, by unanimous consent, submitted the following resolution (S.Res. 45), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Manufactures, or any subcommittee thereof, be, and hereby is, authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said Committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the Committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON THE LIBRARY

Mr. Barkley, by unanimous consent, submitted the following resolution (S.Res. 46), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Library, or any subcommittee thereof, is hereby authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the Committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HOUSE BILL REFERRED

The bill H.R. 3835, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Agriculture and Forestry.

ENROLLED JOINT RESOLUTION PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they this day presented to the President of the United States the enrolled joint resolution (S.J.Res. 14) to authorize the Reconstruction Finance Corporation to make loans for financing the repair or reconstruction of buildings damaged by earthquake in 1933.

FEDERAL RESERVE BANK LOANS TO STATE BANKS AND TRUST COMPANIES

The Senate resumed the consideration of the bill (H.R. 3757) to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases.

The question being on agreeing to the amendment yesterday proposed to the reported amendment by Mr. Adams, striking out on page 3, lines 19 and 20, the words "and a thorough examination of the applying bank or trust company",

Pending debate,

Mr. Trammell raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Bankhead in the chair) directed the roll to be called;

When

Eighty-six Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. Adams withdrew his motion; and

On motion by him to further amend the bill by inserting on page 3, line 20, after the word "company", certain words,

After debate,

The amendment was not agreed to.

The reported amendment was amended on the motion of Mr. Clark,

No further amendment being proposed,

The reported amendment, as amended, was agreed to.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass, and that the title thereof be amended by adding after the word "cases" a comma and the words *and for other purposes*.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

DELEGATION OF AUTHORITY TO VICE PRESIDENT AND SECRETARY

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That when the Senate concludes its labors on this calendar day, it take a recess until 12 o'clock noon next Monday, and that during the recess the Secretary of the Senate may receive and the Vice President may refer to committees any message or messages, bill, or resolution transmitted by the House of Representatives; also, that the Committee on Education and Labor may, if it desires, submit a report to the Secretary of the Senate, and the Secretary of the Senate is authorized to have the same printed.

Ordered further, That during the said recess of the Senate the Vice President be, and he is hereby, authorized to sign any enrolled bill presented to him for signature.

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The Presiding Officer (Mr. Barkley in the chair), under the order of the Senate, referred to the appropriate committees certain nominations this day received from the President of the United States.

RECESS

On motion by Mr. Robinson of Arkansas, at 4 o'clock and 55 minutes p.m.,

The Senate, under its order of today, took a recess until 12 o'clock m. on Monday next.

AT 12 O'CLOCK M. (CALENDAR DAY, MONDAY, MARCH 27, 1933)

The Vice President called the Senate to order.

ATTENDANCE OF SENATOR SCHALL, OF MINNESOTA

Mr. Thomas D. Schall, from the State of Minnesota, attended.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the amendments of the Senate to the bill (H.R. 3757) to

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provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases.

The President of the United States has informed the House that on March 22, 1933, he approved and signed the act (H.R. 3341) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

SIGNING OF ENROLLED BILL H.R. 3757

The Vice President announced that, under authority of the order of the Senate agreed to on Thursday last, he signed, on the 24th instant, the enrolled bill (H.R. 3757) to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases, and for other purposes, said bill having previously been signed by the Speaker of the House of Representatives and reported by the Committee on Enrolled Bills as having been examined and found truly enrolled, and that it was delivered to the committee to be presented to the President of the United States.

MANUFACTURE AND SALE OF BEVERAGES IN THE DISTRICT OF COLUMBIA

The Vice President also announced that, under further authority of said order of Thursday last, he referred, on the 24th instant, to the Committee on the District of Columbia the bill (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes, passed by the House of Representatives and received by the Secretary of the Senate under authority of the said order.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, etc., which were referred as indicated:

A resolution of the Legislature of the State of New York, expressing the sense of the legislature that the Government of the United States should use its best diplomatic efforts to persuade the German Government to desist from further alleged outrages and persecutions against Jews and other minorities in Germany; to the Committee on Foreign Relations.

A concurrent resolution of the Legislature of the State of Texas, petitioning the restoration and reestablishment of the abandoned Fort D. A. Russell, at Marfa, Tex.; to the Committee on Military Affairs.

Resolutions of the Legislature of the State of Massachusetts, favoring the enactment of legislation to provide for the labeling of goods imported into the United States for sale, so as to identify the place of origin of such goods; to the Committee on Finance.

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to issue $13,000,000,000 in currency to finance necessary public works and to make loans to farmers and to liquidate frozen assets;

A joint memorial of the Legislature of the State of Oregon, favoring loans by the Reconstruction Finance Corporation to boards, commissions, and departments of the several States and municipal corporations for the relief of trust, sinking, and other funds;

A joint memorial of the Legislature of the State of Oregon, favoring the enactment of legislation permitting the Reconstruction Finance Corporation to make loans for public-school purposes; and

A resolution adopted by the Board of Commissioners of Camden, N.J., favoring the enactment of legislation to enable municipalities to refinance present bonded indebtedness at lower rates of interest and to enable them to deal with holders of present city bonds so that interest rates thereon may be materially reduced, and favoring the enactment of legislation to permit direct government loans to municipalities at lower than present rates of interest; to the Committee on Banking and Currency.

A petition of a committee of the State Bar of California, of San Francisco, Calif., praying the enactment of legislation to provide an additional judge for the United States Circuit Court of Appeals for the Ninth Circuit; to the Committee on the Judiciary.

A joint memorial of the Legislature of the State of Oregon, favoring the enactment of legislation to provide for additional Federal aid for highway construction for the next 2 years to relieve unemployment; and

A petition of Agnes Gliwa and others, of Elizabeth, Pa., praying the locating, opening, grading, and improving of a straight-line seaway public highway or road on the Great Lakes to the Chesapeake through Pittsburgh; to the Committee on Post Offices and Post Roads.

A memorial of the Legislature of the State of Maine, urging the enactment of legislation to secure the consideration and use of granite in Federal construction; to the Committee on Public Buildings and Grounds.

Mr. Hale presented an identical memorial, which was referred to the Committee on Public Buildings and Grounds.

The Vice President laid before the Senate a resolution of condolence of the council of the city of Helena, Mont., on the death of Senator Thomas J. Walsh from that State.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A resolution adopted by Madison County Pomona Grange, of Chittenango, N.Y., favoring the revaluation of the gold dollar and the establishment of a monetary system whereby prices of commodities may be stabilized upon a sound and honest basis; and

A resolution adopted by the New York State Directorate American Association for the Recognition of the Irish Republic, of New York City, favoring the full and prompt payment of indebtedness by European debtors to the United States; to the Committee on Finance.

A resolution adopted by the East Glenville Civic Organization, of Schenectady, N.Y., favoring a limitation of the maximum hours of labor to 126 hours per month and a minimum rate of $1 per hour; to the Committee on Education and Labor.

A resolution of the Legislature of the State of New York, expressing the sense of the legislature that the Government of the United States should use its best diplomatic efforts to persuade the German Government to desist from further alleged outrages and persecutions against Jews and other minorities in Germany;

A petition of citizens of Staten Island, N.Y., praying the enactment of legislation prohibiting the exportation of arms or munitions of war; and

A resolution adopted by Lake Placid Chamber of Commerce, of Lake Placid, N.Y., favoring the ratification of the Great Lakes-St. Lawrence Seaway Treaty with Canada; to the Committee on Foreign Relations.

A resolution adopted by the Flushing Peace Society, of Flushing, N.Y., remonstrating against the training of unemployed youths in military training camps, and favoring the disarming of obsolete ships of the Navy and their use as

training ships for the merchant marine; to the Committee on Appropriations.

A resolution adopted by the Catholic Men's Federation of Monroe County (Central Verein of America), of Rochester, N.Y., favoring the enactment of legislation for unemployment relief; to the Committee on Banking and Currency.

A resolution of the Legislature of the State of New York, memorializing Congress to enact legislation to prohibit the appointment by the judges of the United States District Court for the Southern District of New York of State banking institutions as receivers in bankruptcy proceedings; to the Committee on the Judiciary.

Memorials of citizens and organizations of the State of New York, remonstrating against the enactment of various provisions in pending proposed legislation to relieve the existing national economic emergency by increasing agricultural purchasing power;

Petitions of J. A. Taylor, of Marietta, and John P. Brown, of Kennedy, in the State of New York, praying the enactment of the said legislation; and

An article by R. G. Phillips, secretary of the International Apple Association, of Rochester, N.Y., relative to the apple export situation; to the Committee on Agriculture and Forestry.

Mr. Copeland presented the following resolution and article:

A resolution adopted by Scarsdale Post, No. 52, American Legion, of Scarsdale, N.Y., endorsing the President's program for economy; and

A newspaper article from the Newark (N.J.) Union Gazette, relative to a letter from John Watson, a former resident of Newark, which pays a tribute to President Roosevelt.

Ordered, That they lie on the table.

Mr. Ashurst presented a memorial of the House of Representatives of the State of Arizona, memorializing Congress to enact legislation providing for the establishment in Arizona of facilities for the hospital treatment of tubercular and neuropsychiatric cases of war veterans, and an appropriation for such hospital treatment; which was referred to the Committee on Finance.

Mr. King presented a concurrent memorial of the Legislature of the State of Utah, memorializing Congress to appoint a committee to investigate the administration and control by the Bureau of Biological Survey of the Bear River Migratory Bird Refuge; which was referred to the Committee on Agriculture and Forestry.

Mr. Walsh presented the following resolutions of the Legislature of the State of Massachusetts, which were referred as indicated:

Resolutions memorializing Congress to enact legislation to provide for the labeling of goods imported into the United States so as to identify the place of origin of such goods; to the Committee on Finance.

Resolutions memorializing Congress to enact legislation to regulate the hours and wages of persons employed in manufacturing and industrial establishments; to the Committee on Education and Labor.

Mr. Robinson of Indiana presented a resolution adopted by Louis Marshall Lodge, No. 1130, of the Independent Order of B'nai B'rith, of East Chicago, Ind., and a telegram from Benjamin Piser, of South Bend, Ind., remonstrating against alleged mistreatment of Jews and Americans of the Jewish faith in Germany; which were referred to the Committee on Foreign Relations.

Mr. Black presented the following newspaper articles, which were referred as indicated:

An article from the March 26 issue of the Washington Star relative to an approaching meeting at Geneva for the consideration of hours of labor in the various countries of the world; to the Committee on Foreign Relations.

An article by Robert Quillen entitled "Many Will Want While One is Praised for Taking More Than He Needs"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. Walsh, by unanimous consent, from the Committee on Education and Labor, to whom was referred the bill (S. 598) for the relief of unemployment through the performance of useful public work, and for other purposes, reported it with an amendment.

Mr. Ashurst, by unanimous consent, from the Committee on Public Lands and Surveys, to whom was referred the bill (S. 157) to amend an act approved March 4, 1929 (45 Stat. 1548), entitled "An act to supplement the last three paragraphs of section 5 of the act of March 4, 1915 (38 Stat. 1161), as amended by the act of March 21, 1918 (40 Stat. 458)", reported it without amendment and submitted a report (No. 6) thereon.

Mr. Nye, by unanimous consent, from the Committee on Public Lands and Surveys, to whom was referred the joint resolution (S.J.Res. 13) authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California, and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered, reported it without amendment and submitted a report (No. 7) thereon.

CHANGES OF REFERENCE

On motion by Mr. Wheeler, and by unanimous consent,

Ordered, That the Committee on Claims be discharged from the further consideration of the following bills and that they be referred to the Committee on Indian Affairs:

S. 512. A bill for the relief of Peter Pierre; and

S. 721. A bill authorizing the Arapahoe and Cheyenne Indians to submit claims to the Court of Claims for adjudication and settlement.

On motion by Mr. Wheeler, and by unanimous consent,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (S. 70) to establish a bimetallic system of currency, employing gold and silver, to fix the relative value of gold and silver, to provide for the free coinage of silver as well as gold, and for other purposes, and that it be referred to the Committee on Banking and Currency.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Barbour:

A bill (S. 810) for the relief of Patrick J. Purnell; to the Committee on Claims.

By Mr. Carey:

A bill (S. 811) for the relief of Robert S. George (with accompanying papers); to the Committee on Claims.

By Mr. Wagner (for himself, Mr. Costigan, and Mr. La Follette):

A bill (S. 812) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes; to the Committee on Banking and Currency.

By Mr. McCarran:

A bill (S. 813) to remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit; to the Committee on the Judiciary.

By Mr. McGill:

A bill (S. 814) for the conservation of oil and gas and the protection of American sources thereof from injury, correlation of domestic and foreign production, and consenting to an interstate compact for such purposes; to the Committee on the Judiciary.

By Mr. Nye:

A bill (S. 815) to provide for the survival of certain actions in favor of the United States; to the Committee on the Judiciary.

By Mr. Bone:

A bill (S. 816) to provide that the tax upon electrical energy shall be paid by the vendor; to the Committee on Finance.

By Mr. Hatfield:

A bill (S. 817) to provide for a retirement system for railroad and transportation employees, to provide unemployment relief, and for other purposes; to the Committee on Interstate Commerce.

By Mr. Bankhead:

A bill (S. 818) to authorize the purchase by the Government of silver, to provide for the issuance of silver certificates in payment therefor, and for other purposes; to the Committee on Banking and Currency.

By Mr. McNary:

A bill (S. 819) for the relief of S. N. Kempton; to the Committee on Claims.

A bill (S. 820) conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands or tribes of Indians residing in the State of Oregon; to the Committee on Indian Affairs.

A bill (S. 821) conferring jurisdiction on the United States District Court for the District of Oregon to hear, determine, and render judgment upon the suit in equity of Rakha Singh Gherwal against the United States; and

A bill (S. 822) to amend the act entitled "An act to amend section 217, as amended, of the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909", approved January 11, 1929, with respect to the use of the mails for the shipment of certain drugs and medicines to cosmetologists and barbers; to the Committee on the Judiciary.

By Mr. Trammell:

A bill (S. 823) for the relief of the American Trust Co., of Jacksonville, Fla.;

A bill (S. 824) for the relief of the Citizens Bank & Trust Co., of Tampa, Fla.;

A bill (S. 825) for the relief of the Llewellyn Machinery Corporation; and

A bill (S. 826) for the relief of the Tampa Marine Co., a corporation, of Tampa, Fla.; to the Committee on Claims.

A bill (S. 827) providing for a survey of the natural oyster beds in the waters within the State of Florida; to the Committee on Commerce.

By Mr. Walsh:

A bill (S. 828) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 829) for the relief of Denis Healy;

A bill (S. 830) for the relief of George Whittier Morse; and

A bill (S. 831) for the relief of A. B. Thomas; to the Committee on Naval Affairs.

By Mr. Neely:

A bill (S. 832) for the relief of James L. Barnett; to the Committee on Civil Service.

A bill (S. 833) granting a pension to Martha Caplinger; and

A bill (S. 834) granting a pension to Fred Yoss; to the Committee on Pensions.

By Mr. Byrd:

A bill (S. 835) for the relief of Samuel Irick; to the Committee on Finance.

A bill (S. 836) for the relief of Henry Harrison Griffith; to the Committee on Claims.

By Mr. Wheeler:

A bill (S. 837) for the relief of Seth N. Chesley; to the Committee on Claims.

A bill (S. 838) for the relief of Anson H. Pease; to the Committee on Indian Affairs.

By Mr. Copeland:

A bill (S. 839) granting a pension to Bessie G. Radliff; to the Committee on Pensions.

A bill (S. 840) for the relief of Martin Aloysius Mahon; to the Committee on Naval Affairs.

By Mr. Bulkley:

A bill (S. 841) for the relief of Charles C. Floyd; to the Committee on Military Affairs.

A bill (S. 842) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. Dill:

A bill (S. 843) to amend sections 15a and 19a of the Interstate Commerce Act, as amended, and for other purposes; and

A bill (S. 844) to amend section 5 of the Interstate Commerce Act, as amended, relating to the consolidation and acquisition of control of carriers by railroad, and for other purposes; to the Committee on Interstate Commerce.

By Mr. Gore:

A bill (S. 845) relating to the construction of a Federal building at Hugo, Okla.; to the Committee on Public Buildings and Grounds.

PAYMENT TO J. A. METCALFE & CO., ACCOUNTANTS

Mr. Nye, by unanimous consent, submitted the following resolution (S.Res. 47), which was referred to the Special Committee on Investigation of Campaign Expenditures:

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1933, to J. A. Metcalfe & Co., accountants and auditors, of Birmingham, Ala., the sum of $1,150.57, such sum representing amounts due to such J. A. Metcalfe & Co. for services rendered the Select Committee to Investigate Contributions and Expenses of Senatorial Candidates between August 20 and November 25, 1931, in making an audit of the election returns and the registration and election records of Franklin County, Ala.

ILLEGAL WITHOLDING OF SUMS FROM TREASURY

Mr. Wheeler, by unanimous consent, submitted the following resolution (S.Res. 48):

Whereas civil suits have been filed in the Supreme Court of the District of Columbia for the recovery of large sums charged to have been illegally withheld from United States Treasury; and

Whereas David A. Olson, complainant in such suits for the people of the United States, has charged that certain officials of the United States Government have participated in transactions by which large sums have been illegally withheld from the United States Treasury; and

Whereas it is alleged that information and evidence concerning such illegal transactions were placed in the hands of officials of the United States charged with the enforcement of law; and

Whereas no known action has been taken by such officials to protect the interests and revenues of the United States; and

Whereas section 233 of the United States Code, title 31, provides that—

"It shall be the duty of the several district attorneys of the United States for the respective districts * * * to be diligent in inquiring into any violation of the provisions of section 231 of this title by persons liable to such suit and found within their respective districts or territories, and to cause them to be proceeded against. * * * And such person may be arrested and held to bail in such sum as the district judge may order, not exceeding the sum of $2,000, and twice the amount of damages sworn to in the affidavit of the person bringing the suit (R.S. 3492): Now, therefore, be it

Resolved, That the Attorney General of the United States is requested to take immediate steps under the foregoing authority to investigate the charges herein referred to with a view of bringing both civil and criminal prosecutions in the event he finds there have been violations as alleged in the proceedings on file in the Supreme Court of the District of Columbia.

Ordered, That the resolution lie on the table.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, his secretary:

Mr. President: The President of the United States approved and signed the following acts and joint resolution:

On March 23, 1933:

S. 154. An act confirming the claim of Francis R. Sanchez, and for other purposes;

S. 156. An act providing for an exchange of lands between the Colonial Realty Co. and the United States, and for other purposes; and

S.J.Res. 14. Joint resolution to authorize the Reconstruction Finance Corporation to make loans for financing the repair and reconstruction of buildings damaged by earthquake in 1933.

On March 24, 1933:

S. 151. An act for the relief of the Holy Family Hospital, St. Ignatius, Mont.;

S. 152. An act to authorize the Secretary of War to grant a right of way to the Alameda Belt Line across the Benton Field Military Reservation, Alameda, Calif.; and

S. 153. An act to convey certain land in the county of Los Angeles, State of California.

Ordered, That the Secretary notify the House of Representatives thereof.

ORDER FOR RECESS

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That when the Senate concludes its labors today it take a recess until 12 o'clock m. tomorrow.

REORGANIZATION OF AGRICULTURAL CREDIT AGENCIES

The Presiding Officer (Mr. Clark in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying order, referred to the Committee on Appropriations and ordered to be printed:

To the Senate and House of Representatives:

Pursuant to the provisions of section 1, title III, of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, I am transmitting herewith an Executive order reorganizing the agricultural credit agencies of the United States.

This Executive order consolidates in one agency—the Farm Credit Administration—the functions of all present Federal organizations which deal primarily with agricultural credit, namely, the Federal Farm Board, the Federal Farm Loan Board, the functions of the Secretary of Agriculture with regard to loans in aid of agriculture, and those of the Reconstruction Finance Corporation pertaining to the management of regional agricultural credit corporations. The functions of the Federal Farm Board with regard to further stabilization operations are abolished by the order.

A better coordination of the agencies involved in our agricultural credit system will produce a more uniform program for agricultural credits and will result in substantial economies. A saving of more than $2,000,000 is the immediate effect of this order. Further substantial savings are anticipated.

Important as are the foregoing, of greater and controlling importance is the maintenance of the long-standing policy of the Federal Government to maintain and strengthen a sound and permanent system of cooperative agricultural credit, subject to Federal supervision and operated on the basis of providing the maximum of security to present and prospective investors in bonds and debentures resting on farm mortgages or other agricultural securities—all for the purpose of meeting the credit needs of agriculture at minimum cost.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 27, 1933.*

MEMBER OF UNITED STATES TARIFF COMMISSION

As in executive session, and by unanimous consent,

Mr. Harrison, from the Committee on Finance, to whom was referred the nomination of James W. Collier, of Mississippi, to be a member of the United States Tariff Commission for the remainder of the term expiring June 16, 1937, reported it favorably.

The Senate proceeded, by unanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent to the said nomination.

Ordered, That the Secretary notify the President of the United States thereof.

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The Presiding Officer, under the order of the Senate, referred to the appropriate committees certain nominations this day received from the President of the United States.

RECESS

On motion by Mr. Robinson of Arkansas, at 2 o'clock and 5 minutes p.m.,

The Senate, pursuant to its order of today, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, TUESDAY, MARCH 28, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

INTERNATIONAL PARLIAMENTARY CONFERENCE ON COMMERCE

The Vice President laid before the Senate a communication from the Secretary of State, transmitting a copy of a despatch from the American Embassy at Rome, with an accompanying copy of a letter from the secretary-general of the International Parliamentary Conference on Commerce, extending to the Congress an invitation to be represented at the eighteenth plenary assembly of that organization at Rome in April 1933; which, with the accompanying papers, was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Megill, one of its clerks:

Mr. President: The House of Representatives has passed the joint resolution (H.J.Res. 121) to provide for the acceptance of sums donated for the construction of a swimming exercise tank for the use of the President, in which it requests the concurrence of the Senate.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, etc., which were referred as indicated:

A joint resolution of the Legislature of the State of California, memorializing Congress to enact legislation subsidizing the discovery of gold in the gold-mining sections of the United States; to the Committee on Mines and Mining.

A concurrent resolution of the Legislature of the State of Kansas, urging the speedy enactment of measures for farm relief as proposed by the President;

A joint resolution of the Legislature of the State of Nevada, memorializing Congress to provide a moratorium of at least 2 years on the payment of grazing fees due from livestock men as users of the Government ranges for 1932, and a total remission of grazing fees for the year 1933; and

A concurrent resolution of the Legislature of the State of Utah, memorializing Congress to appoint a committee to investigate the administration and control by the Bureau of Biological Survey of the Bear River migrating bird refuge in the State of Utah; to the Committee on Agriculture and Forestry.

A joint resolution of the Legislature of the State of California memorializing Congress to cooperate in the program for the recognition during the annual national encampment in Los Angeles, Calif., of the services rendered by volunteers during the War with Spain, the Philippine Insurrection, and the China Relief Expedition; to the Committee on Pensions.

A joint resolution of the Legislature of the State of Nevada favoring a tariff of 10 cents per pound on copper; to the Committee on Finance.

A concurrent resolution of the Legislature of the State of West Virginia favoring the enactment of legislation for the refinancing of farm mortgages at an interest rate of 2 percent, plus 1 percent for amortization and 1 percent for loan-protection life insurance; to the Committee on Banking and Currency.

The Vice President laid before the Senate the following resolutions and memorials of the Legislature of the State of Arizona, which were referred as indicated:

A memorial of the house of representatives favoring the repeal of the authorization by which the Grand Canyon National Game Preserve in that State was created, upon condition that the State undertake to afford adequate protection to the wild life of that area; to the Committee on Agriculture and Forestry.

A resolution of the house of representatives remonstrating against the creation of any Federal park within Arizona in the vicinity of the Hoover Reservoir, or further extensions of Federal reserved areas within the State unless approved by the legislature; to the Committee on Commerce.

A memorial of the house of representatives memorializing Congress to establish in Arizona facilities for the hospital treatment of tubercular and neuropsychiatric cases of war veterans, and an appropriation for such hospital treatment; and

A joint memorial favoring the immediate readjustment of European war debts; to the Committee on Finance.

A joint memorial favoring the allotment to Indians thereon and the reclamation of lands in the Colorado River Indian Reservation; to the Committee on Indian Affairs.

A memorial of the house of representatives favoring the consideration by Congress of legislation requiring the blending of ethyl alcohol with petroleum fuels used in internal-combustion engines; to the Committee on Manufactures.

Mr. Austin presented a joint resolution of the Legislature of the State of Vermont, favoring the prompt ratification of the World Court protocols; which was referred to the Committee on Foreign Relations.

Mr. Capper presented petitions of citizens of the State of Kansas praying the enactment of legislation to provide for the refinancing of agricultural indebtedness and to establish an efficient credit system; which were referred to the Committee on Agriculture and Forestry.

Mr. Robinson of Arkansas presented the following communications, which were referred as indicated:

A communication from Irving A. Metz, of Helena, Ark., relative to relief to agriculture through fixing a base price on certain commodities and regulating sales on commodity exchanges; to the Committee on Agriculture and Forestry.

A communication from J. E. Sheedy, of New York City, relative to the proposed ocean mail contract from Philadelphia-Baltimore to Liverpool-Manchester, England; to the Special Committee on Investigation of Ocean and Air Mail Contracts.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

Petitions of citizens of Warsaw, N.Y., and Clarkson, N.Y., and vicinity praying Federal regulation of the motion-picture industry; to the Committee on Interstate Commerce.

A petition of a joint committee on reduction of armament of the World Alliance for International Friendship and the Church Peace Union, of New York City, praying an embargo on the shipment of arms and ammunition to foreign countries where war threatens;

A resolution adopted by the New York State Women's Republican Club, of New York City, remonstrating against the recognition by the United States Government of the Soviet Government of Russia; and

A resolution adopted by the Jewish Community of Troy, N.Y., remonstrating against alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

Mr. Copeland presented a resolution adopted by Stewart Manor Post, No. 172, American Legion, of Stewart Manor, N.Y., endorsing the President's program for economy.

Ordered, That it lie on the table.

Mr. Ashurst presented the following petition and memorial, which were referred as indicated:

A resolution adopted by the executive committee of the Department of the District of Columbia, the American Legion, favoring an amendment to the Constitution providing for the taxation of tax-exempt securities; to the Committee on the Judiciary.

A resolution adopted at Phoenix, Ariz., by Maricopa County Women's Republican Club, remonstrating against the recognition by the United States Government of the Union of Soviet Socialist Republics of Russia; to the Committee on Foreign Relations.

Mr. Fletcher presented a statement of the secretary of the Florida Agricultural Tariff Association, of Bradenton, Fla., relative to the purpose and effect of the Tariff Act of 1930 as applied to fresh vegetables in their natural state; which was referred to the Committee on Finance.

GREAT LAKES-ST. LAWRENCE DEEP WATERWAY TREATY

As in executive session, and by unanimous consent,

Mr. Pittman, from the Committee on Foreign Relations, to whom was referred the treaty between the United States and the Dominion of Canada for the completion of the Great Lakes-St. Lawrence deep waterway, signed at Washington July 18, 1932, reported it favorably with a reservation.

GOVERNOR OF ALASKA

As in executive session, and by unanimous consent,

Mr. Tydings, from the Committee on Territories and Insular Affairs, to whom was referred the nomination of John W. Troy to be Governor of Alaska, reported it favorably.

REPORT OF THE COMMITTEE ON THE JUDICIARY

Mr. King, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 562) relating to the prescribing of medicinal liquors, reported it with amendments and submitted a report (No. 8) thereon.

CHANGES OF REFERENCE

On motion by Mr. Dill, and by unanimous consent,

Ordered, That the Committee on Military Affairs be discharged from the further consideration of the following bills and that they be referred to the Committee on Naval Affairs:

S. 100. A bill for the relief of Walter Gray; and

S. 105. A bill for the relief of Dennis F. Collins.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Dill:

A bill (S. 846) to provide a preliminary examination of the Puyallup and Nisqually Rivers and their tributaries, in the State of Washington, with a view to the control of their floods; to the Committee on Commerce.

A bill (S. 847) for the relief of the Nez Perce Tribe of Indians; to the Committee on Indian Affairs.

By Mr. McNary:

A bill (S. 848) giving credit for water charges paid on damaged land; to the Committee on Irrigation and Reclamation.

A bill (S. 849) for the relief of Oliver Victor Riessbeck; to the Committee on Naval Affairs.

A bill (S. 850) granting a pension to Noah C. Dugan; to the Committee on Pensions.

By Mr. Reed:

A bill (S. 851) for the relief of Harry Gordon; to the Committee on Military Affairs.

By Mr. Copeland:

A bill (S. 852) to amend section 24 of the Trading with the Enemy Act, as amended; to the Committee on Finance.

By Mr. Harrison:

A bill (S. 853) for the relief of Robert A. Bowers and Mary E. Bowers;

A bill (S. 854) for the relief of the Ingram-Day Lumber Co.;

A bill (S. 855) for the relief of the heirs or legal representatives of Charls Johnson and Kate Johnson;

A bill (S. 856) for the relief of John G. Sessions;

A bill (S. 857) for the relief of the owners of the late American schooner *Three Marys;* and

A bill (S. 858) for the relief of E. L. Trenholm; to the Committee on Claims.

A bill (S. 859) for the relief of Orville E. Clark;

A bill (S. 860) for the relief of George W. Edgerly; and

A bill (S. 861) for the relief of Gottlieb Luhm, deceased; to the Committee on Military Affairs.

A bill (S. 862) granting a pension to Harvey E. Barron;

A bill (S. 863) granting a pension to Vivian C. Bogle; and

A bill (S. 864) granting a pension to Emmerline Valentine; to the Committee on Pensions.

By Mr. Goldsborough:

A bill (S. 865) to correct the naval record of Michael J. Budzinski; to the Committee on Naval Affairs.

By Mr. Shipstead:

A joint resolution (S.J.Res. 35) to provide for the determination and payment of claims for damage sustained by the fluctuation of the water levels of the Lake of the Woods in certain cases, and for other purposes; to the Committee on Foreign Relations.

SWIMMING EXERCISE TANK FOR USE OF PRESIDENT

Mr. Wagner, by unanimous consent, introduced a joint resolution (S.J.Res. 34) to provide for the acceptance of sums donated for the construction of a swimming exercise tank for the use of the President, which was read the first and second times by unanimous consent, and considered.

The joint resolution (H.J.Res. 121) of an identical title, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent, and considered; and no amendment being made,

Ordered, That it pass to a third reading.

The said joint resolution was read the third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Ordered, by unanimous consent, that the joint resolution S.J.Res. 34 be postponed indefinitely.

SILVER COINAGE IN CERTAIN EUROPEAN COUNTRIES

Mr. Dill, by unanimous consent, submitted the following resolution (S.Res. 49), which was referred to the Committee on Printing:

Resolved, That the report on an investigation made in 1932 by Senator Carl Hayden, of Arizona, relative to the use of silver coinage in the 16 European nations whose governments are indebted to the United States be printed as a Senate document.

RELIEF OF UNEMPLOYMENT THROUGH REFORESTATION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to consider the bill (S. 598) for the relief of unemployment through the performance of useful public work, and for other purposes.

On the question of agreeing to the reported amendment, striking out all after the enacting clause and inserting in lieu thereof certain words, the part proposed to be inserted was amended on the motion of Mr. Robinson of Arkansas, the motion of Mr. Capper, the motion of Mr. La Follette, the motion of Mr. Walcott, and the motion of Mr. Fletcher.

On motion by Mr. Couzens to further amend the reported amendment by inserting in lieu of the language contained in lines 5 to 14, inclusive, on page 5, as amended (being sec. 2), certain words,

Pending debate,

Mr. Couzens raised a question as to the presence of a quorum;

Whereupon

The President pro tempore directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The amendment proposed by Mr. Couzens, on a division, was agreed to.

The reported amendment was further amended on the motion of Mr. Duffy, the motion of Mr. McNary (for Mr. Hebert), the motion of Mr. Walsh, the motion of Mr. Vandenberg, and the motion of Mr. Steiwer, and, as amended, agreed to.

Mr. Hale raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Clark in the chair) directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

After debate,

Resolved, That the said bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

APPROVAL OF JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of Thursday, March 23, and Monday, March 27, 1933, was approved.

RECESS

On motion by Mr. Robinson of Arkansas, at 3 o'clock and 20 minutes p.m.,

The Senate took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, WEDNESDAY, MARCH 29, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

PETITIONS AND MEMORIALS

Mr. Walsh presented a communication from the executive secretary of the American Forestry Association, of Washington, D.C., approving Senate bill 598, for the relief of unemployment through the performance of useful public work, and for other purposes.

Ordered, That it lie on the table.

Mr. Capper presented a petition of citizens of Herington, Kans., praying the enactment of legislation providing for the refinancing of agricultural indebtedness and the establishment of an efficient credit system, which was referred to the Committee on Agriculture and Forestry.

Mr. Robinson of Arkansas presented the following communications, which were referred as indicated:

A plan of Eli H. Brown, Jr., of Louisville, Ky., for relieving the present economic situation; to the Committee on Banking and Currency.

A communication from J. B. Sullivan, of Boston, Mass., favoring legislation to modify the provisions of the revenue act relating to losses on sales of securities held for more than 2 years; to the Committee on Finance.

A copy of a communication from C. J. Shaw, of Little Rock, Ark., to the chairman of the Federal Farm Board, setting forth a plan for agricultural relief; to the Committee on Agriculture and Forestry.

Mr. Duffy presented a resolution adopted by the Common Council of Milwaukee, Wis., expressing appreciation for the passage of legislation to authorize the manufacture and sale of beer.

Ordered, That it lie on the table.

Mr. La Follette presented a resolution adopted by the Common Council of Milwaukee, Wis., favoring the enactment of legislation providing for the issuance of national currency to municipalities on the pledge of their bonds, which was referred to the Committee on Banking and Currency.

Mr. Byrd presented a resolution adopted by Rockbridge Post No. 95, American Legion, of Lexington, Va., expressing confidence in the President and pledging assistance to him, and opposing any communistic movement on the part of radical organizations or groups to weaken the Government.

Ordered, That it lie on the table.

Mr. Ashurst presented an analysis of the proposed Federal Securities Act, which was referred to the Committee on the Judiciary to accompany the bill S. 875.

REPORTS OF COMMITTEES

Mr. Carey, by unanimous consent, from the Committee on Public Lands and Surveys, to whom was referred the bill (S. 604) amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454), reported it without amendment and submitted a report (No. 9) thereon.

Mr. Carey, by unanimous consent, from the Committee on Public Lands and Surveys, to whom was referred the bill (S. 313) to amend section 5 of the act approved July 10, 1890 (28 Stat. 664), relating to the admission into the Union of the State of Wyoming, reported it with an amendment and submitted a report (No. 10) thereon.

Mr. Wagner (for himself and Mr. Costigan), by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 812) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes, reported it with amendments and submitted a report (No. 11) thereon.

CHANGE OF REFERENCE

On motion by Mr. Capper, and by unanimous consent,

Ordered, That the Committee on Interstate Commerce be discharged from the further consideration of the bill (S. 497) to define the intent of the antitrust laws as to certain agreements, and that it be referred to the Committee on the Judiciary.

MEMBER OF FEDERAL RADIO COMMISSION

As in executive session, and by unanimous consent,

Mr. Dill, from the Committee on Interstate Commerce, to whom was referred the nomination of James H. Hanley, of Nebraska, to be a member of the Federal Radio Commission, reported it favorably.

DIPLOMATIC AND CONSULAR OFFICERS

As in executive session, and by unanimous consent,

Mr. Pittman, from the Committee on Foreign Relations, to whom were referred the nominations of Robert G. McGregor, Jr., of New York; Peter H. A. Flood, of New Hampshire; George M. Graves, of Vermont; and Robert Lacy Smyth, of California, to be secretaries in the Diplomatic Service, and the nominations of Harold B. Quarton, of Iowa, and Ernest L. Ives, of Virginia, to be consuls general reported them favorably.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. King:

A bill (S. 866) to provide for recording of deeds of trust and mortgages secured on real estate in the District of Columbia, and for the releasing thereof, and for other purposes; and

A bill (S. 867) to define, regulate, and license real-estate brokers and real-estate salesmen; to create a real-estate commission in the District of Columbia; to protect the public against fraud in real-estate transactions, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 868) to provide for the deportation of certain alien seamen, and for other purposes; to the Committee on Immigration.

By Mr. McAdoo:

A bill (S. 869) to meet the existing emergency in the agricultural industry, to refinance existing farm loans so as to provide long-time loans at low interest rates, to permit the repurchase of foreclosed farm lands, and for other purposes; to the Committee on Banking and Currency.

By Mr. Erickson:

A bill (S. 870) for the relief of L. R. Smith; to the Committee on Agriculture and Forestry.

A bill (S. 871) for the relief of Josephene M. Scott; to the Committee on Claims.

By Mr. McNary:

A bill (S. 872) to facilitate the use and occupancy of national-forest lands for purposes of residence, recreation, education, industry, and commerce; to the Committee on Agriculture and Forestry.

A bill (S. 873) granting compensation to George Walthers; to the Committee on Claims.

By Mr. Carey:

A bill (S. 874) to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven or knitted fabrics purporting to contain wool and in garments or articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. Robinson of Arkansas (for Mr. Ashurst):

A bill (S. 875) to provide for the furnishing of information and the supervision of traffic in investment securities in interstate commerce; to the Committee on the Judiciary.

By Mr. Robinson of Arkansas:

A bill (S. 876) to extend the time for filing claims under the Settlement of War Claims Act of 1928, and for other purposes; to the Committee on Finance.

By Mr. Byrd and Mr. Townsend:

A bill (S. 877) to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. Sheppard:

A bill (S. 878) for the relief of W. G. McGee; to the Committee on Claims.

A bill (S. 879) for the relief of Howell K. Stephens; to the Committee on Military Affairs.

By Mr. Bachman:

A bill (S. 880) for the relief of Elmer E. Mynatt; to the Committee on Claims.

SALE OF INVESTMENT SECURITIES

The Vice President laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

I recommend to the Congress legislation for Federal supervision of traffic in investment securities in interstate commerce.

In spite of many State statutes the public in the past has sustained severe losses through practices neither ethical nor honest on the part of many persons and corporations selling securities.

Of course, the Federal Government cannot and should not take any action which might be construed as approving or guaranteeing that newly issued securities are sound in the sense that their value will be maintained or that the properties which they represent will earn profit.

There is, however, an obligation upon us to insist that every issue of new securities to be sold in interstate commerce shall be accompanied by full publicity and information, and that no essentially important element attending the issue shall be concealed from the buying public.

This proposal adds to the ancient rule of caveat emptor, the further doctrine, "Let the seller also beware." It puts the burden of telling the whole truth on the seller. It should give impetus to honest dealing in securities and thereby bring back public confidence.

The purpose of the legislation I suggest is to protect the public with the least possible interference to honest business.

This is but one step in our broad purpose of protecting investors and depositors. It should be followed by legislation relating to the better supervision of the purchase and sale of all property dealt in on exchanges, and by legislation to correct unethical and unsafe practices on the part of officers and directors of banks and other corporations.

What we seek is a return to a clearer understanding of the ancient truth that those who manage banks, corporations, and other agencies handling or using other people's money are trustees acting for others.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 29, 1933.*

Ordered, That the message be referred to the Committee on the Judiciary and be printed.

PRESCRIBING OF MEDICINAL LIQUORS

On motion by Mr. King,

The Senate proceeded to consider the bill (S. 562) relating to the prescribing of medicinal liquors; and the reported amendments having been agreed to,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

RECESS

On motion by Mr. Robinson of Arkansas, at 12 o'clock and 47 minutes p.m.,

The Senate took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, MARCH 30, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (S. 598) for the relief of unemployment through the performance of useful public work, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

The Speaker of the House having signed an enrolled joint resolution, viz, H.J.Res. 121, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the joint resolution (H.J.Res. 121) to provide for the acceptance of sums donated for the construction of a swimming exercise tank for the use of the President.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

RELIEF OF UNEMPLOYMENT THROUGH REFORESTATION

The Vice President laid before the Senate the amendments this day received from the House of Representatives to the bill (S. 598) for the relief of unemployment through the performance of useful public work, and for other purposes.

The Senate proceeded to consider the said amendments; and,

On motion by Mr. Walsh,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

FUNCTIONS AND EXPENDITURES OF COLUMBIA INSTITUTION FOR THE DEAF

The Vice President laid before the Senate a communication from the President of the Columbia Institution for the Deaf, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report covering the functions of the institution, together with certain information concerning employees and salaries; which, with the accompanying papers, was ordered to lie on the table and be printed.

TARIFF BARGAINING UNDER TREATIES

The Vice President laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in further response to Senate Resolution 325, Seventy-second Congress, a report (in three parts) relative to tariff bargaining under conditional and unconditional most-favored-nation treaties, a list of commercial treaties and agreements of the United States now in force, and a list of international treaties in force on January 1, 1933, pledging most-favored-nation treatment in the matter of customs duties; which, with the accompanying report, was referred to the Committee on Finance and ordered to be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate a resolution adopted by the Common Council of Norwich, Conn., favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciusko; which was referred to the Committee on Post Offices and Post Roads.

The Vice President laid before the Senate a resolution adopted at a mass meeting of citizens of Waco, Tex., pledging support to the President, approving the passage of legislation legalizing the manufacture and sale of beer, and favoring the repeal of the national prohibition amendment to the Constitution.

Ordered, That it lie on the table.

Mr. Schall presented the following communications, which were referred as indicated:

A communication from S. A. Twitchell, of Minneapolis, Minn., relative to a moratorium on foreclosure of mortgages; to the Committee on Banking and Currency.

A telegram from the Farmers Elevator Association of Minneapolis, Minn., remonstrating against the passage of pending legislation providing for agricultural relief; to the Committee on Agriculture and Forestry.

Memorials remonstrating against the alleged mistreatment of Jews in Germany were presented as follows:

By Mr. Hale: A resolution adopted at a mass meeting of citizens of Bangor, Me.

By Mr. Copeland: Resolutions adopted by various organizations of the State of New York.

By Mr. McKellar: A resolution of the House of Representatives of the State of Tennessee.

Ordered, That they be referred to the Committee on Foreign Relations.

Mr. Copeland presented a resolution adopted by members of Court Independence, No. 123, Foresters of America, of New York City, pledging their support of the reforestation program of the President.

Ordered, That it lie on the table.

REPORTS OF COMMITTEES

Mr. Tydings, by unanimous consent, from the Committee on the District of Columbia, to whom was referred the bill (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes, reported it with an amendment and submitted a report (No. 12) thereon.

Mr. Hayden, by unanimous consent, from the Committee on Mines and Mining, to whom was referred the bill (S. 7) providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska, reported it with an amendment and submitted a report (No. 13) thereon.

Mr. Black, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day, reported it with amendments and submitted a report (No. 14) thereon.

CHANGES OF REFERENCE

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (S. 875) to provide for the furnishing of information and the supervision of traffic in investment securities in interstate commerce and that it be referred to the Committee on Banking and Currency.

The Committee on the Judiciary was, by unanimous consent, discharged from the further consideration of the message yesterday received from the President of the United States relating to investment securities, and it was referred to the Committee on Banking and Currency.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. La Follette:

A bill (S. 881) granting a pension to Marcella Kostermann (with accompanying papers); to the Committee on Pensions.

By Mr. Johnson:

A bill (S. 882) to provide for the more effective supervision of foreign commercial transactions, and for other purposes; to the Committee on the Judiciary.

By Mr. Trammell:

A bill (S. 883) for the relief of Lyman D. Drake, Jr.; to the Committee on Claims.

A bill (S. 884) to authorize the Secretary of the Navy to proceed with the construction of certain public works; to the Committee on Naval Affairs.

By Mr. Copeland:

A bill (S. 885) to regulate commerce in firearms; to the Committee on Commerce.

By Mr. Bone and Mr. Dill:

A bill (S. 886) to provide for the construction, operation, and maintenance of the Columbia Basin project in Washington, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. Bone:

A bill (S. 887) for the relief of Lucy B. Hertz and J. W. Hertz; and

A bill (S. 888) for the relief of Grant A. McNeal; to the Committee on Claims.

A bill (S. 889) granting a pension to Ida R. Haynes; and

A bill (S. 890) extending the provisions of the pension laws relating to Indian war veterans to Capt. H. M. Hodgis' company, and for other purposes; to the Committee on Pensions.

By Mr. Robinson of Indiana:

A bill (S. 891) granting compensation to the widow and minor children of Francis C. Oxley; and

A bill (S. 892) granting compensation to the widow and minor children of Lloyd B. Tupper; to the Committee on Finance.

A bill (S. 893) for the relief of James M. Blankenship;
A bill (S. 894) for the relief of Charles E. Dern;
A bill (S. 895) for the relief of Thomas J. Gardner;
A bill (S. 896) for the relief of James Tulley Hazel;
A bill (S. 897) for the relief of Michael Marley;
A bill (S. 898) for the relief of Louis Martin;
A bill (S. 899) for the relief of Frederick Sparks;
A bill (S. 900) for the relief of Willard Thompson, deceased; and
A bill (S. 901) for the relief of James W. True; to the Committee on Military Affairs.
A bill (S. 902) granting a pension to Mary Jane Adams;
A bill (S. 903) granting a pension to Martha E. Atcheson;
A bill (S. 904) granting a pension to Jane Baile;
A bill (S. 905) granting a pension to Ellen Mullis Baker;
A bill (S. 906) granting a pension to Mary E. Beitzell;
A bill (S. 907) granting a pension to Mary Bothwell;
A bill (S. 908) granting a pension to James O. Boylan;
A bill (S. 909) granting a pension to Lucinda J. Bright;
A bill (S. 910) granting a pension to Mary J. Brooks;
A bill (S. 911) granting a pension to Lewis C. Brookshire;
A bill (S. 912) granting a pension to Frank Burcham;
A bill (S. 913) granting a pension to Elizabeth Burris;
A bill (S. 914) granting a pension to Armanella Caylor;
A bill (S. 915) granting a pension to Agatha Cook;
A bill (S. 916) granting a pension to Maggie Crist;
A bill (S. 917) granting a pension to Mary B. Crumrine;
A bill (S. 918) granting a pension to William A. Culiver;
A bill (S. 919) granting a pension to John A. Davis;
A bill (S. 920) granting a pension to Roberta Davis (with accompanying papers);
A bill (S. 921) granting a pension to Cyrus N. Deffendall;
A bill (S. 922) granting a pension to Emma C. Fisher;
A bill (S. 923) granting a pension to Harry Ross Foley;
A bill (S. 924) granting a pension to Martha Foley;
A bill (S. 925) granting a pension to Martha E. Goble;
A bill (S. 926) granting a pension to Emma Grunden;
A bill (S. 927) granting a pension to Charles E. Gulledge;
A bill (S. 928) granting a pension to Sarah Hamilton;
A bill (S. 929) granting a pension to Carter Hayes;
A bill (S. 930) granting a pension to Mary C. Heck;
A bill (S. 931) granting a pension to Mary C. Heck;
A bill (S. 932) granting a pension to Keturah P. Holt;
A bill (S. 933) granting a pension to Elva A. Houk;
A bill (S. 934) granting a pension to Fannie Howell;
A bill (S. 935) granting a pension to Lincoln Hubster;
A bill (S. 936) granting a pension to Sarah Hunter;
A bill (S. 937) granting a pension to Lee Jordan;
A bill (S. 938) granting a pension to Michael Kanyuch;
A bill (S. 939) granting a pension to Martha J. McDowell;
A bill (S. 940) granting a pension to Daniel J. McGrath;
A bill (S. 941) granting a pension to James A. McMasters;
A bill (S. 942) granting a pension to Nellie C. Manning;
A bill (S. 943) granting a pension to Sarah E. Mattingly;
A bill (S. 944) granting a pension to Albert R. Meeker;
A bill (S. 945) granting a pension to Maud Melville;
A bill (S. 946) granting a pension to Anna M. Mendel;
A bill (S. 947) granting a pension to Edward Morgan;
A bill (S. 948) granting a pension to Byron E. Murphy;
A bill (S. 949) granting a pension to John Porter Naanes;
A bill (S. 950) granting a pension to Lot Noe;
A bill (S. 951) granting a pension to Laura A. Norman;
A bill (S. 952) granting a pension to Grover C. Oberle;
A bill (S. 953) granting a pension to Walter O'Connor;
A bill (S. 954) granting a pension to Ellen J. Owen;
A bill (S. 955) granting a pension to Ora Owens;
A bill (S. 956) granting a pension to Elmer E. Oxendine;
A bill (S. 957) granting a pension to Flora B. Parker;
A bill (S. 958) granting a pension to Carrie D. Patton;
A bill (S. 959) granting a pension to Amos B. Poling;
A bill (S. 960) granting a pension to Jennie Pool;
A bill (S. 961) granting a pension to Clarence Price;
A bill (S. 962) granting a pension to Paul A. Randall;
A bill (S. 963) granting a pension to Emily Rather;
A bill (S. 964) granting a pension to Sarah A. Redens;
A bill (S. 965) granting a pension to William H. Revelle;
A bill (S. 966) granting a pension to John Reynolds;
A bill (S. 967) granting a pension to Malissa J. Richey;
A bill (S. 968) granting a pension to Mary J. Rosenbaum;
A bill (S. 969) granting a pension to Lizzie Sarver;
A bill (S. 970) granting a pension to Annie B. Schubert;
A bill (S. 971) granting a pension to Mary E. Singer (with accompanying papers);
A bill (S. 972) granting a pension to Roy Smith;
A bill (S. 973) granting a pension to Stephen Sowinski;
A bill (S. 974) granting a pension to Laura A. Spanswick (with accompanying papers);
A bill (S. 975) granting a pension to William A. Spores;
A bill (S. 976) granting a pension to Blanch T. Stephenson;
A bill (S. 977) granting a pension to Mertena Swaidner;
A bill (S. 978) granting a pension to Blanche Walker;
A bill (S. 979) granting a pension to Josephine Ward;
A bill (S. 980) granting a pension to Ella White;
A bill (S. 981) granting a pension to Frank White;
A bill (S. 982) granting a pension to Mary Wilkins;
A bill (S. 983) granting a pension to Rosa A. Woodrum;
A bill (S. 984) granting a pension to Lona Wright;
A bill (S. 985) granting an increase of pension to Nathan Ain;
A bill (S. 986) granting an increase of pension to Nancy Jane Albright;
A bill (S. 987) granting an increase of pension to Rhoda A. Atkinson;
A bill (S. 988) granting an increase of pension to Lucretia E. Aydelotte;
A bill (S. 989) granting an increase of pension to Cynthia E. Ball;
A bill (S. 990) granting an increase of pension to Armilda Banta;
A bill (S. 991) granting an increase of pension to Hattie E. Barnett;
A bill (S. 992) granting an increase of pension to Catharine Beach;
A bill (S. 993) granting an increase of pension to Sara B. Brammer (with accompanying papers);
A bill (S. 994) granting an increase of pension to Lucy T. Burns;
A bill (S. 995) granting an increase of pension to Eliza A. Caster;
A bill (S. 996) granting an increase of pension to Ann M. Cook;
A bill (S. 997) granting an increase of pension to Gertrude Cox;
A bill (S. 998) granting an increase of pension to Fanny Cunningham;
A bill (S. 999) granting an increase of pension to Charlotte A. David;
A bill (S. 1000) granting an increase of pension to Mahalia Davison;
A bill (S. 1001) granting an increase of pension to Viola Dickinson (with accompanying papers);
A bill (S. 1002) granting an increase of pension to Mary E. Doggett (with accompanying papers);
A bill (S. 1003) granting an increase of pension to Sylvia Ann Dunn;
A bill (S. 1004) granting an increase of pension to Rachel Ann Faris;
A bill (S. 1005) granting an increase of pension to Mary Ferrell;
A bill (S. 1006) granting an increase of pension to Amanda Fess;
A bill (S. 1007) granting an increase of pension to Catharine Godby;
A bill (S. 1008) granting an increase of pension to Samantha Haiston;
A bill (S. 1009) granting an increase of pension to Rebecca H. Hall;
A bill (S. 1010) granting an increase of pension to Alice Hamilton;

A bill (S. 1011) granting an increase of pension to Elizabeth Hippenheimer;

A bill (S. 1012) granting an increase of pension to Barbara Horine;

A bill (S. 1013) granting an increase of pension to Elizabeth C. Hunter;

A bill (S. 1014) granting an increase of pension to Rachel J. Johnson;

A bill (S. 1015) granting an increase of pension to Rosanna Kellogg;

A bill (S. 1016) granting an increase of pension to Lucy S. Kemp;

A bill (S. 1017) granting an increase of pension to Anna O. Kirkpatrick;

A bill (S. 1018) granting an increase of pension to Dora Klinger;

A bill (S. 1019) granting an increase of pension to Athelia P. Land;

A bill (S. 1020) granting an increase of pension to Eliza Landers;

A bill (S. 1021) granting an increase of pension to Mahala Leazenby;

A bill (S. 1022) granting an increase of pension to Elizabeth J. Lister;

A bill (S. 1023) granting an increase of pension to Permelia J. Long;

A bill (S. 1024) granting an increase of pension to Sarah A. Long;

A bill (S. 1025) granting an increase of pension to Lucinda Luse;

A bill (S. 1026) granting an increase of pension to Neta Lyle;

A bill (S. 1027) granting an increase of pension to Ida A. McDowell;

A bill (S. 1028) granting an increase of pension to Robert J. McPherson;

A bill (S. 1029) granting an increase of pension to Margaret McWilliams;

A bill (S. 1030) granting an increase of pension to Celia J. McKinley;

A bill (S. 1031) granting an increase of pension to Catharine D. Manning;

A bill (S. 1032) granting an increase of pension to Amanda E. Martin;

A bill (S. 1033) granting an increase of pension to Rachel N. Martin;

A bill (S. 1034) granting an increase of pension to Nancy Maskel;

A bill (S. 1035) granting an increase of pension to Mary S. Miller (with accompanying papers);

A bill (S. 1036) granting an increase of pension to Thomas Miller;

A bill (S. 1037) granting an increase of pension to Emily J. Moore;

A bill (S. 1038) granting an increase of pension to Mira B. Morse;

A bill (S. 1039) granting an increase of pension to Mary P. Noble;

A bill (S. 1040) granting an increase of pension to Virginia Parker;

A bill (S. 1041) granting an increase of pension to Georgeanna Phillinger;

A bill (S. 1042) granting an increase of pension to Lena E. Powell;

A bill (S. 1043) granting an increase of pension to Rosa G. Presnell;

A bill (S. 1044) granting an increase of pension to Martha A. Pyle;

A bill (S. 1045) granting an increase of pension to Marion B. Ridgate;

A bill (S. 1046) granting an increase of pension to Frances M. Robinson;

A bill (S. 1047) granting an increase of pension to Edith Ross;

A bill (S. 1048) granting an increase of pension to Harry G. Ross;

A bill (S. 1049) granting an increase of pension to Reuben Samson;

A bill (S. 1050) granting an increase of pension to Cad W. Savage;

A bill (S. 1051) granting an increase of pension to Sarah E. Saxton;

A bill (S. 1052) granting an increase of pension to Nancy J. Sebring;

A bill (S. 1053) granting an increase of pension to Margaret J. Shaw;

A bill (S. 1054) granting an increase of pension to Amelia Sheets;

A bill (S. 1055) granting an increase of pension to Nancy M. Smith;

A bill (S. 1056) granting an increase of pension to Malinda Sprague;

A bill (S. 1057) granting an increase of pension to Olleatha Stites;

A bill (S. 1058) granting an increase of pension to Mary A. Templeton;

A bill (S. 1059) granting an increase of pension to Elzena Troxell;

A bill (S. 1060) granting an increase of pension to Achsa Tyler;

A bill (S. 1061) granting an increase of pension to Louisa J. Wagner;

A bill (S. 1062) granting an increase of pension to Sarah J. Washburn;

A bill (S. 1063) granting an increase of pension to Ella F. Webster;

A bill (S. 1064) granting an increase of pension to Elizabeth Wesley; and

A bill (S. 1065) granting an increase of pension to Ada F. Williams; to the Committee on Pensions.

By Mr. Barbour:

A bill (S. 1066) relating to contracts for the erection or alteration of public buildings; to the Committee on the District of Columbia.

By Mr. Bailey:

A bill (S. 1067) authorizing adjustment of the claim of the Adelphia Bank & Trust Co.;

A bill (S. 1068) authorizing adjustment of the claim of the B. & O. Manufacturing Co.;

A bill (S. 1069) authorizing adjustment of the claim of the Chicago, North Shore & Milwaukee Railroad Co.;

A bill (S. 1070) for the relief of J. R. Collie and Eleanor Y. Collie;

A bill (S. 1071) for the relief of Lawrence S. Copeland;

A bill (S. 1072) for the relief of Rufus J. Davis;

A bill (S. 1073) for the relief of E. Walter Edwards;

A bill (S. 1074) authorizing adjustment of the claims of John T. Lennon and George T. Flora;

A bill (S. 1075) for the relief of Walter Thomas Foreman;

A bill (S. 1076) authorizing adjustment of the claim of the Franklin Surety Co.;

A bill (S. 1077) for the relief of Lueco R. Gooch;

A bill (S. 1078) for the relief of Mrs. Asa Caswell Hawkins;

A bill (S. 1079) authorizing adjustment of the claim of Francis B. Kennedy;

A bill (S. 1080) for the relief of Charles L. Kee;

A bill (S. 1081) for the relief of McKimmon & McKee, Inc.;

A bill (S. 1082) authorizing adjustment of the claim of the Pennsylvania Railroad Co.;

A bill (S. 1083) authorizing adjustment of the claim of the Potomac Electric Power Co., of Washington, D.C.;

A bill (S. 1084) authorizing adjustment of the claim of the Public Service Coordinated Transport, of Newark, N.J.;

A bill (S. 1085) authorizing adjustment of the claim of Schutte & Koerting Co.;

A bill (S. 1086) authorizing adjustment of the claim of Frank Spector;

A bill (S. 1087) authorizing adjustment of the claim of William T. Stiles;

A bill (S. 1088) authorizing adjustment of the claim of White Bros. & Co. (with accompanying papers); and

A bill (S. 1089) for the relief of James R. Young; to the Committee on Claims.

By Mr. Patterson:

A bill (S. 1090) granting a pension to Gertrude Storck; to the Committee on Pensions.

A bill (S. 1091) conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claims of Edward F. Goltra against the United States arising out of the taking of certain vessels and unloading apparatus; to the Committee on the Judiciary.

HEARINGS BEFORE COMMITTEE ON NAVAL AFFAIRS

Mr. Trammell, by unanimous consent, submitted the following resolution (S.Res. 50), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Naval Affairs, or any subcommittee thereof, is authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost of not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON RULES

Mr. Copeland, by unanimous consent, submitted the following resolution (S.Res. 51), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Rules, or any subcommittee thereof, is authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON PRIVILEGES AND ELECTIONS

Mr. George, by unanimous consent, submitted the following resolution (S.Res. 52), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Privileges and Elections, or any subcommittee thereof, be, and hereby is, authorized during the Seventy-third Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON MINES AND MINING

Mr. Logan, by unanimous consent, submitted the following resolution (S.Res. 53), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Mines and Mining, or any subcommittee thereof, hereby is authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. Connally, by unanimous consent, submitted the following resolution (S.Res. 54), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Buildings and Grounds, or any subcommittee thereof, is authorized, during the Seventy-third Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

PAPERS REFERRED

Papers in the cases hereinafter mentioned, to accompany bills heretofore introduced, were taken from the files and referred, under the rule, as follows:

Mark Baldwin; Mary A. Beck; Rose Bingman; John Bivens; Elsie Blanchard; Mary E. Bordwell; Lena Bradshaw; Mary C. Brant; Edward Brennenstuhl; Elmira D. Briggs; Florence L. Bright; Granville Brown; Lucy Brown; Margaret E. Brown; Myrtle J. Buzan; Charles D. Chinn; Earl Cline; Mattie F. Colebaugh; Mary Coles; Hannah Collins; Sarah K. Copeland; Mary Ida Cox; Elizabeth B. Craig; George W. Criss; Mary Daly; Martha Day; Minnie Dean; John C. Denbo; Hulda Dodds; Roy E. Donnelly; Joanna Douglass; Beatrice E. Duke; Cora L. H. Duntz; Letha C. Durflinger; Olive Hancock Entrekin; James Francis Feeley; John W. Ferwerda; Lura C. Fields; Susie Fike; Ida D. Fletcher; Mary Ella Flores; Archie Flynn; Eliza Ford; William M. Forrest; Mary E. Fowler; Nellie Fredericks; William Edward Fugatt; Ellen Giard; Minnie H. Goddard; Everett Goodwin; Cynthia J. A. Grant; Fannie S. Greene; George G. Gribben; Edwin F. Guyon; Nellie Haag; John L. Hammack; Rinda Hammock; Elizabeth Harrington; Matilda Jane Hart; Emma J. Hayward; Sarah J. Henderson; Belle Hockensmith; Jay Dee Hoffman; William A. Hone; Narcissa Hussey; Wilbern Alonzo Hussey; Lillian M. Johnson; Stephen D. Jones; Alice V. Keeler; Martha W. Keeler; George E. Kenson; Charles T. Kineth; Pearl Laber; Thomas Lamb; Mary A. Lane; Herbert W. Leach; Nellie B. Leighton; Olive A. Lewis; Sarah Hagar Lewis; John R. Liles; Max Lilienthal; Allison J. Little; Amos Long; Amanda Loper; Taylor C. Lyon; Minnie Mahler; Theresa Elizabeth Mapes; John S. Marcum; Nancy A. Mathis; Ida H. McCullough; Joseph J. McNeal; Mary A. McNeil; Jane A. McNelly; Drusilla Mikesell; George H. Miller; Hamilton Miller; William C. Milliner; Emma J. Moore; Melinda Morford; Martha J. Morgan; Francis V. Morrill; Hannah Morrison; Julia L. Morrison; Mary Nightingale; Helen A. O'Haver; Roy M. Osborne; Massie E. Osborn; Mary L. Parker; Sarah J. Parker; William G. Patton; Alice Paver; Georgette M. Perkins; Mary A. Phillippi; Clinton Pickrel; Sarah J. Pitts; Charles O. Puckett; Richard J. Queener; Lillie Randall; Anna Robinson; Florella Roe; Maria Roseberry; J. C. Ruark; Julia Schultz; Chester Shartzer; Andrew J. Shaw; Minerva E. Shoemaker; Arminda C. Shook; Amelia Shultz; Warren A. Small; Josie M. Smart; Hannah A. Smith; Lee A. Smith; Mary C. Smith; Kate E. Snow; Viola May Snow; Hazel A. Snyder; J. B. Stanfield; Cale Stinnett; Alice M. Strine; Arminta Sullivan; Amasa P. Taber; Walter J. Taylor; Ellen M. Thomas; Christiana L. Todd; Martha L. Trefethen; James William Vaughn; Nancy J. Walker; Mary G. Walsh; Blanche Welker; Hanna White; Roy Wilcox; James D. Wilder; Terressa Willoughby; Mary J. Winslow; Melise Wise; Oliver L. Wolford; and Nellie J. Wood; to the Committee on Pensions.

Mrs. Viola Addis; American Bonding Co.; William H. Ames; Capt. Asa G. Ayer; Norman Beier; Elizabeth Bolger; Samuel W. Carter; Clatsop County, Oreg.; Willie B. Cleverly; Elizabeth T. Cloud; *Consolidation Coastwise No. 10*, owner of barge; *Consolidation Coastwise No. 24*, owner of barge; M. C. Cooper; John J. Corcoran; Ragnor Dahl; Michael Dalton; Edmund Glover Evans; Fred Ferch; First Camden National Bank & Trust Co.; *Florence Luckenbach*, U.S. transport, owners of cargo aboard; Fred G. Clark Co.; William G. Fulton; Great American Indemnity Co. of New York; Hamburg-American Line; F. A. Hoffman; Alfred L. Hudson; Edwin C. Jenney; Milburn Knapp; Lehigh Briquet-

ting Co.; Edith N. Lindquist; James Lowe; Lucille McClure; A. C. Messler Co.; Elmer E. Miller; James Evans Monroe; Con Murphy; Wallace E. Ordway; C. H. Reynolds; Stanley E. Richardson; Mary Agnes Roden; Richard J. Rooney; William Schick; Paul J. Sisk; Tom Small; Lauritis Sorensen; steamship *Boxley*, owner of cargo aboard; H. M. Thatcher; Naomi L. Thompson; Primo Tiburzio; J. A. Tippit et al.; Upson-Walton Co.; Anna Ventrone; Patrick Henry Walsh; *Molly Stark Williams*; C. M. Williamson et al.; William M. Wiser; and Woodhouse Chain Works; to Committee on Claims.

Marino Ambrogi; Albert Anderson; Elmer Blair; Alonzo M. Boyden; Thomas M. Buist; Lyman I. Collins; William H. Connors; *Samson Davis*; John J. Delaney; Robert B. Early; John Fisher; *Robert J. Foster*; Francis Gerrity; Arthur B. Giroux; Joseph Gorman; Walter Gray; Elijah L. Gum; Curtis Jett; James J. Jordan; Albert A. Marquardt; Rolando B. Moffett; Michael J. Moran; Fred M. Munn; Hector H. Perry; William T. J. Ryan; Theophilus Steele; William Thibeault; Robert H. Wilder; Percy C. Wright; and Herman Wulff; to the Committee on Military Affairs.

Junius A. Bandy; Luther Foster; Edward Xavier Linck; and Frank A. Post; to the Committee on Naval Affairs.

Dewey Newman; to the Committee on Finance.

Everglades National Park, Fla.; to the Committee on Public Lands and Surveys.

FEDERAL AID IN REFORESTATION

The Presiding Officer (Mr. Russell in the chair) laid before the Senate a communication from the Secretary and the Assistant Secretary of Agriculture, transmitting, in response to Senate Resolution 175, agreed to March 10, 1932, a report relative to the practicability of Federal aid to States in utilization of lands suitable for forestation.

On motion by Mr. Copeland,

Ordered, That the communication, with the accompanying papers, be referred to the Committee on Printing with a view to its being printed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed without amendment the bill (S. 562) relating to the prescribing of medicinal liquors.

FEDERAL EMERGENCY RELIEF

On motion by Mr. Wagner,

The Senate proceeded to consider the bill (S. 812) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes.

The reported amendments on page 5, lines 1 and 20, respectively, were agreed to, and the remaining reported amendment on page 7, line 1, was amended on the motion of Mr. Vandenberg, and, as amended, agreed to.

The bill was further amended on the motion of Mr. Wagner, and the motion of Mr. Vandenberg.

On motion by Mr. Bankhead to further amend the bill by adding at the end thereof a section relative to stamp-money certificates,

Mr. Connally raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

Mr. Bankhead's amendment was rejected.

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Bailey in the chair) directed the roll to be called;

When

Seventy-two Senators answered to their names, as follows:

Adams, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Carey, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Fess, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, La Follette, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, {Yeas---------- 55 / Nays---------- 17}

On motion by Mr. McNary,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Bachman, Bankhead, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Costigan, Couzens, Dieterich, Dill, Duffy, Frazier, George, Harrison, Hayden, Johnson, La Follette, Lonergan, Long, McCarran, McGill, McKellar, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, and Walsh.

Senators who voted in the negative are—

Austin, Bailey, Carey, Dickinson, Fess, Goldsborough, Gore, Hale, Hatfield, Hebert, Kean, Keyes, McNary, Metcalf, Patterson, Walcott, and White.

So it was

Resolved, That the bill pass.

The title was ordered to stand as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in the said bill.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The Speaker of the House having signed an enrolled bill, viz. S. 598, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 598) for the relief of unemployment through the performance of useful public work, and for other purposes.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

RECESS

On motion by Mr. Robinson of Arkansas, at 4 o'clock and 30 minutes p.m.,

The Senate took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, FRIDAY, MARCH 31, 1933)

The Vice President called the Senate to order.

ATTENDANCE OF SENATOR CUTTING, OF NEW MEXICO

Mr. Bronson Cutting, from the State of New Mexico, attended.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, his secretary:

Mr. President: The President of the United States approved and signed on March 28, 1933, the following acts:

S. 148. An act for the relief of Agnes M. Angle;

S. 149. An act for the relief of Daisy Anderson;

S. 150. An act for the relief of W. H. Hendrickson; and

S. 155. An act for the relief of A. Y. Martin.

Ordered, That the Secretary notify the House of Representatives thereof.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Tuesday, March 28, Wednesday, March 29, and Thursday, March 30, 1933, was approved.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A joint memorial of the Legislature of the Territory of Alaska, urging the enactment of legislation for the protection of the salmon and halibut industries in Alaska from competition due to depreciated foreign currency values; to the Committee on Finance.

A joint resolution of the Legislature of the State of Wisconsin, favoring the maintenance and development of the United States Forest Products Laboratory in that State; to the Committee on Agriculture and Forestry.

Mr. Copeland presented resolutions adopted by the Jamie Kelly Association, Inc., and the People's Regular Democratic Organization, Inc., of Brooklyn, and the Jewish Community Center of Staten Island, in the State of New York, remonstrating against the alleged mistreatment of Jews in Germany; which were referred to the Committee on Foreign Relations.

Mr. Murphy presented the following concurrent resolutions of the Legislature of the State of Iowa, which were referred as indicated:

A concurrent resolution pledging support to the President in the present emergency; and

A concurrent resolution favoring the passage of the so-called Frazier bill providing for the refinancing of agricultural indebtedness and to establish an efficient credit system; to the Committee on Agriculture and Forestry.

A concurrent resolution memorializing Congress to enact legislation to promote and develop the production of grain or ethyl alcohol to be used as a blend with petroleum products for motor-vehicle fuel, and to place an import duty on blackstrap molasses used for the manufacture of ethyl or industrial alcohol in competition with agricultural products grown in the United States; to the Committee on Manufactures.

Mr. Wagner presented a newspaper article incorporating a resolution adopted by the New York State Banking Board, memorializing Congress to enact legislation providing for a uniform banking system; which was referred to the Committee on Banking and Currency.

Mr. Walsh presented communications from John C. Hull, director, Department of Public Utilities of the State of Massachusetts, and Waldo Kendall, of Boston, Mass., relative to listings of securities on stock exchanges; which were referred to the Committee on Banking and Currency.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Neely:

A bill (S. 1092) granting a pension to James C. Neff; to the Committee on Pensions.

By Mr. Dill:

A bill (S. 1093) to provide for the refunding of farm and home mortgages, making loans to farmers, issuance of agricultural bonds, the deposit of Government funds, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. Fletcher:

A bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies; to the Committee on Banking and Currency.

By Mr. Keyes:

A bill (S. 1095) for the refund of customs duty paid by Salvatore Lascari on an importation of mosaic paintings for the Moody Currier Art Gallery in Manchester, N.H.; to the Committee on Finance.

By Mr. Overton:

A bill (S. 1096) to provide for the erection of a memorial to James B. Eads at New Orleans, La.; to the Committee on the Library.

By Mr. Robinson of Indiana:

A bill (S. 1097) for the relief of Joseph P. Boyle; to the Committee on Military Affairs.

A bill (S. 1098) granting a pension to Christena Aikin (with accompanying papers); and

A bill (S. 1099) for the relief of William Jennings Coon; to the Committee on Pensions.

By Mr. Capper:

A bill (S. 1100) to require the furnishing of heat in living quarters in the District of Columbia; to the Committee on the District of Columbia.

By Mr. Byrd:

A bill (S. 1101) for the relief of the Virginia Engineering Co., Inc.; to the Committee on Claims.

By Mr. Trammell:

A bill (S. 1102) to authorize the Secretary of the Navy to proceed with certain public works at the Naval Radio Compass Station, Jupiter, Fla.;

A bill (S. 1103) to authorize the Secretary of the Navy to proceed with certain public works at the Naval Air Station, Pensacola, Fla.; and

A bill (S. 1104) to authorize the Secretary of the Navy to proceed with certain public works at the Naval Air Station,

Pensacola, Fla. (Corry Field); to the Committee on Naval Affairs.

By Mr. Thomas of Oklahoma:

A bill (S. 1105) to provide for a further extension of the time for the payment of certain income-tax deficiencies; to the Committee on Finance.

By Mr. Bone:

A bill (S. 1106) to restore the 2-cent postage rate on first-class mail matter; to the Committee on Finance.

By Mr. Robinson of Indiana:

A joint resolution (S.J.Res. 36) directing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

PROSECUTION OF HARRIMAN NATIONAL BANK, NEW YORK

Mr. Costigan, by unanimous consent, submitted the following resolution (S.Res. 55), which was referred to the Committee on the Judiciary:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized and directed to investigate the reported failure on the part of the Department of Justice to prosecute promptly alleged violations of law by the Harriman National Bank, New York City, or the officers or directors thereof. The committee shall report to the Senate, at the earliest practicable date, the result of its investigations, together with its recommendations.

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

BANKING AND INVESTMENT SECURITIES INVESTIGATION

Mr. Fletcher, by unanimous consent, submitted the following resolution (S.Res. 56), which was referred to the Committee on Banking and Currency:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, in addition to the authority granted under Senate Resolution 84, Seventy-second Congress, agreed to March 4, 1932, and continued in force by Senate Resolution 239, Seventy-second Congress, agreed to June 21, 1932, and further continued by Senate Resolution 371, Seventy-second Congress, agreed to February 28, 1933, shall have authority and hereby is directed—

1. To make a thorough and complete investigation of the operation by any person, firm, copartnership, company, association, corporation, or other entity, of the business of banking, financing, and extending credit; and of the business of issuing, offering, or selling securities;

2. To make a thorough and complete investigation of the business conduct and practices of security exchanges and of the members thereof;

3. To make a thorough and complete investigation of the practices with respect to the buying and selling and the borrowing and lending of securities which are traded in upon the various security exchanges, or on the over-the-counter market, or on any other market, and of the values of such securities; and

4. To make a thorough and complete investigation of the effect of all such business operations and practices upon interstate and foreign commerce, upon the industrial and commercial credit structure of the United States, upon the operation of the national banking system and the Federal Reserve System, and upon the market for securities of the United States Government, and the desirability of the exercise of the taxing power of the United States with respect to any such business and any such securities, and the desirability of limiting or prohibiting the use of the mails, the telegraph, the telephone, and any other facilities of interstate commerce or communication with respect to any such operations and practices deemed fraudulent or contrary to the public interest.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, either in the District of Columbia or elsewhere, during the first session of the Seventy-third Congress or any recess thereof, and until the beginning of the second session thereof; to employ such experts and clerical, stenographic, and other assistants; to require by subpoena or otherwise the attendance of such witnesses and the production and impounding of such books, papers, and documents; to administer such oaths and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, viz, S. 562, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 562) relating to the prescribing of medicinal liquors.

The President pro tempore thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

TAXATION OF BEVERAGES SOLD IN THE DISTRICT OF COLUMBIA

On motion by Mr. Tydings,

The Senate proceeded to consider the bill (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes; and the reported amendment was agreed to.

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The vote agreeing to the said amendment was reconsidered.

Pending debate,

Mr. Sheppard raised a question as to the presence of a quorum;

Whereupon

The President pro tempore directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The reported amendment was agreed to.

On motion by Mr. Sheppard, and by unanimous consent,

The vote agreeing to the reported amendment was again reconsidered.

On motion by Mr. Gore to amend the part proposed to be inserted by inserting at the proper place therein the following:

: Provided, That no license shall be issued for the sale of any such beverages in any building owned or leased by the United States and used for the transaction of public business.

Pending debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Connally in the chair) directed the roll to be called;

When

Eighty-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Gore, Hale, Harrison, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to Mr. Gore's amendment,

It was determined in the affirmative, {Yeas---------- 44 / Nays---------- 28}

On motion by Mr. Fess,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bailey, Barkley, Black, Borah, Byrd, Capper, Caraway, Carey, Connally, Costigan, Dickinson, Dill, Erickson, Fess, Frazier, George, Gore, Hale, Hatfield, Hayden, Kendrick, Keyes, King, Lonergan, McAdoo, McGill, McKellar, Neely, Norris, Nye, Patterson Pittman, Pope, Robinson of Indiana, Russell, Schall, Sheppard, Smith, Thomas of Oklahoma, Trammell, and White.

Senators who voted in the negative are—

Bachman, Barbour, Bulkley, Bulow, Byrnes, Clark, Coolidge, Copeland, Couzens, Cutting, Dieterich, Duffy, Johnson, Kean, La Follette, Lewis, Long, McCarran, Murphy, Overton, Reynolds, Robinson of Arkansas, Shipstead, Tydings, Van Nuys, Wagner, Walsh, and Wheeler.

So Mr. Gore's amendment was agreed to.

The part proposed to be inserted was further amended on the motion of Mr. Capper; and

The reported amendment, as amended, was agreed to.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

EXECUTIVE REPORTS

As in executive session, and by unanimous consent,

Mr. Robinson of Arkansas (for Mr. Sheppard), from the Committee on Military Affairs, to whom were referred the nomination of Brig. Gen. George Henderson Wark, Kansas National Guard, for appointment in the Officers' Reserve Corps, and certain other nominations for appointment and promotion in the Regular Army, reported them favorably.

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The President pro tempore, under the order of the Senate, referred to the appropriate committees certain nominations this day received from the President of the United States.

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they presented the following enrolled bills to the President of the United States:

On March 30, 1933:

S. 598. An act for the relief of unemployment through the performance of useful public work, and for other purposes;

On March 31, 1933:

S. 562. An act relating to the prescribing of medicinal liquors.

RECESS

On motion by Mr. Robinson of Arkansas, at 2 o'clock and 40 minutes p.m.,

The Senate took a recess until 12 o'clock m. on Monday next.

AT 12 O'CLOCK M. (CALENDAR DAY, MONDAY, APRIL 3, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, his secretary:

Mr. President: The President of the United States approved and signed on March 31, 1933, the following acts:

S. 562. An act relating to the prescribing of medicinal liquors; and

S. 598. An act for the relief of unemployment through the performance of useful public work, and for other purposes.

Ordered, That the Secretary notify the House of Representatives thereof.

REFINANCING OF FARM INDEBTEDNESS

The Vice President laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

As an integral part of the broad plan to end the forced liquidation of property, to increase purchasing power and to broaden the credit structure for the benefit of both the producing and consuming elements in our population, I ask the Congress for specific legislation relating to the mortgages and other forms of indebtedness of the farmers of the Nation. That many thousands of farmers in all parts of the country are unable to meet indebtedness incurred when their crop prices had a very different money value is well known to all of you. The legislation now pending, which seeks to raise agricultural commodity prices, is a definite step to enable farm debtors to pay their indebtedness in commodity terms more closely approximating those in which the indebtedness was incurred; but that is not enough.

In addition the Federal Government should provide for the refinancing of mortgage and other indebtedness so as

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to accomplish a more equitable readjustment of the principal of the debt, a reduction of interest rates, which in many instances are so unconscionably high as to be contrary to a sound public policy, and, by a temporary readjustment of amortization, to give sufficient time to farmers to restore to them the hope of ultimate free ownership of their own land. I seek an end to the threatened loss of homes and productive capacity now faced by hundreds of thousands of American farm families.

The legislation I suggest will not impose a heavy burden upon the National Treasury. It will instead provide a means by which, through existing agencies of the Government, the farm owners of the Nation will be enabled to refinance themselves on reasonable terms, lighten their harassing burdens and give them a fair opportunity to return to sound conditions.

I shall presently ask for additional legislation as a part of the broad program, extending this wholesome principle to the small home owners of the Nation, likewise faced with this threat.

Also, I shall ask the Congress for legislation enabling us to initiate practical reciprocal tariff agreements to break through trade barriers and establish foreign markets for farm and industrial products.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 3, 1933.*

Ordered, That the message be referred to the Committee on Banking and Currency and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate a resolution adopted at Newark, N.J., at a conference of the New Jersey Federation of the Young Men's Hebrew Association and the Young Women's Hebrew Association, remonstrating against alleged mistreatment of Jews in Germany; which was referred to the Committee on Foreign Relations.

The Vice President laid before the Senate the following resolutions:

Joint resolutions of the Legislatures of the States of Maryland and New Mexico, ratifying the twentieth amendment to the Constitution fixing the commencement of the terms of the President and Vice President and Members of Congress and fixing the time of the assembling of Congress; and

A resolution of condolence of the House of Representatives of the State of Pennsylvania on the death of the late Senator Walsh, of Montana.

Ordered, That they lie on the table.

Mr. Capper presented a concurrent resolution of the Legislature of the State of Kansas, requesting the Secretary of Agriculture to exercise the powers granted him under the Packers and Stockyards Act of 1922 to procure a reduction in marketing charges for livestock; which was referred to the Committee on Agriculture and Forestry.

Mr. Johnson presented the following joint resolutions of the Legislature of the State of California, which were referred as indicated.

A joint resolution memorializing Congress to enact legislation providing for the suspension in payment of charges due from Federal reclamation project settlers and providing for a loan to the reclamation fund to replace the income thereto thus suspended; to the Committee on Irrigation and Reclamation.

A joint resolution memorializing Congress to enact legislation subsidizing the discovery of gold in the gold-mining sections of the United States; to the Committee on Mines and Mining.

A joint resolution memorializing Congress to cooperate in the program at the national encampment of Spanish War veterans in Los Angeles in recognition of the services rendered by volunteers of the Spanish-American War, the Philippine insurrection, and the China relief expedition; to the Committee on Pensions.

Mr. Hale presented a memorial of the Legislature of the State of Maine, urging the restoration of the former 2-cent rate on first-class postage; which was referred to the Committee on Finance.

Mr. Wheeler presented the following petitions and article, which were referred as indicated:

Petitions of citizens of the United States and resolutions adopted by the Wallace Board of Trade, of Wallace, Idaho, and the Canniwai Grange, of Govan, Wash., praying the enactment of legislation to establish a bimetallic system of currency; to the Committee on Banking and Currency.

An article from the California Future Farmer showing the accomplishments of the Deer Lodge (Mont.) Chapter of Future Farmer; to the Committee on Agriculture and Forestry.

Mr. Thomas of Oklahoma presented a resolution of the House of Representatives of the State of Oklahoma, memorializing Congress to create a memorial to the memory of the late Mayor Anton Cermak, of Chicago; which was referred to the Committee on the Library.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A resolution adopted at Elmira, N.Y., by the Elmira Branch of the American Association of University Women, favoring the prohibition of tax exemption on future issues of Federal securities and the levying of a tax on present exempt securities; to the Committee on Finance.

A resolution adopted by the Rockaway Civic Club, Inc., of Rockaway Park, N.Y., praying the enactment of legislation to modify certain contractual rights, to prohibit the foreclosure of mortgages on small homes, and to provide that mortgage interest payments above 4 percent and amortization payments be waived and deficiency judgments be abrogated; to the Committee on Banking and Currency.

A resolution adopted at a conference of several labor groups in Rockland County, N.Y., favoring the enactment of legislation establishing compulsory Government systems of unemployment insurance and the so-called "workers' rights amendment" to the Constitution; to the Committee on Education and Labor.

Resolutions adopted by the Merchants and Salesmen Club, of Brooklyn, by representatives of certain churches, temples, and organizations of Niagara Falls, and by citizens of Nassau County, all in the State of New York, remonstrating against alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

A resolution adopted by Carrington-Fuller Post, No. 800, American Legion Auxiliary, of Groton, N.Y., urging the maintenance of the land, sea, and air forces and the carrying out of the provisions of the national defense act; to the Committee on Military Affairs.

Mr. Copeland presented a petition of citizens of Seneca Falls, N.Y., praying the enactment of legislation for the relief of unemployment.

Ordered, That it lie on the table.

Mr. Fess presented a resolution adopted by the Common Council of Akron, Ohio, favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciusko; which was referred to the Committee on Post Offices and Post Roads.

Mr. Walsh presented a communication from Henry F. Hurlburt, Jr., of Boston, Mass., relative to savings accounts in certain banking institutions; which was referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEE ON BANKING AND CURRENCY

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the resolution (S.Res. 56) to investigate the matter of banking operations and practices, the issuance and sale of securities, and the trading therein, reported it with amendments.

Mr. Fletcher having requested unanimous consent for the consideration of the said resolution,

Mr. McNary raised a question of order, viz, that the resolution, under the rule, should be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

After debate, by unanimous consent,

The Vice President sustained the point of order in the following language:

"The parliamentary clerk advises the Chair that the precedents are that it is subject to the rule in that it makes a charge on the contingent fund. * * * However, may the Chair say with reference to the point of order made by the Senator from Oregon that the reasoning of the rule seems to be this: That any resolution making an original charge or an additional charge on the contingent fund of the Senate must go to the Committee to Audit and Control the Contingent Expenses of the Senate. This resolution requires additional labors on the part of the Committee on Banking and Currency, and it seems logical that if it does require additional labors, the Banking and Currency Committee might incur additional expenses to come from the contingent fund of the Senate."

The resolution was thereupon referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies, reported it with amendments and submitted a report (No. 15) thereon.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Robinson of Indiana:

A bill (S. 1107) for the relief of Joseph W. Thompson; to the Committee on Civil Service.

A bill (S. 1108) for the relief of Thomas F. Fitzgibbon; to the Committee on Military Affairs.

A bill (S. 1109) granting a pension to Grace B. Lawrence; to the Committee on Pensions.

By Mr. Robinson of Arkansas:

A bill (S. 1110) to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to amend and supplement the Federal Farm Loan Act, to provide for the orderly liquidation of joint-stock land banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. Connally:

A bill (S. 1111) to raise the commodity price level to the debt-incurrence stage and to stabilize it thereafter; to the Committee on Banking and Currency.

By Mr. Reed:

A bill (S. 1112) amending section 1 of the act of March 3, 1893 (27 Stat.L. 751), providing for the method of selling real estate under an order or decree of any United States court; to the Committee on the Judiciary.

A bill (S. 1113) authorizing adjustment of the claim of Schutte & Koerting Co.;

A bill (S. 1114) for the relief of the estate of Harry F. Stern; and

A bill (S. 1115) to authorize the Department of Agriculture to issue a duplicate check in favor of Department of Forests and Waters, Commonwealth of Pennsylvania, the original check having been lost; to the Committee on Claims.

A bill (S. 1116) granting an increase of pension to Elizabeth Craven; and

A bill (S. 1117) granting an increase of pension to Annie Holliday; to the Committee on Pensions.

By Mr. Dickinson:

A bill (S. 1118) for the relief of George J. Bloxham; and

A bill (S. 1119) for the relief of Fred A. Robinson; to the Committee on Claims.

By Mr. Neely:

A bill (S. 1120) granting compensation to Ella R. Trussell; to the Committee on Finance.

A bill (S. 1121) for the relief of Burk W. Burns; to the Committee on Claims.

A bill (S. 1122) granting a pension to Golda Stump Darr;

A bill (S. 1123) granting a pension to Tom B. Jimmerfield;

A bill (S. 1124) granting a pension to Margaret Kingery; and

A bill (S. 1125) granting a pension to Joseph Wilfong; to the Committee on Pensions.

By Mr. Wheeler:

A bill (S. 1126) for the relief of M. M. Twichel; to the Committee on Indian Affairs.

By Mr. Trammell:

A bill (S. 1127) to provide for the payment of one half the amount of losses sustained on account of the campaign for the eradication of the Mediterranean fruit fly in Florida, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. Reed:

A joint resolution (S.J.Res. 37) granting permission to Hugh S. Cumming, Surgeon General of the United States Public Health Service; John D. Long, Medical Director United States Public Health Service; and Clifford R. Eskey, surgeon, United States Public Health Service, to accept and wear certain decorations bestowed upon them by the Governments of Ecuador, Chile, and Cuba; to the Committee on Foreign Relations.

NATIONAL PLAN FOR AMERICAN FORESTRY

Mr. Copeland, by unanimous consent, submitted the following resolution (S.Res. 57), which was referred to the Committee on Printing:

Resolved, That the report of the Department of Agriculture entitled "A National Plan for American Forestry," transmitted to the Senate on March 30, 1933, in response to Senate Resolution 175, Seventy-second Congress, be printed with illustrations as a Senate document.

FIVE-DAY WORK WEEK

On motion by Mr. Black,

The Senate proceeded to consider the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has disagreed to the amendment of the Senate to the bill (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon and has appointed Mrs. Norton, Mr. Palmisano, Mr. Black, Mr. Stalker, and Mr. Whitley managers at the same on its part.

The President of the United States has informed the House that on March 30, 1933, he approved and signed the joint resolution (H.J.Res. 121) to provide for the acceptance of sums donated for the construction of a swimming exercise tank for the use of the President.

TAXATION OF BEVERAGES SOLD IN THE DISTRICT OF COLUMBIA

The Presiding Officer (Mr. George in the chair) laid before the Senate the message this day received from the House of Representatives, announcing its action on the amendment of the Senate to the bill (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes.

On motion by Mr. King,

Resolved, That the Senate insist upon its amendment to the said bill, disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer appointed Mr. Tydings, Mr. Lewis, and Mr. Carey.

Ordered, That the Secretary notify the House of Representatives thereof.

FIVE-DAY WORK WEEK

The Senate resumed the consideration of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

Pending debate,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Robinson of Arkansas, at 3 o'clock and 22 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, TUESDAY, APRIL 4, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 4220) for the protection of Government records, in which it requests the concurrence of the Senate.

The House has passed the following resolution (H.Res. 93), which I am directed to communicate to the Senate:

Whereas Malcolm C. Tarver, on the 27th day of March 1933, submitted to the House of Representatives his resignation as a manager on the part of the House in the pending impeachment against Harold Louderback, a district judge of the United States for the northern district of California, which resignation on said date was accepted by the House of Representatives: Therefore be it

Resolved, That J. Earl Major and Lawrence Lewis, Members of the House of Representatives, be, and they are hereby, appointed managers on the part of the House of Representatives, with the managers on the part of the House heretofore appointed and acting, to conduct the impeachment pending in the United States Senate against Harold Louderback, a district judge of the United States for the northern district of California.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

HOUSE BILL REFERRED

The bill H.R. 4220, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Foreign Relations.

FUNCTIONS AND EXPENDITURES OF FEDERAL BOARD FOR VOCATIONAL EDUCATION

The Vice President laid before the Senate a communication from the Director of the Federal Board of Vocational Education, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report covering the functions of the Board, together with certain information concerning employees and salaries, which, with the accompanying report, was ordered to lie on thetable and be printed.

FINANCIAL RESPONSIBILITY OF TAXICAB OWNERS AND OPERATORS

The Vice President laid before the Senate a communication from the Chairman of the Public Utilities Commission of the District of Columbia, transmitting a draft of proposed legislation to require financial responsibility of owners and operators of vehicles for hire in the District of Columbia, and for other purposes, which was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, memorials, etc., which were referred as indicated:

A memorial of the Legislature of the State of Maine, urging the restoration of the 2-cent rate on first-class postage; to the Committee on Finance.

A resolution adopted by the city council of San Buenaventura, Calif., favoring the enactment of legislation providing for the issuance of national currency to municipalities on the pledge of their bonds; to the Committee on Banking and Currency.

A resolution adopted by the Board of Supervisors of the City and County of San Francisco, urging the enactment of legislation legalizing the manufacture and sale of wine with an alcoholic content of from 10 to 12 percent; to the Committee on the Judiciary.

A communication from Louis J. Haenni, of St. Louis, Mo., relative to the revival of building construction as a means of relieving unemployment and present economic conditions; to the Committee on Education and Labor.

A resolution adopted at a State conference of the Rhode Island Society, Daughters of the American Revolution, remonstrating against recognition by the United States Government of the United Soviet Socialist Republic of Russia; to the Committee on Foreign Relations.

Mr. Walsh presented a resolution adopted by the Swedish-American Republican League, of Worcester, Mass., favoring the prosecution of certain persons and institutions who may be guilty of defrauding the American people in connection with the sale of foreign securities; which was referred to the Committee on the Judiciary.

Mr. Reed presented a resolution adopted by the Philadelphia Board of Trade, of Philadelphia, Pa., remonstrating against further retrenchment in appropriations for the Department of Commerce and the maintenance of its commercial attachés in foreign countries; which was referred to the Committee on Appropriations.

Mr. Robinson of Arkansas presented the following communication and telegram, which were referred to the Committee on Banking and Currency:

A communication from S. R. Taylor, of New York City, favoring an amendment to proposed legislation so as to permit the sale of certain unlisted securities in interstate commerce; and

A telegram from Arthur H. Carter, president of the New York State Society of Certified Public Accountants, of New York City, suggesting certain amendments relating to financial statements required by proposed legislation to regulate the sale in interstate commerce of investment securities.

REPORTS OF COMMITTEES

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 56) to investigate the matter of banking operations and practices, the issuance and sale of securities, and the trading therein, reported it with an additional amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution; and the reported amendments of the Committee on Banking and Currency and the Committee to Audit and Control the Contingent Expenses of the Senate having been agreed to,

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, in addition to the authority granted under S.Res. 84, Seventy-second Congress, agreed to March 4, 1932, and continued in force by S.Res. 239, Seventy-second Congress, agreed to June 21, 1932, and further continued by S.Res. 371, Seventy-second Congress, agreed to February 28, 1933, shall have authority and hereby is directed—

(1) to make a thorough and complete investigation of the operation by any person, firm, copartnership, company, association, corporation, or other entity, of the business of banking, financing, and extending credit; and of the business of issuing, offering, or selling securities;

(2) to make a thorough and complete investigation of the business conduct and practices of security exchanges and of the members thereof;

(3) to make a thorough and complete investigation of the practices with respect to the buying and selling and the borrowing and lending of securities which are traded in upon the various security exchanges, or on the over-the-counter market, or on any other market; and of the values of such securities; and

(4) to make a thorough and complete investigation of the effect of all such business operations and practices upon interstate and foreign commerce, upon the industrial and commercial credit structure of the United States, upon the operation of the national banking system and the Federal Reserve System, and upon the market for securities of the United States Government, and the desirability of the exercise of the taxing power of the United States with respect to any such business and any such securities, and the desirability of limiting or prohibiting the use of the mails, the telegraph, the telephone, the radio, and any other facilities of interstate commerce or communication with respect to any such operations and practices deemed fraudulent or contrary to the public interest.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, either in the District of Columbia or elsewhere, during the first session of the Seventy-third Congress, or any recess thereof, and until the beginning of the second session thereof, to employ such experts and clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production and impounding of such books, papers, and documents, to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the investigation shall be paid out of the sum heretofore made available for the investigation authorized under S.Res. 84, S.Res. 239, and S.Res. 371, Seventy-second Congress.

Mr. Stephens, by unanimous consent, from the Committee on the Judiciary, to whom was referred the resolution (S.Res. 55) to investigate the delay in prosecuting alleged law violations by the Harriman National Bank, New York City, reported it with an amendment; and

Ordered, That the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. Hayden, by unanimous consent, from the Committee on Printing, to whom were referred the following resolutions, reported them each without amendment:

S.Res. 49, Resolution to print the report of an investigation by Senator Carl Hayden, of Arizona, relative to the use of silver coinage in European nations indebted to the United States; and

S.Res. 57, Resolution to print, with illustrations, the report of the Department of Agriculture entitled "A National Plan for American Forestry."

The Senate proceeded, by unanimous consent, to consider the said resolutions; and

Resolved, That the Senate agree thereto.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Sheppard:

A bill (S. 1128) granting a pension to Mary L. Robinson; to the Committee on Pensions.

By Mr. Stephens:

A bill (S. 1129) to amend sections 361, 392, 406, 407, 408, 409, 410, 411, and 412 of the United States Code, relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof; to the Committee on Commerce.

By Mr. Walsh:

A bill (S. 1130) to incorporate the National Society of Women Descendants of the Ancient and Honorable Artillery Company; to the Committee on the Judiciary.

By Mr. Ashurst (by request):

A bill (S. 1131) to amend the probation law; to the Committee on the Judiciary.

By Mr. Ashurst:

A bill (S. 1132) for the relief of Stanley A. Jerman, receiver for A. J. Peters Co., Inc.; to the Committee on Claims.

By Mr. Dill:

A bill (S. 1133) to provide a preliminary examination of the Cowlitz River and its tributaries, in the State of Washington, with a view to the control of their floods; to the Committee on Commerce.

By Mr. Frazier:

A bill (S. 1134) restoring to tribal status and allotments certain lands on Standing Rock Indian Reservation in the States of South Dakota and North Dakota;

A bill (S. 1135) to amend section 1 of the act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", approved June 25, 1910, as amended; and

A bill (S. 1136) authorizing the Secretary of the Interior to erect a monument as a memorial to the return from Canada and surrender to the Government of the United States of the Sioux Indian chiefs, Sitting Bull, Gall, Rain in the Face, and Crow King, with their several bands of followers, in 1881; to the Committee on Indian Affairs.

By Mr. Erickson:

A bill (S. 1137) for the relief of Ruth J. Barnes; to the Committee on Military Affairs.

By Mr. Wheeler:

A bill (S. 1138) authorizing transfer of an unused portion of the United States Range Livestock Experiment Station, Mont., to the State of Montana for use as a fish-cultural station, game reserve, and public recreation ground, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 1139) authorizing the Court of Claims to investigate and determine the facts in connection with the claim of the First National Bank of Billings, Mont.; to the Committee on Claims.

A bill (S. 1140) granting an increase of pension to Louise Hatch; and

A bill (S. 1141) granting an increase of pension to Dora White; to the Committee on Pensions.

By Mr. Sheppard:

A bill (S. 1142) for the purpose of providing industrial and agricultural communities for the absorption of unemployed citizens of the United States, and for issuance of self-liquidating bonds for the establishment thereof; to the Committee on Agriculture and Forestry.

By Mr. Bone:

A bill (S. 1143) granting a pension to Leonard Claud Huntington; to the Committee on Pensions.

By Mr. Schall:

A bill (S. 1144) granting a pension to Della M. C. Rudolph; to the Committee on Pensions.

FIVE-DAY WORK WEEK

The Senate resumed the consideration of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

Pending debate,

On motion by Mr. Dill to amend the bill by inserting on page 2, line 9, after the word "day", certain words,

Pending further debate,

TAXATION OF BEVERAGES SOLD IN THE DISTRICT OF COLUMBIA

Mr. Tydings submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with the following amendments:

On page 3, line 7, of the Senate engrossed amendment, strike out "six" and insert *two*;

On page 3, line 8, of the Senate engrossed amendment, beginning immediately following the colon, strike out through the word "business" in line 11, and insert in lieu thereof the following: *Provided, That it shall be within the discretion of the Commissioners whether any permit under this act shall be issued for the sale of any such beverages in any building in the District of Columbia owned or leased by the United States and used for the transaction of public business*; and the Senate agree to the same.

MILLARD E. TYDINGS,
ROBERT D. CAREY,
J. HAMILTON LEWIS,
Managers on the part of the Senate.
MARY T. NORTON,
VINCENT L. PALMISANO,
LORING M. BLACK, JR.,
JAS. L. WHITLEY,
Managers on the part of the House.

The Senate proceeded, by unanimous consent, to consider the said report.

Mr. Sheppard raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Bachman in the chair) directed the roll to be called;

When

Eighty-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, Goldsborough, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On the question of agreeing to the report,

It was determined in the affirmative, { Yeas 42 / Nays 34 }

On motion by Mr. Sheppard,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Austin, Bachman, Barbour, Barkley, Brown, Bulkley, Bulow, Byrnes, Carey, Clark, Coolidge, Copeland, Couzens, Dieterich, Duffy, Fletcher, Harrison, Johnson, Kean, Kendrick, La Follette, Lewis, Lonergan, Long, McCarran, McKellar, McNary, Metcalf, Murphy, Overton, Reed, Reynolds, Robinson of Arkansas, Shipstead, Thomas of Utah, Tydings, Van Nuys, Wagner, Walcott, Walsh, and Wheeler.

Senators who voted in the negative are—

Adams, Bailey, Black, Borah, Byrd, Capper, Caraway, Connally, Costigan, Dickinson, Dill, Erickson, Fess, Frazier, Goldsborough, Hale, Hastings, Hatfield, Hayden, Keyes, McGill, Neely, Norbeck, Nye, Patterson, Pope, Robinson of Indiana, Russell, Sheppard, Smith, Stephens, Townsend, Trammell, and White.

So it was

Resolved, That the Senate agree to the said report.

Ordered, That the Senate notify the House of Representatives thereof.

FIVE-DAY WORK WEEK

The Senate resumed the consideration of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

The question being on agreeing to the amendment proposed by Mr. Dill on page 2, line 9, after the word "day",

Pending debate,

Mr. Black raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On motion by Mr. Black, and by unanimous consent,

Ordered, That after the hour of 2 o'clock p.m. on tomorrow no Senator shall speak more than once or longer than 30 minutes on the bill, or more than once or longer than 15 minutes on any amendment that may be pending or that may be offered thereto.

After debate,

The amendment proposed by Mr. Dill was agreed to.

A further amendment to the bill having been proposed by Mr. Tydings,

The further consideration of the bill was, by unanimous consent, temporarily laid aside.

CLAIMS UPON ASSETS OF PAN AMERICAN AND OTHER OIL COMPANIES

On motion by Mr. Nye, and by unanimous consent,

The Senate proceeded to consider the joint resolution (S.J.Res. 13) authorizing the Attorney General, with the concurrence of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California, and others, in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said joint resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

REGULATIONS RELATING TO VETERANS' RELIEF

The Presiding Officer (Mr. Clark in the chair) laid before the Senate the following message from the President of the United States:

To the Senate and House of Representatives:

Pursuant to the provision of section 20, title I, of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, I am transmitting herewith a photostat copy of Executive orders embodying the regulations approved March 31, 1933, relating to veterans' relief, which have been issued in accordance with the terms of title I of that law.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 4, 1933.*

Ordered, That the message, with the accompanying documents, be referred to the Committee on Finance and printed.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Robinson of Arkansas, at 3 o'clock and 38 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, WEDNESDAY, APRIL 5, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Casey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Friday, March 31, Monday, April 3, and Tuesday, April 4, 1933, was approved.

CHAIN-STORE MANUFACTURING

The Vice President laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting, in further response to Senate Resolution 224, Seventieth Congress, a report on the subject of chain-store system of marketing and distribution entitled "Chain-Store Manufacturing"; which, with the accompanying report, was referred to the Committee on the Judiciary and ordered to be printed under authority of Senate Resolution 228, Seventieth Congress.

FUNCTIONS AND EXPENDITURES OF UNITED STATES GEOGRAPHIC BOARD

The Vice President laid before the Senate a communication from the chairman of the United States Geographic Board, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report covering the functions of the board, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and to be printed.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

The Vice President laid before the Senate a communication from the secretary of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of its activities and expenditures for the month of February 1933, together with a statement of loans authorized during the month, showing name, amount, and rate of interest in each case; which, with the accompanying papers, was referred to the Committee on Banking and Currency.

PETITIONS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A joint resolution of the Legislature of the State of California, memorializing Congress to enact legislation providing for the suspension in payment or charges due from Federal reclamation project settlers to the United States and for a loan to the reclamation fund to replace the income thereto thus suspended; to the Committee on Irrigation and Reclamation.

A telegram from the secretary of the stock exchange reform committee of the Manhattan Board of Commerce, of New York City, favoring the passage of legislation providing for the regulation in interstate commerce of the sale of investment securities; to the Committee on Banking and Currency.

The Vice President laid before the Senate a resolution adopted by the Regular Democratic Club, Inc., of Fairview, N.J., urging the enactment of legislation providing for a shorter work day and week.

Ordered, That it lie on the table.

Mr. Bone presented resolutions adopted by the City Council of Seattle and the Board of County Commissioners of King County, in the State of Washington, favoring the enactment of legislation to enable banks to accept warrants issued by political subdivisions in compliance with the budget laws and regulations of the various political subdivisions; which was referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES

Mr. Smith, by unanimous consent, from the Committee on Agriculture and Forestry, to whom was referred the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power, reported it with amendments and submitted a report (No. 16) thereon.

Mr. Wagner, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 1110) to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to amend and supplement the Federal Farm Loan Act, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, reported it with amendments and submitted a report (No. 17) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Capper:

A bill (S. 1145) for the relief of William M. Sherman; to the Committee on Military Affairs.

By Mr. McNary:

A bill (S. 1146) for the relief of John W. Beck; to the Committee on Military Affairs.

By Mr. Thomas of Oklahoma:

A bill (S. 1147) conferring jurisdiction on the Court of Claims to adjudicate the rights of the Otoe and Missouria Tribes of Indians to compensation on a basis of guardian and ward; to the Committee on Indian Affairs.

By Mr. McGill:

A bill (S. 1148) granting a pension to Ida Lane; to the Committee on Pensions.

By Mr. Wheeler:

A bill (S. 1149) to extend the time of payment of certain loans made to farmers by the Secretary of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. Costigan:

A bill (S. 1150) for the relief of J. O. Winnett; to the Committee on Claims.

A bill (S. 1151) granting a pension to William A. Walters; and

A bill (S. 1152) granting an increase of pension to Thomas N. Pray; to the Committee on Pensions.

By Mr. Russell:

A bill (S. 1153) to amend the Bank Conservation Act to provide for the appointment of conservators for certain closed banks; to the Committee on Banking and Currency.

WRECK OF NAVAL DIRIGIBLE "AKRON"

Mr. King, by unanimous consent, submitted the following resolution (S.Res. 58), which was referred to the Committee on Naval Affairs:

Whereas the Navy dirigible *Akron* was wrecked at sea on April 4, 1933, while on a flight in the course of duty, such wreck apparently resulting in the death of 73 officers and members of the crew and the total destruction of such dirigible; and

Whereas it is imperative in the public interest that the responsibility for the wreck of said dirigible and the casualties resulting therefrom should be clearly ascertained, and that for this purpose a thorough, impartial, and unrestricted investigation thereof should be made by an agency having plenary authority to conduct such investigation; and

Whereas such wreck is one of a series of disasters involving the destruction of Army and Navy dirigibles with great loss of life; and

Whereas the dirigible is a costly form of aircraft and entails great expenditure in its proper housing and maintenance and requires an extensive staff of technicians and numerous personnel for its proper care and navigation; and

Whereas the utility of the dirigible for military or naval purposes is open to question; and

Whereas the Congress should become fully advised in the premises in order that proper and intelligent direction shall be given to the military and naval air policy: Therefore be it

Resolved, That a special committee consisting of five Senators, to be appointed by the President of the Senate, is hereby authorized and directed to investigate the cause or causes of the wreck of the naval dirigible *Akron*, and of the wrecks of other Army and Navy dirigibles, to seek to fix responsibility for the same, to inquire generally into the question of the utility of dirigibles in the Military and Naval Establishments, and to make recommendations to the Senate with respect to the use of dirigibles for military and naval purposes. The committee shall report to the Senate, as soon as practicable, the results of its investigations, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third and succeeding Congresses, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 20 cents per hundred words. The expenses of the committee, which shall not exceed $15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

PAPERS REFERRED

Papers in the cases hereinafter mentioned, to accompany bills heretofore introduced, were taken from the files and referred, under the rule, as follows:

Mary Jane Adams; Nathan Ain; Nancy Jane Albright; Rhoda A. Atkinson; Lucretia E. Aydelotte; Jane Baile; Ellen Mullis Baker; Catherine Beach; Mary E. Beitzell; Mary Bothwell; James O. Boylan; Lucinda J. Bright; Mary J. Brooks; Lewis C. Brookshire; Frank Burcham; Elizabeth Burris; Eliza A. Caster; Armanella Caylor; Agatha Cook; Gertrude Cox; Maggie Crist; Mary B. Crumrine; Wm. A. Culiver; Fanny Cunningham; Charlotte A. David; John A. Davis; Mahalia Davison; Cyrus N. Deffendall; Rachel Ann Faris; Mary Ferrell; Amanda Fess; Harry Ross Foley; Martha E. Goble; Catharine Godby; Emma Grunden; Charles E. Gulledge; Samantha Haiston; Rebecca H. Hall; Alice Hamilton; Sarah Hamilton; Carter Hayes; Ida R. Haynes; Mary C. Heck, Elizabeth Hippenheimer; Keturah P. Holt; Elva A. Houk; Fannie Howell; Lincoln Hubster; Sarah Hunter; Lee Jordan; Michael Kanyuch; Lucy S. Kemp; Anna O. Kirkpatrick; Dora Klinger; Eliza Landers; Lucinda Luse; Neta Lyle; Parmelia J. Long; Sarah A. Long; Catharine D. Manning; Nellie C. Manning; Amanda E. Martin; Nancy Maskel; Sarah E. Mattingly; Ida A. McDowell; Martha J. McDowell; Daniel J. McGrath; Celia J. McKinley; Robert J. McPherson; Margaret McWilliams; Albert R. Meeker; Maude Melville; Thomas Miller; Emily J. Moore; Mira B. Morse; Byron E. Murphy; John Porter Naanes; Mary T. Noble; Lot Noe; Laura A. Norman; Grover C. Oberle; Ellen J. Owen; Ora Owens; Virginia Parker; Carrie D. Patton; Georgeanna Phillinger; Amos B. Poling; Jennie Pool; Lena E. Powell; Rosa G. Presnell; Clarence Price; Martha A. Pyle; Paul A. Randall; Emily Rather; Sarah A. Redens; William H. Revelle; Malissa J. Richey; Marion B. Ridgate; Frances M. Robinson; Mary J. Rosenbaum; Edith Ross; John M. Roundtree; William Russell; Peter Saling; Reuben Samson; Lizzie Sarver; Cad W. Savage; Annie B. Schubert; Nancy J. Sebring; Amelia Sheets; Nancy M. Smith; Roy Smith; Stephen Sowinski; William A. Spores; Malinda Sprague; Charles Steffey; Blanch T. Stephenson; Olleatha Stites; Mertena Swaidner; Mrs. Jemima E. Trowbridge; Elzena Troxell; May Tuffree; Blanche Walker; Elizabeth Wesley; Ella White; Frank White; Mary Wilkins; Ada F. Williams; Rosa A. Woodrum and Lona Wright, to the Committee on Pensions.

Adelphia Bank & Trust Co.; B & O Manufacturing Co.; Frederick G. Barker; Arabella E. Bodkin; Robert A. and Mary E. Bowers; Apostolis B. Cascambas; Charles P. Shipley Saddlery & Mercantile Co.; Seth N. Chesley; Chicago, North Shore & Milwaukee Railroad Co.; Citizens Bank & Trust Co.; coal-lease rentals, to authorize the waiver or remission of certain; J. R. and Eleanor Y. Collie; Lawrence S. Copeland; Rufus J. Davis; Minnie C. de Back; Lyman D. Drake, Jr.; E. Walter Edwards; Elias & Bro.; Beryl Elliott; Lueco R. Gooch; John Gorman; Henry Harrison Griffith; Kate Hatton; Mrs. Asa Caswell Hawkins; Lucy B and J. W. Hertz; T. Perry Higgins; A. W. Holland; Howland & Waltz Co.; Ingram-Day Lumber Co.; Johnson Bros., Inc.; Charles and Kate Johnson; J. M. Dooley Fireproof Warehouse Corporation; Charles L. Kee; S. N. Kempton; Guy M. Kinman; Theodor Knudson; George Lancellotta; James C. and Elena R. Langley; John T. Lennon; Clay W. Leps; Llewellyn Machinery Corporation; W. F. Lueders; Archibald MacDonald; Martin-Walsh, Inc.; Ivan Matson; Lieut. Thomas O'C. McCarthy; W. G. McGee; McKimmon & McKee, Inc.; Grant A. McNeal; Winifred Meagher; Lillian Morden; Elmer E. Mynatt; A. L. Ostrander; Pennsylvania Railroad, claim of; George B. Pfeiffer; Mary A. Rockwell; Helmo Sarkkinen; Schutte & Koerting Co.; Josephine M. Scott; John G. Sessions; William Sheldon; Frank Spector; Stanton & Jones; States, refunds of illegally collected taxes to; John Henry Tackett; Tampa Marine Co.; Earl W. Thomas; *Three Marys*, owners of late American schooner; E. L. Trenholm; G. C. Vandover; Virginia Engineering Co., Inc.; Lillian Stecher Waldecker; Waterous Co.; Gustave C. Wetterlind; and James R. Young; to the Committee on Claims.

Army officers, class B, war-time rank for; Charles B. Arrington; Sidney M. Blackburn, Grady D. Coleman; Dan Davis; Francis N. Dominick; Maj. E. P. Duval; George W. Edgerly; John Ernst; Harry Gordon; James Tulley Hazel; Presly Holliday; Harvey R. King; Latin America, to repeal the bill authorizing the President to detail enlisted men to assist the governments of; Walter Malone; national defense, to establish a department of; Henry Poole; Thomas Salleng; Robert J. Smith; Howell K. Stephens; *Tuscania*, steamship, medals for certain survivors of; and Charles E. Wilson; to the Committee on Military Affairs.

L. R. Smith; to the Committee on Agriculture and Forestry.

Indian tribes in Oregon, claims of; to the Committee on Indian Affairs.

Francis C. Oxley, widow and minor children of; Lloyd B. Tupper, widow of; to the Committee on Finance.

FIVE-DAY WORK WEEK

The Senate resumed the consideration of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

The question being on agreeing to the amendment yesterday proposed by Mr. Tydings, inserting on page 2, line 9, after the amendment agreed to proposed by Mr. Dill, certain words,

Pending debate,

Mr. Tydings modified his amendment.

On motion by Mr. Lewis to amend the amendment by inserting after the word "periodicals", certain words,

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Thomas of Utah in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. Lewis withdrew his proposed amendment; and

The amendment proposed by Mr. Tydings, as modified, was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes.

The Speaker of the House having signed an enrolled bill, viz, H.R. 3342, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

FIVE-DAY WORK WEEK

The Senate resumed the consideration of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

On motion by Mr. Lewis to amend the reported amendment on page 3, beginning in line 6, by inserting at the end of said amendment the following:

, nor shall this bill and its provisions apply to perishable products of livestock, poultry, milk, or their products.

After debate,

It was determined in the negative, { Yeas---------- 34 / Nays---------- 44

On motion by Mr. Black,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Austin, Bailey, Barbour, Byrd, Carey, Connally, Dickinson, Dieterich, Frazier, Glass, Goldsborough, Gore, Hale, Hastings, Hatfield, Kean, Kendrick, Keyes, Lewis, Lonergan, McNary, Metcalf, Nye, Patterson, Reed, Russell, Schall, Shipstead, Stephens, Townsend, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Ashurst, Bachman, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Clark, Coolidge, Costigan, Couzens, Cutting, Duffy, Erickson, Harrison, Johnson, La Follette, Long, McAdoo, McCarran, McGill, McKellar, Murphy, Neely, Norris, Overton, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Sheppard, Smith, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Van Nuys, Walsh, and Wheeler.

So the amendment proposed by Mr. Lewis to the reported amendment was not agreed to.

The bill was further amended on the motion of Mr. Vandenberg.

On motion by Mr. Goldsborough to further amend the bill by striking out, on page 2, lines 5 and 6, the word "cannery", After debate,

It was determined in the negative, { Yeas---------- 37 / Nays---------- 43

On motion by Mr. Hastings,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bailey, Barbour, Borah, Bulow, Byrd, Carey, Connally, Dickinson, Dieterich, Duffy, Frazier, Glass, Goldsborough, Hale, Hastings, Hatfield, Johnson, Kean, Keyes, King, Lewis, McKellar, Metcalf, Nye, Patterson, Reed, Robinson of Indiana, Russell, Schall, Stephens, Townsend, Tydings, Vandenberg, Van Nuys, Walcott, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Barkley, Black, Bone, Brown, Bulkley, Byrnes, Capper, Caraway, Clark, Coolidge, Costigan, Couzens, Cutting, Erickson, Fletcher, George, Gore, Hayden, Kendick, La Follette, Lonergan, Long, McCarran, McGill, Murphy, Neely, Norris, Overton, Pope, Reynolds, Robinson of Arkansas, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Trammell, Wagner, Walsh, and Wheeler.

So Mr. Goldsborough's amendment was not agreed to.

On motion by Mr. Robinson of Arkansas to further amend the bill by striking out, on page 2, line 8, the words "five days" and inserting in lieu thereof *thirty-six hours*, and striking out, in line 9 on said page, the word "six" and inserting in lieu thereof *eight*,

Pending debate,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 13 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'COLCK M. (CALENDAR DAY, THURSDAY, APRIL 6, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

LABOR CONDITIONS ON MISSISSIPPI FLOOD-CONTROL PROJECT

The Vice President appointed Mr. Wagner, Mr. Stephens and Mr. Nye as the members of the select committee to investigate labor conditions prevailing upon the Mississippi flood-control project, authorized by Senate Resolution 300 (72d Cong.), agreed to February 22, 1933.

TERMS OF PRESIDENT, VICE PRESIDENT, AND MEMBERS OF CONGRESS

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Oregon ratifying the twentieth amendment to the Constitution, fixing the commencement of the terms of President, Vice President, and Members of Congress and fixing the time of the assembling of Congress.

Ordered, That it lie on the table.

FUNCTIONS AND EXPENDITURES OF BOARD OF TAX APPEALS

The Vice President laid before the Senate a communication from the Chairman of the United States Board of Tax Appeals, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Board, together with certain information concerning employees and salaries; which, with the accompanying papers, was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 4589) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes, in which it requests the concurrence of the Senate.

HOUSE BILL REFERRED

The bill H.R. 4589, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petition and memorial, which were referred as indicated:

A resolution of the Legislature of the State of New York, memorializing Congress to enact legislation forbidding the sale in this country of flags of the United States, the States, dependencies, or Territories which are manufactured abroad; to the Committee on the Judiciary.

A resolution of the Legislature of the State of Massachusetts, condemning acts of persecution reported to be committed against Jews in Germany; to the Committee on Foreign Relations.

The Vice President laid before the Senate the following resolutions adopted by the Illinois Daughters of the American Revolution in State conference, which were referred as indicated:

A resolution remonstrating against recognition by the United States Government of the Soviet Government of Russia; to the Committee on Foreign Relations.

A resolution urging the enactment of legislation making it a crime to advocate or promote the overthrow of the Government of the United States by force or violence, or to justify or defend the assassination or assaulting of any officer of the United States; to the Committee on the Judiciary.

A resolution urging the enactment of legislation providing for the registration of aliens; and

A resolution remonstrating against any modification of laws whereby an alien may secure citizenship with any reservation as to his loyalty and duty to serve in the armed forces of the United States in time of war, and urging more stringent requirements upon aliens seeking naturalization in the reading and writing of the English language; to the Committee on Immigration.

The Vice President laid before the Senate a resolution of condolence of the Legislature of the State of North Dakota on the death of the late Senator Walsh of Montana.

Ordered, That it lie on the table.

Mr. McKellar presented a telegram from the president of the Shelby County (Tenn.) Milk Producers Association, urging the exemption of milk and its products from the provisions of pending legislation to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

Ordered, That it lie on the table.

Mr. Barbour presented a telegram from Gov. A. Harry Moore of the State of New Jersey, remonstrating against the continuation of the publication of loans made to banks by the Reconstruction Finance Corporation; which was referred to the Committee on Banking and Currency.

Mr. McNary presented a communication from the National Dairy Union, Washington, D.C., suggesting an amendment to exclude plants manufacturing or processing dairy or poultry products of a perishable character from the provisions of pending legislation to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorial, which were referred as indicated:

A resolution adopted at a mass meeting of small-house owners of the north shore of the Borough of Queens, city of New York, at Flushing, N.Y., favoring the enactment of legislation providing for suspension of principal or amortization payments on mortgages for at least 2 years, renewal of maturing mortgages at face value, deferment of interest payments above 4 percent for 2 years, establishment of an emergency relief first and second mortgage foundation, and abrogation of deficiency judgment laws; to the Committee on Banking and Currency.

A resolution adopted by the New York Board of Trade, Inc., of New York City, favoring the enactment of legislation to establish a free port in the harbor of New York; to the Committee on Commerce.

A resolution adopted by the executive committee of the District of Columbia Congress of Parents and Teachers, remonstrating against reductions in appropriations for the District of Columbia school needs and the building and playground construction program; to the Committee on Appropriations.

A petition of citizens of Churchville, N.Y., praying Federal regulation of the motion-picture industry; to the Committee on Interstate Commerce.

A resolution adopted by the Wolfe Tone Council, American Association for Recognition of the Irish Republic of the State of New York, of Bronx, N.Y., insisting upon the full regular and prompt payment to the United States of European indebtedness; to the Committee on Finance.

A resolution adopted by the Dyckman Street Business Men's Association, of New York City, favoring equal treatment in Germany of all persons irrespective of race, creed, or color; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. McNary, by unanimous consent, from the Committee on Commerce, to whom was referred the joint resolution (S.J.Res. 15) extending to the whaling industry certain benefits granted under section 11 of the Merchant Marine Act, 1920, reported it with an amendment and submitted a report (No. 18) thereon.

Mr. Trammell, by unanimous consent, from the Committee on Naval Affairs, to whom was referred the bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy, reported it without amendment and submitted a report (No. 19) thereon.

Mr. Ashurst, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 682) to prohibit financial transactions with any foreign government in default on its obligations to the United States, reported it with amendments and submitted a report (No. 20) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Trammell:

A bill (S. 1154) to provide for the maintenance of the United States Navy at the agreed ratio of strength relative to the navies of other treaty powers, to eliminate competition in naval building programs, and for other purposes; to the Committee on Naval Affairs.

By Mr. Long:

A bill (S. 1155) to limit the effect of the regulations of commerce between the several States and with foreign countries; to the Committee on Interstate Commerce.

By Mr. Thomas of Utah:

A bill (S. 1156) granting a pension to Alma S. Kendall; to the Committee on Pensions.

By Mr. Carey:

A bill (S. 1157) providing for the use by the Veterans' Administration of the old post-office building in Casper, Wyo.; to the Committee on Public Buildings and Grounds.

By Mr. Barbour:

A bill (S. 1158) for the relief of Frederick Conger Johnson; to the Committee on Claims.

By Mr. Dill:

A bill (S. 1159) for the relief of Leo W. Hurley; to the Committee on Military Affairs.

A bill (S. 1160) granting an increase of pension to John S. Monahan; to the Committee on Pensions.

By Mr. Goldsborough:

A bill (S. 1161) for the relief of Alice E. Broas;

A bill (S. 1162) for the relief of Virginia Houghton; and

A bill (S. 1163) for the relief of Mary V. Spear; to the Committee on Claims.

A bill (S. 1164) to amend 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, and acts in amendment thereof; to the Committee on the Judiciary.

By Mr. Robinson of Indiana:

A bill (S. 1165) for the relief of Martin E. Crowe; to the Committee on Military Affairs.

A bill (S. 1166) granting a pension to Charity Cooper; to the Committee on Pensions.

By Mr. Shipstead:

A bill (S. 1167) for the relief of Kildall Fish Co.;

A bill (S. 1168) for the relief of the Minnesota Valley Canning Co.; and

A bill (S. 1169) for the relief of George O. Wills; to the Committee on Claims.

By Mr. Copeland:

A bill (S. 1170) authorizing the Reconstruction Finance Corporation to make loans in connection with storage, packing, and marketing facilities for agricultural products; to the Committee on Banking and Currency.

A bill (S. 1171) conferring jurisdiction upon the Court of Claims to hear and determine the claims of the International Arms & Fuse Co., Inc.; to the Committee on Claims.

FIVE-DAY WORK WEEK

The Senate resumed the consideration of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

The question being on agreeing to the amendments yesterday proposed by Mr. Robinson of Arkansas, on page 2, lines 8 and 9, respectively,

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Brown in the chair) directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

On the question of agreeing to the amendments proposed by Mr. Robinson of Arkansas, viz, on page 2, line 8, strike out the words "five days" and insert in lieu thereof *36 hours*, and in line 9, strike out the word "six" and insert in lieu thereof *eight*,

It was determined in the negative, { Yeas---------- 41 / Nays---------- 48

On motion by Mr. La Follette,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bachman, Bankhead, Barbour, Byrd, Byrns, Carey, Connally, Dickinson, Dieterich, Duffy, Fess, Fletcher, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hebert, Kean, Kendrick, Keyes, Lewis, McKellar, McNary, Metcalf, Norbeck, Patterson, Reed, Reynolds, Robinson of Arkansas, Russell, Steiwer, Stephens, Townsend, Tydings, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bailey, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Capper, Caraway, Clark, Coolidge, Costigan, Couzens, Cutting, Dill, Erickson, Frazier, Hatfield, Hayden, Johnson, La Follette, Lonergan, Long, McAdoo, McCarran, McGill, Murphy, Neely, Norris, Nye, Overton, Pope, Robinson of Indiana, Schall, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, Wagner, Walsh, and Wheeler.

So the amendments proposed by Mr. Robinson of Arkansas were not agreed to.

On motion by Mr. Hatfield to further amend the bill, as follows:

On page 2, line 7, after the words "United States", insert the words *or in any foreign country*; on page 3, line 1, before the word "commerce", insert the words *or foreign*; and at the end of the bill insert the following new section:

Sec. —. This act shall not apply to the following commodities or articles produced or manufactured in any foreign country: Tea, coffee, tin, sisal, rubber, fruits not produced in the United States, and unmanufactured spices not produced in the United States.

Pending debate,

Mr. Black raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Barkley in the chair) directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hebert, Johnson, Kean, Kendrick, Keyes, La Follette, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On the question of agreeing to the amendments proposed by Mr. Hatfield.

It was determined in the negative, Yeas 39, Nays 41

On motion by Mr. Hatfield,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bailey, Barbour, Bratton, Bulkley, Byrnes, Capper, Carey, Copeland, Dickinson, Dill, Duffy, Fess, Fletcher, Frazier, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Johnson, Kean, Keyes, Long, McNary, Metcalf, Nye, Overton, Reed, Reynolds, Robinson of Indiana, Steiwer, Townsend, Trammell, Vandenberg, Walcott, Walsh, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bankhead, Barkley, Black, Bone, Brown, Bulow, Byrd, Caraway, Clark, Connally, Coolidge, Costigan, Couzens, Dieterich, Erickson, George, Harrison, Kendrick, La Follette, Lonergan, McCarran, McGill, McKellar, Murphy, Neely, Norris, Pope, Robinson of Arkansas, Russell, Schall, Sheppard, Shipstead, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Tydings, and Wheeler.

So Mr. Hatfield's amendments were not agreed to.

The reported amendments on page 2, line 9, and page 3, line 6, were agreed to, and the bill was further amended on the motion of Mr. Shipstead.

On motion by Mr. Reed to further amend the bill by inserting on page 2, line 9, after the amendment agreed to at that point, certain words, and the language having subsequently been modified to read as follows:

: Provided, however, That no manufacturer who is bound by a contract entered into before April 1, 1933, to furnish goods or materials for a specified time in definite quantities shall be included by the provisions of this act in the shipment of said goods or materials or any goods or materials which it is necessary to produce to carry out the provisions of such a contract.

It was determined in the negative, Yeas 28, Nays 54

On motion by Mr. Reed,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bailey, Barbour, Bulkley, Capper, Carey, Copeland, Dickinson, Fess, Fletcher, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Kean, Keyes, McNary, Metcalf, Murphy, Patterson, Reed, Steiwer, Tydings, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Adams, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Byrnes, Caraway, Clark, Connally, Coolidge, Costigan, Couzens, Dieterich, Dill, Duffy, Erickson, Frazier, George, Harrison, Hayden, Johnson, Kendrick, La Follette, Lewis, Lonergan, Long, McCarran, McGill, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, Wagner, Walsh, and Wheeler.

So Mr. Reed's amendment was not agreed to.

The bill was further amended on the motion of Mr. George. *Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, Yeas 53, Nays 30

On motion by Mr. Black,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bankhead, Barkley, Black, Bratton, Brown, Bulow, Capper, Caraway, Carey, Clark, Copeland, Costigan, Couzens, Dieterich, Dill, Duffy, Erickson, Frazier, George, Harrison, Hayden, Johnson, Kendrick, La Follette, Lewis, Lonergan, Long, McCarran, McGill, McKellar, Murphy, Neely, Norris, Nye, Overton, Pope, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, and Wheeler.

Senators who voted in the negative are—

Austin, Bailey, Barbour, Borah, Bulkley, Byrd, Byrnes, Coolidge, Dickinson, Fess, Fletcher, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Kean, Keyes, McNary, Metcalf, Patterson, Reed, Reynolds, Russell, Steiwer, Stephens, Townsend, Walcott, and White.

So it was

Resolved, That the bill pass.

The reported amendments to the preamble were agreed to, and the preamble, as amended, was agreed to.

The title was ordered to stand as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

FARM RELIEF

On motion by Mr. Smith,

The Senate proceeded to consider the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

COMMITTEE SERVICE

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That Mr. McCarran be assigned to service on the Committee on the District of Columbia.

BOARD OF VISITORS TO UNITED STATES NAVAL ACADEMY

Mr. Goldsborough, upon the request of Mr. McNary, was excused from service as a member of the Board of Visitors to the United States Naval Academy.

The Vice President thereupon appointed Mr. White to fill the vacancy.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 23 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY FRIDAY, APRIL 7, 1933)

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Vice President and the President pro tempore being absent, Mr. Joe T. Robinson, from the State of Arkansas, called the Senate to order.

The Secretary read the following communication from the President pro tempore:

UNITED STATES SENATE,
Washington, D.C., April 7, 1933.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Joe T. Robinson, a Senator from the State of Arkansas, to perform the duties of the Chair this legislative day.

KEY PITTMAN,
President pro tempore.

Mr. Robinson thereupon took the chair.

FIVE-DAY WORK WEEK

On motion by Mr. Black, and by unanimous consent,

Ordered, That the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day be printed as passed by the Senate.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Robinson of Arkansas) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Wednesday, April 5, and Thursday, April 6, was approved.

FUNCTIONS AND EXPENSES OF UNITED STATES SHIPPING BOARD

The Vice President laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report covering the functions of the United States Shipping Board, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF GENERAL ACCOUNTING OFFICE

The Vice President laid before the Senate a communication from the Comptroller General of the United States, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report covering the functions of the General Accounting Office, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorial, which were referred as indicated:

A concurrent resolution of the Legislature of the State of New York, favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciusko; to the Committee on Post Offices and Post Roads.

A resolution adopted by the Ben W. Murch Home and School Association, of Washington, D.C., remonstrating against reductions in appropriations for school purposes in the District of Columbia; to the Committee on Appropriations.

A resolution of the subcommittee on labor and legal problems of the mayor's unemployment committee of the city of Detroit, Mich., favoring a moratorium on municipal bonds and short-term obligations; and

A resolution adopted by the Wallace (Idaho) Board of Trade, favoring the enactment of legislation providing for the establishment of a system of bimetallic currency; to the Committee on Banking and Currency.

A memorial of Helen I. Lever, of New Orleans, La., remonstrating against the continuance of the investigation of the senatorial election in 1932 in that State; to the Committee to Audit and Control the Contingent Expenses of the Senate.

The Vice President laid before the Senate a resolution adopted by Vernon Aerie, No. 1031, Fraternal Order of Eagles, of Mount Vernon, N.Y., commending the President and Members of Congress who have supported him in the enactment of relief measures.

Ordered, That it lie on the table.

Mr. Copeland presented a concurrent resolution of the Legislature of the State of New York, favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciusko; which was referred to the Committee on Post Offices and Post Roads.

Mr. Metcalf presented a resolution of the General Assembly of the State of Rhode Island, remonstrating against the alleged atrocious demand of Adolf Hitler for the political and economic extermination of the Jewish people in Germany; which was referred to the Committee on Foreign Relations.

Mr. Vandenberg presented copies of concurrent resolutions of the Legislatures of the States of Arkansas, Indiana, Michigan, Minnesota, Montana, North Dakota, South Dakota, and Wisconsin, favoring prompt ratification of the Great Lakes-St. Lawrence waterway treaty.

Ordered, That they lie on the table.

Mr. Reed presented a resolution adopted by Keystone Post, No. 449, American Legion, of Central City, Pa., demanding the immediate payment in full of adjusted-service certificates of World War veterans; which was referred to the Committee on Finance.

EXECUTIVE REPORT

As in executive session, and by unanimous consent,

Mr. Harrison, from the Committee on Finance, to whom was referred the nomination of Harry M. Durning to be collector of customs for customs collection district No. 10, at New York, N.Y., reported it favorably.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Reed:

A bill (S. 1172) for the relief of certain officers of the Dental Corps of the United States Navy; to the Committee on Naval Affairs.

By Mr. Johnson:

A bill (S. 1173) for the relief of Gladding, McBean & Co.; to the Committee on Claims.

A bill (S. 1174) granting a pension to Ulysses Samuel Main; to the Committee on Pensions.

By Mr. King:

A bill (S. 1175) to provide for additional water supply for the Utah National Guard training camp on the Jordan Narrows Military Reservation; to the Committee on Military Affairs.

By Mr. Walsh:

A bill (S. 1176) for the relief of Bertram Rich; to the Committee on Claims.

A bill (S. 1177) for the relief of Edward T. Costello; to the Committee on Military Affairs.

A bill (S. 1178) for the relief of John Henry Fouhey;

A bill (S. 1179) for the relief of Gilbert Dennison Huntington; and

A bill (S. 1180) for the relief of Dominick Edward Lepore; to the Committee on Naval Affairs.

By Mr. Black:

A bill (S. 1181) to establish a 6-hour day for employees of carriers engaged in interstate and foreign commerce, and for other purposes; to the Committee on Interstate Commerce.

By Mr. Wagner:

A bill (S. 1182) to amend the Standard Baskets Act of August 31, 1916, to provide for a 1-pound Climax basket for mushrooms; and

A bill (S. 1183) to amend section 4 of the United States Grain Standards Act of 1916 as relating to the use of the official grain standards of the United States on grain moved in interstate commerce from shipping points to destination points without official grade determination; to the Committee on Agriculture and Forestry.

A bill (S. 1184) for the relief of Amos D. Carver, S. E. Turner, Clifford N. Carver, Scott Blanchard, P. B. Blanchard, James B. Parse, A. N. Blanchard, and W. A. Blanchard;

A bill (S. 1185) for the relief of Jacob Durrenberger;

A bill (S. 1186) for the relief of Gordon B. Enders;

A bill (S. 1187) for the relief of the heirs of Edward P. Frank, deceased;

A bill (S. 1188) for the relief of the General Baking Co.;

A bill (S. 1189) for the relief of John J. Gillick;

A bill (S. 1190) for the relief of George B. Marx;

A bill (S. 1191) for the relief of the Sultzbach Clothing Co.;

A bill (S. 1192) for the relief of the Union Shipping & Trading Co., Ltd.; and

A bill (S. 1193) for the relief of Clara E. Wight; to the Committee on Claims.

A bill (S. 1194) to amend section 4 of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, as amended; to the Committee on Commerce.

A bill (S. 1195) for the relief of John F. Aughinbaugh;

A bill (S. 1196) for the relief of Edwin P. Hulsberger; and

A bill (S. 1197) for the relief of George L. Vincent; to the Committee on Finance.

A bill (S. 1198) for the relief of Louise Fox;

A bill (S. 1199) for the relief of Anne B. Slocum; and

A bill (S. 1200) for the relief of Elizabeth Millicent Trammell; to the Committee on Foreign Relations.

A bill (S. 1201) to incorporate The Big Brother and Big Sister Federation, and for other purposes; to the Committee on the Judiciary.

A bill (S. 1202) authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington; and

A bill (S. 1203) to provide for the honorary designation of St. Anns Churchyard, in the city of New York, as a national shrine, and for the erection of a monument or statue thereon to the memory of Gouverneur Morris; to the Committee on the Library.

A bill (S. 1204) for the relief of William Burke;

A bill (S. 1205) for the relief of Thomas G. Carlin;

A bill (S. 1206) to authorize the presentation of a distinguished-service cross to Abraham Cohen;

A bill (S. 1207) for the relief of William D. Grush;

A bill (S. 1208) to authorize the presentation of a Distinguished Service Cross to T. K. Jones;

A bill (S. 1209) for the relief of Morris J. Lang;

A bill (S. 1210) to provide for the appointment of Maurice D. Loewenthal as a warrant officer, United States Army;

A bill (S. 1211) for the relief of Harry C. Merritt;

A bill (S. 1212) for the relief of Harry Stanbrough Monell, formerly chairman War Department Claims Board Transportation Service;

A bill (S. 1213) for the relief of John Shannon; and

A bill (S. 1214) for the relief of Zinsser & Co.; to the Committee on Military Affairs.

A bill (S. 1215) directing that copies of certain patent specifications and drawings be supplied to the New York Public Library, Astor, Lenox, and Tilden Foundations, of New York City, at the regular annual rate; to the Committee on Patents.

A bill (S. 1216) granting a pension to William H. Bruns; and

A bill (S. 1217) granting a pension to Edward A. McGuire; to the Committee on Pensions.

A bill (S. 1218) to provide for the admission to the mails as second-class matter of publications of charitable societies; to the Committee on Post Offices and Post Roads.

By Mr. Copeland:

A bill (S. 1219) to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy; to the Committee on Claims.

By Mr. Connally:

A bill (S. 1220) for the relief of Ray McDonald; to the Committee on Military Affairs.

A bill (S. 1221) to make provision for suitable quarters for certain Government services at El Paso, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. Wagner:

A joint resolution (S.J.Res. 38) requesting the President to proclaim October 12 as Columbus Day for the observance of the anniversary of the discovery of America; to the Committee on the Judiciary.

AMERICAN CONSERVATION WEEK

Mr. Wagner, by unanimous consent, submitted the following concurrent resolution (S.Con.Res. 1), which was referred to the Committee on Public Lands and Surveys:

Whereas under the inspiring leadership of President Cleveland it became the settled policy of this Nation to conserve its natural resources; and

Whereas the establishment of an American conservation week will have the desired effect of bringing the American people to realize in the words of that great conservationist, President Roosevelt, that "the conservation of our natural resources and their proper use constitute the fundamental problem which underlies almost every other problem of our national life": Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is requested to issue each year a proclamation designating the first week in April as American conservation week and inviting the people of the United States to observe that week in schools, churches, museums, parks, and other suitable places, with ceremonies appropriate to the occasion.

THE DEVELOPMENT OF FEDERAL TRADE COMMISSION POLICY

Mr. Wagner, by unanimous consent, submitted the following resolution (S.Res. 59), which was referred to the Committee on Printing:

Resolved, That the manuscript entitled "The Development of Federal Trade Commission Policy", prepared by John J. Quigley, A.M., be printed as a Senate document, and that 200 additional copies be printed for the use of the Committee on the Judiciary.

FARM RELIEF

The Senate resumed the consideration of the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power; and the reported amendments in part were agreed to.

Mr. Fess raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Duffy in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The President pro tempore directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On motion by Mr. McKellar, and by unanimous consent,

The vote agreeing to the reported amendment on page 2, beginning in line 16, was reconsidered.

On motion by Mr. McKellar to amend the said amendment by inserting on page 2, line 21, after the numerals "1928", a proviso relative to dark-fired tobacco.

Pending debate,

The further consideration of Mr. McKellar's amendment was temporarily postponed.

On motion by Mr. Copeland to amend the said reported amendment,

The President pro tempore held that in view of the fact that an amendment had previously been proposed by Mr. McKellar, the reported amendment was not subject to amendment at this time.

Mr. McKellar, by unanimous consent, withdrew his proposed amendment.

An amendment to the reported amendment having been proposed by Mr. Copeland,

Pending debate,

FIVE-DAY WORK WEEK

Mr. Trammell entered motions to reconsider the vote on the passage of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day, and the vote ordering the engrossment and third reading of the bill.

RECESS

On motion by Mr. Robinson of Arkansas, at 4 o'clock and 25 minutes p.m.,

The Senate took a recess until 12 o'clock m. on Monday next.

AT 12 O'CLOCK M. (CALENDAR DAY, MONDAY, APRIL 10, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF FEDERAL POWER COMMISSION

The Vice President laid before the Senate a communication from the chairman of the Federal Power Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of its functions and the annual cost thereof, together with certain information relative to salaries of employees; which, with the accompanying papers, was ordered to lie on the table and be printed.

REGULATIONS RELATING TO VETERANS' RELIEF

Mr. Walsh presented a communication addressed to him by the Solicitor of the Veterans' Administration, enclosing a copy of the regulations issued by the President under the authority given him in the so-called "Economy Act", relating to veterans' relief, together with a detailed explanation thereof, which, with the accompanying papers and illustration, was ordered to be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, etc., which were referred as indicated:

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to enact legislation providing for loans upon satisfactory collateral to financial institutions having frozen assets;

A joint memorial of the Legislature of the State of Colorado, favoring an amendment to section 14 of the so-called Federal securities bill relating to the sale in interstate commerce of securities in compliance with the securities acts of the States in which sold; and

A resolution adopted at a mass meeting of citizens at Williston, N.Dak., relative to the furnishing or taking of adequate supplies of food, clothing, and garden seeds for Williams County, in that State; to the Committee on Banking and Currency.

A petition of Leroy Edwards, praying the enactment of legislation providing free transportation and supplies for 1 year to those of African descent who would voluntarily go to Liberia, West Africa, within the next 10 years; to the Committee on Foreign Relations.

A concurrent resolution of the Legislature of the State of Minnesota, favoring a reduction in yardage fees, feed

charges, and fees of commission firms in the terminal markets in that State; to the Committee on Agriculture and Forestry.

A joint memorial of the Legislature of the State of Colorado, favoring adequate appropriations for the mineral leasing division of the Geological Survey for the supervision of oil, gas, coal, and nonmetallic minerals operations; to the Committee on Appropriations.

The Vice President laid before the Senate the following resolutions:

Two joint resolutions of the Legislature of the State of Wisconsin, memorializing Congress to promptly enact the administration farm relief bill, and favoring a comprehensive reforestation project in that and neighboring States in the emergency program for providing employment; and

A resolution adopted by Old Glory Post, No. 2044, Veterans of Foreign Wars of the United States, of Daly City, Calif., expressing absolute confidence in President Roosevelt and utmost consideration by him of the cases of service-connected disability of war veterans, the aged, and infirm.

Ordered, That they lie on the table.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A telegram from the secretary of the stock exchange reform committee of the Manhattan Board of Commerce, of New York City, favoring the passage of legislation providing for the regulation in interstate commerce of the sale of investment securities; to the Committee on Banking and Currency.

A petition of citizens of Brooklyn, N.Y., praying a tax on income from United States bonds, increased rates on second-class and parcel post mail matter and an increase in passport fees; to the Committee on Post Offices and Post Roads.

Resolutions adopted at Buffalo at a citizens' protest meeting, and by Maccabee Athletic Club, of Brooklyn, and the Bronx Jewish Democratic Club, Inc., of Bronx, in the State of New York, remonstrating against the alleged mistreatment of Jews in Germany;

A resolution adopted by the New York State Chapter, Daughters of Founders and Patriots of America, of New York City, remonstrating against the recognition of the Soviet Republic of Russia by the United States Government; and

A resolution adopted by the Irish-American Independent Political Unit, Inc., of Brooklyn, N.Y., remonstrating against the ratification of the World Court protocols; to the Committee on Foreign Relations.

Mr. Copeland presented the following petition and memorials:

A resolution adopted by the Erie County Committee of the American Legion, of Buffalo, N.Y., praying the retention of the present field offices of the Veterans' Administration, and particularly the Buffalo regional office;

Resolutions adopted by the Common Council of Buffalo, N.Y., and the South Side Democratic Club, of Buffalo, N.Y., remonstrating against the ratification of the Great Lakes-St. Lawrence deep waterway treaty with Canada; and

A resolution of the Substitute Post Office Employees' Association, of New York City, remonstrating against the application of the provisions of the so-called "Economy Act" to substitute post-office employees, and favoring an increase in their salaries to correspond with the 1928 level.

Ordered, That they lie on the table.

Mr. Walsh presented a resolution of the Legislature of the State of Massachusetts, condemning the alleged persecution of members of the Jewish faith in Germany, which was referred to the Committee on Foreign Relations.

Mr. Clark presented a copy of an address delivered by former Senator Harry B. Hawes before the American Academy of Political and Social Science, in Philadelphia, Pa., on the subject of Philippine independence, which was referred to the Committee on Territories and Insular Affairs.

Mr. Kean presented a joint resolution of the Legislature of the State of New Jersey, favoring the prompt ratification of the World Court protocols; which was referred to the Committee on Foreign Relations.

Mr. Robinson of Indiana presented a resolution adopted by representatives of the Spanish-American War Veterans, Veterans of Foreign Wars, American Legion, and Disabled American Veterans organizations favoring the enactment of legislation providing for the issuance to the Veterans' Administration for the use of ex-service men in hospitals and homes of surplus stocks of Army and Navy athletic supplies; which was referred to the Committee on Military Affairs.

Mr. Bailey presented a joint resolution of the Legislature of the State of North Carolina, endorsing the proposed Tennessee Valley project as outlined by the President, and pledging cooperation of the State departments dealing with the natural and human resources involved to the President; which was referred to the Committee on Agriculture and Forestry.

Mr. McCarran presented a joint resolution of the Legislature of the State of Nevada, favoring the enactment of legislation providing for a system of bimetallic currency; which was referred to the Committee on Banking and Currency.

REPORT OF COMMITTEE ON FOREIGN RELATIONS

Mr. Robinson of Arkansas, by unanimous consent, from the Committee on Foreign Relations, to whom was referred the bill (H.R. 4220) for the protection of Government records, reported it with an amendment and submitted a report (No. 21) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Borah:

A bill (S. 1222) for the relief of Ernest W. Jermark; to the Committee on Claims.

A bill (S. 1223) to protect banking and commerce against short sales of securities issued by corporations engaged therein; to the Committee on the Judiciary.

By Mr. Capper:

A bill (S. 1224) to aid in the conservation of crude petroleum and prevent the transportation and sale in interstate and foreign commerce of crude petroleum or the products thereof, which crude petroleum has been unlawfully produced; to invest the Secretary of the Interior with power to carry out this act, and for other purposes; to the Committee on Interstate Commerce.

By Mr. Johnson:

A bill (S. 1225) amending the Shipping Act, 1916, as amended, for the purpose of further regulating common carriers by water; to the Committee on Commerce.

A bill (S. 1226) to amend the retirement laws affecting certain grades of Army officers; and

A bill (S. 1227) to authorize the Secretary of War to fix the pay grade of enlisted men of the Army and the Marine Corps retired before July 1, 1920; to the Committee on Military Affairs.

By Mr. McKellar:

A bill (S. 1228) to restore the 2-cent postage rate on first-class mail matter; to the Committee on Post Offices and Post Roads.

By Mr. Clark:

A bill (S. 1229) authorizing loans by the Reconstruction Finance Corporation to aid in refinancing obligations of drainage districts, levee districts, irrigation districts, and similar districts, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 1230) for the relief of Bruce Bros. Grain Co.;

A bill (S. 1231) for the relief of A. H. Marshall;

A bill (S. 1232) for the relief of George Voeltz; and

A bill (S. 1233) for the relief of Royce Wells; to the Committee on Claims.

A bill (S. 1234) to provide for the appointment of an additional district judge for the eastern and western districts of Missouri; to the Committee on the Judiciary.

A bill (S. 1235) for the relief of Frank Merritt; to the Committee on Military Affairs.

A bill (S. 1236) granting a pension to Bettie Ashbrook;

A bill (S. 1237) granting a pension to Mable Forrer;

A bill (S. 1238) granting a pension to Mary J. Hahn;

A bill (S. 1239) granting a pension to Sarah C. League;

A bill (S. 1240) granting a pension to Andrew J. Lowe;

A bill (S. 1241) granting a pension to Mollie C. Miller;

A bill (S. 1242) granting a pension to Robert Muir;

A bill (S. 1243) granting a pension to Herman Reissenbigler;

A bill (S. 1244) granting a pension to Retta Tunnell;

A bill (S. 1245) granting a pension to Frank Vance;

A bill (S. 1246) granting an increase of pension to Mary V. Conine;

A bill (S. 1247) granting an increase of pension to Rose B. Hile;

A bill (S. 1248) granting an increase of pension to Salina P. James;

A bill (S. 1249) granting an increase of pension to Susan A. Jones;

A bill (S. 1250) granting an increase of pension to Francis W. Mudd;

A bill (S. 1251) granting an increase of pension to Eliza Rogers; and

A bill (S. 1252) granting an increase of pension to Sarah F. Waid; to the Committee on Pensions.

By Mr. Kean:

A bill (S. 1253) to amend paragraph 31 (c) of section 7 of an act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended; to the Committee on the District of Columbia.

A bill (S. 1254) for the relief of Philip W. Kerley; to the Committee on Naval Affairs.

By Mr. McGill:

A bill (S. 1255) to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.; and

A bill (S. 1256) granting the consent of Congress to compacts or agreements between the States of Kansas and Missouri for the acquisition, maintenance, and operation of a toll bridge across the Missouri River near Kansas City, Kans., for the construction and maintenance of connections with established highways, for the incorporation of such bridge in the highway systems of said States, and for other purposes; to the Committee on Commerce.

A bill (S. 1257) for the relief of Cecil M. Autrey; to the Committee on Naval Affairs.

By Mr. Neely:

A bill (S. 1258) for the relief of Charles F. Littlepage; to the Committee on Claims.

A bill (S. 1259) granting a pension to Hosea F. Dearth;

A bill (S. 1260) granting a pension to Benjamin F. Hyde; and

A bill (S. 1261) granting a pension to Jennie Tewksbury; to the Committee on Pensions.

By Mr. Wagner:

A bill (S. 1262) for the relief of the estate of Alice C. Lopez; to the Committee on Claims.

A bill (S. 1263) for the relief of Wiener Bank Verein; to the Committee on Foreign Relations.

By Mr. Wheeler:

A bill (S. 1264) for the relief of Halvor H. Groven; to the Committee on Claims.

A bill (S. 1265) granting a pension to certain Indians, and for other purposes; and

A bill (S. 1266) granting a pension to certain Indians on the Fort Belknap Indian Reservation; to the Committee on Pensions.

A bill (S. 1267) to authorize the issuance of a patent in fee to Eugene Long Ears; and

A bill (S. 1268) to authorize the issuance of a patent in fee to Peter Left Hand; to the Committee on Indian Affairs.

Mr. Robinson of Indiana:

A bill (S. 1269) to give veterans of war service in Spanish and World War, their widows, and wives of disabled veterans who themselves are not qualified, preference in the Government and District of Columbia civil service; to the Committee on Civil Service.

By Mr. Shipstead:

A bill (S. 1270) for the relief of Howland & Waltz Co., Ltd.; to the Committee on Claims.

A bill (S. 1271) for the relief of Oscar W. Behrens; to the Committee on Naval Affairs.

RELIEF OF MURIEL CRICHTON

Mr. Copeland, by unanimous consent, submitted the following resolution (S.Res. 60), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1933, to Muriel Crichton, such sums, not to exceed a reasonable amount, as may be necessary to defray her expenses incurred for hospitalization and medical care as a result of injuries suffered in the Senate wing of the Capitol Building.

TENNESSEE RIVER DRAINAGE BASIN

The Vice President laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

The continued idleness of a great national investment in the Tennessee Valley leads me to ask the Congress for legislation necessary to enlist this project in the service of the people.

It is clear that the Muscle Shoals development is but a small part of the potential public usefulness of the entire Tennessee River. Such use, if envisioned in its entirety, transcends mere power development; it enters the wide fields of flood control, soil erosion, afforestation, elimination from agricultural use of marginal lands, and distribution and diversification of industry. In short, this power development of war days leads logically to national planning for a complete river watershed involving many States and the future lives and welfare of millions. It touches and gives life to all forms of human concerns.

I, therefore, suggest to the Congress legislation to create a Tennessee Valley Authority—a corporation clothed with the power of Government but possessed of the flexibility and initiative of a private enterprise. It should be charged with the broadest duty of planning for the proper use, conservation, and development of the natural resources of the Tennessee River drainage basin and its adjoining territory for the general social and economic welfare of the Nation. This authority should also be clothed with the necessary power to carry these plans into effect. Its duty should be the rehabilitation of the Muscle Shoals development and the coordination of it with the wider plan.

Many hard lessons have taught us the human waste that results from lack of planning. Here and there a few wise cities and counties have looked ahead and planned. But our Nation has "just grown." It is time to extend planning to a wider field, in this instance comprehending in one great project many States directly concerned with the basin of one of our greatest rivers.

This in a true sense is a return to the spirit and vision of the pioneer. If we are successful here, we can march on, step by step, in a like development of other great natural territorial units within our borders.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 10, 1933.*

Ordered, That the message be referred to the Committee on Agriculture and Forestry and be printed.

FARM RELIEF

The Senate resumed the consideration of the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment heretofore proposed by Mr. Copeland to the reported amendment on page 2, beginning in line 16,

Mr. Copeland modified his amendment; and

The amendment, as modified, was agreed to.

The reported amendment, as amended, was agreed to.

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On the question of agreeing to the reported amendment on page 3, line 13,

On motion by Mr. McKellar to amend the said amendment,

Pending debate,

Ordered, That the further consideration of the amendment, together with the reported amendment, be temporarily postponed.

The reported amendments in part were further agreed to; and

The reported amendment beginning on page 8, line 19, was amended on the motion of Mr. Robinson of Arkansas.

A further amendment to the said reported amendment having been proposed by Mr. Frazier,

Pending debate,

Mr. Bankhead entered a motion to reconsider the vote agreeing to the amendment, as modified, proposed by Mr. Copeland to the reported amendment on page 2, beginning in line 16.

Pending debate,

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The Vice President, under the order of the Senate, referred to the appropriate committees certain messages this day received from the President of the United States.

ADJOURNMENT

On motion by Mr. Smith, at 5 o'clock and 3 minutes p.m., The Senate adjourned.

TUESDAY, APRIL 11, 1933

The Vice President called the Senate to order, and the Chaplain offered prayer.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Friday, April 7, and Monday, April 10, 1933, was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the following concurrent resolution (H.Con.Res. 15), in which it requests the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That there is hereby created a joint committee to consist of five Members of the Senate to be appointed by the President of the Senate and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The committee shall select its own chairman.

Such committee is hereby authorized and directed to investigate the cause or causes of the wreck of the Navy dirigible *Akron* and the wrecks of other Army and Navy dirigibles, to fix responsibility for the same, to inquire generally into the question of the utility of dirigibles in the Military and Naval Establishments, and to make recommendations to the Senate and House of Representatives with respect to the future use of dirigibles for military or naval purposes. The committee shall report to the Senate and House of Representatives as soon as practicable the results of its investigations, together with its recommendations.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions or recesses of the present Congress, to employ such experts, clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take testimony, to have such printing and binding done, and to make such expenditures as it deems advisable.

Subpoenas shall be issued under the signature of the chairman of the committee and shall be served by any person designated by him. The provisions of sections 102, 103, and 104 of the Revised Statutes shall be applicable to any person summoned as a witness under the authority of this resolution in the same manner as such provisions are applicable to any person summoned as a witness in the case of an inquiry before a committee of either House.

The President of the United States has informed the House that on April 5, 1933, he approved and signed the act (H.R. 3342) to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

CLAIM OF KORBER REALTY, INC.

The Vice President laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim of Korber Realty, Inc., Albuquerque, N.Mex., against the United States; which, with the accompanying report, was referred to the Committee on Claims.

FUNCTIONS AND EXPENSES OF THE COMMISSION OF FINE ARTS

The Vice President laid before the Senate a communication from the Chairman of the Commission of Fine Arts, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the activities of the Commission and its annual expenditures; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petition and memorial, which were referred as indicated:

A concurrent resolution of the Legislature of the Territory of Hawaii, favoring an appropriation of $100,000 for Federal aid for the roads of Kalaupapa, Island of Molokai; to the Committee on Post Offices and Post Roads.

A resolution adopted by the Irish-American Independent Political Unit, Inc., Unit No. 6, of Brooklyn, N.Y., remonstrating against the ratification of the World Court protocols; to the Committee on Foreign Relations.

The Vice President laid before the Senate the following resolutions:

A resolution adopted by the Bergenfield Democratic Club, of Bergenfield, N.J., expressing support of the President and Congress in the present emergency; and

A resolution adopted by the Board of Supervisors of Du Page County, Ill., favoring the enactment of legislation providing a 5-day work week and a 6-hour work day.

Ordered, That they lie on the table.

Mr. Robinson of Arkansas presented the following communications, which were referred to the Committee on Banking and Currency:

A communication from John T. Bailey, member of the Oklahoma Tax Commission, of Oklahoma City, Okla., favoring the preservation of State banks and allowing such banks

with a capital of $15,000 to become members of the Federal Reserve System;

A communication from E. B. Coolidge, of Great Falls, Mont., suggesting improvements in the national banking system;

A communication from J. W. Hawkins, of Shreveport, La., recommending the inclusion of all banks in the Federal Reserve System under a Federal board of management; and

A telegram from the Arkansas Building and Loan League, of Little Rock, Ark., remonstrating against the exemption of mutual building and loan associations from the provisions of proposed legislation regulating the sale of securities in interstate commerce.

Mr. Wheeler presented a resolution adopted by the Wallace (Idaho) Board of Trade, favoring the enactment of legislation to provide a system of bimetallic currency; which was referred to the Committee on Banking and Currency.

Mr. King presented a petition of citizens of the District of Columbia, praying adequate appropriations for relief to destitute residents of the District; which was referred to the Committee on Appropriations.

Mr. Barbour presented a telegram from the director of extension service, New Jersey Agricultural College, of New Brunswick, N.J., urging the retention of appropriations for agricultural extension work, the experiment station, and the agricultural college in the State of New Jersey; which was referred to the Committee on Appropriations.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A resolution adopted by Old Glory Council, American Association for the Recognition of the Irish Republic, of Brooklyn, N.Y., demanding full and prompt payment of all European indebtedness to the United States; to the Committee on Finance.

Resolutions adopted by the Westend Republican Club of Queens County, of Woodhaven, N.Y., remonstrating against the recognition by the United States Government of Soviet Russia and favoring an investigation of alleged propaganda to render this Government subservient to alien influences under a dictatorship similar to that of Soviet Russia; and

Resolutions adopted by Temple Beth-El, of Great Neck, NY., Abraham Miller Association, Inc., of Williamsburg, Brooklyn, N.Y., remonstrating against alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

A resolution adopted by the Lady Superior Association, of New York City, favoring the enactment of legislation removing certain discriminations against women in matters of nationality; to the Committee on Immigration.

A resolution adopted by Buffalo Youth Peace Committee, of Buffalo, N.Y., remonstrating against further construction of dirigibles similar to the destroyed *Akron* and the abandonment of the *Macon* before being put into commission by the Navy Department; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES

Mr. Byrnes, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom were referred the following resolutions, reported them each without amendment:

S.Res. 34. Resolution authorizing the Committee on the District of Columbia to hold hearings during the Seventy-third Congress;

S.Res. 35. Resolution authorizing the Committee on Post Offices and Post Roads to hold hearings during the Seventy-third Congress;

S.Res. 38. Resolution authorizing the Committee on Immigration to hold hearings during the Seventy-third Congress;

S.Res. 39. Resolution authorizing the Committee on Public Lands and Surveys to hold hearings during the Seventy-third Congress;

S.Res. 41. Resolution authorizing the Committee on Indian Affairs to hold hearings during the Seventy-third Congress;

S.Res. 43. Resolution authorizing the Committee on Commerce to hold hearings during the Seventy-third Congress;

S.Res. 44. Resolution authorizing the appointment of four special employees of the Senate;

S.Res. 45. Resolution authorizing the Committee on Manufactures to hold hearings during the Seventy-third Congress;

S.Res. 46. Resolution authorizing the Committee on the Library to hold hearings during the Seventy-third Congress;

S.Res. 50. Resolution authorizing the Committee on Naval Affairs to hold hearings during the Seventy-third Congress;

S.Res. 51. Resolution authorizing the Committee on Rules to hold hearings during the Seventy-third Congress;

S.Res. 52. Resolution authorizing the Committee on Privileges and Elections to hold hearings during the Seventy-third Congress;

S.Res. 53. Resolution authorizing the Committee on Mines and Mining to hold hearings during the Seventy-third Congress; and

S.Res. 54. Resolution authorizing the Committee on Public Buildings and Grounds to hold hearings during the Seventy-third Congress.

The Senate proceeded, by unanimous consent, to consider the said resolutions; and

Resolved, That the Senate agree thereto.

Mr. Byrnes, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 40) authorizing the Committee on the Judiciary to hold hearings during the Seventy-third Congress, reported it with an amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution, and the reported amendment striking out on line 5 the figures "20" and inserting in lieu thereof the figures *25*, having been agreed to,

The resolution, as amended, was agreed to.

Mr. Bratton, from the Committee on Irrigation and Reclamation, to whom was referred the bill (S. 317) authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund, reported it with an amendment and submitted a report (No. 22) thereon.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced, severally read the first and second times by unanimous consent, and referred as follows:

By Mr. Norris:

A bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 1273) granting a pension to Frank Swartz; to the Committee on Pensions.

By Mr. Patterson:

A bill (S. 1274) for the relief of Julius Wurzburger; to the Committee on Military Affairs.

A bill (S. 1275) granting a pension to Anna Hindman; and

A bill (S. 1276) granting an increase of pension to Rachel Wyatt (with accompanying papers); to the Committee on Pensions.

By Mr. McNary:

A bill (S. 1277) for the relief of Elva Rhea Speck; to the Committee on Finance.

By Mr. Dill:

A bill (S. 1278) to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co.; to the Committee on Commerce.

A bill (S. 1279) for the relief of Fred M. Smith; to the Committee on Military Affairs.

By Mr. Copeland:

A bill (S. 1280) for the relief of George B. Marx;

A bill (S. 1281) for the relief of Harry P. Hollidge; and

A bill (S. 1282) for the relief of the Security Trust Co. of Rochester, Rochester, N.Y.; to the Committee on Claims.

By Mr. Walsh:

A bill (S. 1283) for the relief of Francisco M. Belda; to the Committee on Military Affairs.

A bill (S. 1284) for the relief of William Francis Salisbury; to the Committee on Naval Affairs.

By Mr. Sheppard:

A bill (S. 1285) for the relief of Mamie Randel; to the Committee on Claims.

A bill (S. 1286) to increase the efficiency of the Veterinary Corps of the Regular Army;

A bill (S. 1287) for the relief of Leonard Theodore Boice; and

A bill (S. 1288) for the relief of Otto Christian; to the Committee on Military Affairs.

By Mr. White:

A bill (S. 1289) authorizing a preliminary examination and survey of Eastport Harbor, Maine; to the Committee on Commerce.

By Mr. Capper:

A bill (S. 1290) to provide for the election of the Board of Education of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. Robinson of Arkansas:

A joint resolution (S.J.Res. 39) authorizing the issuance of a special series of postage stamps commemorative of Gen. Thaddeus Kosciusko; to the Committee on Post Offices and Post Roads.

By Mr. Coolidge:

A joint resolution (S.J.Res. 40) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

FEDERAL CONSTITUTION AND DECLARATION OF INDEPENDENCE

Mr. Walsh submitted the following concurrent resolution (S.Con. Res. 2), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That the Constitution of the United States, as amended to April 1, 1933, together with the Declaration of Independence, be printed as a Senate document, with an index, in such form and style as may be directed by the Joint Committee on Printing, and that 3,500 additional copies be printed, of which 1,000 copies shall be for the use of the Senate and 2,500 copies for the use of the House of Representatives.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H.Con.Res. 15) creating a joint committee to investigate the causes of the wrecks of dirigibles was referred to the Committee on Naval Affairs.

BILLS AFFECTING JURISDICTION OF CONSTITUTIONAL COURTS

The Vice President laid before the Senate a resolution coming over from a preceding day, viz, the resolution (S.Res. 24) to refer to the Committee on the Judiciary bills affecting the jurisdiction of constitutional courts.

The Senate proceeded to consider the said resolution; and

Resolved, That the Senate agree thereto.

FIVE-DAY WEEK WORK BILL

On motion by Mr. Trammell,

The Senate proceeded to consider the motion heretofore entered by him to reconsider the vote on the passage of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

The question being on agreeing to the motion to reconsider,

Pending debate,

IMPEACHMENT OF HAROLD LOUDERBACK

The hour of 12:30 o'clock p.m. having arrived,

The Senate, sitting on the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

After proceedings had therein, as stated in the Impeachment Journal,

The Senate, at 2 o'clock and 10 minutes p.m., resumed its legislative session.

FARM RELIEF

The Vice President laid before the Senate the unfinished business at its adjournment yesterday, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment yesterday proposed to the reported amendment beginning on page 8, line 19, by Mr. Frazier, inserting on page 12, line 2, after the word "commodity" and the period, certain words,

Pending debate,

Mr. Black raised a question as to the presence of a quorum; Whereupon

The President pro tempore directed the roll to be called; When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The amendment proposed by Mr. Frazier was agreed to; and

The reported amendment, as amended, was agreed to.

The reported amendments in part were further agreed to.

On the question of agreeing to the reported amendment beginning on page 25, line 7, inserting section 20,

Pending debate,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Smith, at 5 o'clock and 23 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, WEDNESDAY, APRIL 12, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Harrison raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS OF OFFICE OF PUBLIC BUILDINGS AND PUBLIC PARKS AND ALLIED COMMISSIONS

The Vice President laid before the Senate a communication from the Director of Public Buildings and Public Parks of the National Capital, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, reports of the activities of, respectively, the Office of Public Buildings and Public Parks of the National Capital, the Public Buildings Commission, the Arlington Memorial Bridge Commission, and the National Capital Park and Planning Commission, and the annual cost of said agencies, and information relating to the salaries of certain employees; which, with the accompanying reports, was ordered to lie on the table and be printed.

REPORT OF THE NEAR EAST RELIEF

The Vice President laid before the Senate a communication from the executive secretary of the Near East Relief, Inc., transmitting, pursuant to law, the annual report of the corporation for the year ended December 31, 1932; which, with the accompanying report, was referred to the Committee on Printing.

PETITIONS AND MEMORIALS

Mr. Barbour presented a resolution adopted by the Kiwanis Club of Irvington, N.J., urging the prompt ratification of the World Court protocols; which was referred to the Committee on Foreign Relations.

Mr. Barbour presented a resolution adopted by the Board of Chosen Freeholders, of Cape May County, N.J., urging that a portion of funds for unemployment relief be spent in checking erosion of the shore line of New Jersey, which was referred to the Committee on Commerce.

Mr. Tydings presented a petition of the Congress of Parents and Teachers, the Home and School Association, and the Education Association, all of the District of Columbia, praying increased appropriations for public schools, libraries, and playgrounds of the District over that allowed in the District appropriation bill as passed by the House; which was referred to the Committee on Appropriations.

Mr. Tydings presented a petition of members of the Middletown Lions Club, of Middletown, Md., praying the passage of the pending farm relief legislation.

Ordered, That it lie on the table.

Mr. Kean presented a resolution adopted by Most Worshipful Oriental Grand Lodge of Ancient, Free, and Accepted Masons for the State of New Jersey, favoring provision for the moral as well as the physical care of workers engaged in the forestation program; which was referred to the Committee on Education and Labor.

Mr. Walcott presented a newspaper clipping relative to the administration of the proposed refinancing of farm mortgages; which was referred to the Committee on Banking and Currency.

Mr. Walsh presented a petition of commercial fishermen of Dukes County, Mass., praying the imposition of an adequate tariff on imported fish; which was referred to the Committee on Finance.

Mr. Robinson of Indiana presented a memorial of the Woman's National Committee for Law Enforcement, remonstrating against the action of Congress in passing a beer bill authorizing the manufacture, sale, and transportation of intoxicating liquor as illegal under the eighteenth amendment to the Constitution; which was referred to the Committee on the Judiciary.

REPORT OF COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. Norris, by unanimous consent, from the Committee on Agriculture and Forestry, to whom was referred the bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama; and for other purposes, reported it with amendments and submitted a report (No. 23) thereon.

CHANGE OF REFERENCE

On motion by Mr. Barbour, and by unanimous consent,

Ordered, That the Committee on the District of Columbia be discharged from the further consideration of the bill (S. 1066) relating to contracts for the erection or alteration of public buildings, and that it be referred to the Committee on Public Buildings and Grounds.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Tydings:

A bill (S. 1291) for the relief of the E. J. Codd Co. of Baltimore City, Inc.; to the Committee on Claims.

A bill (S. 1292) to provide medical services after retirement on annuity to former employees of the United States disabled by injuries sustained in the performance of their duties; to the Committee on the Judiciary.

A bill (S. 1293) authorizing the President to order Maj. E. P. Duval before a retiring board for a hearing of his case, and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation; to the Committee on Military Affairs.

A bill (S. 1294) to provide for separate patents in case of any invention constructed in types or forms suitable for different uses; to the Committee on Patents.

A bill (S. 1295) granting a pension to Howard E. Tolson; to the Committee on Pensions.

By Mr. Smith:

A bill (S. 1296) for the relief of A. Zappone, disbursing clerk, United States Department of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. Dill:

A bill (S. 1297) authorizing the Secretary of the Navy to make available to the municipality of Aberdeen, Wash., the U.S.S. *Newport;* to the Committee on Naval Affairs.

By Mr. Norbeck:

A bill (S. 1298) for the relief of the Sioux Valley Hospital, Sioux Falls Clinic, and the McKenna Hospital, all of Sioux Falls, S.Dak.; and

A bill (S. 1299) for the relief of Mrs. Glenn J. Collier; to the Committee on Claims.

A bill (S. 1300) to provide for the payment of Sioux benefits to certain women of the Sioux Tribe of Indians; to the Committee on Indian Affairs.

A bill (S. 1301) to prohibit the transportation in the mails, or in interstate commerce, of machine guns or submachine guns; to the Committee on the Judiciary.

A bill (S. 1302) for the relief of Frank Fisher (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 1303) to provide for the acquisition of Chappawamsic Island, Va., for the use of the Navy Department; to the Committee on Naval Affairs.

A bill (S. 1304) granting a pension to Ben C. Ash (with accompanying papers);

A bill (S. 1305) granting a pension to Charles H. Carpenter (with accompanying papers);

A bill (S. 1306) granting a pension to David Dorian (with accompanying papers);

A bill (S. 1307) granting a pension to Mary J. Driscoll (with accompanying papers);

A bill (S. 1308) granting a pension to Charlie Kills-in-Sight or Kills In;

A bill (S. 1309) granting a pension to Walter L. Vercoe (with accompanying papers);

A bill (S. 1310) granting a pension to Augustine Whitebird (with accompanying papers);

A bill (S. 1311) granting an increase of pension to Mitchell Desersa (with accompanying papers);

A bill (S. 1312) granting an increase of pension to John A. Everett (with accompanying papers); and

A bill (S. 1313) granting an increase of pension to Hugh M. Jones (with accompanying papers); to the Committee on Pensions.

By Mr. Neely:

A bill (S. 1314) for the relief of Perry Randolph; to the Committee on Military Affairs.

A bill (S. 1315) granting an increase of pension to Mary C. Caplinger; to the Committee on Pensions.

By Mr. George:

A bill (S. 1316) to provide for the collection and publication of statistics of peanuts by the Department of Agriculture; to the Committee on Agriculture and Forestry.

REVISION OF ACCOUNTING SYSTEM OF GOVERNMENT

On motion by Mr. Wheeler, and by unanimous consent,

Ordered, That the time for the submission of the report by the Comptroller General of savings to be effected by a revision of accounting, purchasing, and disbursing systems of the Government of the United States and of the District of Columbia, required by Senate Resolution 350, agreed to February 8, 1933, be extended to May 6, 1933.

FUNCTIONS OF GOVERNMENTAL DEPARTMENTS AND AGENCIES

On motion by Mr. Wheeler, and by unanimous consent,

Ordered, That the time for the submission of the reports from the heads of departments and independent establishments of the Government of their various functions, required by Senate Resolution 351, agreed to February 8, 1933, be extended to May 1, 1933.

FARM RELIEF

The Senate resumed the consideration of the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

Mr. Copeland entered a motion to reconsider the vote agreeing to the reported amendment on page 2, inserting lines 14 to 19, inclusive.

The question being on agreeing to the reported amendment on page 25, beginning in line 7, relating to cost of production,

Mr. Black submitted a request for unanimous consent that the further consideration of the pending bill be temporarily laid aside and that the Senate proceed to the consideration of the motion heretofore entered by Mr. Trammell to reconsider the vote on the passage of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Couzens in the chair) directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. Smith objected to Mr. Black's request.

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Copeland in the chair) directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. Barkley raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

The reported amendment was amended on the motion of Mr. Norris.

On motion by Mr. McGill to further amend the said reported amendment by striking out all after the word "shall", on page 26, line 5, down to and including the word "violation" in line 7, and inserting in lieu thereof certain words,

Pending debate,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That after the hour of 12 o'clock m. on tomorrow no Senator shall speak more than once or longer than 15 minutes upon the reported amendment or any amendment thereto, and that at not later than 2 o'clock p.m. on tomorrow the Senate proceed to vote without further debate upon the reported amendment or any amendment thereto.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Smith, at 5 o'clock and 45 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, APRIL 13, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF DEPARTMENT OF JUSTICE

The Vice President laid before the Senate a communication from the Attorney General, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Department of Justice and the annual cost thereof; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF THE NAVY DEPARTMENT

The Vice President laid before the Senate a communication from the Secretary of the Navy, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Navy Department, including the Marine Corps, and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying papers, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF THE VETERANS' ADMINISTRATION

The Vice President laid before the Senate a communication from the Administrator of Veterans' Affairs, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Veterans' Administration and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report and illustrations, was ordered to lie on the table and be printed.

TERMS OF PRESIDENT, VICE PRESIDENT, AND MEMBERS OF CONGRESS

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Tennessee, ratifying the twentieth amendment to the Constitution, fixing the commencement of the terms of President, Vice President, and Members of Congress and fixing the time of the assembling of Congress.

Ordered, That it lie on the table.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorial, which were referred as indicated:

A telegram, and a letter from John M. Parker, of New Orleans, La., enclosing two petitions from citizens of that State, relating to acts and conduct of Hon. Huey P. Long, Senator from Louisiana; to the Committee on Privileges and Elections.

A resolution adopted by the Illinois State Conference of the Daughters of the American Revolution remonstrating against the recognition by the United States Government of Soviet Russia; to the Committee on Foreign Relations.

The Vice President laid before the Senate the following petition and resolutions:

A petition of D. J. Melvin, of Titusville, Fla., praying the appointment of a Federal relief administrator to perform the work now being done by the Red Cross, and the enactment of legislation providing old-age pensions; and

Resolutions adopted by the New Orleans Board of Trade, Ltd., of New Orleans, La., endorsing the policies of the President dealing with the reopening of banks on a sound basis, unemployment, and in the reestablishment of confidence.

Ordered, That they lie on the table.

Mr. Barbour presented resolutions adopted by the Boards of Chosen Freeholders of Atlantic and Ocean Counties, and the Chamber of Commerce, of Brigantine, in the State of New Jersey, urging the enactment of legislation providing for the protection of beach-front property in the State of New Jersey from erosion by storms; which were referred to the Committee on Commerce.

Mr. Wheeler presented a petition of citizens of Comstock, Nebr., and a resolution adopted by Carpenters' Local Union No. 197, of Sherman, Tex., praying the enactment of legislation providing a system of bimetallic currency; which was referred to the Committee on Banking and Currency.

Mr. Copeland presented the following memorials, which were referred as indicated:

Resolutions adopted by various organizations of Brooklyn and Edgemere, N.Y., remonstrating against the alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

A resolution adopted by Twin Ports Lodge No. 12, International Shipmasters' Association at Mount Clemens, Mich., remonstrating against the transfer of the Hydrographic Office of the Bureau of Navigation, Navy Department, to the Coast and Geodetic Survey of the Department of Commerce; to the Committee on Naval Affairs.

Mr. Copeland presented the following petition and memorials:

A resolution adopted by Howard Beach Association, Inc., of New York State, favoring the repeal of the furlough provisions of the so-called "economy act"; and

Resolutions adopted by the Maritime Association of the Port of New York and the Propeller Club of the United States, of New York City, remonstrating against the ratification of the Great Lakes-St. Lawrence deep waterway treaty with Canada.

Ordered, That they lie on the table.

Mr. Schall presented an article by G. F. Warren, professor of agricultural economics and farm management at Cornell University, Ithaca, N.Y., on the stabilization of the measure of value; which was referred to the Committee on Banking and Currency.

Mr. Reed presented an article from today's issue of the Baltimore Sun relative to the retirement of Eugene Meyer as head of the Federal Reserve Board.

Ordered, That it lie on the table.

REPORT OF COMMITTEE ON NAVAL AFFAIRS

Mr. Trammell, by unanimous consent, from the Committee on Naval Affairs, to whom was referred the concurrent resolution (H.Con.Res. 15) creating a joint committee to investigate the causes of the wrecks of dirigibles, reported it without amendment; and

Ordered, That it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Robinson of Arkansas:

A bill (S. 1317) to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. Hale:

A bill (S. 1318) granting a pension to Mary L. Bryant (with accompanying papers); to the Committee on Pensions.

By Mr. Dill:

A bill (S. 1319) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes; to the Committee on Commerce.

By Mr. Wagner:

A bill (S. 1320) to provide compensation for disability or death resulting from injury to employees in interstate commerce, and for other purposes; to the Committee on Interstate Commerce.

By Mr. Bratton:

A bill (S. 1321) authorizing adjustment of the claim of Korber Realty, Inc.; to the Committee on Claims.

By Mr. Neely:

A bill (S. 1322) granting a pension to Fletcher M. Boso; and

A bill (S. 1323) granting a pension to Phoebe L. Ray; to the Committee on Pensions.

By Mr. Johnson:

A bill (S. 1324) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

A bill (S. 1325) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

A bill (S. 1326) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; and

A bill (S. 1327) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. Robinson of Indiana:

A bill (S. 1328) to provide for the donation of certain Army equipment to posts of the American Legion; to the Committee on Military Affairs.

A bill (S. 1329) granting a pension to Anna R. Robbins; to the Committee on Pensions.

By Mr. McGill:

A bill (S. 1330) authorizing an appropriation for the continuation of certain hearings by the Interstate Commerce Commission; to the Committee on Interstate Commerce.

By Mr. Reed:

A bill (S. 1331) for the relief of Elsie Segar, administratrix of C. M. A. Sorensen and of Holger E. Sorensen (with accompanying papers); to the Committee on Claims.

By Mr. McCarran:

A bill (S. 1332) to amend the act entitled "An act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933; to the Committee on Education and Labor.

By Mr. George:

A joint resolution (S.J.Res. 41) to provide for the publication of certain transactions in cotton on boards of trade and exchanges; to the Committee on Agriculture and Forestry.

CHANGE IN THE CURRENCY SYSTEM

Mr. Bankhead, by unanimous consent, submitted the following resolution (S.Res. 61):

Whereas it is the sense of the Senate that economic and financial conditions require a change in our currency system for the purpose of raising commodity prices and restoring normal debt-paying power: Now, therefore, be it

Resolved, That the Committee on Banking and Currency is hereby instructed to investigate the following methods of bringing about the objectives above stated:

First. Reducing the number of grains of gold in the dollar.

Second. Issuance of Federal Reserve bank notes or Federal Reserve notes.

Third. Retirement of Government bonds and the issuance of Treasury notes in payment for same.

Fourth. Remonetization of silver or other use of silver.

Fifth. Issuance of stamp money.

Sixth. Any other method or plan the committee may decide should be investigated.

The committee is instructed to report within 30 days its findings to the Senate and present a bill or bills which, in the judgment of the committee, will best accomplish the objectives stated in the preamble of this resolution.

Ordered, That the resolution lie on the table.

FEDERAL AID TO SMALL-HOME OWNERS

The Vice President laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

As a further and urgently necessary step in the program to promote economic recovery, I ask the Congress for legislation to protect small-home owners from foreclosure and to relieve them of a portion of the burden of excessive interest and principal payments incurred during the period of higher values and higher earning power.

Implicit in the legislation which I am suggesting to you is a declaration of national policy. This policy is that the broad interests of the Nation require that special safeguards should be thrown around home ownership as a guaranty of social and economic stability, and that to protect home owners from inequitable enforced liquidation, in a time of general distress, is a proper concern of the Government.

The legislation I propose follows the general lines of the farm mortgage refinancing bill. The terms are such as to impose the least possible charge upon the National Treasury consistent with the objects sought. It provides machinery through which existing mortgage debts on small homes may be adjusted to a sound basis of values without injustice to investors, at substantially lower interest rates and with provision for postponing both interest and principal payments in cases of extreme need. The resources to be made available through a bond issue to be guaranteed as to interest only by the Treasury will, it is thought, be sufficient to meet the needs of those to whom other methods of financing are not available. At the same time the plan of settlement will provide a standard which should put an end to present uncertain and chaotic conditions that create fear and despair among both home owners and investors.

Legislation of this character is a subject that demands our most earnest, thoughtful, and prompt consideration.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 13, 1933.*

Ordered, That the message be referred to the Committee on Banking and Currency and be printed.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment to the reported amendment beginning on page 25, line 7, relating to cost of production, proposed by Mr. McGill on page 26, beginning in line 5,

Mr. McGill modified his proposed amendment; and

After debate,

The amendment, as modified, was agreed to.

On motion by Mr. Frazier to further amend the said reported amendment by inserting on page 25, line 17, after the word "production", certain words,

Pending debate,

Mr. Bankhead raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. McKellar in the chair) directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, White.

A quorum being present,

The hour of 2 o'clock p.m. having arrived, and no further debate being permitted under the order of the Senate,

The question was taken on agreeing to the amendment proposed by Mr. Frazier; and

It was determined in the affirmative.

The reported amendment was further amended on the motion of Mr. McGill.

The question recurring on agreeing to the reported amendment, as amended, as follows: On page 25, after line 6, insert the following:

Part 3—Cost of production

Sec. 20. (a) The Secretary of Agriculture, in addition to the powers granted by parts 2 and 3 of this title is hereby authorized, with respect to any basic agricultural commodity, to estimate as nearly as practicable and proclaim from time to time—

(1) The percentage of the domestic production of the commodity, including carry-over stocks, for market during the next marketing period for the commodity, that will be needed for domestic consumption; and

(2) The average domestic cost of production, including therein a reasonable profit for the commodity.

(b) After such date as shall be specified in the proclamation, it shall be unlawful for any person engaged in the business of buying and selling a commodity or commodities as a dealer therein to purchase any amount of the commodity from the producer or any association of producers at a price, for the domestic consumption percentage thereof, that is less than the proclaimed cost of production for the commodity. The remainder may be purchased at such price as is agreed to by the parties; and shall be segregated for export, or for processing for export, in accordance with regulations of the Secretary of Agriculture: Provided, That the Secretary of Agriculture, in his proclamation, may make such limitations and exceptions as to sales of the basic product as he may deem advisable in order to properly carry out the provisions of this section.

(c) Any person violating the provisions of subsection (b) shall be subject to a penalty of not more than $1,000 for each violation, which may be collected by appropriate action in a court of competent jurisdiction brought in the name of the Secretary of Agriculture.

(d) The provisions of section 15 (d) and (e) shall apply with respect to commodities or products thereof competing with, and imported articles processed or manufactured wholly or in chief value from, any basic agricultural commodity for which the cost of production has been proclaimed under this section, to the same extent as such provisions apply with respect to commodities or products thereof competing with, or imported articles processed or manufactured wholly or in chief value from, any commodity for which a processing tax is in effect.

(e) In order to carry out the provisions of this section the Secretary of Agriculture is authorized to license persons engaged in the business of purchasing from producers or associations of producers any basic agricultural commodity with respect to which the Secretary has proclaimed the cost of production. Such licenses shall be subject to such terms and conditions as may be necessary effectively to execute the provisions of this section. Any person so engaged without a license as required by the Secretary under this section shall be subject to a fine of not more than $1,000 for each day the violation continues. The Secretary may suspend or revoke any such license, after due notice and opportunity for hearing, for any violation of this section or of the terms or conditions of the license.

It was determined in the affirmative, {Yeas 47 / Nays 41}

On motion by Mr. Barkley,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bachman, Bone, Borah, Bratton, Bulow, Capper, Caraway, Clark, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Frazier, Gore, Harrison, Hatfield, Johnson, Kendrick, La Follette, Long, McAdoo, McCarran, McGill, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pittman, Pope, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Townsend, Vandenberg, Van Nuys, and Wheeler.

Senators who voted in the negative are—

Adams, Austin, Bailey, Barbour, Barkley, Black, Brown, Bulkley, Byrd, Byrnes, Carey, Connally, Coolidge, Copeland, Dieterich, Fletcher, George, Glass, Goldsborough, Hale, Hastings, Hayden, Hebert, Kean, Keyes, Lewis, Logan, Lonergan, McKellar, Metcalf, Patterson, Reed, Robinson of Arkansas, Sheppard, Stephens, Trammell, Tydings, Wagner, Walcott, Walsh, and White.

So the reported amendment, as amended, was agreed to.

Mr. Harrison entered a motion to reconsider the vote agreeing to the foregoing amendment, as amended.

On motion by Mr. Norris to lay on the table the motion,

Mr. Harrison stated that he had not as yet made the motion to reconsider.

On motion by Mr. Norris to reconsider the vote agreeing to the reported amendment, as amended, and to lay on the table the motion to reconsider,

The Presiding Officer (Mr. McKellar in the chair), in response to parliamentary inquiries, decided that the motion of Mr. Norris to lay on the table his motion to reconsider was in order.

On the question of agreeing to the motion of Mr. Norris to lay on the table his motion to reconsider,

It was determined in the affirmative, {Yeas 46 / Nays 41}

On motion by Mr. La Follette,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Bachman, Bone, Borah, Bratton, Bulow Capper, Caraway, Clark, Costigan, Cutting, Dickinson, Dill, Duffy, Erickson, Frazier, Gore, Hatfield, Johnson, Kendrick, La Follette, Long, McAdoo, McCarran, McGill, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pittman, Pope, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Townsend, Vandenberg, Van Nuys, and Wheeler.

Senators who voted in the negative are—

Austin, Bailey, Bankhead, Barbour, Barkley, Black, Brown, Bulkley, Byrd, Byrnes, Carey, Connally, Coolidge, Copeland, Couzens, Dieterich, Fletcher, George, Goldsborough, Hale, Harrison, Hastings, Hayden, Hebert, Kean, Keyes, Lewis, Lonergan, McKellar, Metcalf, Patterson, Reed, Robinson of Arkansas, Sheppard, Stephens, Trammell, Tydings, Wagner, Walcott, Walsh, and White.

So the motion of Mr. Norris to lay on the table his motion to reconsider was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the joint resolution (H.J. Res. 152) to provide for the payment of pages for the Senate and House of Representatives for the first session of the Seventy-third Congress, in which it requests the concurrence of the Senate.

PAYMENT OF PAGES FOR SENATE AND HOUSE

The foregoing joint resolution, H.J. Res. 152, this day received from the House of Representatives for concurrence,

was read the first and second times by unanimous consent and considered; and no amendment being made,

Ordered, That it pass to a third reading.

The said joint resolution was read the third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Neely in the chair) directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business;

RECESS

On motion by Mr. Smith, at 6 o'clock and 28 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, FRIDAY, APRIL 14, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 4795) to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to amend and supplement the Federal Farm Loan Act, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, in which it requests the concurrence of the Senate.

The Speaker of the House having signed an enrolled joint resolution, viz, H.J.Res. 152, I am directed to bring the same to the Senate for the signature of its President.

The President of the United States has informed the House that on March 24, 1933, he approved and signed the act (H.R. 3757) to provide for direct loans by Federal Reserve banks to State banks and trust companies in certain cases.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

ENROLLED JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the joint resolution (H.J.Res. 152) to provide for the payment of pages for the Senate and House of Representatives for the first session of the Seventy-third Congress.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

INTERNATIONAL PARLIAMENTARY CONFERENCE ON COMMERCE

The Vice President laid before the Senate a communication from the Secretary of State, transmitting a copy of a pamphlet (in French) dealing with questions to be included in the program of the eighteenth plenary assembly of the International Parliamentary Conference on Commerce, to be held at Rome beginning on the 19th instant; which, with the accompanying pamphlet, was referred to the Committee on Foreign Relations.

FUNCTIONS AND EXPENSES OF THE PANAMA CANAL

The Vice President laid before the Senate a communication from the Governor of the Panama Canal, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Panama Canal and expenditures for the last complete fiscal year wherever practicable, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF THE PANAMA RAILROAD CO.

The Vice President laid before the Senate a communication from the president of the Panama Railroad Co., transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Panama Railroad Co. and expenditures for the last complete fiscal year wherever practicable, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate resolutions adopted at Fort Worth, Tex., by members of the Texas Livestock Marketing Association and stockholders of the National Finance Credit Corporation, favoring the retention of the Agricultural Marketing Act and the Federal Farm Board.

Ordered, That they lie on the table.

Mr. Townsend presented a concurrent resolution of the Legislature of the State of Delaware, urging the continuation of Federal aid to that State for research, experimentation, extension work, and collegiate instruction in the science and art of agriculture; which was referred to the Committee on Agriculture and Forestry.

Mr. Borah presented a telegram from the Idaho Mining Association, of Wallace, Idaho, remonstrating against the establishment of a 6-hour day to the mining industry of that State.

Ordered, That it lie on the table.

Mr. Lewis presented a telegram from the Governor of the State of Illinois, relative to the proposed transfer of veterans cases from State institutions to the Hines Hospital in that State.

Ordered, That it lie on the table.

Mr. Frazier presented a resolution adopted by the North Dakota Holiday Association, urging the enactment of legislation providing for the refinancing of agricultural indebtedness and to establish an efficient credit system, the removal of the present officers of the Federal Land Bank of St. Paul, and the exclusion of bankers from any Federal agency extending financial aid to farmers, which was referred to the Committee on Banking and Currency.

Mr. Costigan presented the following petitions, which were referred, as indicated:

A joint memorial of the Legislature of the State of Colorado, favoring adequate appropriations for the mineral leasing division of the Geological Survey for the supervision of oil, gas, coal, and nonmetallic minerals operations; to the Committee on Appropriations.

A joint memorial of the Legislature of the State of Colorado, favoring the enactment of legislation providing for the refinancing of agricultural indebtedness and to establish an efficient credit system;

A petition of citizens of Boone, Colo., praying the retirement of all private bank notes and the issuance in lieu thereof of United States notes, and the establishment of United States banks as banks of deposit and exchange; and

Resolutions adopted by the mayor and Board of Councilmen, of Denver, the Junior Chamber of Commerce, of Boulder, and the Chamber of Commerce, of Montrose, in the State of Colorado, favoring the remonetization of silver; to the Committee on Banking and Currency.

Mr. Fletcher presented a statement of the American Council of Foreign Bondholders, Inc., of New York City, of foreign dollar bonds in default, which was referred to the Committee on Banking and Currency.

Mr. Schall presented a communication from H. F. Betsinger, of Annandale, Minn., relative to proposed curtailment of agricultural extension service, together with a copy of a letter to The Progressive Farmer by the then President-elect Roosevelt on agricultural cooperative research and experimental work and the extension service of State institutions in cooperation with the Federal Government, which was referred to the Committee on Agriculture and Forestry.

Mr. Schall presented a communication from J. E. Setrum, of St. James, Minn., relative to the refinancing of agricultural indebtedness.

Ordered, That it lie on the table.

Mr. Lonergan presented a statement of the Mutual Savings Banks Association as to affiliation with the Federal Reserve System as associate members; which was referred to the Committee on Banking and Currency.

CHANGE OF REFERENCE OF PETITIONS

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the Committee on Privileges and Elections be discharged from the further consideration of the telegram and letter from John M. Parker, of New Orleans, La., with the accompanying petitions, relating to acts and conduct of Hon. Huey P. Long, Senator from Louisiana, and that they be referred to the Committee on the Judiciary.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS

Mr. Austin, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 1288) for the relief of Otto Christian, reported it without amendment and submitted a report (No. 24) thereon.

Mr. Dickinson, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 772) for the relief of Robert J. Smith, reported it without amendment and submitted a report (No. 25) thereon.

Mr. Dickinson, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 166) for the relief of Robert J. Foster, reported it with amendments and submitted a report (No. 26) thereon.

Mr. Dickinson, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 727) for the relief of Francis N. Dominick, reported it with an amendment and submitted a report (No. 27) thereon.

Mr. Reed, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 593) to amend the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to give class B officers of the Army benefits of such act, reported it without amendment and submitted a report (No. 28) thereon.

Mr. Patterson, by unanimous consent, from the Committee on Military Affairs, to whom were referred the following bills, reported them each with an amendment and submitted reports thereon, as follows:

S. 422. A bill for the relief of Albert A. Marquardt (Rept. No. 29); and

S. 707. A bill for the relief of James J. Jordan (Rept. No. 30).

Mr. Barbour, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 381) to correct the military record of Samson Davis, reported it with amendments and submitted a report (No. 31) thereon.

Mr. Barbour, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 248) for the relief of Rolando B. Moffett, reported it without amendment and submitted a report (No. 32) thereon.

Mr. Sheppard, by unanimous consent, from the Committee on Military Affairs, to whom were referred the following bills, reported them each with an amendment and submitted reports thereon, as follows:

S. 556. A bill for the relief of Beryl M. McHam (Rept. No. 33); and

S. 804. A bill to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co. (Rept. No. 34).

Mr. Cutting, by unanimous consent, from the Committee on Military Affairs, to whom were referred the following bills, reported them each without amendment and submitted reports thereon, as follows:

S. 423. A bill for the relief of Michael J. Moran (Rept. No. 35); and

S. 531. A bill for the relief of Dan Davis (Rept. No. 36).

Mr. Fletcher, by unanimous consent, from the Committee on Military Affairs, to whom were referred the following bills, reported them each without amendment and submitted reports thereon, as follows:

S. 1204. A bill for the relief of William Burke (Rept. No. 37); and

S. 1287. A bill for the relief of Leonard Theodore Boice (Rept. No. 38).

Mr. Logan, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 792) for the relief of Curtis Jett, reported it without amendment and submitted a report (No. 39) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Wheeler:

A bill (S. 1333) for the relief of Elmer J. Hinchey; to the Committee on Military Affairs.

A bill (S. 1334) granting a pension to Mary L. Burgess;

A bill (S. 1335) granting a pension to Carl A. Grant; and

A bill (S. 1336) granting a pension to Fay B. Weekley; to the Committee on Pensions.

By Mr. Schall:

A bill (S. 1337) for the relief of Joseph Lane; to the Committee on Claims.

A bill (S. 1338) for the relief of John F. Patterson; to the Committee on Military Affairs.

By Mrs. Caraway:

A bill (S. 1339) for the relief of E. A. Ahrens;

A bill (S. 1340) for the relief of Calvary Cemetery, Little Rock, Ark.;

A bill (S. 1341) for the relief of O. H. Chrisp;

A bill (S. 1342) for the relief of C. F. Cooley, administrator of the estate of Charles F. Cooley, Jr.;

A bill (S. 1343) for the relief of W. M. Cravens;

A bill (S. 1344) for the relief of James F. Dubberly;

A bill (S. 1345) for the relief of James E. Fitzgerald;

A bill (S. 1346) for the relief of Frank R. Garner, formerly second lieutenant, United States Army;

A bill (S. 1347) for the relief of Little Rock College, Little Rock, Ark.;

A bill (S. 1348) for the relief of Samuel H. McAlexander;

A bill (S. 1349) for the relief of Robert L. Martin;

A bill (S. 1350) for the relief of Carl L. Moore;

A bill (S. 1351) for the relief of Mrs. H. J. Munda;

A bill (S. 1352) for the relief of Claude L. Pyle;

A bill (S. 1353) for the relief of James Rowland;

A bill (S. 1354) providing for reimbursement of the St. Louis Southwestern Railway Co. for expenditure in revetment work on the Arkansas River during the flood of 1927;

A bill (S. 1355) for the relief of William F. Slatton;

A bill (S. 1356) for the relief of Ella H. Smith; and

A bill (S. 1357) for the relief of Clarence Winborn; to the Committee on Claims.

A bill (S. 1358) to provide for the improvement of the approach to the Confederate Cemetery, Fayetteville, Ark.;

A bill (S. 1359) making eligible for retirement under the same conditions as now provided for officers of the Regular Army, Capt. Oliver A. Barber, an officer of the United State; Army during the World War, who incurred physical disability in line of duty;

A bill (S. 1360) for the relief of Henry Brown;

A bill (S. 1361) for the relief of Obadiah Simpson; and

A bill (S. 1362) for the relief of Benjamin H. Southern; to the Committee on Military Affairs.

A bill (S. 1363) for the relief of Thomas S. Garen; and

A bill (S. 1364) for the relief of Frank S. Harrison; to the Committee on Naval Affairs.

A bill (S. 1365) granting a pension to Jessie B. Auer;

A bill (S. 1366) granting a pension to Anna J. Darby;

A bill (S. 1367) granting a pension to Ernest J. Hollis;

A bill (S. 1368) granting a pension to Norfleet Hughes;

A bill (S. 1369) granting a pension to Edie A. Kimberly;

A bill (S. 1370) granting a pension to Ernest McCord;

A bill (S. 1371) granting a pension to Theta B. Spring;

A bill (S. 1372) granting a pension to Charlie A. Stacks;

A bill (S. 1373) granting an increase of pension to John H. Cook;

A bill (S. 1374) granting an increase of pension to Henry W. McLain; and

A bill (S. 1375) granting an increase of pension to Mary A. Stutler; to the Committee on Pensions.

By Mr. Metcalf:

A bill (S. 1376) to amend the act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings; to the Committee on Education and Labor.

By Mr. Norris:

A bill (S. 1377) granting a pension to Birdie Brugh; to the Committee on Pensions.

By Mr. Neely:

A bill (S. 1378) granting a pension to Luther Lane; to the Committee on Pensions.

A bill (S. 1379) authorizing loans by the Reconstruction Finance Corporation to provide working capital for certain industries; to the Committee on Banking and Currency.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

Pending debate,

The bill was further amended on the motion of Mr. Robinson of Arkansas.

On motion by Mr. Norris, and by unanimous consent,

The vote agreeing to the reported amendment beginning on page 25, line 7, was reconsidered; and having been further amended on the motion of Mr. Norris,

The reported amendment, as amended, was agreed to.

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The vote agreeing to the reported amendment beginning on page 8, line 19, was reconsidered; and having been amended on the motion of Mr. Robinson of Arkansas,

The reported amendment, as amended, was agreed to.

On motion by Mr. McKellar to further amend the bill by inserting on page 6, line 11, after the word "procured", certain words; and the amendment, having been subsequently modified by him, was not agreed to.

On motion by Mr. Long to further amend the bill by inserting on page 6, after line 11, a new title providing for expansion of the currency, and

A substitute for the amendment having been subsequently proposed by Mr. Wheeler,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Smith, at 5 o'clock and 33 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, SATURDAY, APRIL 15, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Tuesday, April 11, Wednesday, April 12, Thursday, April 13, and Friday, April 14, 1933, was approved.

FUNCTIONS AND EXPENSES OF POST OFFICE DEPARTMENT

The Vice President laid before the Senate a communication from the Postmaster General, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Post Office Department and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying documents, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The Vice President laid before the Senate a communication from the Chairman of the National Advisory Committee for Aeronautics, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the National Advisory Committee for Aeronautics and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF GOVERNMENT PRINTING OFFICE

The Vice President laid before the Senate a communication from the Public Printer, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Government Printing Office and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF FEDERAL FARM BOARD

The Vice President laid before the Senate a communication from the chairman of the Federal Farm Board, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Federal Farm Board and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF FEDERAL RESERVE BOARD

The Vice President laid before the Senate a communication from the secretary of the Federal Reserve Board, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Federal Reserve Board and the annual cost thereof; which, with the accompanying report, was ordered to lie on the table and be printed with the accompanying illustration.

FUNCTIONS OF BUREAU OF THE BUDGET AND FEDERAL COORDINATING SERVICE

The Vice President laid before the Senate a communication from the Director of the Bureau of the Budget, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Bureau of the Budget and the Federal Coordinating Service and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS OF THE DEPARTMENT OF AGRICULTURE

The Vice President laid before the Senate a communication from the Secretary of Agriculture, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Department of Agriculture and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A communication from Francis Williams, chairman, of New Orleans, La., enclosing petitions of citizens of the State of Louisiana relating to acts and conduct of Hon. Huey P. Long, Senator from Louisiana; to the Committee on the Judiciary.

A concurrent resolution of the Legislature of the State of Missouri, memorializing Congress to enact legislation providing a moratorium and long-time loan at a low rate of interest for the relief of distressed drainage and levee districts; and

A resolution adopted by the Leon Unit of the Clearwater County (Minn.) Farm Bureau, favoring the enactment of legislation providing for the refinancing of agricultural indebtedness and to establish an efficient credit system; to the Committee on Agriculture and Forestry.

A resolution adopted by the executive committee of the Society for Cultural Relations with the Union of Soviet Socialist Republics, urging the recognition by the United States Government of Soviet Russia; to the Committee on Foreign Relations.

MURIEL CRICHTON

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 60) to reimburse Muriel Crichton for certain expenses incurred because of injuries received in the Capitol Building, reported it with amendments.

The Senate proceeded, by unanimous consent, to consider the said resolution; and the reported amendments having been agreed to,

The resolution, as amended, was agreed to, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1933, to Muriel Crichton, such sums as may be necessary to defray her actual expenses incurred for hospitalization and medical care as a result of injuries suffered in the Senate wing of the Capitol Building.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. Pittman:

A bill (S. 1380) for the relief of Nieves Maria P. C. Walsh; to the Committee on Appropriations.

By Mr. Vandenberg:

A bill (S. 1381) to provide further for the national security and defense; to the Committee on Military Affairs.

By Mr. Copeland:

A bill (S. 1382) for the relief of Uldric Thompson, Jr.; to the Committee on Military Affairs.

By Messrs. Vandenberg, Robinson of Arkansas, and Reed:

A joint resolution (S.J.Res. 42) proposing an amendment to the Constitution of the United States providing for the fixing of prices in time of war and the prevention of profiteering; to the Committee on the Judiciary.

Mr. Pittman, by unanimous consent, introduced a joint resolution (S.J.Res. 43) providing for the use of the water of the St. Lawrence River for the generation of power by the State of New York under and in accordance with the provisions of the Great Lakes-St. Lawrence Deep Waterway Treaty between the United States and Canada, which was read the first and second times by unanimous consent.

Ordered, That it lie on the table.

EXECUTIVE NOMINATIONS REFERRED

As in executive session, and by unanimous consent,

The Presiding Officer (Mr. Barkley in the chair), under the order of the Senate, referred to the appropriate committees certain nominations this day received from the President of the United States.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment yesterday proposed by Mr. Wheeler as a substitute for Mr. Long's amendment, inserting on page 6, after line 11, a new title relating to currency expansion,

Pending debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Barkley in the chair) directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Robinson of Arkansas, Robinson of Indiana, Russell, Schall,

Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

On motion by Mr. Robinson of Arkansas, by unanimous consent, to further amend the bill by inserting on page 17, line 2, after the word " title " and the comma, certain words,

Pending debate,

The further consideration of the said amendment was temporarily postponed.

On motion by Mr. Smith, by unanimous consent, to further amend the bill by inserting on page 21, after line 12, certain words,

Mr. Couzens raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Forty-six Senators answered to their names, as follows:

Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Brown, Bulow, Byrd, Byrnes, Capper, Carey, Clark, Connally, Copeland, Couzens, Duffy, Frazier, George, Hastings, Hebert, Kendrick, King, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Murphy, Overton, Pittman, Pope, Robinson of Arkansas, Russell, Schall, Sheppard, Shipstead, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, and Vandenberg.

A quorum not being present,

On motion by Mr. Smith, at 4 o'clock and 45 minutes p.m., The Senate adjourned.

MONDAY, APRIL 17, 1933

The Vice President called the Senate to order, and the Chaplain offered prayer.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar day of Saturday, April 15, 1933, was approved.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah,, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

FIVE-DAY WORK WEEK

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That at the conclusion of morning business today the Senate proceed to the consideration of the motion heretofore entered by Mr. Trammell to reconsider the vote on the passage of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day, and that a vote be taken on said motion at not later than 1 o'clock and 30 minutes p.m. today.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, memorial, etc., which were referred as indicated:

A joint memorial of the Legislature of the Territory of Alaska, remonstrating against the enactment of legislation limiting the hours or days during which any industry in Alaska may operate; to the Committee on Education and Labor.

A resolution adopted by the Board of Supervisors of the County of Los Angeles, Calif., memorializing Congress to enact legislation providing for the use of funds obtained from the Reconstruction Finance Corporation for work relief projects to relieve unemployment of residents of that county; to the Committee on Banking and Currency.

A petition of citizens of Elm Grove, Shreveport, and Taylortown, in the State of Louisiana, praying an investigation of alleged acts and conduct of Hon. HUEY P. LONG, Senator from Louisiana; and

Telegrams and communications from citizens of the State of Louisiana and a communication from a citizen of, respectively, Coffeyville, Kans., New York City, East St. Louis, Ill., and Chicago, Ill., remonstrating against such investigation and attacks against Senator LONG; to the Committee on the Judiciary.

Mr. Copeland presented the following petitions and memorial, which were referred as indicated:

A petition of members of the Buffalo (N.Y.) branch of the American Association of University Women, urging the ratification of the World Court protocols; to the Committee on Foreign Relations.

A resolution adopted by the East Buffalo Real Estate Association, of Buffalo, N.Y., favoring the enactment of legislation to equalize the cost of transportation on the railroads with the competing busses and trucks; to the Committee on Interstate Commerce.

A resolution adopted by Forest City Branch, No. 40, National Association of Letter Carriers, of Cleveland, Ohio, favoring the employment of substitute letter carriers on routes whenever the regular carriers are not on duty; to the Committee on Post Offices and Post Roads.

A resolution adopted by the board of directors of the Young Women's Christian Association of Jamestown, N.Y., remonstrating against the building of a bigger navy and advocating the construction of public works in lieu; to the Committee on Naval Affairs.

A memorial of employees of the Hazel-Atlas of New York, Inc., of Lancaster, N.Y., remonstrating against the enactment of legislation limiting hours of employment to 5 per day and 6 days per week.

Ordered, That it lie on the table.

REPORTS OF COMMITTEES

Mr. Thomas of Oklahoma, from the Committee on Indian Affairs, to whom was referred the bill (S. 73) to authorize the Comptroller General to allow claim of district No. 13, Choctaw County, Okla., for payment of tuition for Indian pupils, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Byrnes, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the concurrent resolution (H.Con.Res. 15) creating a joint committee to investigate the causes of the wrecks of dirigibles, reported it with an amendment.

Mr. Byrnes, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 55) to investigate the delay in prosecuting alleged law violations by the Harriman National Bank, New York City, reported it without additional amendment.

INTRODUCTION OF BILLS

Bills were introduced, severally read the first and second times by unanimous consent, and referred as follows:

By Mr. Trammell:

A bill (S. 1383) for the relief of Adam Paul Small; to the Committee on Naval Affairs.

A bill (S. 1384) granting a pension to Elise M. Lum; to the Committee on Pensions.

By Mr. Hebert:

A bill (S. 1385) for the relief of the Wakefield Trust Co., of Wakefield, R.I.; to the Committee on Claims.

By Mr. Dill:

A bill (S. 1386) to provide for a preliminary examination of Nisqually River and its tributaries in the State of Washington with a view to the control of their floods; to the Committee on Commerce.

By Mr. Carey:

A bill (S. 1387) to provide for the immediate settlement of the obligations of the United States under the World War Adjusted Compensation Act, as amended; to the Committee on Public Lands and Surveys.

By Mr. Neely:

A bill (S. 1388) granting a pension to Stanley N. Rice; to the Committee on Pensions.

By Mr. Copeland:

A bill (S. 1389) to amend section 2 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat.L. 730; U.S.C., title 15, sec. 13); and

A bill (S. 1390) to amend section 5 of the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914 (38 Stat.L. 719; U.S.C., title 15, sec. 45); to the Committee on Interstate Commerce.

A bill (S. 1391) for the relief of the Brooklyn Trust Co.; of Brooklyn, N.Y.;

A bill (S. 1392) for the relief of the Chemical Bank & Trust Co., successors to United States Mortgage & Trust Co., of New York City, N.Y.;

A bill (S. 1393) for the relief of the Glens Falls National Bank & Trust Co., formerly Glens Falls Trust Co., of Glens Falls, N.Y.;

A bill (S. 1394) for the relief of the Lawyers Trust Co., formerly Lawyers Title Insurance & Trust Co., successors to the Central Realty Bond & Trust Co., of New York City, N.Y.;

A bill (S. 1395) for the relief of the Marine Trust Co., of Buffalo, N.Y.;

A bill (S. 1396) for the relief of the Marine Trust Co., of Buffalo, N.Y.;

A bill (S. 1397) for the relief of the Marine Trust Co., successors to Buffalo Trust Co., of Buffalo, N.Y.;

A bill (S. 1398) for the relief of the National City Bank of New York, successors to the People Trust Co., of Brooklyn, N.Y.;

A bill (S. 1399) for the relief of the Title Guarantee & Trust Co., of New York City, N.Y., successors to Manufacturers Trust Co., of Brooklyn, N.Y.; and

A bill (S. 1400) for the relief of the United States Trust Co., of New York City, N.Y.; to the Committee on Claims.

By Mr. Fletcher:

A bill (S. 1401) to pay a gratuity to Emma Ferguson Starrett; to the Committee on Foreign Relations.

A bill (S. 1402) for the relief of Gerardo Fernandez; to the Committee on Military Affairs.

By Mr. King:

A bill (S. 1403) to authorize the merger of the Georgetown Gaslight Co. with and into Washington Gas Light Co., and for other purposes; to the Committee on the District of Columbia.

By Mr. McNary:

A bill (S. 1404) for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899; to the Committee on Claims.

By Mr. Sheppard:

A bill (S. 1405) for the relief of John Z. Lowe; to the Committee on Claims.

A bill (S. 1406) to provide that transferors for collection of negotiable instruments shall be preferred creditors of national banks in certain cases; to the Committee on Banking and Currency.

FIVE-DAY WORK WEEK

Morning business having been concluded,

The Senate, pursuant to its order of today, resumed the consideration of the motion heretofore entered by Mr. Trammell that the Senate reconsider its vote on the passage of the bill (S. 158) to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons who are employed more than 5 days per week or 6 hours per day.

After debate,

The question being taken on agreeing to Mr. Trammell's motion to reconsider,

It was determined in the negative, Yeas 31, Nays 52

On motion by Mr. Hatfield,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bailey, Barbour, Bulkley, Byrd, Byrnes,, Carey, Coolidge, Dickinson, Fletcher, George, Glass, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Kean, Keyes, McNary, Metcalf, Patterson, Reed, Reynolds, Schall, Steiwer, Townsend, Trammell, Vandenberg, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Capper, Caraway, Clark, Connally, Copeland, Costigan, Couzens, Cutting, Dill, Duffy, Erickson, Frazier, Harrison, Johnson, Kendrick, La Follette, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, Murphy, Neely, Norris, Nye, Overton, Pittman, Pope, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Tydings, Van Nuys, Wagner, Walsh, and Wheeler.

So Mr. Trammell's motion to reconsider was not agreed to.

ALLOCATION OF POWER UNDER ST. LAWRENCE WATERWAY TREATY

On motion by Mr. La Follette to refer to the Committee on Foreign Relations the joint resolution (S.J.Res. 43) providing for the use of the water of the St. Lawrence River for the generation of power by the State of New York under and in accordance with the provisions of the Great Lakes-St. Lawrence Deep Waterway Treaty between the United States and Canada,

Pending debate,

FARM RELIEF

The Presiding Officer (Mr. Clark in the chair) announced that the hour of 2 o'clock had arrived, and laid before the Senate its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power; and

The Senate resumed the consideration of the said bill.

The question being on agreeing to the amendment proposed by Mr. Smith, by unanimous consent, inserting on page 21, after line 12, certain words,

It was determined in the negative.

The question recurring on agreeing to the amendment proposed by Mr. Wheeler as a substitute for Mr. Long's amendment, inserting on page 6, after line 11, a new title providing for currency expansion,

Pending debate,

Mr. Pope raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Clark in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley,

Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vanderberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. Long raised a question as to the presence of a quorum; Whereupon

The Presiding Officer (Mr. Overton in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

After debate,

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Clark in the chair) directed the roll to be called;

When

Seventy-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bailey, Bankhead, Barbour, Barkley, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hayden, Hebert, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to Mr. Wheeler's amendment, viz, in lieu of the language proposed to be inserted by Mr. Long on page 6, after line 11, insert the following:

Sec. 8. That the proportional value of silver to gold in all coins which are by law current as money within the United States shall be as sixteen to one, according to quantity in weight, of pure silver or pure gold; that is to say, every sixteen pounds weight of pure silver shall be of equal value in all payments with one pound weight of pure gold and so in proportion as to any greater or less quantities of the respective metals.

Sec. 9. There shall be free coinage of both gold and silver, at the ratio fixed in this title, subject to the conditions and limitations now provided by law with respect to the coinage of gold; and all the laws of the United States relating to such coinage or to recoinage, exchange, or conversion of coins, bars, or bullion of gold, shall apply equally, so far as practicable, to silver.

Sec. 10. The dollar, consisting of twenty-five and eight tenths grains of gold nine tenths fine or of four hundred and twelve and one half grains of silver nine tenths fine, shall be the standard unit of value, and all forms of money issued or coined by the United States shall be maintained at a parity of value with this standard, and it shall be the duty of the Secretary of the Treasury to maintain such parity.

It was determined in the negative, { Yeas 33 / Nays 44

On motion by Mr. Ashurst,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bone, Bulow, Capper, Caraway, Clark, Costigan, Couzens, Cutting, Dill, Duffy, Erickson, Frazier, King, La Follette, Long, McCarran, McGill, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Russell, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Trammell, and Wheeler.

Senators who voted in the negative are—

Austin, Bailey, Bankhead, Barbour, Barkley, Borah, Bratton, Brown, Bulkley, Byrd, Byrnes, Carey, Connally, Copeland, Dickinson, Dieterich, Fletcher, Goldsborough, Gore, Hale, Harrison, Hayden, Hebert, Kean, Kendrick, Keyes, Longeran, McKellar, McNary, Metcalf, Reed, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Steiwer, Townsend, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

So Mr. Wheeler's amendment to Mr. Long's amendment was not agreed to.

An amendment in the nature of a substitute for Mr. Long's amendment having been proposed by Mr. Thomas of Oklahoma,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Smith, at 5 o'clock and 40 minutes p.m.,

The Senate, as in legislative session, took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, TUESDAY, APRIL 18, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

ANNUAL REPORT OF BOY SCOUTS OF AMERICA

The Vice President laid before the Senate a communication from the chief scout executive of the Boy Scouts of America, transmitting, pursuant to law, the twenty-third annual report of said organization for the year 1932; which, with the accompanying report, was referred to the Committee on Education and Labor.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A resolution adopted by the Black Hills Mining and Industrial Association, of South Dakota, favoring the enactment of legislation providing for the sale in interstate commerce of corporate securities, and remonstrating against any validation indirectly of the so-called "blue-sky" laws of any State; to the Committee on Banking and Currency.

Resolutions adopted by the Delegated Conference of Trade Unions and Fraternal Organizations and the Garfield Park, Inc., of Chicago, Ill., favoring immediate establishment of unconditional diplomatic and trade relations with the Soviet Government of Russia; and

A resolution adopted by the forty-second continental congress of the National Society of the Daughters of the American Revolution, opposing the recognition of the present dictatorship of Soviet Russia by the Government of the United States; to the Committee on Foreign Relations.

A joint resolution of the Legislature of the State of California, memorializing Congress to enact legislation authorizing the Secretary of War to accept the cemetery at the National Military Home at Sawtelle, Calif., as a national cemetery; to the Committee on Military Affairs.

A concurrent resolution of the Legislature of the Territory of Puerto Rico, requesting an appropriation to provide for the dredging and improvement of the harbor of Mayaguez, P.R.; to the Committee on Commerce.

Petition of citizens of the State of Louisiana, praying the continuance of the investigation of the senatorial election in that State in 1932; to the Committee to Audit and Control the Contingent Expenses of the Senate.

A petition and telegram from citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; and

Telegrams from citizens of the State of Louisiana, remonstrating against such investigation; to the Committee on the Judiciary.

A memorial of W. E. Elmer, of Santa Cruz., Calif., remonstrating against reductions in appropriations for vocational education and rehabilitation; to the Committee on Appropriations.

The Vice President laid before the Senate the following petitions and memorial:

A petition of the Pampanga Civic Union, of San Fernando, Pampanga, P.I., praying immediate independence of the Philippines;

A resolution adopted at Denver, Colo., by the Denver County Mining Association and the mining bureau of the Denver Chamber of Commerce, favoring the exemption of precious-metal mines, including mines whereof more than one half the value of the output is gold and silver, from the provisions of proposed legislation limiting the hours of labor to 6 per day and to 5 days per week; and

A telegram from Higginbotham Bailey Logan Co., of Dallas, Tex., remonstrating against the enactment of legislation limiting the hours of labor to 6 per day and to 5 days per week.

Ordered, That they lie on the table.

Mr. Robinson of Arkansas presented a communication from the president of the Arkansas Building & Loan League, of Little Rock, Ark., favoring an amendment to proposed legislation providing for the regulation of the sale of securities in interstate commerce so as to include securities of all building and loan associations; which was referred to the Committee on Banking and Currency.

Mr. Capper presented a petition of citizens of Salina and Ellsworth, in the State of Kansas, praying the passage of legislation providing for the refinancing of agricultural indebtedness and to establish an efficiency credit system; which was referred to the Committee on Agriculture and Forestry.

Mr. Walsh presented a petition of citizens of North Chelmsford, Mass., praying the revaluation of the gold ounce and the elimination of abuses associated with present mass production; which was referred to the Committee on Banking and Currency.

Mr. Johnson presented the following joint resolutions of the Legislature of the State of California, which were referred as indicated:

A joint resolution memoralizing Congress to enact legislation to provide a national system of insurance to protect depositors in national banks; to the Committee on Banking and Currency.

A joint resolution memoralizing Congress to enact legislation authorizing the Secretary of War to accept the cemetery at the National Military Home at Sawtelle, Calif., as a national cemetery; to the Committee on Military Affairs.

Mr. Reed presented a memorial of citizens of the borough of Port Allegany, Pa., remonstrating against the enactment of legislation whereby discretion is conferred upon the President the effect of which would be to increase the cost of the necessaries of life, including costs of welfare work, the benefits of which would be obtained by farmers or any other class of persons; which was referred to the Committee on Agriculture and Forestry.

PAPERS REFERRED

Papers in the cases hereinafter mentioned, to accompany bills heretofore introduced, were taken from the files and referred, under the rule, as follows:

Adaline A. Allen; James H. Allred; Bettie Ashbrook; Vivian Bogle; James A. Boone; William H. Bruns; Minnie Cantlon; Martha Caplinger; Mary C. Caplinger; Charlie Kills-in-sight; Mary V. Conine; James Conroy; Charity Cooper; Edith Corbit; Elizabeth Craven; Matilda Davison; Hosea F. Dearth; Edwin C. Derrick; Mary A. Dittman; Noah C. Dugan; Iva B. Erickson; Anna Marie Flautt; Mable Forrer; Grace V. Foster; Mary H. Fetzer; Nellie Gates; Eliza Gawthrop; Sarah J. Gould; Mary J. Hahn; Susie D. Hanscome; Caroline Henkel; Samuel Herkowitz; Rose B. Hile; Martha W. Howland; Lillian M. Hoxie; Leonard Claud Huntington; Benjamine F. Hyde; Louise M. Ide; Salina P. James; Jens A. Jepsen; Patsy Dennis Johnson; Rachel J. Johnson; Susan A. Jones; Mary M. Joy; Margaret Keefe; Rosana Kellog; Alma S. Kendall; Orpha D. Bell King; Margaret Kingery; Daniel S. Leif; Andrew J. Lowe; Anna McNamara; Tennessee F. Maynard; Ardelle Melco; Elmira F. Miller; Margaret M. Miller; Mollie C. Miller; Nora Mitchell; John S. Monahan; Annie Monkhouse; Francis W. Mudd; Robert Muir; James C. Neff; George Neill; Katherine M. Owens; Mary Perry; Sarah E. Pratt; Thomas N. Pray; Bessie G. Radliff; Cassie Randolph; John Ransom; Mary L. Robinson; Eliza Rogers; Dells M. C. Rudolph; Nancy Jane Ruffin; Joanna A. Small; Joseph F. Sourek; Frank Spradling; Charlotte W. Stevens; Marie Taylor; Jennie Tewksbury; Ann E. Thomas; Margaret Thompson; Carl M. Toepper; Howard T. Tolson; Lottie A. Torrance; Retta Tunnell; Emmerline Valentine; Frank Vance; Mary E. Verrill; Sarah F. Waid; William A. Walters; Waumdi Duba (Red Eagle); Dora White; Joseph Wilfong; Frank L. Wilkinson; Edwin K. Williams; Joseph E. Williams; and Fred Yoss; to the Committee on Pensions.

Alice E. Broas; Amos D. Carver and others; E. J. Codd Co. of Baltimore City, Inc.; Gordon B. Enders; General Baking Co.; Gladding, McBean & Co.; Virginia Houghton; George B. Marx; Security Trust Co.; Mary V. Spear; Sultzbach Clothing Co.; and Union Shipping & Trading Co.; to the Committee on Claims.

Leonard Theodore Boice; William Burke; Thomas G. Carlin; Otto Christian; William D. Grush; Maurice D. Lowenthal; Harry C. Merritt; Harry Stanbrough Monell; Perry Randolph; William M. Sherman; and Zinsser & Co.; to the Committee on Military Affairs.

Death Valley National Monument, to extend the mining laws of the United States to; homestead settlers and entrymen, to allow credit for military service by; public lands, validating application for entry upon; Salt Lake City, Utah.

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granting certain lands to; timber lands, sale of, in Oregon; unreserved and unappropriated public lands, granting to several States certain; Utah State Agricultural College, granting certain lands to Utah for use by; Utah, State of, granting certain lands for use and benefit of water storage commission of; and Yosemite National Park, providing for restoration of certain timber lands to; to the Committee on Public Lands and Surveys.

John F. Aughinbaugh; Edwin P. Hulsberger; and George L. Vincent; to the Committee on Finance.

Allotments of deceased Indians, authorizing the Secretary of the Interior to purchase; Fort Peck Irrigation Project, Montana, reducing the area of; and "Indians", defining, with respect to guardianship of the United States; to the Committee on Indian Affairs.

Louise Fox; and Anne B. Slocum; to the Committee on Foreign Relations.

Butter, for prevention of obstructions in interstate commerce of; to the Committee on Agriculture and Forestry.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Clark:

A bill (S. 1407) to increase employment on public-works construction projects; to the Committee on Education and Labor.

By Mr. Robinson of Arkansas:

A bill (S. 1408) granting an increase of pension to Sidney H. Bailey; to the Committee on Pensions.

By Mr. Capper:

A bill (S. 1409) to make the Federal gasoline tax effective until June 30, 1934; to the Committee on Finance.

By Mr. Tydings:

A bill (S. 1410) to amend section 207 of the Bank Conservation Act with respect to bank reorganizations; to the Committee on Banking and Currency.

A bill (S. 1411) to amend section 2, chapter 418, of the act of August 29, 1916 (39 Stat. 649), and for other purposes (with an accompanying paper); to the Committee on Finance.

By Mr. Carey:

A bill (S. 1412) granting a pension to John E. Wilson; to the Committee on Pensions.

By Mr. Frazier:

A bill (S. 1413) making it a crime to represent oneself to be an Indian, and providing punishment therefor; and

A bill (S. 1414) to amend section 1 of the act of June 25, 1910 (36 Stat.L. 855), entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", and to repeal the act of March 3, 1928 (28 Stat.L. 161); to the Committee on Indian Affairs.

By Mr. Bulkley:

A bill (S. 1415) to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases; to the Committee on Banking and Currency.

A bill (S. 1416) for the relief of the Central United National Bank, successors to United Banking & Trust Co., of Cleveland, Ohio;

A bill (S. 1417) for the relief of the Central United National Bank, successors to United Banking & Trust Co., of Cleveland, Ohio; and

A bill (S. 1418) for the relief of the City Savings Bank & Trust Co., of Alliance, Ohio; to the Committee on Claims.

A bill (S. 1419) granting a pension to Hanna Lewis; to the Committee on Pensions.

By Mr. Trammell:

A bill (S. 1420) to assist in relieving unemployment and reviving industry by authorizing emergency appropriations for highway construction; to the Committee on Post Offices and Post Roads.

By Mr. Metcalf:

A bill (S. 1421) granting a pension to Annie Coan; to the Committee on Pensions.

PROSECUTION OF HARRIMAN NATIONAL BANK, OF NEW YORK

On motion by Mr. Costigan, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 55) to investigate the delay in prosecuting alleged law violations by the Harriman National Bank, New York City; and the reported amendment of the Committee on the Judiciary, inserting on page 2, line 10, after the word "exceed", the figures *$500*, having been agreed to,

The resolution, as amended, was agreed to.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment (in the nature of a substitute) yesterday proposed by Mr. Thomas of Oklahoma to Mr. Long's amendment, inserting on page 6, after line 11, a new title relating to currency expansion,

Mr. Thomas of Oklahoma withdrew his proposed amendment.

The question recurring on agreeing to the amendment proposed by Mr. Long,

Mr. Robinson of Arkansas (for Mr. Long) withdrew the proposed amendment.

On motion by Mr. Barbour to further amend the bill by striking out all after line 12, on page 21, down to and including line 19, on page 22, as amended, being section 16 (relating to floor stocks),

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 48. An act to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.;

H.R. 1596. An act to extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.;

H.R. 4127. An act to extend the times for commencing and completing the construction of a bridge across the Waccamaw River near Conway, S.C.;

H.R. 4225. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Parkers Landing, in the county of Armstrong, Commonwealth of Pennsylvania;

H.R. 4332. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River, at a point near the Forest-Venango County line, in Tionesta Township, and in the county of Forest, and in the Commonwealth of Pennsylvania;

H.R. 4491. An act granting the consent of Congress to the Board of County Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio;

H.J.Res. 93. Joint resolution to prohibit the exportation of arms or munitions of war from the United States under certain conditions; and

H.J.Res. 135. Joint resolution to amend section 2 of the act approved February 4, 1933, to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes.

The House has passed the following resolution (H.Res. 108), which I am directed to communicate to the Senate:

Resolved, That a message be sent to the Senate by the Clerk of the House informing the Senate that the House of Representatives has adopted an amendment to article V of the Articles of Impeachment heretofore exhibited against Harold Louderback, United States district judge for the northern district of California, and that the same will be presented to the Senate by the managers on the part of the House.

And, also, that the managers have authority to file with the Secretary of the Senate, on the part of the House, any subsequent pleadings they shall deem necessary.

IMPEACHMENT OF HAROLD LOUDERBACK

The hour of 12 o'clock and 30 minutes p.m. having arrived, legislative business was suspended; and, under its order of the 11th instant,

The Senate, sitting for the impeachment trial of Harold Louderback, United States district judge for the northern district of California, resumed its session.

After proceedings had therein, as stated in the Impeachment Journal,

The Senate, sitting for the impeachment trial aforesaid, at 12 o'clock and 35 minutes p.m., took a recess until 2 o'clock p.m. today.

FARM RELIEF

The Senate, in legislative session, resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment proposed by Mr. Barbour, striking out section 16 of the bill, as amended,

Pending debate,

Mr. Vandenberg raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. George in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

IMPEACHMENT OF HAROLD LOUDERBACK

The hour of 2 o'clock p.m. having arrived, legislative business was suspended; and, under its order of today,

The Senate, sitting for the impeachment trial of Harold Louderback, United States district judge for the northern district of California, resumed its session.

After proceedings had therein, as stated in the Impeachment Journal,

The Senate, sitting for the impeachment trial aforesaid, at 2 o'clock and 14 minutes p.m., adjourned until Monday, May 15, 1933, at 12 o'clock and 30 minutes p.m.

FARM RELIEF

The Senate, in legislative session, resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment proposed by Mr. Barbour, striking out section 16 of the bill, as amended,

Pending debate,

The further consideration of the amendment was, by unanimous consent, temporarily postponed.

The bill was further amended on the motion of Mr. Frazier.

On motion by Mr. Glass, and by unanimous consent,

The vote agreeing to the reported amendment beginning *on page 8, line 18, as amended, was reconsidered.*

Pending debate,

The reported amendment was further amended on the motion of Mr. Glass, and the motion of Mr. Byrnes.

On the question of agreeing to the reported amendment, as amended,

Mr. Austin raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. McGill in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The reported amendment, as amended, was agreed to.

The Senate resumed the consideration of the amendment proposed by Mr. Barbour, striking out section 16, as amended.

The part proposed to be stricken out was amended on the motion of Mr. Smith;

When

Mr. Barbour withdrew his motion.

A further amendment to the bill having been proposed by Mr. Costigan, inserting, on page 16, line 9, after the word "tobacco,", the words *sugar beets, sugar cane,*

Pending debate,

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The bills and joint resolutions this day received from the House of Representatives for concurrence were severally read the first and second times by unanimous consent.

Ordered, That the bills H.R. 48, H.R. 1596, H.R. 4127, H.R. 4225, H.R. 4332, and H.R. 4491 be referred to the Committee on Commerce; that the joint resolution H.J.Res. 93 be referred to the Committee on Foreign Relations; and that the joint resolution H.J.Res. 135 be referred to the Committee on Agriculture and Forestry.

INVESTIGATION OF CAUSES OF WRECKS OF DIRIGIBLES

On motion by Mr. Trammell, and by unanimous consent,

The Senate proceeded to consider the concurrent resolution (H.Con.Res. 15) creating a joint committee to investigate the causes of the wrecks of dirigibles; and the reported amendment of the Committee to Audit and Control the Contingent Expenses of the Senate having been agreed to,

The concurrent resolution, as amended, was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there is hereby created a joint committee to consist of 5 Members of the Senate, to be appointed by the President of the Senate, and 5 Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee shall select its own chairman.

Such committee is hereby authorized and directed to investigate the cause or causes of the wreck of the Navy dirigible *Akron* and the wrecks of other Army and Navy dirigibles,

to fix responsibility for the same, to inquire generally into the question of the utility of dirigibles in the Military and Naval Establishments, and to make recommendations to the Senate and House of Representatives with respect to the future use of dirigibles for military or naval purposes. The committee shall report to the Senate and House of Representatives as soon as practicable the results of its investigations, together with its recommendations.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions or recesses of the present Congress, to employ such experts, clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take testimony, to have such printing and binding done, and to make such expenditures as it deems advisable, not exceeding $5,000, one half of said amount to be paid out of the contingent fund of the Senate and one half out of the contingent fund of the House.

Subpoenas shall be issued under the signature of the chairman of the committee and shall be served by any person designated by him. The provisions of sections 102, 103, and 104 of the Revised Statutes shall be applicable to any person summoned as a witness under the authority of this resolution in the same manner as such provisions are applicable to any person summoned as a witness in the case of an inquiry before a committee of either House.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

EXECUTIVE REPORT

As in executive session, and by unanimous consent,

Mr. Norris (for Mr. Ashurst), from the Committee on the Judiciary, to whom was referred the nomination of James A. Donahoe to be United States district judge, district of Nebraska, reported it favorably.

RECESS

On motion by Mr. Smith, at 5 o'clock and 34 minutes p.m., The Senate took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, WEDNESDAY, APRIL 19, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

RELIEF OF DISBURSING CLERK, TREASURY DEPARTMENT, AND OTHERS

The Vice President laid before the Senate a communication from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide relief for, and to adjust certain accounts of, the disbursing clerk, other former officers of the Treasury Department, and the Office of the Comptroller of the Currency, and to cover the settlement of outstanding claims of certain individuals, representing unrecovered amounts due them; which, with the accompanying documents, was referred to the Committee on Claims.

FUNCTIONS AND EXPENSES OF DEPARTMENT OF COMMERCE

The Vice President laid before the Senate a communication from the Secretary of Commerce, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Department of Commerce and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and to be printed.

PETITIONS AND MEMORIALS

Mr. Robinson of Arkansas presented a telegram from Peter Williams, director, Indians of California, Inc., of Klamath, Calif., remonstrating against the confirmation of the nomination of John Collier as Commissioner of Indian Affairs and urging the appointment of E. B. Merrit; which was referred to the Committee on Indian Affairs.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

Resolutions adopted by the Foreign Commerce Club of New York, Inc., and the American Manufacturers Export Association, of New York City, favoring reciprocal tariff arrangements with foreign nations for the promotion of trade; and

Resolutions adopted by the Men's Club of Temple Beth Emeth of Flatbush, and the Young Folks League of the Yeshivah of Bensonhurst, of Brooklyn, N.Y., remonstrating against alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

A petition of citizens of Wellsville, N.Y., praying Federal regulation of motion-picture industry; and

A petition of employees of railroads in the State of New York, praying the enactment of legislation providing a system of pensions for railroad employees; to the Committee on Interstate Commerce.

A resolution adopted by Finger Lakes Post, No. 961, Veterans of Foreign Wars of the United States, of Ithaca, N.Y., favoring the continuance of military training in schools and colleges; to the Committee on Military Affairs.

A telegram from Hornell (N.Y.) Chamber of Commerce, endorsing Federal highway aid as a means of relieving unemployment; to the Committee on Post Offices and Post Roads.

A resolution adopted at a mass meeting under the auspices of the Small Home and Property Owners Defense League of South Shore, Staten Island, N.Y., favoring the enactment of legislation providing for mortgage and other indebtedness relief to small-home owners; to the Committee on Banking and Currency.

Mr. Copeland presented the following petitions:

Resolutions adopted by New York Typographical Union No. 6, of New York City, and the Irish-American United Society of New York, Inc., of Brooklyn, N.Y., favoring the enactment of legislation providing a 30-hour-work week; and

A petition of the Pampanga Civic Union, of San Fernando, Pampanga, P.I., praying immediate independence of the Philippines.

Ordered, That they lie on the table.

Mr. Shipstead presented a joint resolution of the Legislature of the State of Minnesota, praying the enactment of legislation providing for the refinancing of outstanding drainage bond indebtedness; which was referred to the Committee on Irrigation and Reclamation.

Mr. Shipstead presented a joint resolution of the Legislature of the State of Minnesota, praying the enactment of legislation providing for financing farm indebtedness at an interest rate of 3 percent.

Ordered, That it lie on the table.

Mr. Ashurst presented a telegraphic copy of a resolution adopted by the mayor and common council of the town of Miami, Ariz., favoring the employment of residents in that district in forestry work in Crook National Forest under the national forestation program; which was referred to the Committee on Education and Labor.

Mr. Tydings presented the following petitions, which were referred as indicated:

A petition of citizens of Poolesville, Md., praying the retention of Federal-aid appropriations for vocational education; to the Committee on Appropriations.

A petition of citizens of Baltimore, Md., praying the enactment of legislation guaranteeing bank deposits; to the Committee on Banking and Currency.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. McNary:

A bill (S. 1422) for the relief of the estates of Edwin G. Scott, Clyde R. Dindinger, and Ralph R. Fraley; to the Committee on Claims.

A bill (S. 1423) authorizing the President of the United States to investigate Federal reclamation projects, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. Neely:

A bill (S. 1424) granting a pension to Charles E. Conner; to the Committee on Pensions.

By Mr. Fletcher:

A bill (S. 1425) to amend "An act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933; to the Committee on Banking and Currency.

By Mr. Reed:

A bill (S. 1426) for the relief of the estate of Benjamin Braznell; to the Committee on Claims.

A bill (S. 1427) for the relief of Harry A. C. Hall, alias Charles A. Brooks (with accompanying papers); to the Committee on Naval Affairs.

By Mr. Johnson:

A bill (S. 1428) for the relief of Andrew M. Dunlop;

A bill (S. 1429) for the relief of Anthony J. Lynn; and

A bill (S. 1430) for the relief of M. Thomas Petroy; to the Committee on Claims.

A bill (S. 1431) for the relief of Elmer E. C. Armstrong;

A bill (S. 1432) for the relief of Henry Bartels;

A bill (S. 1433) for the relief of Ernest B. Butte;

A bill (S. 1434) authorizing the Secretary of War to issue a certificate of honorable discharge to Carl J. Canada;

A bill (S. 1435) for the relief of Martin De Vries;

A bill (S. 1436) authorizing the appointment of Frederick Funston, Jr., as a second lieutenant, Army Air Corps;

A bill (S. 1437) for the relief of Juan Garcia;

A bill (S. 1438) for the relief of William Goodwin;

A bill (S. 1439) for the relief of Patrick J. Lynch;

A bill (S. 1440) for the relief of Ambrose V. McKenna;

A bill (S. 1441) for the relief of Walter W. Newcomer;

A bill (S. 1442) for the relief of John O'Gorman;

A bill (S. 1443) for the relief of James T. Reynolds; and

A bill (S. 1444) for the relief of Samuel A. Welsh; to the Committee on Military Affairs.

A bill (S. 1445) for the relief of John M. McNulty; to the Committee on Naval Affairs.

A bill (S. 1446) granting a pension to Carlos J. Anderson;

A bill (S. 1447) granting a pension to John N. Aull;

A bill (S. 1448) granting a pension to Don E. Bartell;

A bill (S. 1449) granting a pension to John William Boland;

A bill (S. 1450) granting a pension to Laura F. Collins;

A bill (S. 1451) granting a pension to Ollie A. De Selm;

A bill (S. 1452) granting a pension to Charles Foye;

A bill (S. 1453) granting a pension to Josephine Johnson;

A bill (S. 1454) granting a pension to Kitty A. Miller;

A bill (S. 1455) granting a pension to David Poula;

A bill (S. 1456) granting a pension to Jesse Thomas;

A bill (S. 1457) granting an increase of pension to Madison M. Burnett;

A bill (S. 1458) granting an increase of pension to Harry A. Smith; and

A bill (S. 1459) granting an increase of pension to Alzina M. Wilson; to the Committee on Pensions.

By Mr. Shipstead:

A bill (S. 1460) for the relief of Edgar Silvers; to the Committee on Claims.

By Mr. Tydings:

A bill (S. 1461) for the relief of the Fidelity Trust Co., of Baltimore, Md.; and

A bill (S. 1462) for the relief of the Maryland Trust Co., successors to Continental Trust Co., of Baltimore, Md.; to the Committee on Claims.

A bill (S. 1463) for the relief of George F. Conroe; to the Committee on Military Affairs.

A bill (S. 1464) granting a pension to John Doane Gardiner; and

A bill (S. 1465) granting a pension to Mary Amanda Jones; to the Committee on Pensions.

DEVELOPMENT OF CHRISTIAN FAMILY IDEALS

Mr. Sheppard (by request), by unanimous consent, submitted the following concurrent resolution (S.Con.Res. 3), which was referred to the Committee on the Judiciary:

Whereas the United States of America is confronted with the conditions that have disturbed all of the nations of the world; and

Whereas it is manifest that these national disturbances in the fields of social, industrial, political, and religious life have been produced through failure to maintain family solidarity and caused a loss of the balance between the spiritual and material elements of national life; and

Whereas the alarming increase in the disturbance of domestic relationships and the increase of juveline delinquency, as shown by court records, are signs of the ravages being worked to destroy the family, the unit that incorporates the basic elements of national integrity; and

Whereas statesmanship must concern itself for the perpetuation of the state by building a future citizenship in the strength of morality, and is warranted to draw upon every spiritual resource to achieve this end, for, as Washington said in his Farewell Address: "Both reason and experience forbid us to believe that the Nation's morality can continue after the exclusion of religious principles"; and

Whereas experience—the history of humanity—has demonstrated that a Republic like ours is strong and a blessing to its people and the world according to the moral character and intelligent religion of the people, for the strength and efficiency of any government by the people is in the character of the intelligence and morals of its citizens, inseparable from their religion, no non-Christian nation having ever retained its civil liberties; and

Whereas in this two hundredth anniversary of the birth of the first President of our United States of America it is the purpose of the National Government to honor his service to his country: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That this Congress hereby appeals to the citizenship of the United States of America who are parents, pastors, and teachers, that they address themselves to serious and sustained effort to integrate within the family life of the Nation those ideals of spirituality represented by the simple virtues of the homely and humble life lived in the fear of God, that there be restored through the cooperation of those institution growing out of the family—the home, the church, and the state—the balance between the spiritual and material, and that the remedy for these prevailing deteriorating conditions of society be effected through the inculcation in our growing youth of spirituality, morality, and good conscience toward the God of our Nation.

That it is the judgment of the Congress of the United States of America that only upon the lines herein suggested can there be the perpetuation of the home, the protection of the church, and the preservation of the state. In achieving these great ends it shall mean the crime checked, social conditions corrected, economic security maintained, industrial concord established, the future of the state assured, the conservation of our youth for future citizenship provided,

and our Nation preserved for that destiny intended for it by the Almighty God."

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment yesterday proposed by Mr. Costigan, inserting on page 16, line 9, after the word "tobacco", the words *sugar beets, sugar cane,*

After debate,

It was determined in the affirmative, {Yeas 44 / Nays 37}

On motion by Mr. Costigan,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the negative are—

Adams, Austin, Bailey, Barbour, Bone, Borah, Byrd, Carey, Clark, Coolidge, Gostigan, Couzens, Dickinson, Dill, Erickson, Fletcher, Frazier, Glass, Goldsborough, Hastings, Hebert, Kean, Kendrick, Keyes, King, Long, McAdoo, McCarran, Neely, Nye, Overton, Patterson, Pope, Reynolds, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Thomas of Utah, Townsend, Vandenberg, Walcott, and Wheeler.

Senators who voted in the negative are—

Bachman, Bankhead, Barkley, Black, Brown, Bulkley, Bulow, Capper, Caraway, Copeland, Cutting, Dieterich, Duffy, George, Gore, Hale, Harrison, Hatfield, Hayden, Johnson, Lewis, Lonergan, McKellar, McNary, Metcalf, Murphy, Norbeck, Norris, Reed, Robinson of Arkansas, Smith, Steiwer, Trammell, Tydings, Wagner, Walsh, and White.

So Mr. Costigan's amendment was agreed to.

On motion by Mr. Wheeler to further amend the bill by inserting on page 16, line 9, after the word "rice," the word *flax;* and having been subsequently modified by adding thereto the word *seed,*

On the question of agreeing to Mr. Wheeler's amendment, as modified, viz., on page 16, line 9, after the word "rice," insert the word *flaxseed,*

It was determined in the negative, {Yeas 32 / Nays 48}

On motion by Mr. Harrison,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Austin, Bailey, Barbour, Bone, Borah, Byrd, Carey, Clark, Couzens, Erickson, Frazier, Glass, Goldsborough, Hastings, Hebert, Kean, Keyes, King, McCarran, Metcalf, Neely, Nye, Patterson, Reed, Robinson of Indiana, Schall, Shipstead, Thomas of Utah, Townsend, Walcott, and Wheeler.

Senators who voted in the negative are—

Bachman, Bankhead, Barkley, Black, Brown, Bulkley, Bulow, Byrnes, Caraway, Connally, Copeland, Cutting, Dickinson, Dieterich, Dill, Duffy, Fletcher, George, Gore, Hale, Harrison, Hatfield, Hayden, Kendrick, La Follette, Lewis, Logan, Lonergan, Long, McKellar, McNary, Murphy, Norbeck, Norris, Pope, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Trammell, Tydings, Wagner, Walsh, and White.

So Mr. Wheeler's amendment was not agreed to.

On motion by Mr. Robinson of Arkansas to reconsider the vote whereby the foregoing amendment was rejected, and to lay that motion on the table,

It was determined in the affirmative, {Yeas 48 / Nays 31}

On motion by Mr. Robinson of Arkansas,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bachman, Bankhead, Barkley, Black, Bone, Brown, Bulkley, Bulow, Byrnes, Caraway, Connally, Coolidge, Copeland, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, George, Glass, Gore, Hale, Harrison, Hatfield, Hayden, Kendrick, King, Lewis, Lonergan, McKellar, McNary, Murphy, Norbeck, Norris, Pope, Robinson of Arkansas, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Utah, Tydings, Wagner, Walsh, and White.

Senators who voted in the negative are—

Adams, Austin, Bailey, Barbour, Borah, Byrd, Capper, Carey, Clark, Couzens, Frazier, Goldsborough, Hastings, Hebert, Kean, Keyes, La Follette, Long, McCarran, Metcalf, Neely, Nye, Patterson, Reed, Robinson of Indiana, Schall, Shipstead, Townsend, Vandenberg, Walcott, and Wheeler.

So the motion of Mr. Robinson of Arkansas to lay on the table his motion to reconsider was agreed to.

Mr. Frazier entered a motion to reconsider the vote agreeing to the amendments yesterday proposed by Mr. Glass, inserting, on page 13, after line 2, and on page 16, line 9, a provision relating to peanuts.

On motion by Mr. Hatfield to further amend the bill by inserting on page 21, after line 12, certain words,

Pending debate,

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Lonergan in the chair) directed the roll to be called;

When

Seventy-eight Senators answered to their names, as follows:

Adams, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Borah, Brown, Bulkley, Bulow, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Hale, Harrison, Hastings, Hatfield, Hebert, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to the amendment proposed by Mr. Hatfield, viz, on page 21, after line 12, insert the following:

To insure a purchasing power on the part of American consumers the Secretary of the Treasury is hereby directed, while this section continues in force and effect, to prohibit the entry of foreign-made goods which goods are similar or comparable to goods produced in America if such foreign-made goods are entered at total landed costs which are less than American costs of production of similar or comparable American-made goods. The Secretary of the Treasury is hereby authorized to make findings of the cost of production, and his decision shall be final.

It was determined in the negative, {Yeas 28 / Nays 50}

On motion by Mr. Hatfield,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bailey, Barbour, Capper, Carey, Dickinson, Frazier, Goldsborough, Hale, Hastings, Hatfield, Hebert, Kean, Keyes, Long, McNary, Metcalf, Nye, Patterson, Reed, Robinson of Indiana, Schall, Shipstead, Steiwer, Townsend, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Adams, Bachman, Bankhead, Barkley, Black, Borah, Brown, Bulkley, Bulow, Caraway, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dieterich, Dill, Duffy, Erickson, Fletcher, George, Glass, Harrison, Hayden, Kendrick, La Follette, Lewis, Logan, Lonergan, McGill, McKellar, Murphy, Neely, Norbeck, Norris, Overton, Pope, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Thomas of Utah, Trammell, Tydings, Van Nuys, Wagner, and Walsh.

So Mr. Hatfield's amendment was not agreed to.

The Senate proceeded to consider the motion entered by Mr. Frazier to reconsider the vote agreeing to the following

amendments proposed by Mr. Glass, viz, on page 13, after line 2, insert the following:

(4½) *In case of peanuts the term "processing" shall mean the cleaning thereof, the preparation of the same for sale in the ordinary course of trade for consumption, the shelling and salting thereof, and other like methods of preparing the same for sale, including the making of peanut butter.*

And on page 16, line 9, after the word "tobacco", insert the word *peanuts.*

Mr. Glass raised a question of order, viz, that Mr. Frazier did not vote with the prevailing side, and, under rule XIII, had no right to move a reconsideration of the said votes.

Mr. Robinson of Arkansas raised a question of order, viz, that under the uniform precedents of the Senate, where there was no yea-and-nay vote, any Senator could make a motion to reconsider.

The Presiding Officer overruled the point of order of Mr. Glass and sustained the point of order raised by Mr. Robinson of Arkansas.

On motion by Mr. Glass to lay on the table Mr. Frazier's motion to reconsider the said amendments.

It was determined in the negative, {Yeas 38 / Nays 38}

On motion by Mr. Harrison,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Austin, Bailey, Barbour, Bulkley, Caraway, Carey, Clark, Coolidge, Costigan, Couzens, Dickinson, Dill, George, Glass, Goldsborough, Hastings, Hatfield, Hayden, Kean, Keyes, Lonergan, Long, McGill, Metcalf, Neely, Patterson, Pope, Russell, Stephens, Thomas of Oklahoma, Townsend, Trammell, Tydings, Vandenberg, Wagner, Walcott, and Walsh.

Senators who voted in the negative are—

Bankhead, Black, Bone, Brown, Bulow, Byrnes, Capper, Connally, Cutting, Dieterich, Duffy, Erickson, Fletcher, Frazier, Gore, Hale, Harrison, King, La Follette, Lewis, Logan, McAdoo, McKellar, McNary, Murphy, Norris, Nye, Overton, Reed, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Shipstead, Smith, Steiwer, Van Nuys, and White.

So the motion of Mr. Glass to lay on the table Mr. Frazier's motion to reconsider was not agreed to.

The question recurring on agreeing to Mr. Frazier's motion to reconsider the vote agreeing to the amendments proposed by Mr. Glass,

It was determined in the affirmative, {Yeas 41 / Nays 39}

On motion by Mr. Harrison,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bachman, Bankhead, Black, Bone, Brown, Bulow, Byrnes, Capper, Connally, Coolidge, Copeland, Cutting, Dickinson, Dieterich, Duffy, Erickson, Frazier, Gore, Hale, Harrison, King, La Follette, Lewis, McKellar, McNary, Murphy, Norris, Nye, Overton, Pittman, Reed, Robinson of Arkansas, Schall, Sheppard, Shipstead, Steiwer, Tydings, Van Nuys, Wagner, Walsh, and White.

Senators who voted in the negative are—

Adams, Austin, Bailey, Barbour, Borah, Bulkley, Byrd, Caraway, Carey, Clark, Costigan, Couzens, Fletcher, George, Glass, Goldsborough, Hastings, Hatfield, Hebert, Kean, Keyes, Long, McAdoo, McCarran, McGill, Metcalf, Neely, Patterson, Pope, Reed, Robinson of Indiana, Russell, Smith, Stephens, Thomas of Oklahoma, Townsend, Trammell, Vandenberg, and Walcott.

So the motion to reconsider was agreed to.

On motion by Mr. Robinson of Arkansas to lay on the table the amendments proposed by Mr. Glass,

It was determined in the affirmative, {Yeas 44 / Nays 39}

On motion by Mr. Robinson of Arkansas,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Bachman, Bankhead, Black, Bone, Brown, Bulow, Byrnes, Capper, Connally, Coolidge, Copeland, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Frazier, Gore, Hale, Harrison, King, La Follette, Lewis, Lonergan, McKellar, McNary, Murphy, Norris, Nye, Overton, Pittman, Robinson of Arkansas, Schall, Sheppard, Shipstead, Steiwer, Thomas of Utah, Tydings, Van Nuys, Wagner, Walsh, and White.

Senators who voted in the negative are—

Adams, Austin, Bailey, Barbour, Borah, Bulkley, Byrd, Caraway, Carey, Clark, Costigan, Couzens, Fletcher, George, Glass, Goldsborough, Hastings, Hatfield, Hebert, Kean, Keyes, Long, McAdoo, McCarran, McGill, Metcalf, Neely, Patterson, Pope, Reed, Robinson of Indiana, Russell, Smith, Stephens, Thomas of Oklahoma, Townsend, Trammell, Vandenberg, and Walcott.

So the motion of Mr. Glass to lay on the table the amendments proposed by Mr. Glass was agreed to.

The bill was further amended on the motion of Mr. Clark.

On motion by Mr. Frazier to further amend the bill by inserting, on page 17, line 5, after the word "law", the following: *; but the amount paid for administrative expenses, exclusive of refunds, in any year shall not exceed 5 per centum of the amount of proceeds of the taxes which will be collected during such year under this title; and a detailed statement of such expenses shall be submitted to the House and the Senate on the 30th day of June and the 31st day of December of each year by the Secretary of Agriculture.*

After debate,

It was determined in the affirmative, {Yeas 50 / Nays 32}

On motion by Mr. Clark,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Austin, Bachman, Bailey, Barbour, Borah, Byrd, Capper, Caraway, Carey, Clark, Costigan, Couzens, Dickinson, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Johnson, Kean, Keyes, King, Lonergan, Long, McAdoo, McCarran, McNary, Metcalf, Neely, Nye, Patterson, Reed, Robinson of Indiana, Russell, Schall, Shipstead, Stephens, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Walcott, Walsh, and White.

Senators who voted in the negative are—

Ashurst, Bankhead, Barkley, Black, Bone, Brown, Bulkley, Bulow, Byrnes, Connally, Coolidge, Copeland, Dieterich, Dill, Duffy, Erickson, George, Harrison, Hayden, Kendrick, Lewis, McGill, McKellar, Murphy, Norris, Overton, Pittman, Robinson of Arkansas, Sheppard, Smith, Thomas of Utah, and Wagner.

So Mr. Frazier's amendment was agreed to.

The bill was further amended on the motion of Mr. Clark.

On motion by Mr. Clark to further amend the bill by inserting on page 7, line 2, after the word "payments", the following:

Provided, however, That during the year 1933 no land shall be leased for the purpose of reduction of acreage in any commodity except winter wheat sown for 1934.

After debate,

It was determined in the negative, {Yeas 18 / Nays 57}

On motion by Mr. Bankhead,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Barbour, Borah, Carey, Clark, Couzens, Gore, Hastings, Hebert, Kean, King, McCarran, Metcalf, Patterson, Reed, Townsend, Walcott, and White.

Senators who voted in the negative are—

Ashurst, Bachman, Bankhead, Barkley, Black, Bone, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Costigan, Dickinson, Dieterich, Dill, Duffy, Erickson, Frazier, George, Hale, Harrison, Hatfield, Hayden, Johnson, Kendrick, Keyes, La Follette, Lewis, Lonergan, Long, McAdoo, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead,

Smith, Stephens, Thomas of Utah, Trammell, Tydings, Van Nuys, and Wagner.

So Mr. Clark's amendment was not agreed to.

On motion by Mr. Smith to further amend the bill by striking out all after line 8, on page 3, down to and including line 5, on page 4, as amended (being section 3, as amended), and inserting in lieu thereof a substitute,

After debate,

It was determined in the affirmative.

The bill was further amended on the motion of Mr. Smith, the motion of Mr. Gore, and the motion of Mr. Nye.

On motion by Mr. Bulkley, and by unanimous consent,

The vote agreeing to the reported amendment, as amended, beginning on page 8, line 19 (being section 9, as amended), was reconsidered; and the part proposed to be inserted having been further amended on the motion of Mr. Bulkley,

The reported amendment, as amended, was agreed to.

The bill was further amended on the motion of Mr. George.

On motion by Mr. George to further amend the bill by inserting on page 17, line 2, after the word "title,", certain words,

Pending debate,

Mr. George withdrew his proposed amendment.

On motion by Mr. Smith to further amend the bill by striking out section 12, as amended, beginning on page 16, line 22, and inserting in lieu thereof a substitute,

Pending debate,

RECESS

On motion by Mr. Smith, at 6 o'clock and 50 minutes p.m.,

The Senate took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, THURSDAY, APRIL 20, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF INLAND WATERWAYS CORPORATION

The Vice President laid before the Senate a communication from the Secretary of War, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Inland Waterways Corporation and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying papers, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF UNITED STATES SHIPPING BOARD MERCHANT FLEET CORPORATION

The Vice President laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the United States Shipping Board Merchant Fleet Corporation, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following joint resolutions of the Legislature of the State of Minnesota, which were referred as indicated:

A joint resolution memorializing Congress to provide for the determination of damages suffered by owners of property bordering the Lake of the Woods and to authorize the Department of Justice to adjust valid claims arising out of the fluctuation of the level of said lake; to the Committee on the Judiciary.

A joint resolution memorializing Congress to enact legislation providing for the refinancing of outstanding drainage bond indebtedness; to the Committee on Irrigation and Reclamation.

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

Resolutions adopted at Tulsa, Okla., by the board of directors of the General Mid-Continent Oil & Gas Association, favoring the enactment of legislation to exclude from interstate and foreign commerce crude petroleum produced in violation of State conservation laws and the products of such illegally produced crude oil, and remonstrating against the enactment of legislation to apply the commodity clause of the Hepburn Act to interstate pipe lines; to the Committee on Interstate Commerce.

Petitions of citizens of the State of Louisiana and a citizen of New York City, praying an investigation of alleged acts and conduct of Senator Huey P. Long; and

Telegrams and communications from citizens of the State of Louisiana and the Manhattan Board of Commerce, of New York City, remonstrating against such investigation and charges; to the Committee on the Judiciary.

A resolution adopted at Washington, D.C., by the advisory board of the American Coalition of Patriotic, Civic, and Fraternal Societies, remonstrating against any reduction in the present strength of the Army, Navy, and Marine Corps, and the diminution or elimination of military training of the civilian components; to the Committee on Military Affairs.

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Minnesota, favoring the enactment of legislation providing for the refinancing of agricultural loans at an interest rate of 3 percent.

Ordered, That it lie on the table.

Mr. La Follette presented a joint resolution of the Legislature of the State of Wisconsin, favoring the issuance of a special series of postage stamps in commemoration of the three hundredth anniversary of the white man's discovery of Wisconsin; which was referred to the Committee on Post Offices and Post Roads.

Mr. Fletcher presented a concurrent resolution of the Legislature of the State of Florida, favoring the inclusion in the Federal-aid system of highways of the State road running from Venus to Everglade, in that State; which was referred to the Committee on Post Offices and Post Roads.

Mr. Walsh presented the following petitions, which were referred as indicated:

A petition of postal employees of Oklahoma City, Okla., praying the enactment of legislation providing a 30-hour work week in the Postal Service; to the Committee on Post Offices and Post Roads.

A petition of citizens of the State of Massachusetts, praying an increase of the limitation on the value of homes to which shall apply benefits of proposed legislation providing emergency relief with respect to home-mortgage indebtedness to not exceeding $20,000; to the Committee on Banking and Currency.

Mr. Walsh presented the following memorial and communication:

A memorial of citizens of the State of Massachusetts, remonstrating against the enactment of legislation providing for a 30-hour work week or any legislation providing for less than 40 hours as a uniform work week; and

A copy of a communication addressed to Hon. Kenneth McKellar by the executive assistant to the Postmaster General relative to the proposal for the issuance of a special commemorative stamp in honor of Gen. Thaddeus Kosciusko.

Ordered, That they lie on the table.

Mr. Shipstead presented a joint resolution of the Legislature of the State of Minnesota, memorializing Congress to provide for the determination of damages suffered by owners of property bordering the Lake of the Woods and to authorize the Department of Justice to adjust valid claims arising out of the fluctuations of the level of said lake; which was referred to the Committee on the Judiciary.

Mr. Copeland presented a petition of teachers in the public schools of Chicago, Ill., praying an investigation of the so-called "citizens' committee on public expenditures" functioning in Chicago and the abnormal decline in prices of educational tax anticipation warrants; which was referred to the Committee on Education and Labor.

Mr. Copeland presented a resolution adopted by Catskill Post, 110, and Greene County Commitee, American Legion, of the State of New York, pledging support of the President of the United States, especially in reference to veterans.

Ordered, That it lie on the table.

REPORT OF COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. Smith, by unanimous consent, from the Committee on Agriculture and Forestry, to whom was referred the joint resolution (H.J.Res. 135) to amend section 2 of the act approved February 4, 1933, to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes, reported it without amendment.

CHANGE OF REFERENCE

On motion by Mr. Copeland, and by unanimous consent,

Ordered, That the Committee on Military Affairs be discharged from the further consideration of the bill (S. 1382) for the relief of Uldrick Thompson, jr., and that it be referred to the Committee on Claims.

EXECUTIVE REPORT

As in executive session, and by unanimous consent,

Mr. Wheeler, from the Committee on Indian Affairs, to whom was referred the nomination of John Collier to be Commissioner of Indian Affairs, reported it favorably.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. McAdoo:

A bill (S. 1466) to provide for regulated expansion of currency and credit, to reduce the national debt, to raise the price level of commodities, and for other purposes; to the Committee on Banking and Currency.

By Mr. Pope:

A bill (S. 1467) to add certain lands to the Challis National Forest; to the Committee on Public Lands and Surveys.

By Mr. Lonergan:

A bill (S. 1468) to reduce the rate of certain interest payable to the United States to the rate of 4 percent per annum; and

A bill (S. 1469) to permit the importation of goods made by indentured labor only to the extent necessary to supply American demands which cannot be met by American production, and for other purposes; to the Committee on Finance.

By Mr. Bone:

A bill (S. 1470) for the relief of volunteer officers and soldiers who served in the Philippine Islands beyond the period of their enlistment; to the Committee on Military Affairs.

By Mr. Neely:

A bill (S. 1471) for the relief of Russell C. Cross; to the Committee on Naval Affairs.

A bill (S. 1472) granting a pension to John E. Cutlip;

A bill (S. 1473) granting a pension to Rose Kennedy;

A bill (S. 1474) granting a pension to Wilbur J. Patterson;

A bill (S. 1475) granting a pension to Allie Selick;

A bill (S. 1476) granting a pension to William J. Smith;

A bill (S. 1477) granting a pension to Richard H. Wraase;

A bill (S. 1478) granting an increase of pension to Frank Deloe;

A bill (S. 1479) granting an increase of pension to John H. Jackson; and

A bill (S. 1480) granting an increase of pension to Jess Musgrave; to the Committee on Pensions.

By Mr. Dill:

A bill (S. 1481) for the relief of John E. Meehan; to the Committee on Naval Affairs.

By Mr. Tydings (by request):

A bill (S. 1482) for the relief of the Western Electric Co., Inc.; to the Committee on Claims.

By Mr. Wheeler:

A bill (S. 1483) granting certain public lands to the State of Montana for the use and benefit of the Northern Montana College; to the Committee on Public Lands and Surveys.

By Mr. Reed:

A bill (S. 1484) for the relief of Miles Thomas Barrett; to the Committee on Military Affairs.

By Mr. Copeland:

A bill (S. 1485) for the relief of Harriet DeLarm; to the Committee on Military Affairs.

A bill (S. 1486) granting a pension to Jessica G. Roome; to the Committee on Pensions.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment yesterday proposed by Mr. Smith as a substitute for section 12, as amended,

It was determined in the affirmative.

On motion by Mr. McKellar, and by unanimous consent,

The vote agreeing to the reported amendment, as amended, beginning on page 8, line 19, was reconsidered; and the part proposed to be inserted, having been amended on the motion of Mr. McKellar on page 12, line 23, was agreed to, as amended.

The bill was further amended on the motion of Mr. Smith.

On motion by Mr. Bankhead to further amend the bill by inserting, on page 7, line 8, after the word "parties" and the period, certain words,

Pending debate,

On motion by Mr. Norris to amend Mr. Bankhead's amendment by inserting in lieu thereof a substitute,

Pending debate,

Mr. Norris modified his amendment.

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Clark in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings,

Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. Bankhead modified his proposed amendment by substituting therefor the language contained in the amendment proposed by Mr. Norris, as modified; and Mr. Bankhead's amendment, as modified, was agreed to.

Mr. Smith entered a motion to reconsider the vote agreeing to the amendment yesterday proposed by Mr. Byrnes, inserting on page 11, line 1, after the word "processor" and the period, certain words.

On the question of agreeing to the reported amendment, inserting on page 27, after line 6, a new title (Title II), dealing with agricultural credits,

On motion by Mr. Wagner to amend the said reported amendment by inserting in lieu of the language contained therein certain words,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the foregoing reported amendment be regarded, for the purpose of amendment, as original text.

The amendment proposed by Mr. Wagner was amended on the motion of Mr. Robinson of Arkansas, the motion of Mr. Barkley, and the motion of Mr. King.

On motion by Mr. Dickinson to further amend Mr. Wagner's amendment by striking out on page 6, line 6, after the word "exceed" the numerals "4½" and inserting in lieu thereof 3½,

Pending debate,

Mr. Barkley raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Vandenberg in the chair) directed the roll to be called:

When

Eighty-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and Wheeler.

A quorum being present,

After debate,

On the question of agreeing to Mr. Dickinson's amendment,

It was determined in the negative, Yeas ---------- 33, Nays ---------- 45

On motion by Mr. Dickinson,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bone, Borah, Byrd, Capper, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Frazier, Hatfield, Hebert, Johnson, La Follette, McCarran, McNary, Neely, Norbeck, Norris, Nye, Pittman, Pope, Reed, Robinson of Indiana, Russell, Schall, Shipstead, Steiwer, Townsend, Trammell, Vandenberg, and Wheeler.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Brown, Bulkley, Bulow, Byrnes, Carey, Clark, Connally, Coolidge, Dieterich, Fletcher, Goldsborough, Hale, Harrison, Hayden, Kean, Keyes, King, Lewis, Lonergan, Long, McAdoo, McGill, McKellar, Murphy, Overton, Patterson, Reynolds, Robinson of Arkansas, Sheppard, Smith, Stephens, Thomas of Utah, Tydings, Van Nuys, Wagner, Walcott, and Walsh.

So Mr. Dickinson's amendment was not agreed to.

The bill was further amended, by unanimous consent, on the motion of Mr. Robinson of Arkansas, and the motion of Mr. Smith.

Mr. Wagner's amendment was further amended on the motion of Mr. Harrison, and the motion of Mr. Clark.

A further amendment having been proposed by Mr. Shipstead to Mr. Wagner's amendment,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Smith, at 6 o'clock and 20 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, FRIDAY, APRIL 21, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the amendment of the Senate to the concurrent resolution (H.Con.Res. 15) creating a joint committee to investigate the causes of the wrecks of dirigibles.

The House has passed the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, in which it requests the concurrence of the Senate.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

HOUSE BILL REFERRED

The bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Finance.

INVESTIGATION OF WRECK OF U.S.S. "AKRON" AND OTHER DIRIGIBLES

The Vice President appointed Mr. King, Mr. Walsh, Mr. Duffy, Mr. Johnson, and Mr. Kean as the members on the part of the Senate of the joint select committee created under House Concurrent Resolution 15 to investigate the wreck of the U.S.S. *Akron* and other Army and Navy dirigibles.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Monday, April 17, Tuesday, April 18, Wednesday, April 19, and Thursday, April 20, 1933, was approved.

TERMS OF PRESIDENT, VICE PRESIDENT, AND MEMBERS OF CONGRESS

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Iowa, ratifying the twentieth amendment to the Constitution, fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress.

Ordered, That it lie on the table.

PETITIONS AND MEMORIALS

The Vice President 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:

A concurrent resolution memorializing Congress to restore to the Public Utilities Commission of the Territory of Hawaii jurisdiction over certain public utilities;

A concurrent resolution memorializing Congress to enact legislation for the acceptance of Hawaiian birth certificates as prima facie evidence of birth in the Hawaiian Islands; and

A concurrent resolution memorializing Congress to enact legislation to set aside $4,000,000 of unemployment relief funds for the construction of a tunnel through the Koolau Range in Hawaii.

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated.

A concurrent resolution of the Legislature of the State of Michigan, favoring the enactment of legislation to refinance agricultural indebtedness and to establish an efficient credit system; to the Committee on Agriculture and Forestry.

A resolution adopted by the board of directors of the American Manufacturers Export Association, of New York City, favoring reciprocal tariff arrangements between the United States Government and foreign nations for the promotion of trade; to the Committee on Finance.

A resolution adopted at Chicago, Ill., by the Envelope Manufacturers Association of America, urging a constitutional amendment giving Congress the right to regulate hours of labor and establish minimum wage rates for all industry in the United States, and remonstrating against the passage of the so-called Black bill providing for a 30-hour work week;

Petitions of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; and

Memorials of citizens of said State remonstrating against such investigation and charges against Senator Long; to the Committee on the Judiciary.

The Vice President laid before the Senate the following memorials:

A resolution adopted by the executive committee of the Associated Cooperage Industries of America, remonstrating against the passage of the so-called Black bill providing for a 30-hour work week; and

A telegram from the National Guard Association of the United States, remonstrating against proposed elimination of field training and reduction in armory drills for the National Guard.

Ordered, That they lie on the table.

Mr. Copeland presented the following petition and memorial, which was referred as indicated:

A petition of postal employees of Oklahoma City, Okla., praying the enactment of legislation to provide a 30-hour work week for the postal service; to the Committee on Post Offices and Post Roads.

A resolution adopted by the West End Society, Inc., of Brooklyn, N.Y., remonstrating against the alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

Mr. Copeland presented a petition of St. Regis Local, No. 45, International Brotherhood of Paper Makers, of Deferiet, N.Y., praying the enactment of legislation providing for a 6-hour day and a 30-hour week in industry.

Ordered, That it lie on the table.

Mr. McCarran presented the following joint resolutions of the Legislature of the State of Nevada, which were referred as indicated:

A joint resolution memoralizing Congress to provide a moratorium of at least 2 years on the payment of grazing fees due from livestock men as users of the Government ranges for 1932, and a total remission of grazing fees for the year 1933; to the Committee on Agriculture and Forestry.

A joint resolution favoring a reduction of interest rates on, and to extend the time for payment of, agricultural and livestock loans from the Reconstruction Finance Corporation and the Regional Agricultural Credit Corporation;

A joint resolution favoring the enactment of legislation providing for a system of bimetallic currency, and the calling of an international conference by the President to rehabilitate silver;

A joint resolution requesting aid for the relief of destitute Indians of the State; and

A joint resolution favoring the reopening of the Carson City (Nev.) mint for the coinage of silver into money and for making assays of gold and silver bullion; to the Committee on Banking and Currency.

A joint resolution favoring an increase of the tariff on copper to 10 cents per pound; and

A joint resolution urging the enactment of legislation providing for the exemption from the payment of income taxes of the proceeds of mines engaged in the mining of gold and silver production; to the Committee on Finance.

A joint resolution remonstrating against the enactment of legislation requiring the filing of notices of location and proofs of labor on mining claims in the several land offices; to the Committee on Public Lands and Surveys.

EXPANSION OF THE CURRENCY

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the amendment, providing for expansion of the currency, intended to be proposed by Mr. Thomas of Oklahoma to the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power, reported it with amendments and submitted a report (No. 40) thereon, recommending that the proposal be not attached to the foregoing bill, but that it be passed as a separate measure.

EXECUTIVE REPORT

As in executive session, and by unanimous consent,

Mr. Trammell, from the Committee on Naval Affairs, to whom was referred the nomination of Christian J. Peoples to be paymaster general and chief of the Bureau of Supplies and Accounts, Navy Department, reported it favorably.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Neely:

A bill (S. 1487) for the relief of Auguste C. Loiseau; to the Committee on Claims.

By Mr. Dill:

A bill (S. 1488) for the relief of Eivind Anderson; to the Committee on Claims.

By Mr. McNary:

A bill (S. 1489) granting a pension to Georgina Edmonds; to the Committee on Pensions.

By Mr. Sheppard:

A bill (S. 1490) to authorize the Secretary of War or the Secretary of the Navy to withhold the pay of officers, warrant officers, and nurses of the Army, Navy, or Marine Corps to cover indebtedness to the United States under certain conditions; to the Committee on Military Affairs.

By Mr. Norbeck:

A bill (S. 1491) granting a pension to Martin Suppan (with accompanying papers); to the Committee on Pensions.

By Mr. Lonergan:

A bill (S. 1492) authorizing the issuance of a special postage stamp in honor of Brig. Gen. Thaddeus Kosciusko; to the Committee on Post Offices and Post Roads.

By Mr. Coolidge:

A bill (S. 1493) for the relief of the Franklin County Trust Co., of Greenfield, Mass.;

A bill (S. 1494) for the relief of the Security Trust Co., of Lynn, Mass.; and

A bill (S. 1495) for the relief of the Springfield Safe Deposit & Trust Co., of Springfield, Mass.; to the Committee on Claims.

By Mr. Lewis:

A bill (S. 1496) for the relief of Nannie Swearingen; to the Committee on Claims.

By Mr. Frazier:

A bill (S. 1497) for the relief of Jerry O'Shea; to the Committee on Indian Affairs.

By Mr. Wheeler:

A bill (S. 1498) authorizing the Secretary of the Interior to pay E. C. Sampson, of Billings, Mont., for services rendered the Crow Tribe of Indians; to the Committee on Indian Affairs.

By Mr. Stephens:

A bill (S. 1499) to amend section 4530 of the Revised Statutes of the United States;

A bill (S. 1500) authorizing pursers or licensed deck officers of vessels to perform the duties of masters of such vessels in relation to entrance and clearance of same; and

A bill (S. 1501) to amend section 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea"; to the Committee on Commerce.

By Mr. Norbeck:

A bill (S. 1502) to amend section 5219 of the Revised Statutes, as amended; to the Committee on Banking and Currency.

By Mr. Lonergan:

A joint resolution (S.J.Res. 44) providing for the ratification of constitutional amendments by popular elections; to the Committee on the Judiciary.

"CONTRACTS PAYABLE IN GOLD"

Mr. Shipstead, by unanimous consent, submitted the following resolution (S.Res. 62), which was referred to the Committee on Printing:

Resolved, That the manuscript entitled "Contracts Payable in Gold", by George Cyrus Thorpe, showing the legal effect of agreements to pay in gold, be printed as a Senate document.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment yesterday proposed to Mr. Wagner's amendment by Mr. Shipstead, on page 13, after line 18 thereof,

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The President pro tempore directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

Mr. Shipstead modified his amendment.

On motion by Mr. Carey to amend Mr. Shipstead's amendment, as modified, by inserting in lieu thereof a substitute,

Mr. Shipstead raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. Shipstead raised a question of order, viz, that Mr. Carey's amendment was in the third degree.

The Presiding Officer sustained the question of order.

The amendment, as modified, proposed by Mr. Shipstead was not agreed to.

Mr. Wagner's amendment was further amended on the motion of Mr. Carey, the motion of Mr. McCarran, the motion of Mr. Costigan, and the motion of Mr. Trammell.

On motion by Mr. Frazier to further amend Mr. Wagner's amendment by inserting in lieu of the part proposed to be inserted certain language,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That when the Senate concludes its business today it take a recess until 11 o'clock a.m. tomorrow, and that at not later than 1 o'clock p.m. on tomorrow the Senate proceed to vote without further debate upon Mr. Frazier's amendment.

Mr. Connally entered a motion to reconsider the vote whereby the Senate, on the 19th instant, agreed to the amendment proposed by Mr. Costigan, inserting on page 16, line 9, after the word "tobacco" and the comma, the words *sugar beets, sugar cane,*.

Mr. Long raised a question of order, viz, that Mr. Connally did not vote with the prevailing side, and was therefore not privileged to enter the motion, and that the time for reconsideration had expired.

Mr. Connally having stated he did not vote on the amendment,

The Presiding Officer (Mr. Barkley in the chair) overruled the point of order in the following language:

"The question has been decided by the Senate. Rule XIII provides:

"'Any Senator voting with the prevailing side or who has not voted may, on the same day or on either of the next 2 days of actual session thereafter, move a reconsideration.'

"The Chair holds that the Senator from Texas is within his rights. The motion will be entered."

EXECUTIVE NOMINATIONS REFERRED

As in executive session, and by unanimous consent,

The Presiding Officer referred to the appropriate committees certain nominations this day received from the President of the United States.

RECESS

On motion by Mr. Smith, at 5 o'clock and 47 minutes p.m.,

The Senate, pursuant to its order of today, took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, SATURDAY, APRIL 22, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Bratton raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Duffy, Erickson, Fletcher, Frazier, George, Glass, Gore, Hale, Harrison, Hastings, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

SALES, COSTS, AND PROFITS OF RETAIL CHAINS

The Vice President laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting, in further response to Senate Resolution 224, Seventieth Congress, an additional report on the subject of chain-store system of marketing and distribution entitled "Sales, Costs, and Profits of Retail Chains"; which, with the accompanying report, was referred to the Committee on the Judiciary and ordered to be printed.

THE LATE SENATOR HOWELL, OF NEBRASKA

The Vice President laid before the Senate a communication from Mrs. R. B. Howell, of Omaha, Nebr., expressing her appreciation for the many courtesies shown by Members of the Senate on the occasion of the death and funeral of her late husband, Hon. Robert B. Howell.

Ordered, That it lie on the table.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A concurrent resolution favoring the enactment of legislation providing the same pay and allowances to the adjutant general of the Territory of Hawaii as provided for officers of the corresponding grade in the Regular Army; to the Committee on Territories and Insular Affairs.

A communication from the chairman of the committee on economics, Federation of Civic Associations of the District of Columbia, of Washington, D.C., relative to appropriations for public school purposes in the District of Columbia; to the Committee on Appropriations.

Petitions of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; and

Memorials of citizens of the State of Louisiana, remonstrating against such investigation and charges against Senator Long; to the Committee on the Judiciary.

Mr. Copeland presented a telegram from the mayor of New York City relative to unemployment and emergency and relief work done in that city and favoring the immediate extension of Federal aid to the States; which was referred to the Committee on Banking and Currency.

Mr. Wagner presented an identical telegram; which was referred to the Committee on Banking and Currency.

Mr. Copeland presented a communication from the mayor of Mishawaka, Ind., relative to the institution of a 6-hour day and 5-day work week in certain departments of the city government.

Ordered, That it lie on the table.

Mr. Fletcher presented part 3 of a statement of the American Council of Foreign Bondholders, Inc., of New York City, on foreign dollar bonds, interest payments on which are in default; which was referred to the Committee on Banking and Currency.

Mr. Johnson presented the following joint resolutions of the Legislature of the State of California, which were referred as indicated:

A joint resolution memorializing Congress to enact legislation providing that all patent rights for arms, munitions, and other equipment to be used for war purposes should be acquired by the Government, and favoring the presentation of this subject for discussion at future international disarmament conferences; to the Committee on Foreign Relations.

Mr. Black presented a copy of a petition to the city council of Detroit, Mich., by street-railway employees of that city, praying a 30-hour week for employees of street railways in the city of Detroit, together with the result of a referendum thereon.

Ordered, That it lie on the table.

A joint resolution memorializing Congress to enact legislation providing for a moratorium on foreclosures of real-property mortgages and on sales under deeds of trust on real property; to the Committee on Agriculture and Forestry.

Mr. Ashurst presented a memorial of the Senate of the State of Arizona, favoring an increase in the national currency and the retirement of outstanding bonds of the United States and termination of interest thereon on a certain date, which was referred to the Committee on Banking and Currency.

EXECUTIVE REPORTS

As in executive session, and by unanimous consent,

Mr. Kendrick, from the Committee on Public Lands and Surveys, to whom were referred the nominations of Theodore A. Walters to be First Assistant Secretary of the Interior, and Thomas F. Thomas to be register of the land office at Salt Lake City, Utah, reported them favorably.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Bankhead:

A bill (S. 1503) to provide for the redistribution of the overbalance of population in industrial centers by aiding in

the purchase of subsistence homesteads, and for other purposes; to the Committee on Banking and Currency.

By Mr. Fletcher:

A bill (S. 1504) for the relief of Walter J. Bryson Paving Co.; to the Committee on Claims.

By Mr. Steiwer:

A bill (S. 1505) for the relief of Thomas E. Reed; to the Committee on Military Affairs.

A bill (S. 1506) to amend the United States mining laws applicable to the Mount Hood National Forest within the State of Oregon; to the Committee on Agriculture and Forestry.

A bill (S. 1507) for the relief of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. McCalib, J. J. Beckham, and John Toles; to the Committee on Claims.

A bill (S. 1508) providing for the final enrollment of the Indians of the Klamath Indian Reservation in the State of Oregon; and

A bill (S. 1509) to credit the Klamath Indian tribal funds with certain amounts heretofore covered into the Treasury for reimbursement of appropriations; to the Committee on Indian Affairs.

A bill (S. 1510) to amend the act entitled "An act to adjust water-right charges, to grant other relief on the Federal irrigation projects, and for other purposes", approved May 25, 1926, with respect to certain lands in the Langell Valley irrigation district; to the Committee on Irrigation and Reclamation.

A bill (S. 1511) granting a pension to Mary E. Allen (with accompanying papers); to the Committee on Pensions.

By Mr. Bone:

A bill (S. 1512) to authorize acquisition of complete title to the Puyallup Indian Tribal School property at Tacoma, Wash., for Indian sanatorium purposes; to the Committee on Indian Affairs.

By Mr. Copeland:

A joint resolution (S.J.Res. 45) to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Seventh International Congress of Military Medicine and Pharmacy; to the Committee on Military Affairs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes, in which it requests the concurrence of the Senate.

HOUSE BILL REFERRED

The bill H.R. 4606, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Banking and Currency.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment in the nature of a substitute yesterday proposed by Mr. Frazier to the amendment proposed by Mr. Wagner, as amended, as a substitute for title II,

Pending debate,

Mr. Frazier raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Seventy-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Capper, Caraway, Clark, Copeland, Couzens, Cutting, Dickinson, Dieterich, Duffy, Erickson, Frazier, George, Hale, Hastings, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Nye, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Vandenberg, Van Nuys, Wagner, Walsh, and White.

A quorum being present,

The hour of 1 o'clock p.m. having arrived,

The Senate, under its order of yesterday, proceeded to vote on the question of agreeing to the amendment yesterday proposed to Mr. Wagner's amendment, as amended, by Mr. Frazier, viz, in lieu of the language, as amended, proposed to be inserted by Mr. Wagner's amendment to the reported amendment inserting title II, as follows:

"SECTION 21. Section 32 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 991), is amended by adding at the end thereof the following new paragraph:

"'Until such time as the Farm Loan Commissioner determines that Federal farm-loan bonds (other than those issued under this paragraph) are readily salable in the open market at a yield not in excess of 4 per centum per annum, but in no case more than two years after this paragraph takes effect, Federal land banks may issue farm-loan bonds as authorized under this act, for the purpose of making new loans, or for purchasing mortgages or exchanging bonds for mortgages as provided in paragraph "Second" of section 13 of this act. The aggregate amount of the bonds issued under this paragraph shall not exceed $2,000,000,000, and such bonds shall be issued in such denominations as the Farm Loan Commissioner shall prescribe, shall bear interest at a rate not in excess of 4 per centum per annum, and shall be fully and unconditionally guaranteed as to interest by the United States, and such guaranty shall be expressed on the face thereof. In the event that it shall appear to the Farm Loan Commissioner that the issuing bank or banks will be unable to pay upon demand, when due, the interest on any such bonds, the Secretary of the Treasury shall, upon the request of the Commission, pay the amount thereof, which is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. Upon the payment of such interest by the Secretary of the Treasury the amount so paid shall become an obligation to the United States of the issuing bank or banks and shall bear interest at the same rate as that borne by the bonds upon which the interest has been so paid. After the expiration of one year from the date this paragraph takes effect, if in the opinion of the Farm Loan Commissioner any part of the proceeds of the bonds authorized to be issued under this paragraph is not required for the purpose of making new loans or for purchasing mortgages or exchanging bonds for mortgages as herein provided, such bonds may be issued within the maximum limit herein specified for the purpose of refinancing any outstanding issues of Federal farm-loan bonds; but no such bonds shall be issued after two years from the date this paragraph takes effect for the purpose of such refinancing. Any borrower who obtains a loan from a Federal land bank after the date this paragraph takes effect may, at any time after the expiration of five years from the date such loan was made, tender to such bank on any regular installment date, bonds issued under this paragraph in an amount not to exceed the unpaid principal of his loan, and the bonds so tendered shall be accepted by the bank at par in payment of any part of such unpaid principal.'

"PURCHASE, REDUCTION, AND REFINANCING OF FARM MORTGAGES

"SEC. 22. Paragraph 'Second' of section 13 of the Federal Farm Loan Act, as amended, is amended by adding at the end thereof the following new sentence:

"'In order to reduce and/or refinance farm mortgages, to invest such funds as may be in its possession in the purchase of first mortgages on farm lands situated within the Federal land-bank district within which it is organized or for

which it is acting, or to exchange farm-loan bonds for any duly recorded first mortgages on farm lands executed prior to the date this paragraph, as amended, takes effect, at a price which shall not exceed in each individual case the amount of the unpaid principal of the mortgage on the date of such purchase or exchange, or 50 per centum of the value of the land mortgaged and 20 per centum of the value of the permanent insured improvements thereon as determined upon an appraisal made pursuant to this act, whichever is the smaller: *Provided*, That any mortgagor whose mortgage is acquired by a Federal land bank under this paragraph shall be entitled to have his farm-mortgage indebtedness refinanced in accordance with the provisions of sections 7 and 8 of this act on the basis of the amount paid by the bank for his mortgage.'

"EXTENSION OF LOANS

"SEC. 23. Paragraph 'Tenth' of section 13 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 781), is amended by adding at the end thereof the following: 'The terms of any such extension shall be such as will not defer the collection of any obligation due by any borrower which, after investigation by the bank of the situation of such borrower, is shown to be within his capacity to meet. In the case of any such extension made prior to the expiration of five years from the date this paragraph is amended takes effect, or in the case of any deferment of principal as provided in paragraph "Twelfth" of section 12 of this Act, it shall be the duty of the Secretary of the Treasury, on behalf of the United States, upon the request of the Federal land bank making the extension, and with the approval of the Farm Loan Commissioner, to subscribe at such periods as the Commissioner shall determine, to the paid-in surplus of such bank an amount equal to the amount of all such extensions and deferments made by the bank during the preceding period. Such subscriptions shall be subject to call, in whole or in part, by the bank with the approval of the Commissioner upon thirty days' notice. To enable the Secretary of the Treasury to make such subscriptions to the paid-in surplus of the Federal land banks, there is hereby authorized to be appropriated the sum of $50,000,000, to be immediately available and remain available until expended. Upon payment to any Federal land bank of the amount of any such subscription, such bank shall execute and deliver a receipt therefor to the Secretary of the Treasury in form to be prescribed by the Farm Loan Commissioner. The amount of any subscriptions to the paid-in surplus of any such bank may be repaid in whole or in part at any time in the discretion of the bank and with the approval of the Farm Loan Commissioner, and the Commissioner may at any time require such subscriptions to be repaid in whole or in part if in his opinion the bank has resources available therefor.'

"REDUCTION OF INTEREST ON LOANS AND DEFERMENT OF PRINCIPAL

"SEC. 24. Section 12 of the Federal Farm Loan Act, as amended (U.S.C., title 12, secs. 771–772), is amended by adding at the end thereof the following new paragraph:

"'Twelfth. Notwithstanding the provisions of paragraph "Second", the rate of interest on any loans on mortgage made through national farm-loan associations or through agents as provided in section 15, or purchased from joint-stock land banks, by any Federal land bank, outstanding on the date this paragraph takes effect or made through national farm-loan associations within two years after such date, shall not exceed 4½ per centum per annum for all interest payable on installment dates occurring within a period of five years commencing sixty days after the date this paragraph takes effect; and no payment of the principal portion of any installment of any such loan shall be required during such five-year period if the borrower shall not be in default with respect to any other condition or covenant of his mortgage. The foregoing provisions shall apply to loans made by Federal land banks through branches, except that the rate of interest on such loans for such five-year period shall be 5 per centum in lieu of 4½ per centum. The Secretary of the Treasury shall pay each Federal land bank, as soon as practicable after October 1, 1933, and after the end of each quarter thereafter, such amount as the Farm Loan Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced, during the preceding quarter, by reason of this paragraph; but in any case in which the Farm Loan Commissioner finds that the amount of interest payable by such bank during any quarter has been reduced by reason of the refinancing of bonds under section 32 of this Act, the amount of the reduction so found shall be deducted from the amount payable to such bank under this paragraph. No payments shall be made to a bank with respect to any period after June 30, 1938. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000,000 for the purpose of enabling the Secretary of the Treasury to make payments to Federal land banks which accrue during the fiscal year ending June 30, 1934, and such additional amounts as may be necessary to make payments accruing during subsequent fiscal years.

"INCREASE OF AMOUNT OF LOANS TO BORROWERS

"SEC. 25. Paragraph 'Seventh' of section 12 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 771) (relating to the limitations as to amount of loans), is amended by striking out '$25,000' and inserting '$50,000, but loans to any one borrower shall not exceed $25,000 unless approved by the Farm Loan Commissioner.'

"DIRECT LOANS

"SEC. 26. Section 7 of the Federal Farm Loan Act, as amended, is amended by striking out the last paragraph and inserting in lieu thereof the following new paragraphs:

"'Whenever it shall appear to the Farm Loan Commissioner that national farm-loan associations have not been formed in any locality in the continental United States, or that the farmers residing in the territory covered by the charter of a national farm-loan association are unable to apply to the Federal land bank of the district for loans on account of the inability of the bank to accept applications from such association, the Farm Loan Commissioner shall authorize said bank to make direct loans to borrowers secured by first mortgages on farm lands situated within any such locality or territory. Except as herein otherwise specifically provided, all provisions of this act applicable with respect to loans made through national farm-loan associations shall, insofar as practicable, apply with respect to such direct loans, and the Farm Loan Commissioner is authorized to make such rules and regulations as he may deem necessary with respect to such direct loans.

"'Each borrower who obtains a direct loan from a Federal land bank shall subscribe and pay for stock in such bank in the sum of $5 for each $100 or fraction thereof borrowed. Such stock shall be held by such Federal land bank as collateral security for the loan of the borrower and shall participate in all dividends. Upon full payment of the loan such stock shall, if still outstanding, be canceled at par, or, in the event that such stock shall have become impaired, at the estimated value thereof as approved by the Farm Loan Commissioner, and the proceeds thereof shall be paid to the borrower.

"'Each such borrower shall covenant in his mortgage that, whenever there are ten or more borrowers who have obtained from a Federal land bank direct loans under the provisions of this section aggregating not less than $20,000, and who reside in a locality which may, in the opinion of the Farm Loan Commissioner, be conveniently covered by the charter of and served by a national farm-loan association, he will unite with such other borrowers to form a national farm-loan association. Such borrowers shall organize the association subject to the requirements and the conditions specified in this section, so far as the same may be applicable, and in accordance with rules and regulations of the Farm Loan Commissioner. As soon as the organization of the association has been approved by the Farm Loan Commissioner, the stock in the Federal land bank held by each of the members of such association shall be canceled at par, and in lieu thereof the bank shall issue in the name of the

association an equal amount of stock in said bank, which stock shall be held by said bank as collateral security as provided in this section with respect to other loans through national farm-loan associations. Thereupon there shall be issued to each such member an amount of capital stock in the association equal to the amount which he previously held in said bank, which stock shall be held by said association as collateral security as provided in section 8 of this act. The board of directors of said association shall adopt a resolution authorizing and directing its secretary-treasurer on behalf of said association to endorse, and thereby become liable for the payment of, the mortgages taken from its charter members by the Federal land bank. When it shall appear to the satisfaction of the Farm Loan Commissioner that all the foregoing conditions have been complied with, and upon the granting of the charter by the Farm Loan Commissioner, the interest rate paid by each charter member of such association whose loan is in good standing shall, beginning with his next regular installment date, be reduced to the rate of interest paid by borrowers on new loans made through national farm-loan associations in the same Federal land-bank district at the time the said loan was made to such charter member.

"'Charges to be paid by applicants for direct loans from a Federal land bank shall not exceed amounts to be fixed by the Farm Loan Commissioner and shall in no case exceed the charges which may be made to applicants for loans and borrowers through national farm-loan associations under the provisions of sections 11 and 13 of this act.'

"LOANS TO RECEIVERS

"SEC. 27. Any receiver appointed by the Federal Farm Loan Board pursuant to section 29 of the Federal Farm Loan Act, as amended, or any receiver appointed by a district court of the United States, is authorized, for the purpose of paying taxes on farm real estate owned by the bank or securing the mortgages held by it, with the approval of the Farm Loan Commissioner, to borrow from the Reconstruction Finance Corporation and to issue receiver's certificates against the assets of such bank as security for any loan received from the Corporation under this section, and such certificates shall constitute a prior lien on such assets. The Reconstruction Finance Corporation is authorized to make loans to such receivers for the purposes of this section.

"FEDERAL FARM-LOAN BONDS AS SECURITY FOR ADVANCES BY FEDERAL RESERVE BANKS

"SEC. 27a. The seventh paragraph of section 13 of the Federal Reserve Act, as amended, is amended by inserting before the period at the end thereof a comma and the following: 'or by the deposit or pledge of bonds issued pursuant to the paragraph added to section 32 of the Federal Farm Loan Act, as amended by section 21 of the Emergency Farm Mortgage Act of 1933.'

"PART 2—JOINT-STOCK LAND BANKS

"LIMITATIONS ON ISSUE OF BONDS AND LENDING

"SEC. 28. After the date of enactment of this act, no joint-stock land bank shall issue any tax-exempt bonds or make any farm loans except such as are necessary and incidental to the refinancing of existing loans or bond issues or to the sale of any real estate now owned or hereafter acquired by such bank.

"LOANS TO JOINT-STOCK LAND BANKS TO PROVIDE FOR ORDERLY LIQUIDATION

"SEC. 29. (a) The Reconstruction Finance Corporation is authorized and directed to make available to the Farm Loan Commissioner, out of the funds of the Corporation, the sum of $100,000,000, to be used, for a period not exceeding two years from the date of enactment of this act, for the purpose of making loans to the joint-stock land banks organized and doing business under the Federal Farm Loan Act, as amended, at a rate of interest not to exceed 4 per centum per annum, payable annually. Such loans shall be made upon application therefor by such banks and upon compliance with the requirements of this section. The amount which may be loaned hereunder to any such bank shall not exceed an amount having the same proportion to the said $100,000,000 as the unpaid principal of the mortgages held by such bank on the date of enactment of this act bears to the total amount of the unpaid principal of the mortgages held by all the joint-stock land banks on such date.

"(b) Any joint-stock land bank applying for a loan under this section shall deliver to the Farm Loan Commissioner as collateral security therefor first mortgages or purchase-money mortgages on farm lands, first mortgages on farm real estate owned by the bank in fee simple, or such other collateral as may be available to said bank, including sales contracts and sheriff's certificates on farm lands. The real estate upon which such collateral is based shall be appraised by appraisers appointed under the Federal Farm Loan Act, as amended, and the borrowing bank shall be entitled to borrow not to exceed 60 per centum of the value of such real estate as determined by such appraisal. Fees for such appraisals shall be paid by the applicant banks in such amounts as may be fixed by the Farm Loan Commissioner. No such loan shall be made until the applicant bank, under regulations to be prescribed by the Farm Loan Commissioner, (1) shall have agreed to grant to each borrower then indebted to the bank under the terms of a first mortgage a reduction to 5 per centum per annum in the rate of interest specified in such mortgage, beginning at his next regular installment date occurring more than sixty days after the date of enactment of this act, and (2) shall have agreed to the satisfaction of the Commissioner that during a period of two years from the date of enactment of this act the bank will not proceed against the mortgagor on account of default in the payment of interest or principal due under the terms of its mortgage and will not foreclose its mortgage unless the property covered by such mortgage is abandoned by the mortgagor or unless, in the opinion of the Commissioner, such foreclosure is necessary for other reasons. Such loans shall be made to aid the orderly liquidation of any such bank in accordance with such plan as may be approved by the Farm Loan Commissioner. Before any such plan is approved by the Commissioner he shall be satisfied that the plan carries out the purposes of this section and that such part of the proceeds of the loan as is devoted to settlements with bondholders will be used only to effect an equitable settlement with all bondholders. After the plan has been approved by the Commissioner he shall require the bank to mail a copy thereof to all its known bondholders and to publish a notice setting forth its provisions in at least three newspapers having general circulation.

"LOANS BY THE FARM-LOAN COMMISSIONER TO JOINT-STOCK LAND BANKS FOR EMERGENCY PURPOSES

"SEC. 30. (a) In addition to loans authorized to be made to joint-stock land banks as provided in section 29 of this act and as provided in section 5 of the Reconstruction Finance Corporation Act, as amended, the Reconstruction Finance Corporation is further authorized and directed to make available to the Farm Loan Commissioner, out of the funds of the Corporation, the sum of $25,000,000 to be used by him for the purpose of making loans, at a rate of interest not to exceed 4 percentum per annum, to any joint-stock land bank for the purpose of securing the postponement for two years from the date of the enactment of this act of the foreclosure of first mortgages held by such banks on account of (1) default in the payment of interest and principal due under the terms of the mortgage, and (2) unpaid delinquent taxes, excluding interest and penalties, which may be secured by the lien of said mortgage: *Provided*, That during the period of postponement of foreclosure such bank shall charge the mortgagor interest at a rate not exceeding 4 percentum per annum on the aggregate amount of such delinquent taxes and defaulted interest and principal with respect to which loans are made pursuant to this section. The amount loaned to any joint-stock land bank under this section shall be made without reappraisal: *Provided*, That the amount loaned with respect to any mortgage on account of unpaid principal shall not exceed 5 per centum of the total unpaid principal of such mortgage, and the total amount loaned to any such land bank with respect to any mortgage shall not exceed 25 per centum of the total unpaid principal of such mortgage.

"(b) No such loan shall be made with respect to any mortgage unless the Farm Loan Commissioner is satisfied that the mortgagor, after exercising ordinary diligence to pay his accrued delinquent taxes, and meet accrued interest and principal payments, has defaulted thereon; and unless the bank shall have agreed to the satisfaction of the Farm Loan Commissioner that during such two-year period the bank will not foreclose such mortgage unless the property covered thereby is abandoned by the mortgagor or unless in the opinion of the Farm Loan Commissioner such foreclosure is necessary for other reasons.

"(c) Each such loan shall be secured by an assignment to the Farm Loan Commissioner of the lien of the taxes and/or of the bank's mortgage with respect to which the loan is made: *Provided*, That the part of each such lien so assigned representing the interest and principal due and unpaid in any such mortgage which has been assigned to the farm-loan registrar shall be subordinate to the existing lien of the bank for the balance of the indebtedness then or thereafter to become due under the terms of such mortgage; but the Farm Loan Commissioner may require the bank to furnish additional collateral as security for such loan, if such collateral is available to the bank.

"(d) The Farm Loan Commissioner is authorized to make such rules and regulations as may be necessary to carry out the purposes of this section and to make the relief contemplated immediately available.

"PART 3—LOANS TO FARMERS BY FARM LOAN COMMISSIONER

"REDUCTION OF DEBTS AND REDEMPTION OF FORECLOSED FARMS

"SEC. 31. The Reconstruction Finance Corporation is authorized and directed to allocate and make available to the Farm Loan Commissioner the sum of $200,000,000, or so much thereof as may be necessary, to be used for the purpose of making loans as hereinafter provided to any farmer, secured by a first or second mortgage upon the whole or any part of the farm property, real or personal, including crops, of the farmer. The amount of the mortgage given by any farmer, together with all prior mortgages or other evidences of indebtedness secured by such farm property of the farmer, shall not exceed 75 per centum of the value thereof, as determined upon an appraisal made pursuant to the Federal Farm Loan Act, as amended; nor shall a loan in excess of $5,000, be made to any one farmer. Every mortgage made under this section shall contain an agreement providing for the repayment of the loan on an amortization plan by means of a fixed number of annual or semiannual installments, sufficient to cover (1) interest on unpaid principal at a rate not to exceed 5 per centum per annum and (2) such payments equal in amount to be applied on principal as will extinguish the debt within an agreed period of not more than ten years from the date the first payment on principal is due: *Provided*, That during the first three years the loan is in effect payments of interest only may be required. No loan shall be made under this section unless the holder of any prior mortgage or instrument of indebtedness secured by such farm property arranges to the satisfaction of the Farm Loan Commissioner to limit his right to proceed against the farmer and such farm property for default in payment of principal. Loans under this section shall be made for the following purposes only: (1) Refinancing, either in connection with proceedings under chapter VIII of the Bankruptcy Act of July 1, 1898, as amended (relating to agricultural compositions and extensions), or otherwise, any indebtedness, secured or unsecured, of the farmer, (2) providing working capital for his farm operations, and (3) enabling any farmer to redeem and/or repurchase farm property owned by him prior to foreclosure which has been foreclosed at any time between July 1, 1931, and the date of the enactment of this act, or which is foreclosed after the enactment of this act. The provisions of paragraph 'Ninth' of section 13 of the Federal Farm Loan Act, as amended (relating to charges to applicants for loans and borrowers from the Federal land banks), shall, so far as practicable, apply to loans made under this section. As used in this section, the term 'farmer' means any individual who is bona fide engaged in farming operations, either personally or through an agent or tenant, or the principal part of whose income is derived from farming operations, and includes a personal representative of a deceased farmer.

"REGULATIONS

"SEC. 32. The Farm Loan Commissioner is authorized to make such rules and regulations, and to appoint, employ, and fix the compensation of such officers, employees, attorneys, and agents as may be necessary to carry out the purposes of this title and to make the relief contemplated by this title immediately available, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States: *Provided*, That no salary or compensation in excess of $8,500 shall be paid to any person employed under the terms of the foregoing section.

"FACILITIES OF FEDERAL LAND BANKS AND NATIONAL FARM LOAN ASSOCIATIONS MADE AVAILABLE

"SEC. 33. The Federal Land banks and the national farm loan associations are authorized, upon request of the Farm Loan Commissioner, to make available to him their services and facilities to aid in administering the provisions of this title.

"PENALTIES

"SEC. 34. Any person who shall knowingly make any material false representation for the purpose of obtaining any loan under part 3 of this title, or in assisting in obtaining any such loan, shall, upon conviction thereof, be fined not more than $1,000, or imprisoned not more than six months, or both.

"PART 4—REFINANCING OF AGRICULTURAL IMPROVEMENT DISTRICT INDEBTEDNESS FOR THE BENEFIT OF FARMERS

"LOANS BY RECONSTRUCTION FINANCE CORPORATION

"SEC. 35. The Reconstruction Finance Corporation is authorized and empowered to make loans as hereinafter provided, in an aggregate amount not exceeding $50,000,000, (1) to drainage districts, levee districts, levee and drainage districts, irrigation districts, and similar districts, duly organized under the laws of any State, including private corporations organized for drainage, levee, levee and drainage, or irrigation purposes, and to political subdivisions of States, which, prior to the date of enactment of this act, have projects substantially advanced toward completion and devoted chiefly to the improvement of land for agricultural purposes, including, in the case of irrigation systems, dams and reservoirs, and electric-power projects developed by, incident to, and directly connected with such irrigation systems; (2) to irrigation districts organized under the laws of any State, and operating under contract with the United States, to aid in the payment of their operation and maintenance charges and to provide funds for the installation and operation of necessary works, and to protect the rights of the United States in the project. Such loans shall be made for the purpose of enabling any such district or political subdivision (hereafter referred to as the 'borrower') to reduce and refinance its outstanding indebtedness incurred in connection with any such project, and shall be subject to the same terms and conditions as loans made under section 5 of the Reconstruction Finance Corporation Act, as amended; except that (1) the term of any such loan shall not exceed forty years; (2) each such loan shall be secured by refunding bonds issued to the Corporation by the borrower which are a lien on the real property within the project or on the amount of the assessments levied on such property by the borrower pursuant to State law, or by such other collateral as may be acceptable to the Corporation; (3) the borrower shall agree not to issue during the term of the loan any bonds so secured except with the consent of the Corporation; (4) the

borrower shall pay to the Corporation, until all bonds of the borrower held by the Corporation are retired, an amount equal to the amount by which the assessments against the real property within the project collected by the borrower exceed the costs of operation and maintenance of the project and interest on its outstanding obligations; and (5) the borrower shall agree, to the satisfaction of the Corporation, to reduce the outstanding indebtedness to the borrower of the landowners within such project by an amount corresponding to that by which the indebtedness of the borrower is reduced by reason of the operation of this section, to distribute the amount of such reduction among such landowners on a pro rata basis, to cancel and retire its outstanding bonds in an aggregate amount equal to the amount of the reduction so distributed, and to permit the Corporation, in the case of the payment of the bonds of the borrower or the liquidation of such project, to participate in such payment or in the proceeds of such liquidation on the basis of the face amount of the bonds so retired plus the face amount of the bonds held by the Corporation as security for the loan. No loan shall be made under this section until the Reconstruction Finance Corporation (A) has caused an appraisal to be made of the property securing and/or underlying the outstanding bonds of the applicant, (B) has determined that the project of the applicant is economically sound, and (C) has been satisfied that an agreement has been entered into between the applicant and the holders of its outstanding bonds under which the applicant will be able to purchase or refund such bonds at a price determined by the Corporation to be reasonable after taking into consideration the average market price of such bonds over the six months' period ending March 1, 1933, and under which a substantial reduction will be brought about in the amount of the outstanding indebtedness of the applicant. That the Reconstruction Finance Corporation, upon request of the Secretary of the Interior, is authorized and empowered to advance from funds made available by section 2 of the act of January 22, 1932 (47 Stat.L. 5), to the reclamation fund created by the act of June 17, 1902 (32 Stat.L. 388), such sum or sums as the Secretary of the Interior may deem necessary, not exceeding $5,000,000, for the completion of projects or divisions of projects now under construction, or projects approved and authorized. Funds so advanced shall be repaid out of any receipts and accretions accruing to the reclamation fund within such time as may be fixed by the Reconstruction Finance Corporation, not exceeding five years from the date of advance, with interest at the rate of 4 per centum per annum. Sums so advanced may be expended in the same way as other moneys in the reclamation fund.

"Subject to the conditions and limitations of this section, the Reconstruction Finance Corporation may also accept from the government boards of duly organized drainage districts, levee districts, levee and drainage districts, irrigation districts, and similar districts, a pledge of their issued and/or outstanding evidences of indebtedness, upon such terms as said Corporation may deem advisable, and the money loaned on such pledge shall bear interest at the rate of 4 per centum annually.

"PART 5—INCREASE OF LENDING POWER OF RECONSTRUCTION FINANCE CORPORATION

"SEC. 36. In order to provide funds to carry out the purposes of this title, the amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time, is hereby increased by $325,000,000.

"PART 6—FUNCTIONS OF FARM LOAN COMMISSIONER UNDER EXECUTIVE ORDERS

"SEC. 37. If and when any Executive order heretofore transmitted to the Congress pursuant to title IV of part II of the Legislative Appropriation Act of 1933, as amended, shall become effective, all functions, powers, authority, and duties conferred upon or vested in the Farm Loan Commissioner by this title shall be held and exercised by him subject to all the terms and conditions in any such Executive order the same as if such functions, powers, authority, and duties were specifically named in such Executive order or orders.

"PERFECTING ORGANIZATION FARM CREDIT ADMINISTRATION

"SEC. 38. The Governor of the Farm Credit Administration is authorized, in carrying out the powers and duties now or hereafter vested in him or the Farm Credit Administration by law or under any Executive order made under the IV of part II of the Legislative Appropriation Act of 1933, as amended, to establish, and to fix the powers and duties of, such divisions, agencies, corporations, and instrumentalities as he may deem necessary to the efficient functioning of the Farm Credit Administration and the successful execution of the powers and duties so vested in the Governor and the Farm Credit Administration. This section shall not be construed to restrict the authority of the President under title IV of such act, as amended: *Provided*, That no salary or compensation shall be paid to any officer or other person employed under this section in excess of $8,500 per annum.

"PART 7—SHORT TITLE

"SEC. 41. This title may be cited as the 'Emergency Farm Mortgage Act of 1933.'"

Insert the following:

Sec. 21. This title shall be known as "The Farmers' Farm Relief Act."

Sec. 22. That the Government now perform its solemn promise and duty and place American agriculture on a basis of equality with other industries by providing an adequate system of credit, through which farm indebtedness and farm mortgages now existing may be liquidated and refinanced, through real-estate mortgages on the amortization plan, at 1½ per centum interest and 1½ per centum principal per annum, and through mortgages on livestock used for breeding or agricultural purposes at 3 per centum interest per annum through the use of the machinery of the Federal Farm Loan System and the Federal Reserve Banking System.

Sec. 23. The Federal Loan Commissioner is hereby authorized and directed to liquidate, refinance, and take up farm mortgages and other farm indebtedness, existing at the date of enactment of this act, by making real-estate loans, secured by first mortgages on farms, to an amount equal to the fair value of such farms and 50 per centum of the value of insurable buildings and improvements thereon, through the use of the machinery of the Federal land banks and national farm-loan associations, and to make all necessary rules and regulations for the carrying out of the purposes of this title with expedition. In case such farm mortgages and other farm indebtedness to be liquidated and refinanced exceeds the fair value of any farm and 50 per centum of the value of insurable buildings and improvements thereon, then such farm mortgages and indebtedness shall be scaled down in accordance with the provisions of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto. Such loans shall be made at a rate of 1½ per centum interest and 1½ per centum principal per annum, payable in any lawful money of the United States.

Sec. 24. The Federal Loan Commissioner is further authorized and directed to liquidate, refinance, and take up chattel mortgages and other farm indebtedness, existing at the date of enactment of this act, by making loans at the rate of 3 per centum interest per annum, secured by first mortgages on livestock used for breeding or agricultural purposes, to an amount equal to 65 per centum of the fair market value thereof, such loans to run for a period of one year, with right of renewal from year to year for a term of ten years: Provided, That any depreciation in the value of such livestock is replaced by additional livestock used for breeding or agricultural purposes, and the amount of the loan is reduced 10 per centum each year.

Sec. 25. There is hereby authorized to be appropriated, out of any money not otherwise appropriated, $100,000 for the use of the Federal Loan Commissioner to carry out the provisions of this title. The necessary and actual expenses incurred in carrying out the provisions in this title shall be apportioned and prorated and added to each individual mortgage, and such sums so added shall be paid to the Federal Loan Commissioner for administrative purposes.

Sec. 26. The funds with which to liquidate and refinance existing farm mortgages and other farm indebtedness shall be provided by the issuing of farm-loan bonds by the Federal Farm Loan System, through the Federal Loan Commissioner and the Federal land banks, as now provided by law, which bonds shall bear interest at the rate of 1½ per centum per annum, if secured by mortgages on farms, and 3 per centum per annum if secured by chattel mortgages on livestock used for breeding or agricultural purposes. These bonds, after delivery to the Federal Loan Commissioner, may by him be sold at par to any individual or corporation, or to any State, National, or Federal Reserve bank, or to the Treasurer of the United States. And it shall be the duty of the Federal Reserve banks to invest their available surplus and net profits after the dividends are paid to their stockholders in such farm-loan bonds, such profits to include the franchise tax now paid to the United States.

Sec. 27. In case all of said farm-loan bonds are not readily purchased, then the Federal Loan Commissioner shall present the remainder to the Federal Reserve Board, and the Board shall forthwith cause to be issued and delivered to the Federal Loan Commission Federal Reserve notes to an amount equal to the par value of such bonds as are presented to it. Such farm-loan bonds to be held by the Federal Reserve Board as security in lieu of any other security or reserve.

Sec. 28. The Federal Loan Commissioner and the Federal land banks shall turn over all payments of interest and principal on such farm-loan bonds, for which the Federal Reserve Board issues Federal Reserve notes to the Treasurer of the United States, and shall be by him kept for the purpose of redeeming said Federal Reserve notes and reinvested by him as a sinking fund in municipal or State bonds and bearing interest at the rate of at least 2 per centum per annum, both principal and interest to be paid in any lawful money of the United States.

Sec. 29. Whenever the amount of money actually in circulation in the United States shall exceed $75 per capita, then the Treasurer of the United States, by and with the approval of the Federal Reserve Board and the President of the United States, may retire Federal Reserve notes in an amount equal to the principal paid on farm-loan bonds, for which Federal Reserve notes were issued, not to exceed 2 per centum in any one year, of the amount of Federal Reserve notes so issued.

Sec. 30. There is hereby created a board of agriculture consisting of one member from each State, elected by the farmers of such State, who shall be elected by delegates selected by a mass convention of farmers in each county or parish within the United States, who are indebted and declare it to be their intention to take advantage of this title, such county or parish convention to be its own judge as to who are bona fide farmers and otherwise eligible to participate in its proceedings.

Sec. 31. The Federal Loan Commissioner is hereby authorized and directed to give public notice, through the Federal land banks, to the farmers of each county or parish of the time and place of holding the first county or parish convention, which shall be held at the seat of government of each county or parish; and it shall at the same time give notice of the first convention of the State delegates, to be held at the State capital of each State, notice of such convention to be given within sixty days after the enactment of this act.

Sec. 32. The farmers attending such county or parish convention and the State delegates attending such State convention shall organize and make such rules and regulations for their procedure as they deem necessary or convenient, and shall elect a president and a secretary and make arrangements for such other and future conventions as they may deem necessary to carry out the purposes of this title, and they shall at all times cooperate and assist the board of agriculture, the Federal Loan Commissioner, the Federal land banks, and national farm-loan associations to liquidate and refinance farm mortgages and farm indebtedness.

Sec. 33. The State delegates so elected shall meet at the State capitals of their respective States and elect a member of the board of agriculture, who shall hold his office from the date of such election and for a period of two years from January 20 following, and who shall receive $15 per diem and necessary traveling expenses while on official business, to be paid by the Federal Loan Commissioner out of any funds set apart by section 25 of this act.

Sec. 34. Immediately after their election the members of the board of agriculture, upon call of the Federal Loan Commissioner, shall meet at Washington, in the District of Columbia, and organize by electing a chairman and a secretary, and they shall make such rules and regulations as they deem necessary and expedient to carry out the purposes of this title. They shall elect an executive committee of three, none of whom shall be members of the board of agriculture, who shall hold their office at the will of said Commissioner, and who shall receive a salary of $7,500 per annum, and 5 cents per mile for necessary traveling expenses while on official business, to be paid by the Federal Loan Commissioner out of any funds set apart by section 25 of this act.

Sec. 35. The members of the board of agriculture shall keep in touch with and report to the executive committee the progress of liquidating and refinancing farm mortgages and farm indebtedness in their respective States. They shall cooperate with county or parish and State governments and with all farm and cooperative organizations within their respective States to speedily bring about the liquidation and refinancing of farm mortgages and farm indebtedness.

Sec. 36. The executive committee of the board of agriculture shall advise with and supervise the work of liquidating and refinancing farm mortgages and farm indebtedness by the Federal Loan Commissioner and the Federal Reserve Board, and they shall cooperate with said Boards and with county or parish and State governments and with the various farm organizations and with the agricultural colleges of the Nation in order to bring about a just and speedy liquidation and refinancing of farm mortgages and farm indebtedness. They shall report any member of the Farm Loan System or the Federal Reserve Board who neglects, hinders, or delays the carrying out of the provisions of this title to the President of the United States, and it shall be the duty of the President, upon cause shown, to remove any such officer and to appoint some other suitable person in his place, with the advice and consent of the Senate.

Sec. 37. The benefits of this title shall also extend to any farmer or member of his family who lost his farm through indebtedness or mortgage foreclosure since 1919, and who desires to purchase the farm lost or another farm. It shall also extend to any tenant or member of his family who desires to purchase a farm, provided he has lived on and operated a farm as a tenant for at least three years prior to the enactment of this act.

Sec. 38. The executive committee of the board of agriculture shall have power in case of crop failures, and in other meritorious cases, to extend the time payments due on loans made under this title from time to time for a period not exceeding three years, provided the mortgagor keeps up the payment of all taxes on the mortgaged property.

Sec. 39. This title shall be liberally construed, and no technicalities or limitations shall be imposed or permitted to interfere with the speedy carrying out of its purposes, and the provisions of the Federal Farm Loan System and the Federal Reserve Banking System shall apply as far as applicable in the carrying out of the provisions of this title; and all laws or parts of laws in conflict herewith are for the purpose of this title repealed. The persons charged with the duty of carrying out the provisions of this title are author-

ized and directed to do all things necessary or convenient to accomplish its purposes with expedition.

It was determined in the negative, {Yeas ---------- 25 / Nays ---------- 44}

On motion by Mr. Long,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bone, Bulow, Capper, Caraway, Couzens, Cutting, Dickinson, Duffy, Erickson, Frazier, La Follette, Long, McCarran, McGill, Murphy, Neely, Norbeck, Nye, Pope, Robinson of Indiana, Schall, Shipstead, Steiwer, Thomas of Oklahoma, and Vandenberg.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Borah, Bratton, Brown, Byrd, Byrnes, Clark, Copeland, Dieterich, Fletcher, George, Hale, Hastings, Hayden, Johnson, Kean, Keyes, King, Lewis, Logan, Lonergan, McAdoo, McKellar, Norris, Patterson, Reed, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Trammell, Van Nuys, Wagner, Walsh, and White.

So Mr. Frazier's amendment to Mr. Wagner's amendment, as amended, was not agreed to.

The amendment proposed by Mr. Wagner was further amended on the motion of Mr. Gore, the motion of Mr. Shipstead, and the motion of Mr. Trammell, and, as amended, agreed to.

The reported amendment, as amended, was agreed to.

A further amendment to the bill having been proposed by Mr. Thomas of Oklahoma,

RECESS

On motion by Mr. Smith, at 2 o'clock and 48 minutes p.m.,

The Senate took a recess until 12 o'clock m. on Monday next.

AT 12 O'CLOCK M. (CALENDAR DAY, MONDAY, APRIL 24, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Kendrick raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF TREASURY DEPARTMENT

The Vice President laid before the Senate a communication from the Secretary of the Treasury, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Treasury Department and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying documents, was ordered to lie on the table and be printed without the accompanying illustrations.

FUNCTIONS AND EXPENSES OF RECONSTRUCTION FINANCE CORPORATION

The Vice President laid before the Senate a communication from the secretary of the Reconstruction Finance Corporation, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the corporation and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying documents, was ordered to lie on the table and be printed with an accompanying illustration.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A joint resolution of the Legislature of the State of California, memorializing Congress to enact legislation providing that all patent rights for arms, munitions, and other equipment to be used for war purposes should be acquired by the Government, and that the subject be presented at future international disarmament conferences; to the Committee on Patents.

A petition of the Sheet Metal Workers, Local Union No. 293, of Pasadena, Calif., praying the greatest possible consideration of the question of discontinuing vocational education in the public schools before any action is taken thereon; and

A joint memorial of the Legislature of the State of Colorado, favoring adequate appropriations for the mineral leasing division of the Geological Survey for the continued efficient maintenance of supervision of oil, gas, coal, and nonmetallic minerals operations on the public domain; to the Committee on Appropriations.

A resolution adopted by the Twenty-eighth Ward Taxpayers' Protective Association, of Brooklyn, N.Y., favoring the restoration of the former postage rate of 2 cents per ounce on first-class matter; and

A resolution adopted by Harry Boland Council, American Association for the Recognition of the Irish Republic, of New Rochelle, N.Y., urging insistence by the Government of full, regular, and prompt payment of European indebtedness to the United States; to the Committee on Finance.

Petitions of citizens of the State of Louisiana, praying an investigation of certain alleged acts and conduct of Senator Huey P. Long; and

Memorials of citizens of the State of Louisiana and a citizen of, respectively, Philadelphia, Pa., St. Paul, Minn., and Longview, Tex., remonstrating against such investigation and charges against Senator Long; to the Committee on the Judiciary.

The Vice President laid before the Senate the following petitions, memorial, etc.:

A joint resolution of the Legislature of the State of California, memorializing Congress to enact legislation providing for a moratorium on foreclosures on real property mortgages and on sales under deeds of trust on real property;

A resolution adopted by the Board of Supervisors of the County of Los Angeles, favoring the enactment of legislation providing for a 6-hour work day and a 5-day work week;

A resolution adopted by the board of directors of the Chamber of Commerce of Knoxville, Tenn., favoring the development of the natural resources of the Tennessee River Valley, and remonstrating against the action of the United States Chamber of Commerce and its president in opposing this project;

A resolution adopted by the Board of Supervisors of the city and county of San Francisco, favoring the setting aside of April 30 as Presidential Day for the purpose of paying tribute to the President, Franklin D. Roosevelt; and

A memorial of Anna Jarvis, of Philadelphia, Pa., remonstrating against the adoption of Senate Resolution 16, relating to Mother's Day.

Ordered, That they lie on the table.

EXECUTIVE NOMINATIONS

As in executive session, and by unanimous consent,

Mr. Pittman, from the Committee on Foreign Relations, to whom was referred the nomination of James B. Young to be a consul general of the United States, reported it favorably.

As in executive session, and by unanimous consent,

Mr. Pittman, from the Committee on Foreign Relations, to whom were referred the nominations of Breckenridge Long to be ambassador extraordinary and plenipotentiary to Italy, and Sumner Welles to be ambassador extraordinary and plenipotentiary to Cuba, reported them favorably.

The Senate, by unanimous consent, proceeded to consider the said nominations; and

Resolved, That the Senate advise and consent thereto.

Ordered, That the Secretary notify the President of the United States thereof.

REPORT OF COMMITTEE ON PRINTING—PRINTING OF MANUSCRIPT "CONTRACTS PAYABLE IN GOLD"

Mr. Hayden, by unanimous consent, from the Committee on Printing, to whom was referred the resolution (S.Res. 62) to authorize the printing as a Senate document of the manuscript entitled "Contracts Payable in Gold", by George Cyrus Thorpe, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

Resolved, That the Senate agree thereto.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. McNary:

A bill (S. 1513) to amend Public Act No. 435 of the Seventy-second Congress, relating to sales of timber on Indian land; to the Committee on Indian Affairs.

By Mr. Harrison:

A bill (S. 1514) authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss.; to the Committee on Finance.

By Mr. Copeland:

A bill (S. 1515) granting permits for the importation or manufacture for nonbeverage purposes of spirituous liquors of particular kind or quality where the supply in the United States is insufficient to meet the current need therefor; to the Committee on Finance.

A bill (S. 1516) for the relief of Michael Bello; to the Committee on Claims.

A bill (S. 1517) for the relief of Louis Kusnitz; to the Committee on Military Affairs.

By Mr. Bratton:

A bill (S. 1518) providing for waiver of prosecution by indictment in certain criminal proceedings; to the Committee on the Judiciary.

By Mr. Bulkley:

A bill (S. 1519) for the relief of Theodore Torok; to the Committee on Claims.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment yesterday proposed by Mr. Thomas of Oklahoma, inserting at the end of the bill a new title (III), providing for currency expansion,

Pending debate,

Mr. Reed raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Duffy in the chair) directed the roll to be called;

When

Eighty-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

Pending further debate,

On motion by Mr. Wheeler to amend the amendment proposed by Mr. Thomas of Oklahoma, by striking out certain language beginning on page 5, line 1, and inserting in lieu thereof certain words.

CROP PRODUCTION AND HARVESTING LOANS

On motion by Mr. Connally, and by unanimous consent,

The Senate proceeded to consider the joint resolution (H.J.Res. 135) to amend section 2 of the act approved February 4, 1933, to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes; and no amendment being made,

Ordered, That it pass to a third reading.

The said joint resolution was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

RECESS

On motion by Mr. Smith, at 5 o'clock and 30 minutes p.m.,

The Senate took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, TUESDAY, APRIL 25, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Thomas of Oklahoma raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Friday, April 21, Saturday, April 22, and Monday, April 24, 1933, was approved.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A memorial of the House of Representatives of the State of Arizona, favoring the remonetization of silver; to the Committee on Banking and Currency.

A joint memorial of the Legislature of the State of Arizona, favoring the transfer of title to all the remaining vacant, unappropriated, and unreserved public lands in the State of Arizona to the State without reservation or restriction; to the Committee on Public Lands and Surveys.

A resolution of the House of Representatives of the State of Nebraska, favoring the enactment of legislation providing for uniform laws affecting corporations, applicable in all respects to the several States;

Telegrams and communications from citizens and an organization of the State of Louisiana, remonstrating against attacks and charges based on alleged acts and conduct of Senator Huey P. Long; and

A petition of the Mental Patients Defenders Association, of Chicago, Ill., praying an investigation of the treatment given to mental patients in private and public institutions; to the Committee on the Judiciary.

A communication from Judge Benjamin S. De Boice, of Springfield, Ill., enclosing copy of a resolution adopted by the Springfield Chapter Reserve Officers Association remonstrating against reductions in the personnel of the Regular Army, the elimination of the appropriation for citizens military training camps and the Reserve Officers Training Corps, or any reduction in the national defense program; to the Committee on Appropriations.

A resolution adopted by the City Fire Fighter's Association of Washington, D.C., favoring the filling of vacancies in the District fire department from among the personnel of that department with certain qualifications; to the Committee on the District of Columbia.

A resolution adopted by the Methodist Men Committee of One Hundred of the United States, of Philadelphia, Pa., endorsing the so-called Taylor plan for the distribution of commodities to replace present methods of distributing charity; to the Committee on Education and Labor.

The Vice President laid before the Senate the following petitions, etc.:

A memorial of the Senate of the State of Arizona, favoring the enactment of legislation providing for the expansion of the currency to retire the national bonded debt and the discontinuance of interest payments on such debt;

A resolution adopted by the City Council of Quincy, Mass., endorsing the proposal for the setting aside of a day to pay tribute to the President of the United States; and

A resolution adopted by Unit No. 6, Irish-American Independent Political Unit, Inc., expressing confidence in the integrity of Senator Huey P. Long.

Ordered, That they lie on the table.

Mr. King presented telegrams from citizens and organizations of the State of Utah, remonstrating against the passage of the so-called Black bill providing for a 6-hour work day and 5-day work week.

Ordered, That they lie on the table.

PAPERS REFERRED

Papers in the cases hereinafter mentioned, to accompany bills heretofore introduced, were taken from the files and referred, under the rule, as follows:

Oliver A. Barber; Henry Bartels; Henry Brown; Carl J. Canada; Confederate Cemetery, Fayetteville, Ark., improvement to approach to; George F. Conlee; Frederick Funston, Jr.; William Goodwin; John M. McNulty; John O'Gorman; John F. Patterson; James T. Reynolds; Obadiah Simpson; Benjamin H. Southern; and Samuel A. Welsh; to the Committee on Military Affairs.

E. A. Ahrens; Calvary Cemetery, Little Rock, Ark.; Charles F. Cooley, estate of; W. M. Cravens; James F. Dubberly; Andrew M. Dunlop; Fidelity Trust Company of Baltimore, Md.; James E. Fitzgerald; Frank R. Garner; Joseph Lane; Little Rock College; Anthony J. Lynn; Samuel H. McAlexander; Carl L. Moore; Mrs. H. J. Munda; M. Thomas Petroy; Claude L. Pyle; Mamie Randel; James Rowland; Saint Louis Southwestern Railway Co.; William F. Slatton; Ella H. Smith; and Clarence Winborn; to the Committee on Claims.

Carlos J. Anderson; Jessie B. Auer; Sidney H. Bailey; Don E. Bartell; Ba-ta-wa-ha-cha; John William Boland; Birdie Brugh; Madison M. Burnett; Laura F. Collins; Charles E. Conner; John H. Cook; John E. Cutlip; Anna J. Darby; Frank Deloe; John Doane Gardiner; Annie Holliday; Ernest J. Hollis; Norfleet Hughes; John H. Jackson; Mary E. Jasper; Mary Amanda Jones; Hugh M. Jones; Josephine Johnson; Rose Kennedy; Sarah C. League; Ernest McCord; Henry W. McLain; Kitty A. Miller; Jess Musgrave; Wilbur J. Patterson; David Poula; Stanley N. Rice; Allie Selick; Harry A. Smith; William J. Smith; Theta B. Spring; Charlie A. Stacks; Frank Swartz; Jesse Thomas; Michael L. Walsh; Truman H. Wilkinson; Alzina M. Wilson; and Richard H. Wraase; to the Committee on Pensions.

REPORTS OF COMMITTEES

Mr. McCarran, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 882) to provide for the more effective supervision of foreign commercial transactions, and for other purposes, reported it with amendments and submitted a report (No. 41) thereon.

Mr. Bulkley, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 1415) to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases, reported it without amendment and submitted a report (No. 42) thereon.

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 1425) to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933, reported it without amendment and submitted a report (No. 43) thereon.

Mr. Wagner (for himself and Mr. Costigan), by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes, reported it with amendments and submitted a report (No. 44) thereon.

Mr. Sheppard, by unanimous consent, from the Committee on Commerce, to whom were referred the following bills, reported them each without amendment:

H.R. 4225. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Parkers Landing, in the county of Armstrong, Commonwealth of Pennsylvania; and

H.R. 4332. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at a point near the Forest-Venango County line, in Tionesta township, and in the county of Forest, and in the Commonwealth of Pennsylvania.

The Senate proceeded, by unanimous consent, to consider the said bills; and no amendment being made,

Ordered, That they pass to a third reading.

The said bills were read the third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. White:

A bill (S. 1520) for the conservation of lobsters, to regulate interstate transportation of lobsters, and for other purposes; to the Committee on Commerce.

By Mr. Stephens:

A bill (S. 1521) making an appropriation to provide for certain repairs within the national military park at Vicksburg, Miss.; to the Committee on Appropriations.

A bill (S. 1522) authorizing the Secretary of War to make certain repairs within the national military park at Vicksburg, Miss.; to the Committee on Military Affairs.

By Mr. Capper:

A bill (S. 1523) for the relief of the Capitol Building and Loan Association, of Topeka, Kans.; to the Committee on Claims.

By Mr. Bratton:

A bill (S. 1524) for the relief of John J. Doyle; to the Committee on Claims.

By Mr. Dill:

A bill (S. 1525) to prevent discriminations against American ships and ports, and for other purposes; to the Committee on Finance.

By Mr. Wagner:

A bill (S. 1526) for the relief of Ann Engle;

A bill (S. 1527) for the relief of Charles A. Lewis; and

A bill (S. 1528) to amend section 3702, Revised Statutes; to the Committee on Claims.

A bill (S. 1529) to provide retirement insurance for railway employees, and for other purposes; to the Committee on Interstate Commerce.

By Mr. Byrd:

A bill (S. 1530) for the relief of James E. Haynes;

A bill (S. 1531) for the relief of Elizabeth Buxton Hospital; and

A bill (S. 1532) for the relief of Florence Hudgins Lindsay and Elizabeth Lindsay; to the Committee on Claims.

A bill (S. 1533) to authorize and direct the appointment of Levin Milton Price as a first lieutenant, United States Army; to the Committee on Military Affairs.

A bill (S. 1534) granting a pension to Grace A. Coates; and

A bill (S. 1535) granting a pension to Addie L. Shugars; to the Committee on Pensions.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment proposed by Mr. Wheeler to the amendment of Mr. Thomas of Oklahoma, beginning on page 5, line 1,

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 5081) to provide for the common defense; to aid interstate commerce by navigation; to provide flood control; to promote the general welfare by creating the Tennessee Valley Authority; to operate the Muscle Shoals properties; and to encourage agricultural, industrial, and economic development, in which it requests the concurrence of the Senate.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment proposed by Mr. Wheeler to the amendment of Mr. Thomas of Oklahoma, beginning on page 5, line 1,

Mr. Fletcher raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Tydings in the chair) directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

Mr. Fletcher entered a motion to reconsider the following votes, viz, the vote agreeing to the reported amendment, as amended, inserting title II; the vote agreeing to Mr. Wagner's amendment, as amended, to the said reported amendment; and the vote agreeing to the amendment to Mr. Wagner's amendment, as amended, proposed by Mr. Shipstead, inserting on page 13, after line 8, a provision relative to loans to joint-stock land banks.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 27 minutes p.m.,

The Senate, as in legislative session, took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, WEDNESDAY, APRIL 26, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF INTERSTATE COMMERCE COMMISSION

The Vice President laid before the Senate a communication from the Chairman of the Interstate Commerce Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Interstate Commerce Commission and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF WAR DEPARTMENT

The Vice President laid before the Senate a communication from the Secretary of War, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the War Department and the annual cost thereof, together with certain information concerning employees and salaries (exclusive of military personnel); which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to reduce by at least one half the appropriations for, and the number of prohibition agents and other Federal employees engaged in, the enforcement of the prohibition laws; to the Committee on Appropriations.

Petitions of citizens of the State of Louisiana and a citizen of the State of Texas, praying an investigation of certain alleged acts and conduct of Senator Huey P. Long; and

Memorials of citizens of the State of Louisiana, remonstrating against such investigation and charges against Senator Long; to the Committee on the Judiciary.

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, favoring the immediate ratification of the Great Lakes-St. Lawrence Deep Waterway Treaty with Canada and a sufficient appropriation to complete the construction of such project.

Ordered, That it lie on the table.

Mr. Tydings presented a resolution adopted by Dorchester Post, No. 91, American Legion, of Dorchester County, Md., favoring the construction of a sea-level waterway between the Great Choptank River and Little Choptank River, in the State of Maryland; which was referred to the Committee on Commerce.

Mr. Tydings presented the following petitions:

A resolution adopted by the Western Maryland National Farm Loan Association, of Rockville, Md., favoring a reduction in governmental expenses and the enactment of legislation providing for agricultural relief through a reduction in interest rates and taxes; and

A petition of the Pampanga Civic Union, San Fernando, Pampanga, P.I., praying the immediate independence of the Philippine Islands.

Ordered, That they lie on the table.

TERM OF UNITED STATES DISTRICT COURT AT ORLANDO, FLA.

Mr. Long, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 687) providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla., reported it without amendment and submitted a report (No. 45) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. McNary:

A bill (S. 1536) giving credit for water charges paid on damaged land; to the Committee on Irrigation and Reclamation.

By Mr. Walcott:

A bill (S. 1537) for the relief of the Phoenix State Bank & Trust Co., successors to State Bank & Trust Co., formerly State Bank of Hartford, Conn.; to the Committee on Claims.

By Mr. Hebert:

A bill (S. 1538) authorizing persons, firms, corporations, associations, or societies to file bills of interpleader, or bills in the nature of interpleader; to the Committee on the Judiciary.

By Mr. Wagner:

A bill (S. 1539) to amend section 13 of the Federal Reserve Act, as amended, with respect to rediscount powers of Federal Reserve banks; to the Committee on Banking and Currency.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 5012) to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy, in which it requests the concurrence of the Senate.

The Speaker of the House having signed an enrolled joint resolution, viz, H.J.Res. 135, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the joint resolution (H.J.Res. 135) to amend section 2 of the act approved February 4, 1933, to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment proposed by Mr. Wheeler to the amendment proposed by Mr. Thomas of Oklahoma, beginning on page 5, line 1, thereof,

Pending debate,

Mr. Johnson raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Bratton in the chair) directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dieterich, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. Reed raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. George in the chair) directed the roll to be called;

When

Sixty-nine Senators answered to their names, as follows:

Adams, Bachman, Bailey, Bankhead, Barbour, Barkley, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Carey, Connally, Copeland, Couzens, Cutting, Dickinson, Dieterich, Duffy, Erickson, Fess, Fletcher, George, Goldsborough, Gore, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, Logan, Lonergan, Long, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to the amendment proposed by Mr. Wheeler, viz, on page 5, beginning in line 1 of the amendment proposed by Mr. Thomas of Oklahoma, strike out the following:

"By proclamation to fix the weight of the gold dollar in grains nine tenths fine at an amount that he finds is necessary from his investigation to protect the foreign commerce of the United States against the adverse effect of depreciated foreign currencies."

And insert in lieu thereof the following:

By proclamation to fix the weight of the gold dollar in grains nine tenths fine and also to fix the weight of the silver dollar in grains nine tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce against the adverse effect of depreciated foreign currencies, and to provide for the unlimited coinage of such gold and silver at the ratio so fixed.

It was determined in the affirmative, { Yeas---------- 41 / Nays---------- 26 }

On motion by Mr. Reed,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Bachman, Bankhead, Bratton, Brown, Bulow, Byrnes, Capper, Connally, Cutting, Dieterich, Duffy, Erickson, Fletcher, George, Harrison, Hayden, Kendrick, King, Logan, Lonergan, Long, McCarran, McGill, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Arkansas, Russell, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, and Wheeler.

Senators who voted in the negative are—

Bailey, Barbour, Bulkley, Carey, Copeland, Couzens, Dickinson, Fess, Goldsborough, Gore, Hastings, Hatfield, Hebert, Kean, Keyes, McNary, Metcalf, Reed, Robinson of Indiana, Steiwer, Stephens, Tydings, Vandenberg, Wagner, Walcott, and White.

So Mr. Wheeler's amendment was agreed to.

On motion by Mr. Reed to further amend the amendment proposed by Mr. Thomas of Oklahoma, by striking out all of paragraph numbered (2), beginning on page 5, line 1, as amended,

Pending debate,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That after the hour of 2 o'clock p.m. on tomorrow no Senator shall speak more than once or longer than 15 minutes on the bill or any amendment or motion that may be pending or that may be offered thereto.

HOUSE BILL REFERRED

The bill H.R. 5012, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Naval Affairs.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Smith, at 5 o'clock and 50 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, APRIL 27 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the joint resolution (S.J.Res. 13) authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered, with an amendment, in which it requests the concurrence of the Senate.

The House has passed the joint resolution (H.J.Res. 157) providing for the use of the water of the St. Lawrence River for the generation of power by the State of New York under and in accordance with the provisions of the Great Lakes-St. Lawrence Deep Waterway Treaty between the United States and Canada, in which it requests the concurrence of the Senate.

The Speaker of the House having signed two enrolled bills, viz, H.R. 4225 and H.R. 4332, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

H.R. 4225. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Parkers Landing, in the county of Armstrong, Commonwealth of Pennsylvania; and

H.R. 4332. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at a point near the Forest-Venango County line, in Tionesta Township, and in the county of Forest, and in the Commonwealth of Pennsylvania.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A concurrent resolution of the Legislature of the Territory of Hawaii, requesting the enactment of legislation authorizing and directing the immigration service of the United States to issue, upon application, certificates of citizenship to any citizen of the United States of oriental ancestry residing in said Territory; to the Committee on Territories and Insular Affairs.

A resolution of the House of Representatives of the State of South Carolina favoring a study and report upon the merits of legislation regulating the so-called "stretch-out system" in textile plants; to the Committee on Manufactures.

Petitions of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; and

Memorials of citizens of the State of Louisiana, remonstrating against such investigation and charges against Senator Long; to the Committee on the Judiciary.

The Vice President laid before the Senate the following petitions:

A concurrent resolution of the Legislature of the State of Michigan, favoring the enactment of legislation to insure money deposited in State and national banks from loss, and to place money invested in Federal, State, and municipal bonds and securities subject to taxation on the basis of equality with property taxes; and

A resolution of the Common Council of Milwaukee, Wis., memorializing Congress to promptly enact the so-called Black bill providing for a limitation of hours of labor in industry.

Ordered, That they lie on the table.

Mr. Murphy presented a resolution of the board of directors of the Reconstruction Finance Corporation on the resignation of Gardner Cowles, Sr., as a member of such board.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A resolution adopted at New York City by the Independent Retail Tobacconists' Association of America, remonstrating against the alleged mistreatment of Jews in Germany;

A resolution adopted at Washington, D.C., by the Forty-second Continental Congress of the Daughters of the Ameri-

can Revolution, commending the State Department for the continuance of its prompt and timely action in bringing about through administrative action under existing law the emergency exclusion of immigrants whose entry might aggravate existing unemployment conditions in this country; and

A resolution adopted by the Niagara County Committee of the American Legion, of Niagara Falls, N.Y., opposing the recognition of the communist government of Soviet Russia by the United States Government; to the Committee on Foreign Relations.

A resolution adopted by the Erie County Committee, American Legion Auxiliary, of Buffalo, N.Y., favoring the retention of appropriations for camp training and armory drills for the National Guard; and

A resolution adopted by the Niagara County Committee, American Legion, of Niagara Falls, N.Y., remonstrating against the elimination of National Guard and citizens' military training camps and activities; to the Committee on Appropriations.

A resolution adopted by the Wednesday Morning Club, of Elmira, N.Y., favoring the enactment of legislation providing for a tax on present tax-exempt securities and an income tax on State and municipal employees' salaries; and

Resolutions adopted by the Niagara County Committee, American Legion, of Niagara Falls, N.Y., remonstrating against the discontinuance of the Veterans' Administration office at Buffalo, N.Y., and favoring preference treatment of war veterans who may be affected by any governmental reduction in personnel; to the Committee on Finance.

A resolution adopted by the New York Board of Trade, Inc., of New York City, favoring the enactment of legislation limiting the appointment of receivers or trustees in bankruptcy to natural persons; to the Committee on the Judiciary.

Mr. Copeland presented the following petition and memorials:

A resolution adopted by the Texas Valley Branch of the Dairymen's League Cooperative Association, of Texas Valley, N.Y., favoring a change in the monetary ratio on a basis to effect the stabilization of the dollar;

A resolution adopted by the board of directors of the Kaumagraph Co., of New York City, remonstrating against the enactment of legislation limiting the hours of labor in industry; and

A resolution adopted by the Brooklyn Knitted Outerwear Manufacturers Association, of Brooklyn, N.Y., favoring a modification of the provisions of the so-called Black bill providing for a 30-hour work week to a 40-hour work week of not more than 8 hours per day and the establishment of Saturday as a legal holiday.

Ordered, That they lie on the table.

REPORTS OF COMMITTEES

Mr. Walsh, by unanimous consent, from the Committee on Education and Labor, to whom was referred the resolution (S.Res. 16) favoring an expression on Mother's Day of our love and reverence for motherhood, reported it without amendment.

Mr. Stephens, by unanimous consent, from the Committee on Commerce, to whom was referred the bill (S. 1278) to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co., reported it without amendment and submitted a report (No. 46) thereon.

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 875) to provide for the furnishing of information and the supervision of traffic in investment securities in interstate commerce, reported it with an amendment and submitted a report (No. 47) thereon.

NOMINATION OF NELLIE TAYLOE ROSS

As in executive session, and by unanimous consent,

Mr. Harrison, from the Committee on Finance, to whom was referred the nomination of Nellie Tayloe Ross to be Director of the Mint, reported it favorably.

CHANGE OF REFERENCE

On motion by Mr. Neely, and by unanimous consent,

Ordered, That the Committee on Pensions be discharged from the further consideration of the bill (S. 1378) granting a pension to Luther Lane and that it be referred to the Committee on Finance.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, read the first and second times, and referred as follows:

By Mr. Sheppard:

A bill (S. 1540) for the relief of the Concrete Engineering Co.; to the Committee on Claims.

By Mr. Coolidge:

A bill (S. 1541) for the relief of Mucia Alger; to the Committee on Foreign Relations.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment yesterday proposed by Mr. Reed to the amendment of Mr. Thomas of Oklahoma, striking out all of paragraph numbered (2), as amended, of section 34,

Pending debate,

Mr. La Follette raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Copeland in the chair) directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

Mr. Reed modified his amendment.

Pending debate,

On motion by Mr. Reed,

The yeas and nays, being desired by one fifth of the Senators present, were ordered on the question of agreeing to Mr. Reed's amendment, as modified.

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas

of Oklahoma, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The question being taken on agreeing to Mr. Reed's amendment, as modified, viz, strike out, in the amendment of Mr. Thomas of Oklahoma, paragraph numbered (2), as amended, of section 34, beginning on page 5, line 1, and insert in lieu thereof the following:

By proclamation to fix the weight of the silver dollar in grains nine tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce against the adverse effect of depreciated foreign currencies, and to provide for the unlimited coinage of such gold and silver at the ratio so fixed.

It was determined in the negative, Yeas 35, Nays 53

The yeas and nays having heretofore been ordered,

Senators who voted in the affirmative are—

Adams, Austin, Barbour, Borah, Caraway, Carey, Copeland, Costigan, Cutting, Dale, Dickinson, Fess, George, Glass, Goldsborough, Hale, Hastings, Hatfield, Hebert, Kean, Keyes, La Follette, Logan, McAdoo, McCarran, McNary, Metcalf, Patterson, Reed, Steiwer, Stephens, Tydings, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Ashurst, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Clark, Connally, Coolidge, Couzens, Dietrich, Dill, Duffy, Erickson, Fletcher, Frazier, Harrison, Hayden, Johnson, Kendrick, King, Lewis, Lonergan, Long, McGill, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Trammell, Van Nuys, Wagner, Walsh, and Wheeler.

So Mr. Reed's amendment, as modified, proposed to the amendment of Mr. Thomas of Oklahoma was not agreed to.

On motion by Mr. Robinson of Indiana to further amend the amendment of Mr. Thomas of Oklahoma by adding at the end thereof a provision for payment of soldiers' bonus,

Pending debate,

Mr. Robinson of Indiana modified his amendment.

Pending further debate,

On motion by Mr. Smith, at 6 o'clock p.m.,

The Senate took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, FRIDAY, APRIL 28, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Tuesday, April 25, Wednesday, April 26, and Thursday, April 27, 1933, was approved.

GOVERNMENT CLAIMS AGAINST PAN AMERICAN PETROLEUM CO.

The Vice President laid before the Senate the amendment yesterday received from the House of Representatives for concurrence to the joint resolution (S.J.Res. 13) authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co., and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered.

The Senate proceeded to consider the said amendment; and,

On motion by Mr. Nye,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

FUNCTIONS AND EXPENSES OF FEDERAL RADIO COMMISSION

The Vice President laid before the Senate a communication from the chairman of the Federal Radio Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Federal Radio Commission and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying documents, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A telegram from Wirt Franklin, president Independent Petroleum Association of America, of Oklahoma City, Okla., urging the enactment of legislation providing for the rehabilitation of the oil industry in complete conformity with the program recommended by the committee of 15 representatives of the industry and governors of oil-producing States; to the Committee on Finance.

Petitions of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; and

Memorials of citizens of the State of Louisiana, remonstrating against such investigation and attacks against Senator Long; to the Committee on the Judiciary.

Mr. Fess presented a communication from F. Riebel, Jr., of the Air-Way Electric Appliance Corporation, of Toledo, Ohio, together with 150 signed copies of letters from employees of that corporation addressed to him, remonstrating against the passage of the so-called Black bill providing for a 30-hour work week.

Ordered, That the communication, with accompanying letters, lie on the table.

Mr. Walsh presented a copy of a communication addressed to him by Rear Admiral F. B. Upham, Chief of the Bureau of Navigation, Navy Department, relative to the cost of educating midshipmen at the United States Naval Academy, with enclosed data prepared by the Superintendent of the academy; which was referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES

Mr. Thomas of Oklahoma, by unanimous consent, from the Committee on Appropriations, to whom was referred the bill (H.R. 4589) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes, reported it with amendments and submitted a report (No. 48) thereon.

Mr. Bratton, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 1131) to amend the probation law, reported it with an amendment and submitted a report (No. 49) thereon.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Bulkley:

A bill (S. 1542) for the relief of sundry building and loan associations; to the Committee on Claims.

By Mr. Capper:

A bill (S. 1543) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, and amendments thereto, and for other purposes; to the Committee on the District of Columbia.

By Mr. Sheppard:

A bill (S. 1544) for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department (with accompanying papers); to the Committee on Claims.

By Mr. Reed:

A bill (S. 1545) for the relief of Edward F. Smith; to the Committee on Naval Affairs.

A bill (S. 1546) granting a pension to Clara Dempsey; and

A bill (S. 1547) granting a pension to Anna E. Spence; to the Committee on Pensions.

By Mr. Frazier:

A joint resolution (S.J.Res. 46) relating to ownership of stocks and bonds of industrial, railroad, mining, banking, shipping, oil, and other corporations, firms, and partnerships by Members of the Senate and House of Representatives of the United States of America and by employees of the Federal Government and their relation to such corporations and firms; to the Committee on Finance.

ASSISTANT CLERK TO COMMITTEE ON PATENTS

Mr. Wagner, by unanimous consent, submitted the following resolution (S.Res. 63), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Patents hereby is authorized to employ an assistant clerk to be paid from the contingent fund of the Senate at the rate of $2,400 per annum during the Seventy-third Congress.

CONFERRING OF DEGREE UPON NAVAL ACADEMY GRADUATES

On motion by Mr. Walsh, and by unanimous consent,

The Senate proceeded to consider the bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereto be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

REMOVAL OF LIMITATIONS ON NATIONAL BANKS

On motion by Mr. Bulkley, and by unanimous consent,

The Senate proceeded to consider the bill (S. 1415) to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases; and no amendment being made.

Ordered, That it be engrossed and read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

FARM RELIEF

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power.

The question being on agreeing to the amendment, as modified, proposed to the amendment of Mr. Thomas of Oklahoma, as amended, by Mr. Robinson of Indiana, inserting therein a provision for the payment of veterans' adjusted-service certificates,

Pending debate,

Mr. Bratton raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Barkley in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. Lewis raised a question as to the presence of a qorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The question being taken on agreeing to the amendment, as modified, proposed by Mr. Robinson of Indiana, viz, at the end of the amendment, as amended, proposed by Mr. Thomas of Oklahoma, insert the following:

Sec. 38. Title V of the World War Adjusted Compensation Act, as amended, is amended by adding at the end thereof three new sections to read as follows:

"Payment of certificates before maturity

"Sec. 509. (a) The President of the United States, in his discretion, is authorized to pay to any veteran to whom an adjusted-service certificate has been issued, upon application by him and surrender of the certificate and all rights thereunder (with or without the consent of the beneficiary thereof), the amount of the face value of the certificate as computed in accordance with section 501.

"(b) No payment shall be made under this section until the certificate is in the possession of the Veterans' Administration, nor until all obligations for which the certificate was held as security have been paid or otherwise discharged.

"(c) If at the time of application to the Administrator of Veterans' Affairs for payment under this section, the principal and interest on or in respect of any loan upon the certificate have not been paid in full by the veteran (whether or not the loan has matured), then, on request of the veteran, the Administrator shall (1) pay or otherwise discharge such unpaid principal and so much of such unpaid interest (accrued or to accrue) as is necessary to make the certificate available for payment under this section, and (2) deduct from the amount of the face value of the certificate the amount of such principal and so much of such interest, if any, as accrued prior to October 1, 1932.

"(d) Upon payment under this section the certificate and all rights thereunder shall be canceled.

"(e) Any veteran may receive the benefits of this section by application therefor, filed with the Administrator of Veterans' Affairs. Such application may be made and filed at any time before the maturity of the certificate (1) personally by the veteran or (2) in case physical or mental incapacity prevents the making or filing of a personal application, then by such representative of the veteran and in such manner as may be by regulations prescribed. An application made by a person other than a representative authorized by such regulations, or not filed on or before the maturity of the certificate, shall be held void.

"(f) If the veteran dies after the application is made and before it is filed it may be filed by any person. If the veteran dies after the application is made it shall be valid if the Administrator of Veterans' Affairs finds that it bears the bona fide signature of the applicant, discloses an intention to claim the benefit of this section on behalf of the veteran, and is filed before the maturity of the certificate, whether or not the veteran is alive at the time it is filed. If the death occurs after the application is made but before the negotiation of the check in payment, payment shall be made to the estate of the veteran, irrespective of any beneficiary designation, if the application is filed (1) before the death occurs, or (2) after the death occurs, but before the mailing of the check in payment to the beneficiary under section 501.

"(g) Where the records of the Veterans' Administration show that an application disclosing an intention to claim the benefits of this section has been filed before the maturity of the certificate, and the application cannot be found, such application shall be presumed, in the absence of affirmative evidence to the contrary, to have been valid when originally filed.

"Sec. 510. If at the time this section takes effect a veteran entitled to receive an adjusted-service certificate has not made application therefor he shall be entitled, upon application made under section 302, to receive at his option either the certificate under section 501 or payment of the amount of the face value thereof under section 509.

"Sec. 511. The Administrator of Veterans' Affairs, in the exercise of his powers to make regulations for payment under section 509, shall to the fullest extent practicable provide a method by which veterans may present their applications and receive payment in close proximity to the places of their residence."

Sec. 39. Payment of the face value of the adjusted-service certificates under section 509 or 510 of the World War Adjusted Compensation Act, as amended, shall be made in United States notes of the character described in subsection (b) (1) of section 34 of this act; and the Secretary of the Treasury is authorized and directed to issue such notes in an amount sufficient for such purpose. The amount of the notes authorized by such subsection is hereby reduced by the amount of the notes issued pursuant to this section.

It was determined in the negative, { Yeas 28 / Nays 60 }

On motion by Mr. Robinson of Indiana,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bone, Bulow, Caraway, Carey, Copeland, Cutting, Dickinson, Frazier, Hatfield, La Follette, Logan, Long, McAdoo, McCarran, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Indiana, Russell, Shipstead, Thomas of Utah, Trammell, Vandenberg, Van Nuys, and Wheeler.

Senators who voted in the negative are—

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Borah, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Clark, Connally, Coolidge, Costigan, Couzens, Dale, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, Lewis, Lonergan, McNary, Metcalf, Murphy, Patterson, Pittman, Reed, Robinson of Arkansas, Sheppard, Smith, Stephens, Thomas of Oklahoma, Townsend, Wagner, Walcott, Walsh, and White.

So the amendment of Mr. Robinson of Indiana, as modified, to the amendment, as amended, proposed by Mr. Thomas of Oklahoma was not agreed to.

Subdivision (a) of section 36 of the amendment proposed by Mr. Thomas of Oklahoma was amended on the motion of Mr. Hayden.

On motion by Mr. Hayden to further amend the amendment of Mr. Thomas of Oklahoma by striking out on page 6, lines 23 and 24, certain words and inserting in lieu thereof certain other words,

Pending debate,

On motion by Mr. Johnson, and by unanimous consent,

The vote agreeing to the amendment proposed by Mr. Hayden to subdivision (a) of section 36 of the amendment, as amended, of Mr. Thomas of Oklahoma, was reconsidered; when

The further consideration of the amendment proposed by Mr. Hayden on page 6, lines 23 and 24, was temporarily postponed by unanimous consent.

The question recurring on agreeing to the amendment proposed by Mr. Hayden to subdivision (a) of section 36 of the amendment, as amended, of Mr. Thomas of Oklahoma,

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Barkley in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and Wheeler.

A quorum being present,

The question being taken on agreeing to the amendment proposed by Mr. Hayden, viz, strike out subdivision (a) of section 36 of the amendment of Mr. Thomas of Oklahoma, as follows:

"(a) The President of the United States is authorized to accept silver, in amounts not to exceed in the aggregate in value, in the United States currency $100,000,000, in payment of the whole or any part of any amount of principal or interest due from any foreign government or governments on account of any indebtedness to our Government, such silver to be accepted at not to exceed the price of 50 cents an ounce. The authority of the President to accept silver as herein authorized shall be limited to a period of not to exceed 1 year from the passage of this act."

And insert in lieu thereof the following:

(a) The President is authorized, for a period of six months from the date of the passage of this act, to accept silver in payment of the whole or any part of the principal or interest now due, or to become due within six months after such date, from any foreign government or governments on account of any indebtedness to the United States,

such silver to be accepted at not to exceed the price of 50 cents an ounce in United States currency. The aggregate value of the silver accepted under this section shall not exceed $200,000,000.

It was determined in the affirmative, Yeas 53, Nays 33

On motion by Mr. McNARY,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bankhead, Barkley, Black, Bone, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dieterich, Dill, Erickson, Fletcher, Harrison, Hayden, Kendrick, King, La Follette, Lewis, Lonergan, Long, McAdoo, McCarran, McGill, Murphy, Neely, Norbeck, Norris, Overton, Pittman, Pope, Reynolds, Robinson of Arkansas, Sheppard, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Vandenberg, Van Nuys, Walcott, and Wheeler.

Senators who voted in the negative are—

Austin, Bailey, Barbour, Borah, Bulkley, Carey, Copeland, Dale, Dickinson, Fess, Frazier, George, Glass, Goldsborough, Gore, Hale, Hatfield, Hebert, Johnson, Kean, Keyes, McNary, Nye, Patterson, Reed, Robinson of Indiana, Russell, Schall, Shipstead, Steiwer, Trammell, Wagner, and Walsh.

So Mr. Hayden's amendment to the amendment, as amended, of Mr. Thomas of Oklahoma, was agreed to.

The amendment proposed by Mr. Hayden, on page 6, lines 23 and 24, was then agreed to.

The question recurring on agreeing to the amendment, as amended, proposed by Mr. Thomas of Oklahoma, viz, at the end of the bill insert a new Title, as follows:

Title III—Financing—and exercising power conferred by section 8 of article I of the Constitution: To coin money and to regulate the value thereof

Section 43. Whenever the President finds, upon investigation, that (1) the foreign commerce of the United States is adversely affected by reason of the depreciation in the value of the currency of any other government or governments in relation to the present standard value of gold, or (2) action under this section is necessary in order to regulate and maintain the parity of currency issues of the United States, or (3) an economic emergency requires an expansion of credit, or (4) an expansion of credit is necessary to secure by international agreement a stabilization at proper levels of the currencies of various governments, the President is authorized, in his discretion—

(a) To direct the Secretary of the Treasury to enter into agreements with the several Federal Reserve banks and with the Federal Reserve Board whereby the Federal Reserve Board will, and it is hereby authorized to, notwithstanding any provisions of law or rules and regulations to the contrary, permit such reserve banks to agree that they will, (1) conduct, pursuant to existing law, throughout specified periods, open market operations in obligations of the United States Government or corporations in which the United States is the majority stockholder, and (2) purchase directly and hold in portfolio for an agreed period or periods of time Treasury bills or other obligations of the United States Government in an aggregate sum of $3,000,000,000 in addition to those they may then hold, unless prior to the termination of such period or periods the Secretary shall consent to their sale. No suspension of reserve requirements of the Federal Reserve banks, under the terms of section 11(c) of the Federal Reserve Act, necessitated by reason of operations under this section, shall require the imposition of the graduated tax upon any deficiency in reserves as provided in said section 11(c). Nor shall it require any automatic increase in the rates of interest or discount charged by any Federal Reserve bank, as otherwise specified in that section. The Federal Reserve Board, with the approval of the Secretary of the Treasury, may require the Federal Reserve banks to take such action as may be necessary, in the judgment of the Board and of the Secretary of the Treasury, to prevent undue credit expansion.

(b) If the Secretary, when directed by the President, is unable to secure the assent of the several Federal Reserve banks and the Federal Reserve Board to the agreements authorized in this section, or if operations under the above provisions prove to be inadequate to meet the purposes of this section, or if for any other reason additional measures are required in the judgment of the President to meet such purposes, then the President is authorized—

(1) To direct the Secretary of the Treasury to cause to be issued in such amount or amounts as he may from time to time order, United States notes, as provided in the act entitled "An act to authorize the issue of United States notes and for the redemption of funding thereof and for funding the floating debt of the United States", approved February 25, 1862, and acts supplementary thereto and amendatory thereof, in the same size and of similar color to the Federal Reserve notes heretofore issued and in denominations of $1, $5, $10, $20, $50, $100, $500, $1,000, and $10,000; but notes issued under this subsection shall be issued only for the purpose of meeting maturing Federal obligations to repay sums borrowed by the United States and for purchasing United States bonds and other interest-bearing obligations of the United States: Provided, That when any such notes are used for such purpose the bond or other obligation so acquired or taken up shall be retired and canceled. Such notes shall be issued at such times and in such amounts as the President may approve but the aggregate amount of such notes outstanding at any time shall not exceed $3,000,000,000. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, an amount sufficient to enable the Secretary of the Treasury to retire and cancel 4 per centum annually of such outstanding notes, and the Secretary of the Treasury is hereby directed to retire and cancel annually 4 per centum of such outstanding notes. Such notes and all other coins and currencies heretofore or hereafter coined or issued by or under the authority of the United States shall be legal tender for all debts public and private.

(2) By proclamation to fix the weight of the gold dollar in grains nine tenths fine and also to fix the weight of the silver dollar in grains nine tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce against the adverse effect of depreciated foreign currencies, and to provide for the unlimited coinage of such gold and silver at the ratio so fixed, or in case the Government of the United States enters into an agreement with any government or governments under the terms of which the ratio between the value of gold and other currency issued by the United States and by any such government or governments is established, the President may fix the weight of the gold dollar in accordance with the ratio so agreed upon, and such gold dollar, the weight of which is so fixed, shall be the standard unit of value, and all forms of money issued or coined by the United States shall be maintained at a parity with this standard and it shall be the duty of the Secretary of the Treasury to maintain such parity, but in no event shall the weight of the gold dollar be fixed so as to reduce its present weight by more than 50 per centum.

Sec. 44. The Secretary of the Treasury, with the approval of the President, is hereby authorized to make and promulgate rules and regulations covering any action taken or to be taken by the President under subsection (a) or (b) of section 43.

Sec. 45. (a) The President is authorized, for a period of six months from the date of the passage of this act, to accept silver in payment of the whole or any part of the principal or interest now due, or to become due within six months after such date, from any foreign government or governments on account of any indebtedness to the United States, such silver to be accepted at not to exceed the price of 50 cents an ounce in United States currency. The aggregate value of the silver accepted under this section shall not exceed $200,000,000.

(b) The silver bullion accepted and received under the provisions of this section shall be subject to the requirements of existing law and the regulations of the mint service governing the methods of determining the amount of pure silver contained, and the amount of the charges or deductions, if any, to be made; but such silver bullion shall not be counted as part of the silver bullion authorized or required to be purchased and coined under the provisions of existing law.

(c) The silver accepted and received under the provisions of this section shall be deposited in the Treasury of the United States, to be held, used, and disposed of as in this section provided.

(d) The Secretary of the Treasury shall cause silver certificates to be issued in such denominations as he deems advisable, to the total number of dollars for which such silver was accepted in payment of debts. Such silver certificates shall be used by the Treasurer of the United States in payment of any obligations of the United States.

(e) The silver so accepted and received under this section shall be coined into standard silver dollars and subsidiary coins sufficient, in the opinion of the Secretary of the Treasury, to meet any demands for redemption of such silver certificates issued under the provisions of this section, and such coins shall be retained in the Treasury for the payment of such certificates on demand. The silver so accepted and received under this section, except so much thereof as is coined under the provisions of this section, shall be held in the Treasury for the sole purpose of aiding in maintaining the parity of such certificates as provided in existing law. Any such certificates or reissued certificates, when presented at the Treasury, shall be redeemed in standard silver dollars, or in subsidiary silver coin, at the option of the holder of the certificates: Provided, That, in the redemption of such silver certificates issued under this section, not to exceed one third of the coin required for such redemption may in the judgment of the Secretary of the Treasury be made in subsidiary coins, the balance to be made in standard silver dollars.

(f) When any silver certificates issued under the provisions of this section are redeemed or received into the Treasury from any source whatsoever, and belong to the United States, they shall not be retired, canceled, or destroyed, but shall be reissued and paid out again and kept in circulation; but nothing herein shall prevent the cancelation and destruction of mutilated certificates and the issue of other certificates of like denomination in their stead, as provided by law.

(g) The Secretary of the Treasury is authorized to make rules and regulations for carrying out the provisions of this section.

Sec. 46. Section 19 of the Federal Reserve Act, as amended, is amended by inserting immediately after paragraph (c) thereof the following new paragraph:

"Notwithstanding the foregoing provisions of this section, the Federal Reserve Board, upon the affirmative vote of not less than five of its members and with the approval of the President, may declare that an emergency exists by reason of credit expansion, and may by regulation during such emergency increase or decrease from time to time, in its discretion, the reserve balances required to be maintained against either demand or time deposits."

It was determined in the affirmative, Yeas 64, Nays 21

On motion by Mr. McNary,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Erickson, Fletcher, Frazier, Harrison, Hayden, Johnson, Kendrick, King, La Follette, Lewis, Lonergan, Long, McAdoo, McCarran, McGill, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, Wagner, Walsh, and Wheeler.

Senators who voted in the negative are—

Austin, Bailey, Barbour, Bulkley, Carey, Dale, Fess, Glass, Goldsborough, Hale, Hatfield, Hebert, Kean, Keyes, McNary, Metcalf, Patterson, Reed, Schall, Vandenberg, and Walcott.

So the amendment proposed by Mr. Thomas of Oklahoma, as amended, was agreed to.

The bill was further amended on the motion of Mr. Pittman, and the motion of Mr. Smith.

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The reported amendment, as amended, inserting title II of the bill, was further amended on his motion; and the bill was further amended on the motion of Mr. Stephens.

On motion by Mr. Carey to further amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Title I. Agricultural Adjustment

Declaration of policy

That (a) it is hereby declared that the depression in prices for agricultural commodities and the disparity between the prices of agricultural and other commodities have created conditions which affect sales of agricultural products with a national interest, which burden and obstruct the normal flow of commerce, and which render imperative the enactment of title I of this act for the relief of a national economic emergency.

(b) It is hereby declared to be the policy of the Congress (1) to encourage and to assist agricultural readjustment and planning, and to aid in balancing agricultural production to market demand, and thereby restoring the parity between agriculture and other industries, and (2) to secure to the producers of agricultural commodities for that part of the domestic production of such commodities that will be needed for domestic consumption a price at least equal to the average domestic cost of production for such commodities.

Part 1. Land rental plan

Sec. 2. The Secretary of Agriculture is hereby authorized and directed to acquire by lease or contract not to exceed fifty million acres of land in the United States which were during the crop season of 1932 planted to cotton or wheat, corn, or other cereals, or which were fallowed during the summer and fall of 1932 for planting to such crops in 1933.

Sec. 3. (a) The general purpose of part 1 of this title shall be the balancing of agricultural production to the market demands by withdrawing the lands leased hereunder from the production of the above commodities. The terms and conditions of such leases and contracts shall be fixed by the Secretary of Agriculture, but no lease or contract shall be for a period longer than two years.

(b) The Secretary of Agriculture under this act is authorized to lease or contract for only the tilled land of any farm, and shall require that, during the term of the lease or contract, the lessor will not increase his acreage of other lands planted to said crops; but the lessor, with the approval of the Secretary of Agriculture, may use the buildings and improvements on land so leased, and may produce thereon crops other than cotton or wheat, corn, or other cereal.

(c) Sufficient acreage upon which to grow garden crops for family use shall be allowed the lessor of any lands.

Sec. 4. The Secretary of Agriculture shall, in such manner as he shall determine, proceed immediately to solicit the offer of leases for any such lands by the owners thereof, and shall, within thirty days after the enactment of this act, begin to lease the same upon the best terms obtainable, up to a maximum of fifty million acres.

Sec. 5. (a) In addition to any other tax or duty imposed by law there is hereby imposed a tax of 10 per centum of the sale price on the sale of every article manufactured wholly or in chief value from cotton or cereals and sold in the United States by the manufacturer or importer thereof.

(b) Such tax shall take effect on the day following the date of enactment of this act, and shall continue in force until the first day of June 1935.

Sec. 6. (a) The taxes provided in this title shall be collected by the Bureau of Internal Revenue under the direction of the Secretary of the Treasury. Such taxes shall be paid into the Treasury of the United States.

(b) All provisions of law, including penalties, applicable with respect to the taxes imposed by title IV of the Revenue Act of 1932, shall, insofar as applicable and not inconsistent with the provisions of this title, be applicable in respect of taxes imposed by this title: Provided, That the Secretary of the Treasury is authorized to permit postponement, for a period not exceeding sixty days, of the payment of taxes covered by any return.

(c) If (1) any person has, prior to the date the tax under this title takes effect, made a bona fide contract for the sale, after the tax takes effect, of any article in respect of the sale of which a tax is imposed under this title, or in respect of which a tax is imposed under this subsection, and (2) such contract does not permit the adding to the amount to be paid under such contract, of the whole of such tax, then (unless the contract prohibits such addition) the vendee shall, in lieu of the vendor, pay so much of the tax as is not so permitted to be added to the contract price. If a contract of the character above described was made with the United States or with any person other than a dealer, no tax shall be collected under this title. The taxes payable by the vendee shall be paid to the vendor at the time the sale is consummated, and shall be collected, returned, and paid to the United States by such vendor. In case of failure or refusal by the vendee to pay such taxes to the vendor, the vendor shall report the facts to the Commissioner, who shall cause collection of such taxes to be made from the vendee.

Sec. 7. There is hereby authorized to be appropriated from the proceeds of the taxes imposed under this title such sums as may be necessary for the purposes of this title, and the Secretary of the Treasury is hereby authorized to advance, out of any money in the Treasury not otherwise appropriated, to the Secretary of Agriculture such sums, not exceeding $150,000,000, as may be necessary for the payment of rentals upon lands leased under the provisions of part 1 of this title and administrative expenses in connection therewith. The amount of any such advance shall be deducted from such funds as subsequently become available under this subsection.

Sec. 8. (a) The Secretary of Agriculture is hereby authorized to make and promulgate and enforce such rules and regulations for the carrying out of the purposes and intent of part 1 of this title as may be deemed necessary.

(b) The Secretary of Agriculture is hereby authorized to appoint and fix the compensation of such personnel as may be necessary to carry out the terms and provisions of part 1 of this title, and is hereby authorized, subject to the approval of the President, to use any agencies and personnel of the Government that may be necessary in carrying out the same: Provided, That when any existing agency or personnel of the Government is used, no additional compensation shall be paid therefor.

Sec. 9. Any person who shall knowingly make any material false representation for the purpose of making a lease, or of obtaining any benefit under part 1 of this title, shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Part 2. Cotton option contracts

Sec. 10. The Federal Farm Board and all departments and other agencies of the Government are hereby directed—

(a) To sell to the Secretary of Agriculture at such price as may be agreed upon, not in excess of the market price, all cotton now owned by them.

(b) To take such action and to make such settlements as are necessary in order to acquire full legal title to all cotton on which money has been loaned or advanced by any department or agency of the United States or held as collateral for loans or advances and to make final settlement of such loans and advances. In making such settlements the cotton shall be taken over at prices equal to the amounts loaned or advanced, directly or indirectly, plus the carrying charges and operating costs thereon. The department or other agency shall sell this cotton also to the Secretary in the same manner as is provided in the preceding paragraph hereof.

The Secretary of Agriculture is hereby authorized to purchase the cotton specified in paragraphs (a) and (b).

Sec. 11. The Secretary of Agriculture shall have authority to borrow money upon all cotton in his possession or control and deposit as collateral for such loans the warehouse receipts for such cotton.

Sec. 12. The Reconstruction Finance Corporation is hereby authorized and directed to advance money and to make loans to the Secretary of Agriculture to acquire such cotton and to pay the carrying costs thereon, in such amounts and upon such terms as may be agreed upon by the Secretary and the Reconstruction Finance Corporation, with such warehouse receipts as collateral security.

Sec. 13. (a) The Secretary of Agriculture is hereby authorized to enter into contracts with the producers of cotton to sell to any such producer an amount of cotton equivalent in amount to the amount of reduction in production of cotton by such producer below the amount produced by him in the preceding crop year, in all cases where such producer agrees in writing to reduce the amount of cotton produced by him in 1933, below his production in the previous year, by not less than 30 per centum, without increase in commercial fertilization per acre.

(b) To any such producer so agreeing to reduce production the Secretary of Agriculture shall deliver a non-transferable-option contract agreeing to sell to said producer an amount, equivalent to the amount of his agreed reduction, of the cotton in the possession and control of the Secretary.

(c) The producer is to have the option to buy said cotton at the average price paid by the Secretary for the cotton procured under section 10, and is to have the right at any time up to January 1, 1934, to exercise his option, upon proof that he has complied with his contract and with all the rules and regulations of the Secretary of Agriculture with respect thereto, by taking said cotton upon payment by him of his option price and all actual carrying charges on such cotton; or the Secretary may sell such cotton for the account of such producer, paying him the excess of the market price at the date of sale over the average price above referred to after deducting all actual and necessary carrying charges: Provided, That in no event shall the producer be held responsible or liable for financial loss incurred in the holding of such cotton or on account of the carrying charges therein: Provided further, That such agreement to curtail cotton production shall contain a further provision that such cotton producer shall not use the land taken out of cotton production for the production for sale, directly or indirectly, of any other nationally produced agricultural commodity or product.

Sec. 14. The Secretary shall sell the cotton held by him at his discretion, but subject to the foregoing provisions: Provided, That he shall dispose of all cotton held by him by March 1, 1935: Provided further, That he is authorized to sell unlimited amounts at any time a price equivalent to not less than 10 cents, basis middling, 7/8-inch staple, at the ports can be procured.

Title II—Agricultural Credits

Part 1. Amendments to Federal Farm Loan Act

Issuance of bonds by land banks

Sec. 15. Section 32 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 991), is amended by adding at the end thereof the following new paragraph:

"Until such time as the Farm Loan Commissioner determines that Federal farm-loan bonds (other than those issued under this paragraph) are readily salable in the open market at a yield not in excess of 4 per centum per annum, but in no case more than two years after this paragraph takes effect, Federal land banks may issue farm-loand bonds as authorized under this act, for the purpose of making new loans, or for purchasing mortgages or exchanging bonds for mortgages as provided in paragraph "Second" of section 13 of this act. The aggregate amount of the bonds issued under this paragraph shall not exceed $2,000,000,000, and such bonds shall be issued in such denominations as the Farm Loan Commissioner shall prescribe, shall bear interest at a rate not in excess of 4 per centum per annum, and shall be fully and unconditionally guaranteed as to interest by the United States, and such guaranty shall be expressed on the face thereof. In the event that the issuing bank or banks shall be unable to pay upon demand, when due, the interest on any such bonds, the Secretary of the Treasury shall pay the amount thereof, which is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. Upon the payment of such interest by the Secretary of the Treasury the amount so paid shall become an obligation to the United States of the issuing bank or banks and shall bear interest at the same rate as that borne by the bonds upon which the interest has been so paid. After the expiration of one year from the date this paragraph takes effect, if in the opinion of the Farm Loan Commissioner any part of the proceeds of the bonds authorized to be issued under this paragraph is not required for the purpose of making new loans or for purchasing mortgages or exchanging bonds for mortgages as herein provided, such bonds may be issued within the maximum limit herein specified for the purpose of refinancing any outstanding issues of Federal farm-loan bonds; but no such bonds shall be issued after two years from the date this paragraph takes effect for the purpose of such refinancing."

Purchase, reduction, and refinancing of farm mortgages

Sec. 16. Paragraph "Second" of section 13 of the Federal Farm Loan Act, as amended, is amended to read as follows:

"Second. In order to reduce and/or refinance farm mortgages, to invest such funds as may be in its possession in the purchase of qualified first mortgages on farm lands situated within the Federal land-bank district within which it is organized or for which it is acting, or to exchange farm-loan bonds for any duly recorded first mortgages on farm lands executed prior to the date this paragraph, as amended, takes effect, at a price which shall not exceed in each individual case the amount of the unpaid principal of the mortgage on the date of such purchase or exchange, or 50 per centum of the value of the land mortgaged and 20 per centum of the value of the permanent insured improvements thereon as determined upon an appraisal made pursuant to this act, whichever is the smaller: Provided, That any mortgagor whose mortgage is acquired by a Federal land bank under this paragraph shall be entitled to have his farm-mortgage indebtedness refinanced in accordance with the provisions of sections 7 and 8 of this act on the basis of the amount paid by the bank for his mortgage.

Extension of loans

Sec. 17. Paragraph "Tenth" of section 13 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 781), is amended by adding at the end thereof the following: "The terms of any such extension shall be such as will not defer the collection of any obligation due by any borrower which, after investigation by the bank of the situation of such borrower, is shown to be within his capacity to meet. In the case of any such extension made prior to the expiration of five years from the date this paragraph, as amended, takes effect, or in the case of any deferment of principal as provided in paragraph 'Twelfth' of section 12 of this act, it shall be the duty of the Secretary of the Treasury, on behalf of the United States, upon the request of the Federal land bank making the extension, and with the approval of the Farm Loan Commissioner, to subscribe at such periods as the Commissioner shall determine, to the paid-in surplus of such bank an amount equal to the amount of all such extensions and deferments made by the bank during the preceding period. Such subscriptions shall be subject to call, in whole or in part, by the bank with the approval of the Commissioner upon thirty days' notice. To enable the Secretary of the Treasury to make such subscriptions to the paid-in surplus of the Federal land banks, there is hereby authorized to be appropriated the sum of $50,000,000, to be immediately available and remain available until expended. Upon payment to any Federal land bank of the amount of any such subscription, such bank shall execute and deliver a receipt therefor to the Secretary of the Treasury in form to be prescribed by the Farm Loan Commissioner. The amount of any subscriptions to the paid-in surplus of any such bank may be repaid in whole or in part at any time in the discretion of the bank and with the approval of the Farm Loan Commissioner, and the Commissioner may at any time require such subscriptions to be repaid in whole or in part if in his opinion the bank has resources available therefor."

Reduction of interest on loans and deferment of principal

Sec. 18. Section 12 of the Federal Farm Loan Act, as amended (U.S.C., title 12, secs. 771–772), is amended by adding at the end thereof the following new paragraph:

"Twelfth. Notwithstanding the provisions of paragraph 'Second', the rate of interest on any loans on mortgage made through national farm-loan associations by any Federal land bank, outstanding on the date this paragraph takes effect or made within two years after such date, shall not exceed 4½ per centum per annum for all interest payable on installment dates occurring within a period of five years commencing sixty days after the date this paragraph takes effect; and no payment of the principal portion of any installment of any such loan shall be required during such five-year period if the borrower shall not be in default with respect to any other condition or covenant of his mortgage. The Secretary of the Treasury shall pay each Federal land bank, as soon as practicable after October 1, 1933, and after the end of each quarter thereafter, such amount as the Farm Loan Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced, during the preceding quarter, by reason of this paragraph; but in any case in which the Farm Loan Commissioner finds that the amount of interest payable by such bank during any quarter has been reduced by reason of the refinancing of bonds under section 32 of this act, the amount of the reduction so found shall be deducted from the amount payable to such bank under this paragraph. No payments shall be made to a bank with respect to any period after June 30, 1938. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000,000 for the purpose of enabling the Secretary of the Treasury to make payments to Federal land banks which accrue during the fiscal year ending June 30, 1934, and such additional amounts as may be necessary to make payments accruing during subsequent fiscal years."

Increase of amount of loans to borrowers

Sec. 19. Paragraph "Seventh" of section 12 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 771) (relating to the limitations as to amount of loans), is amended by striking out "$25,000" and inserting "$50,000, but loans to any one borrower shall not exceed $25,000 unless approved by the Farm Loan Commissioner."

Direct loans

Sec. 20. Section 7 of the Federal Farm Loan Act, as amended, is amended by striking out the last paragraph and inserting in lieu thereof the following new paragraphs:

"Whenever it shall appear to the Farm Loan Commissioner that national farm-loan associations have not been formed in any locality in the continental United States, or that the farmers residing in the territory covered by the charter of a national farm-loan association are unable to apply to the Federal land bank of the district for loans on account of the inability of the bank to accept applications from such association, the Farm Loan Commissioner may, in his discretion, authorize said bank to make direct loans to

borrowers secured by first mortgages on farm lands situated within any such locality or territory. Except as herein otherwise specifically provided, all provisions of this act applicable with respect to loans made through national farm-loan associations shall, insofar as practicable, apply with respect to such direct loans, and the Farm Loan Commissioner is authorized to make such rules and regulations as he may deem necessary with respect to such direct loans.

"The rate of interest on such direct loans made at any time by any Federal land bank shall be one half of 1 per centum per annum in excess of the rate of interest charged to borrowers on mortgage loans made at such time by the bank through national farm-loan associations.

"Each borrower who obtains a direct loan from a Federal land bank shall subscribe and pay for stock in such bank in the sum of $5 for each $100 or fraction thereof borrowed. Such stock shall be held by such Federal land bank as collateral security for the loan of the borrower and shall participate in all dividends. Upon full payment of the loan such stock shall, if still outstanding, be canceled at par, or, in the event that such stock shall have become impaired, at the estimated value thereof as approved by the Farm Loan Commissioner, and the proceeds thereof shall be paid to the borrower.

"Each such borrower shall covenant in his mortgage that, whenever there are ten or more borrowers who have obtained from a Federal land bank direct loans under the provisions of this section aggregating not less than $20,000, and who reside in a locality which may, in the opinion of the Farm Loan Commissioner, be conveniently covered by the charter of and served by a national farm-loan association, he will unite with such other borrowers to form a national farm-loan association. Such borrowers shall organize the association subject to the requirements and the conditions specified in this section, so far as the same may be applicable, and in accordance with rules and regulations of the Farm Loan Commissioner. As soon as the organization of the association has been approved by the Farm Loan Commissioner, the stock in the Federal land bank held by each of the members of such association shall be canceled at par, and in lieu thereof the bank shall issue in the name of the association an equal amount of stock in said bank, which stock shall be held by said bank as collateral security as provided in this section with respect to other loans through national farm-loan associations. Thereupon there shall be issued to each such member an amount of capital stock in the association equal to the amount which he previously held in said bank, which stock shall be held by said association as collateral security as provided in section 8 of this act. The board of directors of said association shall adopt a resolution authorizing and directing its secretary-treasurer on behalf of said association to endorse, and thereby become liable for the payment of, the mortgages taken from its charter members by the Federal land bank. When it shall appear to the satisfaction of the Farm Loan Commissioner that all the foregoing conditions have been complied with, and upon the granting of the charter by the Farm Loan Commissioner, the interest rate paid by each charter member of such association whose loan is in good standing shall, beginning with his next regular installment date, be reduced to the rate of interest paid by borrowers on new loans made through national farm-loan associations in the same Federal land bank district at the time the said loan was made to such charter member.

"Charges to be paid by applicants for direct loans from a Federal land bank shall not exceed amounts to be fixed by the Farm Loan Commissioner and shall in no case exceed the charges which may be made to applicants for loans and borrowers through national farm-loan associations under the provisions of sections 11 and 13 of this act."

Loans to receivers

Sec. 21. Any receiver appointed by the Federal Farm Loan Board pursuant to section 29 of the Federal Farm Loan Act, as amended, is authorized, for the purpose of paying taxes on farm real estate owned by the bank or securing the mortgages held by it, with the approval of the Farm Loan Commissioner, to borrow from the Reconstruction Finance Corporation and to issue receiver's certificates against the assets of such bank as security for any loan received from the Corporation under this section, and such certificates shall constitute a prior lien on such assets. The Reconstruction Finance Corporation is authorized to make loans to such receivers for the purposes of this section.

Part 2. Joint-stock land banks

Limitations on issue of bonds and lending

Sec. 22. After the date of enactment of this act no joint-stock land bank shall issue any tax-exempt bonds or make any farm loans except such as are necessary and incidental to the refinancing of existing loans or bond issues or to the sale of any real estate now owned or hereafter acquired by such bank.

Loans to joint-stock land banks to provide for orderly liquidation

Sec. 23. (a) The Reconstruction Finance Corporation is authorized and directed to make available to the Farm Loan Commissioner, out of the funds of the Corporation, the sum of $100,000,000, to be used for a period not exceeding two years from the date of enactment of this act for the purpose of making loans to the joint-stock land banks organized and doing business under the Federal Farm Loan Act, as amended, at a rate of interest not to exceed four percentum per annum, payable annually. Such loans shall be made upon application therefor by such banks and upon compliance with the requirements of this section. The amount which may be loaned hereunder to any such bank shall not exceed an amount having the same proportion to the said $100,000,000 as the unpaid principal of the mortgages held by such bank on the date of enactment of this act bears to the total amount of the unpaid principal of the mortgages held by all the joint-stock land banks on such date.

(b) Any joint-stock land bank applying for a loan under this section shall deliver to the Farm Loan Commissioner as collateral security therefor first mortgages or purchase-money mortgages on farm lands, first mortgages on farm real estate owned by the bank in fee simple, or such other collateral as may be available to said bank, including sales contracts and sheriff's certificates on farm lands. The real estate upon which such collateral is based shall be appraised by appraisers appointed under the Federal Farm Loan Act, as amended, and the borrowing bank shall be entitled to borrow not to exceed 60 per centum of the value of such real estate as determined by such appraisal. Fees for such appraisals shall be paid by the applicant banks in such amounts as may be fixed by the Farm Loan Commissioner. No such loan shall be made until the applicant bank, under regulations to be prescribed by the Farm Loan Commissioner, (1) shall have agreed to grant to each borrower then indebted to the bank under the terms of a first mortgage a reduction to 5 per centum per annum in the rate of interest specified in such mortgage, beginning at his next regular installment date occurring more than sixty days after the date of enactment of this act, and (2) shall have agreed to the satisfaction of the Commissioner that during a period of two years from the date of enactment of this act the bank will not proceed against the mortgagor on account of default in the payment of interest or principal due under the terms of its mortgage and will not foreclose its mortgage unless the property covered by such mortgage is abandoned by the mortgagor or unless, in the opinion of the Commissioner, such foreclosure is necessary for other reasons.

Loans by Reconstruction Finance Corporation to joint-stock land banks for emergency purposes

Sec. 24. (a) In addition to loans authorized to be made to joint-stock land banks as provided in section 23 of this act and as provided in section 5 of the Reconstruction Finance Corporation Act, as amended, the Reconstruction Finance Corporation is further authorized and empowered

to make loans, at a rate of interest not to exceed 4 per centum per annum, to any joint-stock land bank for the purpose of securing the postponement for two years from the date of the enactment of this act of the foreclosure of first mortgages held by such banks on account of (1) default in the payment of interest and principal due under the terms of the mortgage, and (2) unpaid delinquent taxes, excluding interest and penalties, which may be secured by the lien of said mortgage: Provided, That during the period of postponement of foreclosure such bank shall charge the mortgagor interest at a rate not exceeding 4 per centum per annum on the aggregate amount of such delinquent taxes and defaulted interest and principal with respect to which loans are made pursuant to this section. The amount loaned to any joint-stock land bank under this section shall be made without reappraisal: Provided, That the amount loaned with respect to any mortgage on account of unpaid principal shall not exceed 5 per centum of the total unpaid principal of such mortgage, and the total amount loaned to any such land bank with respect to any mortgage shall not exceed 25 per centum of the total unpaid principal of such mortgage.

(b) No such loan shall be made with respect to any mortgage unless the Corporation is satisfied that the mortgagor, after exercising ordinary diligence to pay his accrued delinquent taxes and meet accrued interest and principal payments, has defaulted thereon; and unless the bank shall have agreed to the satisfaction of the Corporation that during such two-year period the bank will not foreclose such mortgage unless the property covered thereby is abandoned by the mortgagor or unless in the opinion of the Corporation such foreclosure is necessary for other reasons.

(c) Each such loan shall be secured by an assignment to the Corporation of the lien of the taxes and/or of the bank's mortgage with respect to which the loan is made: Provided, That the part of each such lien so assigned representing the interest and principal due and unpaid in any such mortgage which has been assigned to the farm-loan registrar shall be subordinate to the existing lien of the bank for the balance of the indebtedness then or thereafter to become due under the terms of such mortgage; but the Corporation may require the bank to furnish additional collateral as security for such loan, if such collateral is available to the bank.

(d) The Corporation is authorized to make such rules and regulations as may be necessary to carry out the purposes of this section and to make the relief contemplated immediately available.

Part 3. Loans to farmers by Farm Loan Commissioner

Reduction of debts and redemption of foreclosed farms

Sec. 25. The Reconstruction Finance Corporation is authorized and directed to allocate and make available to the Farm Loan Commissioner the sum of $200,000,000, or so much thereof as may be necessary, to be used for the purpose of making loans as hereinafter provided to any farmer, secured by a first or second mortgage upon the whole or any part of the farm property, real or personal, including crops, of the farmer. The amount of the mortgage given by any farmer, together with all prior mortgages or other evidences of indebtedness secured by such farm property of the farmer, shall not exceed 75 percent of the value thereof, as determined upon an appraisal made pursuant to the Federal Farm Loan Act, as amended; nor shall a loan in excess of $5,000 be made to any one farmer. Every mortgage made under this section shall contain an agreement providing for the repayment of the loan on an amortization plan by means of a fixed number of annual or semiannual installments, sufficient to cover (1) interest on unpaid principal at a rate not to exceed 5 percent per annum, and (2) such payments equal in amount to be applied on principal as will extinguish the debt within an agreed period of not more than ten years from the date the first payment on principal is due: Provided, That during the first three years the loan is in effect payments of interest only may be required. No loan shall be made under this section unless the holder of any prior mortgage or instrument of indebtedness secured by such farm property arranges to the satisfaction of the Farm Loan Commissioner to limit his right to proceed against the farmer and such farm property for default in payment of principal. Loans under this section shall be made for the following purposes only: (1) Refinancing, either in connection with proceedings under chapter VIII of the Bankruptcy Act of July 1, 1898, as amended (relating to agricultural compositions and extensions), or otherwise, any indebtedness, secured or unsecured, of the farmer, (2) providing working capital for his farm operations, and (3) enabling any farmer to redeem and/or repurchase farm property owned by him and occupied by him as a home prior to foreclosure, which has been foreclosed within one year prior to the enactment of this act or which is foreclosed after the enactment of this act. The provisions of paragraph "Ninth" of section 13 of the Federal Farm Loan Act, as amended (relating to charges to applicants for loans and borrowers from the Federal land banks), shall, so far as practicable, apply to loans made under this section. As used in this section, the term "farmer" means any individual who is bona fide engaged in farming operations, either personally or through an agent or tenant, or the principal part of whose income is derived from farming operations, and includes a personal representative of a deceased farmer.

Regulations

Sec. 26. The Farm Loan Commissioner is authorized to make such rules and regulations and to appoint such agents as may be necessary to carry out the purposes of this title and to make the relief contemplated by this title immediately available.

Facilities of Federal land banks and national farm-loan associations made available

Sec. 27. The Federal land banks and the national farm-loan associations are authorized, upon request of the Farm Loan Commissioner, to make available to him their services and facilities to aid in administering the provisions of this title.

Penalties

Sec. 28. Any person who shall knowingly make any material false representation for the purpose of obtaining any loan under part 3 of this title, or in assisting in obtaining any such loan, shall, upon conviction thereof, be fined not more than $1,000, or imprisoned not more than 6 months, or both.

Part 4. Refinancing of agricultural improvement district indebtedness for the benefit of farmers

Loans by Reconstruction Finance Corporation

Sec. 29. The Reconstruction Finance Corporation is authorized and empowered to make loans as hereinafter provided, in an aggregate amount not exceeding $50,000,000, to drainage districts, levee districts, levee and drainage districts, irrigation districts, and similar districts, duly organized under the laws of any State, and to political subdivisions of States which, prior to the date of enactment of this act, have completed projects devoted chiefly to the improvement of land for agricultural purposes. Such loans shall be made for the purpose of enabling any such district or political subdivision (hereafter referred to as the "borrower") to reduce and refinance its outstanding indebtedness incurred in connection with any such project, and shall be subject to the same terms and conditions as loans made under section 5 of the Reconstruction Finance Corporation Act, as amended; except that (1) the term of any such loan shall not exceed 40 years; (2) each such loan shall be secured by refunding bonds issued to the Corporation by the borrower which are a lien on the real property within the project or on the amount of the assessments levied on such property by the borrower pursuant to State law, or by such other collateral as may be acceptable to the Corporation; (3) the borrower shall agree not to issue during the term of the loan any bonds so secured except with the consent of the Corporation; (4) the borrower shall pay to the Corporation, until all bonds of the borrower held by the Corporation are retired, an amount equal to the amount by which

the assessments against the real property within the project collected by the borrower exceed the costs of operation and maintenance of the project and interest on its outstanding obligations; and (5) the borrower shall agree, to the satisfaction of the Corporation, to reduce the outstanding indebtedness to the borrower of the landowners within such project by an amount corresponding to that by which the indebtedness of the borrower is reduced by reason of the operation of this section to distribute the amount of such reduction among such landowners on a pro rata basis, to cancel and retire its outstanding bonds in an aggregate amount equal to the amount of the reduction so distributed, and to permit the Corporation, in the case of the payment of the bonds of the borrower or the liquidation of such project, to participate in such payment or in the proceeds of such liquidation on the basis of the face amount of the bonds so retired plus the face amount of the bonds held by the Corporation as security for the loan. No loan shall be made under this section until the Reconstruction Finance Corporation (A) has caused an appraisal to be made of the property securing and/or underlying the outstanding bonds of the applicant, (B) has determined that the project of the applicant is economically sound, and (C) has been satisfied that an agreement has been entered into between the applicant and the holders of its outstanding bonds under which the applicant will be able to purchase or refund such bonds at a price determined by the Corporation to be reasonable after taking into consideration the average market price of such bonds over the six months' period ending March 1, 1933, and under which a substantial reduction will be brought about in the amount of the outstanding indebtedness of the applicant.

***Part 5.** Increase of lending power of Reconstruction Finance Corporation*

***Sec. 30.** In order to provide funds to carry out the purposes of this title, the amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time is hereby increased by $300,000,000.*

Part 6. Functions of Farm Loan Commissioner under Executive orders

***Sec. 31.** If and when any Executive order heretofore transmitted to the Congress pursuant to title IV of part II of the Legislative Appropriation Act of 1933, as amended, shall become effective, all functions, powers, authority, and duties conferred upon or vested in the Farm Loan Commissioner by this title shall be held and exercised by him subject to all the terms and conditions in any such Executive order the same as if such functions, powers, authority, and duties were specifically named in such Executive order or orders.*

Part 7. Short title

***Sec. 32.** This title may be cited as the "Emergency Farm Mortgage Act of 1933."*

Title III. Regulation of Currency

Part 1. To coin money and regulate the value thereof

Sec. 33. Whenever the President finds, upon investigation, that (1) the foreign commerce of the United States is adversely affected by reason of the depreciation in the value of the currency of any other government or governments in relation to the present standard value of gold, or (2) action under this section is necessary in order to regulate and maintain the parity of currency issues of the United States, or (3) an economic emergency requires an expansion of credit, or (4) an expansion of credit is necessary to secure by international agreement a stabilization at proper levels of the currencies of various governments, the President is authorized, in his discretion—

(a) To direct the Secretary of the Treasury to enter into agreements with the several Federal Reserve banks and with the Federal Reserve Board whereby the Federal Reserve Board will, and it is hereby authorized to, notwithstanding any provisions of law or rules and regulations to the contrary, permit such reserve banks to agree that they will, (1) conduct, pursuant to existing law, throughout the specified periods, open-market operations in obligations of the United States Government or corporations in which the United States is the majority stockholder, and (2) purchase directly and hold in portfolio for an agreed period or periods of time Treasury bills or other obligations of the United States Government in an aggregate sum of $3,000,000,000 in addition to those they may then hold, unless prior to the termination of such period or periods the Secretary shall consent to their sale. No suspension of reserve requirements of the Federal Reserve banks, under the terms of section 11 (c) of the Federal Reserve Act, necessitated by reason of operations under this section, shall require the imposition of the graduated tax upon any deficiency in reserves as provided in said section 11 (c). Nor shall it require any automatic increase in the rates of interest or discount charged by any Federal Reserve bank, as otherwise specified in that section. The Federal Reserve Board, with the approval of the Secretary of the Treasury, may require the Federal Reserve banks to take such action as may be necessary, in the judgment of the Board and of the Secretary of the Treasury, to prevent undue credit expansion.

(b) If the Secretary, when directed by the President, is unable to secure the assent of the several Federal Reserve banks and the Federal Reserve Board to the agreements authorized in this section, or if operations under the above provisions prove to be inadequate to meet the purposes of this section, or if for any other reason additional measures are required in the judgment of the President to meet such purposes, then the President is authorized—

(1) To direct the Secretary of the Treasury to cause to be issued in such amount or amounts as he may from time to time order, United States notes, as provided in the act entitled "An act to authorize the issue of United States notes and for the redemption of funding thereof and for funding the floating debt of the United States", approved February 25, 1862, and acts supplementary thereto and amendatory thereof, in the same size and of similar color to the Federal Reserve notes heretofore issued and in denominations of $1, $5, $10, $20, $50, $100, $500, $1,000, and $10,000; but notes issued under this subsection shall be issued only for the purpose of meeting maturing Federal obligations to repay sums borrowed by the United States and for purchasing United States bonds and other interest-bearing obligations of the United States: Provided, That when any such notes are used for such purpose the bond or other obligation so acquired or taken up shall be retired and canceled. Such notes shall be issued at such times and in such amounts as the President may approve, but the aggregate amount of such notes outstanding at any time shall not exceed $3,000,000,000. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, an amount sufficient to enable the Secretary of the Treasury to retire and cancel 4 percent annually of such outstanding notes, and the Secretary of the Treasury is hereby directed to retire and cancel annually 4 percent of such outstanding notes. Such notes and all other coins and currencies heretofore or hereafter coined or issued by or under the authority of the United States shall be legal tender, for all debts public and private.

Sec. 34. The Secretary of the Treasury, with the approval of the President, is hereby authorized to make and promulgate rules and regulations covering any action taken or to be taken by the President under subsection (a) or (b) of section 33.

Sec. 35. Section 19 of the Federal Reserve Act, as amended, is amended by inserting immediately after paragraph (c) thereof the following new paragraph:

"Notwithstanding the foregoing provisions of this section, the Federal Reserve Board, upon the affirmative vote of not less than five of its members and with the approval of the President, may declare that an emergency exists by reason of credit expansion, and may by regulation during such emergency increase or decrease from time to time, in its discretion, the reserve balances required to be maintained against either demand or time deposits."

After debate,

It was determined in the negative, {Yeas 19 / Nays 65}

On motion by Mr. Carey,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Barbour, Carey, Dale, Fess, Goldsborough, Hale, Hatfield, Hebert, Kean, Keyes, McNary, Metcalf, Patterson, Reed, Schall, Steiwer, Vandenberg, and Walcott.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Erickson, Fletcher, Frazier, George, Glass, Harrison, Hayden, Johnson, Kendrick, King, La Follette, Lewis, Lonergan, Long, McAdoo, McCarran, McGill, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, Wagner, and Walsh.

So Mr. Carey's amendment was not agreed to.

On motion by Mr. Clark to recommit the bill to the Committee on Agriculture and Forestry with instructions to strike out part 2 of Title I,

It was determined in the negative.

Mr. Bankhead, by unanimous consent, withdrew the motion heretofore entered by him to reconsider the vote agreeing to the amendment proposed by Mr. Copeland, as modified, to the reported amendment on page 2, beginning in line 16, relating to milk.

Mr. Smith, by unanimous consent, withdrew the motion heretofore entered by him to reconsider the vote agreeing to the amendment proposed by Mr. Byrnes on page 11, line 1, relating to a processing tax on cotton.

Mr. Connally, by unanimous consent, withdrew the motion heretofore entered by him to reconsider the vote agreeing to the amendment proposed by Mr. Costigan, inserting on page 16, line 9, after the word "tobacco", the words *sugar beets, sugar cane,*.

The Senate proceeded to consider the motion heretofore entered by Mr. Fletcher to reconsider the vote agreeing to the amendment proposed by Mr. Shipstead on page 13, after line 8, of the amendment proposed by Mr. Wagner as a substitute for title II of the bill; and

The motion to reconsider was disagreed to.

No further amendment being made,

Ordered, That the amendments be engrossed and the bill read the third time.

The said bill, as amended, was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, {Yeas 64 / Nays 20}

On motion by Mr. McNary,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Erickson, Fletcher, Frazier, George, Harrison, Hayden, Johnson, Kendrick, King, La Follette, Lewis, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, Wagner, and Walsh.

Senators who voted in the negative are—

Austin, Bailey, Barbour, Buckley, Carey, Clark, Dale, Fess, Glass, Goldsborough, Hale, Hatfield, Hebert, Kean, Keyes, Metcalf, Patterson, Reed, Vandenberg, and Walcott.

So it was

Resolved, That the bill pass.

The title was amended, as reported by the committee, to read: "An act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes."

On motion by Mr. Smith, and by unanimous consent,

Ordered, That the bill be printed showing the amendments of the Senate numbered.

On motion by Mr. Smith,

Resolved, That the Senate insist upon its amendments to the said bill and ask a conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate, to consist of three members of the Committee on Agriculture and Forestry and three members of the Committee on Banking and Currency, be appointed by the Vice President.

The Vice President thereupon appointed Mr. Smith, Mr. Fletcher, Mr. Thomas of Oklahoma, Mr. Wagner, Mr. McNary, and Mr. Walcott.

Ordered, That the Secretary notify the House of Representatives thereof.

QUESTION OF ORDER

Mr. Robinson of Arkansas, obtaining the floor, yielded to Mr. Fletcher, who proceeded to make a motion that the Senate proceed to the consideration of a bill.

Mr. Norris raised a question of order, viz, that Mr. Robinson of Arkansas could not yield to Mr. Fletcher to make such a motion.

The Vice President sustained the question of order.

DEVELOPMENT OF TENNESSEE RIVER BASIN AND OPERATION OF MUSCLE SHOALS PROPERTIES

On motion by Mr. Norris,

The Senate proceeded to consider the bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 7 o'clock and 3 minutes p.m.,

The Senate, as in legislative session, adjourned until Monday next.

MONDAY, MAY 1, 1933

The Vice President called the Senate to order, and the Chaplain offered prayer.

THE JOURNAL

On motion by Mr. Robertson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar day of Friday, April 28, 1933, was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 5240) to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them, and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes, in which it requests the concurrence of the Senate.

The Speaker of the House having signed an enrolled joint resolution, viz, S.J.Res. 13, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the joint resolution (S.J.Res. 13) authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

The Vice President laid before the Senate a communication from the acting chairman, United States Employees' Compensation Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Commission and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF THE AMERICAN BATTLE MONUMENTS COMMISSION

The Vice President laid before the Senate a communication from the chairman of the American Battle Monuments Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Commission and the annual cost thereof; which, with the accompanying report, was ordered to lie on the table and be printed.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

The Vice President laid before the Senate a communication from the secretary of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of its activities and expenditures for the month of March 1933, together with a statement of loans authorized during that month, showing the name, amount, and rate of interest in each case; which, with the accompanying report, was referred to the Committee on Banking and Currency.

FUNCTIONS AND EXPENSES OF UNITED STATES TARIFF COMMISSION

The Vice President laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Commission and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed with illustrations.

FUNCTIONS AND EXPENSES OF DEPARTMENT OF LABOR

The Vice President laid before the Senate a communication from the Secretary of Labor, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Department of Labor and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF DEPARTMENT OF THE INTERIOR

The Vice President laid before the Senate a communication from the Secretary of the Interior, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions under the jurisdiction of the Department of the Interior and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying documents, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A petition of 182 postal employees of Oklahoma City, Okla., praying the enactment of legislation providing for the compulsory retirement of employees in the classified civil service after 30 years' service; and

A memorial of the Philadelphia Freight Brokers, Forwarders, and Customs Brokers Association, of Philadelphia, Pa., remonstrating against the compulsory retirement of employees in the customs service after 30 years' service; to the Committee on Civil Service.

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to enact legislation permitting cities, counties, and States to deposit their bonds with the Federal Government in exchange for currency; and

A resolution adopted by the council of the city of Los Angeles, Calif., favoring the discontinuance of the requirement of a pauper's oath on the part of those desiring relief through various agencies, including the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

Petitions of citizens of the State of Louisiana, praying an investigation of certain alleged acts and conduct of Senator Huey P. Long;

Memorials of citizens of the State of Louisiana, remonstrating against such investigation and charges against Senator Long; and

A telegram from Walter B. Rheineck, of Romeville, La., setting out a copy of a telegram to John M. Parker, of St. Francisville, La., relative to the action of Senator Carter Glass and other Democratic Senators in voting to defeat President Roosevelt's inflation plan in its relation to the investigation of acts and conduct of Senator Long asked for by the said John M. Parker; to the Committee on the Judiciary.

A concurrent resolution of the Legislature of the State of Oklahoma, memoralizing Congress to provide relief for the oil industry, the farmers, the unemployed, business, and the people generally by providing an adequate tariff or tax on oil that will place the domestic oil industry on a competitive basis with imported oil as shown by the reports of the Tariff Commission; and

An order of the House of Representatives of the State of Massachusetts, representing the necessity of according to the fishing industry reasonable tariff protection and such other relief for the preservation of the industry and the maintenance of the American standard of living for the workers engaged therein; to the Committee on Finance.

A resolution adopted by the American Russian Institute, of San Francisco, Calif., favoring the immediate recognition of the Soviet Government of Russia by the Government of the United States; to the Committee on Foreign Relations.

The Vice President laid before the Senate the following joint memorials of the Legislature of the Territory of Alaska, which were referred as indicated:

A joint memorial urging the enactment of legislation to permit native Indians and permanent white inhabitants of the Yukon and Kuskokwim Rivers to catch and pack king salmon for export from the Territory in limited quantities and to permit the mild curing of fish so taken; and

A joint memorial praying the enactment of legislation to provide that no boats, gear, or other appliances used in fishing from Alaska shall be seized until the accused charged with crime has been tried and convicted; to the Committee on Commerce.

A joint memorial praying an investigation of the cost of living in Alaska before any material reduction is made in wages or salaries of Government employees; and

A joint memorial praying the extension to Alaska of the provisions of the Federal Aid Road Act of 1916; to the Committee on Territories and Insular Affairs.

The Vice President laid before the Senate a communication from Lytle Brown, major general, Chief of Engineers, War Department, remonstrating against the alleged injustice done him by the amendment to S. 1272, the so-called Muscle Shoals bill, intended to be proposed by Mr. Norris, authorizing an investigation to ascertain whether, in the control and management of Government properties in the Tennessee River Basin, favoritism has been shown by Government officials to private persons or corporations, and praying that the proposed investigation be immediately made by the Senate; which was read.

On motion by Mr. Norris,

Ordered, That the Secretary transmit the communication to the President of the United States.

The Vice President laid before the Senate the following petition and memorial:

A resolution of the House of Representatives of the Territory of Alaska, favoring the enactment of legislation providing for a system of bimetallic currency; and

A memorial of J. R. Edwards, of Cincinnati, Ohio, remonstrating against the enactment of legislation the effect of which would be to authorize corporations to issue stock dividends and permit their misrepresentation as income.

Ordered, That they lie on the table.

Mr. Walsh presented an order of the House of Representatives of the State of Massachusetts, representing the necessity of according to the fishing industry reasonable tariff protection and such other relief for the preservation of the industry and the maintenance of the American standard of living for the workers engaged therein; which was referred to the Committee on Finance.

Mr. Capper presented a memorial of students of McPherson College, of McPherson, Kans., remonstrating against the proposed construction of 30 new warships at a cost of $230,000,000; which was referred to the Committee on Naval Affairs.

Mr. Thomas of Oklahoma presented the following concurrent resolutions of the Legislature of the State of Oklahoma, which were referred as indicated:

A concurrent resolution urging the appropriation of Federal-aid funds for highway construction in the several States to provide relief and work for the unemployed; to the Committee on Appropriations.

A concurrent resolution favoring the enactment of legislation providing for the refinancing of agricultural indebtedness and to establish an efficient credit system; to the Committee on Banking and Currency.

Mr. Costigan presented a joint resolution of the Senate of the State of Colorado remonstrating against the transfer of patients from the Fitzsimons General Hospital, at Aurora, Colo., to other hospitals and against any substantial reduction of the military or civil personnel at that hospital; which was referred to the Committee on Military Affairs.

Mr. Kean presented a resolution adopted by Elizabeth Parcells Devoe Chapter, National Society of the Daughters of the American Revolution, of Leonia, N.J., urging the building up rather than further reducing the existing defense forces of the Nation; which was referred to the Committee on Appropriations.

Mr. Walcott presented the following petitions and memorials, which were referred as indicated:

A petition of the Political Equality Club, of Meriden, Conn., praying the prompt ratification of the World Court protocols; and

Petitions of citizens and organizations of Bridgeport and New Haven, Conn., praying the enactment of legislation to prohibit the exportation of arms or munitions of war from the United States under certain conditions; to the Committee on Foreign Relations.

Memorials of postal employees' organizations of Bridgeport, New Haven, and Hartford, Conn., remonstrating against the compulsory retirement of Federal employees after 30 years' service; to the Committee on Civil Service.

Mr. Walcott presented a resolution adopted by the Veterans' Council, of Waterbury, Conn., remonstrating against reductions in appropriations for the Army and Navy.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorial, which were referred as indicated:

A resolution adopted by the Civic Association of Hollis Crest, Inc., of Hollis, Long Island, N.Y., favoring the enactment of legislation to prevent foreclosures on small homes, the waiving of mortgage interest and amortization payments, and low interest rates on mortgages; and

A resolution adopted by the Jackson Heights Community Council, of Jackson Heights, Long Island, N.Y., favoring amendments to the so-called Federal home mortgage relief bill to provide for an interest rate of not more than 4 percent on home mortgages, an increase in the limitation on the value of homes to receive the benefits of the bill from $10,000, a suspension of amortization payments for a period of 3 years, and the computation of average appraisal, valuation, and resale values based on the years 1926 to 1932, inclusive; to the Committee on Banking and Currency.

A resolution adopted by the Syracuse (N.Y.) branch of the National Woman's Party, favoring the enactment of legislation granting women equality in nationality rights with men; to the Committee on Immigration.

Mr. Copeland presented a resolution adopted by the Young Men's Board of Trade, of New York City, remonstrating against the ratification of the Great Lakes-St. Lawrence Deep Waterway Treaty with Canada.

Ordered, That it lie on the table.

REPORT OF COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE

Mr. Byrnes, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 26) to pay certain funeral expenses of the late Senator Robert B. Howell, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said resoluton; and

Resolved, That the Senate agree thereto.

EXECUTIVE REPORT

As in executive session, and by unanimous consent,

Mr. Dill, from the Committee on the Judiciary, to whom was referred the nomination of Charles Wyzanski, Jr., to be Solicitor of Labor, reported it favorably.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced, severally read the first and second times by unanimous consent, and referred as follows:

By Mr. Fletcher:

A bill (S. 1548) for the relief of Harry Flanery; to the Committee on Military Affairs.

By Mr. Sheppard:

A bill (S. 1549) for the relief of Lt. Col. Harry Walter Stephenson, United States Army, retired; to the Committee on Military Affairs.

By Mr. Bachman:

A bill (S. 1550) granting a pension to Rue S. Jackson; to the Committee on Pensions.

By Mr. McNary:

A bill (S. 1551) granting a pension to Lemuel T. Wilson; to the Committee on Pensions.

By Mr. Dickinson and Mr. Clark:

A bill (S. 1552) to amend the provisions of the Revenue Act of 1932 relating to the tax on gasoline; to the Committee on Finance.

By Mr. Thomas of Oklahoma:

A bill (S. 1553) for the relief of John Hamilton; to the Committee on Military Affairs.

By Mr. Capper:

A bill (S. 1554) to promote safety on the streets and highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this act, and for other purposes; to the Committee on the District of Columbia.

By Mr. Walsh:

A bill (S. 1555) to encourage planning in industry by permitting controlled cooperation and protecting agriculture, labor, and consumers and to supplement the powers of the Federal Trade Commission; to the Committee on the Judiciary.

By Mr. Thomas of Oklahoma:

A joint resolution (S.J.Res. 47) conferring upon the United States District Court for the Eastern District of Oklahoma the power to retain jurisdiction and to hear, try, and give judgment in case no. 6091 law entitled Chas. Pope Hollingsworth *v.* United States of America; to the Committee on Finance.

By Mr. Sheppard:

A joint resolution (S.J.Res. 48) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China; to the Committee on Military Affairs.

By Mr. Hayden:

A joint resolution (S.J.Res. 49) to authorize the purchase of grain and grain products for distribution by the American National Red Cross, for relief of distress; to the Committee on Banking and Currency.

PETROLEUM PRICES

Mr. Thomas of Oklahoma submitted the following resolution (S.Res. 64), which was referred to the Committee on the Judiciary:

Resolved, That Senate Resolution 339, agreed to on February 25, 1933, be, and the same is hereby, amended by adding the following to the end of such resolution: "(10) The Commission is hereby further directed to report particularly whether any of the practices heretofore in this resolution stated or facts disclosed in pursuance of this resolution relate to or constitute violation of the Federal antitrust laws."

MOTOR FUEL CONTAINING ALCOHOL MADE FROM CORN

Mr. Shipstead submitted the following resolution (S.Res. 65):

Resolved, That the Secretary of Agriculture is hereby requested to investigate, through the agencies of the Bureaus of Agricultural Economics, Chemistry and Soils, and Agricultural Engineering of the Department of Agriculture, the practicability and advantages to agriculture of using alcohol, manufactured from corn and other farm products, in motor fuel, and to report thereon to the Senate as soon as possible.

Ordered, That the resolution lie on the table.

HOUSE BILL REFERRED

The bill H.R. 5240, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Banking and Currency.

CONSIDERATION OF CALENDAR

The Senate proceeded to consider the following bills; and no amendment was made:

S. 743. A bill to amend the act approved June 30, 1932, entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes";

S. 157. A bill to amend an act approved March 4, 1929 (45 Stat. 1548), entitled "An act to supplement the last three paragraphs of section 5 of the act of March 4, 1915 (38 Stat. 1161), as amended by the act of March 21, 1918 (40 Stat. 458)";

S. 604. A bill amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454);

S. 1288. A bill for the relief of Otto Christian;

S. 531. A bill for the relief of Dan Davis;

S. 423. A bill for the relief of Michael J. Moran;

S. 593. A bill to amend the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to give class B officers of the Army benefits of such act;

S. 772. A bill for the relief of Robert J. Smith;

S. 248. A bill for the relief of Rolando B. Moffett;

S. 1204. A bill for the relief of William Burke;

S. 792. A bill for the relief of Curtis Jett; and

S. 1278. A bill to amend an act (Public, No. 431, 72d Cong. to identify The Dalles Bridge Co.

Ordered, That the bills be engrossed and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Wagner,

Ordered, That the bill (S. 1110) to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to amend and supplement the Federal Farm Loan Act, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, be postponed indefinitely.

The bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies having been reached.

An objection to its consideration was interposed by Mr. Robinson of Indiana,

On motion by Mr. Fletcher that the Senate proceed to the consideration of the bill notwithstanding the objection,

It was determined in the negative.

The Senate proceeded to consider the following bills; and the reported amendments were agreed to:

S. 313. A bill to amend section 5 of the act approved July 10, 1890 (28 Stat. 664), relating to the admission into the Union of the State of Wyoming;

S. 7. A bill providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska;

S. 804. A bill to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co.;

S. 707. A bill for the relief of James J. Jordan;

S. 422. A bill for the relief of Albert A. Marquardt;

S. 166. A bill for the relief of Robert J. Foster;

S. 558. A bill for the relief of Beryl M. McHam; and

S. 1131. A bill to amend the probation law.

Ordered, That the bills be engrossed and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the bill (S. 381) to correct the military record of Samson Davis; and the reported amendment to the text having been agreed to, and the bill further amended on the motion of Mr. Reed,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be amended, as reported by the committee, to read "A bill for the relief of Samson Davis."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the bill (S. 1287) for the relief of Leonard Theodore Boice; and having been amended on the motion of Mr. Reed,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the resolution (S.Res. 16) favoring an expression on Mother's Day of our love and reverence for motherhood; and

Resolved, That the Senate agree to the said resolution and to the preamble thereto.

The Senate proceeded to consider the bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes.

The reported amendments on page 3, line 15, and page 4, lines 2 and 6, respectively, were agreed to; the reported amendment on page 4, line 16, was amended on the motion of Mr. Logan, and, as amended, agreed to; and the bill further amended on the motion of Mr. Fletcher.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

PURCHASE OF OBLIGATIONS OF INSURANCE COMPANIES

The call of the Calendar having been completed,

On motion by Mr. Fletcher that the Senate proceed to the consideration of the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Hayden in the chair) directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Batton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The motion of Mr. Fletcher was agreed to; and

The Senate resumed the consideration of the said bill.

Pending debate,

The reported amendment on page 1, line 3, was agreed to.

On the question of agreeing to the reported amendment on page 2, line 17,

Pending debate,

TENNESSEE RIVER VALLEY-MUSCLE SHOALS DEVELOPMENT

The Presiding Officer announced that the hour of 2 o'clock had arrived, and laid before the Senate the unfinished business at its adjournment on Friday last, viz, the bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama; and for other purposes; and

The Senate resumed the consideration of the said bill.

Mr. King raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The reported amendments were agreed to; and the bill was further amended on the motion of Mr. Norris, from the Committee on Agriculture and Forestry, and the motion of Mr. Black.

A further amendment to the bill having been proposed by Mr. Vandenberg, striking out section 13,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks:

Mr. President: The House of Representatives has passed the following resolution (H.Res. 123), which I am directed to communicate to the Senate:

Resolved, That the House has heard with profound sorrow of the death of Hon. Clay Stone Briggs, a Representative from the State of Texas.

Resolved, That a committee of two Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

EXECUTIVE NOMINATIONS REFERRED

As in executive session, and by unanimous consent,

The Presiding Officer (Mr. Thomas of Utah in the chair) referred to the appropriate committees certain nominations this day received from the President of the United States.

DEATH OF REPRESENTATIVE CLAY STONE BRIGGS, OF TEXAS

The Presiding Officer (Mr. Thomas of Utah in the chair) laid before the Senate the resolutions this day received from the House of Representatives, announcing the death of Representative Clay Stone Briggs, of Texas, which were read.

Mr. McKellar (for Mr. Sheppard) thereupon submitted the following resolution (S.Res. 66), which was considered by unanimous consent and unanimously agreed to:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Clay Stone Briggs, late a Representative from the State of Texas.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The Presiding Officer, in accordance with the second resolution, appointed Mr. Sheppard and Mr. Connally as the committee on the part of the Senate.

On motion by Mr. McKellar (for Mr. Sheppard), as a further mark of respect to the memory of the deceased Representative,

The Senate took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY TUESDAY, MAY 2, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF SMITHSONIAN INSTITUTION

The Vice President laid before the Senate a communication from the secretary of the Smithsonian Institution, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Smithsonian Institution and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed with an accompanying illustration.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A joint resolution of the Legislature of the State of Wisconsin, favoring the enactment of legislation to call in and redeem all Liberty and Victory bonds now outstanding, by the issuance of new currency; and

A communication from C. W. King, attorney, Oklahoma Tax Commission, enclosing a copy of a concurrent resolution of the Legislature of the State of Oklahoma, favoring the enactment of legislation empowering the several States to impose taxes upon capital employed within the various States in interstate commerce; to the Committee on Finance.

A concurrent resolution of the Legislature of Puerto Rico, favoring the enactment of legislation to authorize the Reconstruction Finance Corporation to make loans to hospitals in Puerto Rico; and

A resolution adopted by the Cragin State Bank Depositors Justice Committee, of Chicago, Ill., praying the enactment of legislation for the relief of depositors of closed banks; to the Committee on Banking and Currency.

A communication from Dr. William H. Block, of New Orleans, La., relative to Senator Huey P. Long; and

Memorials of citizens of the State of Louisiana, remonstrating against an investigation of certain alleged acts and conduct of Senator Long; to the Committee on the Judiciary.

The Vice President laid before the Senate a resolution adopted by the Central Trades and Labor Council of Greater New York and Vicinity, of New York City, remonstrating against the 15 percent reduction in salaries of Government employees.

Ordered, That it lie on the table.

Mr. Copeland presented a resolution adopted at New York City by the Federal Bar Association of New York, Connecticut, and New Jersey, remonstrating against the alleged mistreatment of Jews in Germany; which was referred to the Committee on Foreign Relations.

Mr. Sheppard presented a concurrent resolution of the Legislature of the State of Texas, favoring a loan through the Reconstruction Finance Corporation for the construction of two extensions of the Waco, Beaumont, Trinity & Sabine Railway Co. from Sabine ports to the interior of Texas; which was referred to the Committee on Banking and Currency.

Mr. Thomas of Oklahoma presented a concurrent resolution of the Legislature of the State of Oklahoma, memorializing Congress to provide relief for the oil industry, the farmers, the unemployed, business, and the people generally by providing an adequate tariff or tax on oil that will place the domestic oil industry on a competitive basis with imported oil as shown by the reports of the Tariff Commission; which was referred to the Committee on Finance.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Goldsborough:

A bill (S. 1556) granting a pension to Milton Carroll Merryman; to the Committee on Pensions.

By Mr. Byrnes:

A bill (S. 1557) for the relief of Harry Lee Shaw; to the Committee on Military Affairs.

By Mr. Robinson of Indiana:

A bill (S. 1558) for the relief of the Security Trust Co., of Indianapolis, Ind.; to the Committee on Finance.

A bill (S. 1559) granting a pension to Nellie C. Manning; to the Committee on Pensions.

By Mr. Copeland:

A bill (S. 1560) granting insurance payments to Hugh H. Newell (with an accompanying paper); to the Committee on Finance.

MOTOR FUEL CONTAINING ALCOHOL MADE FROM CORN

On motion by Mr. Shipstead, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 65) requesting the Secretary of Agriculture to investigate the practicability and advantages to agriculture of using alcohol manufactured from corn and other farm products, and so forth; and

Resolved, That the Senate agree thereto.

ENROLLED JOINT RESOLUTION PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they this day presented to the President of the United States the enrolled joint resolution (S.J.Res. 13) authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against Pan American Petroleum Co. heretofore duly entered.

TENNESSEE RIVER VALLEY-MUSCLE SHOALS DEVELOPMENT

The Senate resumed the consideration of its unfinished business, viz, the bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama; and for other purposes.

The question being on agreeing to the amendment yesterday proposed by Mr. Vandenberg to strike out section 13,

The part proposed to be stricken out was amended on the motion of Mr. Norris.

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Bachman in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. Black raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to Mr. Vandenberg's motion to strike out section 13, as amended, as follows:

"SEC. 13. Five per centum of the gross proceeds received by the board for the sale of power generated at Dam Numbered 2, or from the steam plant located in that vicinity, or from any other steam plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama; and 5 per centum of the gross proceeds from the sale of power generated at Cove Creek Dam, hereinafter provided for, or any other dam or steam plant located in the State of Tennessee, shall be paid to the State of Tennessee. Upon the completion of said Cove Creek Dam the board shall ascertain how much excess power is thereby generated at Dam Numbered 2 and any other dam hereafter constructed by the Government of the United States on the Tennessee River, in the State of Alabama, or in the State of Tennessee, and from the gross proceed of the sale of such excess power 2½ per centum shall be paid to the State of Alabama and 2½ per centum to the State of Tennessee. These provisions shall apply to any other dam that may hereafter be constructed and controlled and operated by the board on the Tennessee River or any of its tributaries, the main purpose of which is to control flood waters and where the development of electric power is only incidental in the operation of such flood-control dam. In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee the board shall not take into consideration the proceeds of any power sold to the Government of the United States, or any department of the Government of the United States used in the operation of any locks on the Tennessee River, or for any experimental purpose, or for the manufacture of fertilizer or any of the ingredients thereof, or for any other governmental purpose: *Provided*, That the percentages to be paid to the States of Alabama and Tennessee, as provided in this section, shall be subject to revision and change by the board, and any new rates established by the board, when approved by the President, shall remain in effect until and unless again changed by the board with the approval of the President. No change of said rates shall be made more often than once in 5 years, and no change shall be made without giving to the States of Alabama and Tennessee an opportunity to be heard."

On motion by Mr. Norris,

It was determined in the negative, { Yeas 31 / Nays 43

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Barbour, Barkley, Brown, Carey, Coolidge, Copeland, Dickinson, Duffy, Fess, Goldsborough, Gore, Hale, Hatfield, Hebert, Johnson, Kean, Keyes, Logan, Lonergan, Metcalf, Patterson, Reed, Robinson of Indiana, Steiwer, Townsend, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bankhead, Black, Bone, Bratton, Bulkley, Bulow, Byrnes, Capper, Clark, Connally, Costigan, Couzens, Cutting, Dill, Erickson, Fletcher Kendrick, King, La Follette, McCarran, McGill, McKellar, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pope, Reynolds, Robinson of Arkansas, Russell, Sheppard, Shipstead, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, and Wheeler.

So Mr. Vandenberg's motion was not agreed to.

The bill was further amended on the motion of Mr. Norris, from the Committee on Agriculture and Forestry, and the motion of Mr. Trammell.

FUNCTIONS AND EXPENSES OF THE DEPARTMENT OF STATE

The Presiding Officer (Mr. Bachman in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, ordered to lie on the table and be printed:

To the Senate of the United States:

There are transmitted herewith, in accordance with Senate Resolution 351, statements showing the functions of the Department of State and all of its related activities, the statutory authority for the performance of each function, and the annual cost thereof insofar as it is practicable to determine the cost on that basis. There is also enclosed a list of employees receiving compensation at the rate of $5,000 or more per annum.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 1, 1933.*

NOTICE OF PROPOSED SUSPENSION OF RULE XVI

Mr. Black presented the following notice:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to House bill 4589, the District of Columbia appropriation bill, the following amendment, viz: At the proper place in the bill insert the following:

"No article or commodity shall be purchased by the United States, or any Department or organization thereof, which article or commodity was produced or manufactured in any mine, factory, workshop, mill, quarry, or manufactory establishment, situated in the United States, in which any operator or worker was employed after the enactment of this law more than 5 days in any week or more than 6 hours in any day.

"Each contract made with a contractor for any public works shall contain a provision that the contractor will buy no article or commodity to use on or in any public work which was produced in any mine, factory, workshop, mill, quarry, or manufactory establishment in which any operator or worker was employed more than 5 days in any week or more than 6 hours in any day."

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 33 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, WEDNESDAY, MAY 3, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF THE CIVIL SERVICE COMMISSION

The Vice President laid before the Senate a communication from the secretary of the United States Civil Service Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Commission and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

FUNCTIONS AND EXPENSES OF BUREAU OF EFFICIENCY

The Vice President laid before the Senate a communication from the chief of the United States Bureau of Efficiency, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Bureau of Efficiency and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A resolution adopted by Col. John Jacob Astor Camp, No. 6, United Spanish War Veterans, of Washington, D.C., favoring the maintenance of the Army and Navy at full strength; and

A resolution adopted by the Reserve and National Guard Officers' Mess, of Los Angeles, Calif., favoring the maintenance of the national defense forces and appropriations to carry out the provisions of the National Defense Act of 1920; to the Committee on Appropriations.

A resolution of the Senate of the State of Pennsylvania, remonstrating against the enactment of legislation providing for the compulsory blending of alcohol with gasoline; to the Committee on Manufactures.

Memorials of citizens of the State of Louisiana, remonstrating against an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

A concurrent resolution of the Legislature of Puerto Rico, favoring the enactment of legislation authorizing the Reconstruction Finance Corporation to make loans to hospitals; to the Committee on Banking and Currency.

The Vice President laid before the Senate a petition of the Alumni Association of the Central High School, of Washington, D.C., praying the appropriation of ample funds for instruction in the graded and high schools of the city and for adequate school-building construction and that no diminution in salaries of administrative officers and teachers be made.

Ordered, That it lie on the table.

Mr. Ashurst presented a memorial of citizens of Douglas, Ariz., remonstrating against the alleged mistreatment of Jews in Germany; which was referred to the Committee on Foreign Relations.

Mr. Tydings presented the following petition and memorial, which were referred as indicated:

A resolution adopted by the Leaf Tobacco Association of Baltimore City, Md., favoring reciprocal tariff agreements with foreign nations for the promotion of trade; to the Committee on Foreign Relations.

A resolution of the board of directors of the Chamber of Commerce, of Honolulu, Hawaii, remonstrating against the transfer of the United States Hydrographic Office from the Navy Department to the Department of Commerce; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES

Mr. Kendrick, by unanimous consent, from the Committee on Public Lands and Surveys, to whom was referred the bill (S. 324) to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes, reported it without amendment and submitted a report (No. 50) thereon.

Mr. Steiwer, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 1513) to amend Public Act No. 435 of the Seventy-second Congress, relating to sales of timber on Indian land, reported it without amendment.

Mr. Thomas of Oklahoma, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 555) to authorize the acquisition by the United States of the land upon which the Seneca Indian School, Wyandotte, Okla., is located, reported it without amendment.

EXECUTIVE REPORT

As in executive session, and by unanimous consent,

Mr. Connally, from the Committee on Finance, to whom was referred the nomination of Jed C. Adams to be a member of the Board of Tax Appeals, reported it favorably.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Frazier (for Mr. Schall):

A bill (S. 1561) providing for payment of $100 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States; to the Committee on Indian Affairs.

By Mr. Townsend:

A bill (S. 1562) granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct a bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del.; to the Committee on Commerce.

By Mr. McNary:

A bill (S. 1563) providing for the purchase of a site and the erection thereon of a public building for the use of Station "A", a station of the post office at Portland, Oreg.; to the Committee on Public Buildings and Grounds.

By Mr. Tydings:

A bill (S. 1564) to revive and reenact the act entitled "An act authorizing the Great Falls Bridge Co. to construct, maintain, and operate a bridge across the Potomac River at or near Great Falls", approved April 21, 1928; to the Committee on Commerce.

By Mr. Sheppard:

A bill (S. 1565) for the relief of Rene Hooge, a minor; to the Committee on Claims.

A bill (S. 1566) for the payment of the claims of citizens of the United States against the Republic of Mexico; to the Committee on Foreign Relations.

A bill (S. 1567) for the relief of Claude W. Shelton; and

A bill (S. 1568) to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes", and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes"; to the Committee on Military Affairs.

By Mr. Reed:

A bill (S. 1569) for the relief of several trust companies; and

A bill (S. 1570) for the relief of the Liberty Title & Trust Co., successors to German American Title & Trust Co., of Philadelphia, Pa.; to the Committee on Claims.

A bill (S. 1571) granting an increase of pension to Helen G. Mercur; to the Committee on Pensions.

By Mr. Borah:

A bill (S. 1572) for the relief of Berle C. Palmer; to the Committee on Military Affairs.

By Mr. Johnson:

A bill (S. 1573) for the relief of Joseph Duncan Smedberg; to the Committee on Military Affairs.

REMONETIZATION OF SILVER

Mr. Wheeler, by unanimous consent, submitted the following resolution (S.Res. 67):

Whereas the whole world, including the United States of America, is suffering from an unprecedented depression, resulting in unemployment, starvation, falling commodity prices, and the collapse of the financial structure which in turn threatens to destroy our present social and economic system; and

Whereas all thoughtful students of economics and finance are agreed that one of the chief causes of this depression is due to the shortage and maldistribution of gold which is today the primary money of the world, seven creditor nations having $9,000,000,000 of gold out of a total world supply of about $11,000,000,000, which in turn leaves only $2,000,000,000 of gold for all the debtor nations of the world; and

Whereas increasing the value of gold held by these seven creditor nations will not increase the purchasing power of the rest of the world, nor give them primary money on which to base credit and with which to carry on their domestic and foreign trade; and

Whereas more than 40 countries are off the gold standard, including England and the United States of America, and 60 percent of the population of the world use silver as their monetary yardstick, and will continue to use it regardless of all efforts to place them on a gold or managed currency basis; and

Whereas the stabilization of currency exchange and the removal of trade barriers between nations is essential in order to successfully conduct foreign trade and commerce; and

Whereas this stabilization of exchanges of world currencies can best be accomplished by fixing the ratio of value between the two metals, silver and gold, upon which world currencies are based; and

Whereas the depreciated currencies of silver-using nations, due to the low price of silver, gives silver-using nations a lower cost of production than gold-using nations, which in turn makes it impossible for gold-using nations to successfully compete with silver-using nations in the markets of the world; and

Whereas the remonetization of silver at its historic ratio with gold would raise world commodity prices upon which our surplus products of farm and factory are sold, increase the purchasing power of silver-using countries in the United States, increase production costs in silver-using countries so that the American farmer and manufacturer would not be so handicapped by their depreciated currencies; and

Whereas the remonetization of silver would end the present uncertainty relative to inflation; and

Whereas both Democratic and Republican national platforms have favored the international remonetization of silver, and Republican and Democratic leaders in the United States Congress have repeatedly stated that they favored bimetallism if it could be on an international basis; and

Whereas the President is about to appoint delegates to attend an international conference to be held in London in June of this year of our Lord, 1933, which has for its purpose the stabilization of international exchange, etc.: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that the delegates so appointed by the President of the United States of America shall work unceasingly for an international agreement to remonetize silver on a basis of a definite fixed ratio of not to exceed 16 fine ounces of silver to 1 fine ounce of gold.

Ordered, That the resolution lie on the table.

PRODUCTION COSTS OF GOAT, KID, AND CABRETTA LEATHERS

Mr. Reed, by unanimous consent, submitted the following resolution (S.Res. 68):

Resolved, That the United States Tariff Commission is hereby directed to investigate, for the purpose of section 336 of the Tariff Act of 1930, the differences in the cost of production between the domestic article and the foreign article, and to report at the earliest date practicable, upon goat, kid, and cabretta leathers.

Ordered, That the resolution lie over one day under the rule.

TENNESSEE RIVER VALLEY-MUSCLE SHOALS DEVELOPMENT

The Senate resumed the consideration of its unfinished business, viz, the bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama; and for other purposes.

On motion by Mr. Bankhead to further amend the bill by striking out subdivision (d) of section 5, as amended, on page 6, lines 21 to 25, inclusive, and inserting in lieu thereof a substitute, and by inserting on page 8, after line 6, four new subdivisions,

Pending debate,

Subdivision (d), proposed to be stricken out, was further amended on the motion of Mr. Norris; and

Mr. Bankhead withdrew his proposed substitute for the said subdivision, as amended.

The question recurring on agreeing to Mr. Bankhead's amendment on page 8, after line 6,

Mr. Wheeler raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Pope in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the amendment of the Senate numbered 85 to the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power; it has disagreed to the amendments of the Senate numbered 1 to 84, inclusive, to the said bill; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Jones, Mr. Fulmer, Mr. Doxey, Mr. Clarke of New York, and Mr. Hope managers at the same on its part.

The House has disagreed to the amendments of the Senate to the bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Steagall, Mr. Goldsborough, and Mr. Luce managers at the same on its part.

FEDERAL EMERGENCY RELIEF

The Presiding Officer (Mr. Duffy in the chair) laid before the Senate the message this day received from the House of Representatives announcing its action on the amendments of the Senate to the bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes.

On motion by Mr. Wagner,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer appointed Mr. Fletcher, Mr. Wagner, and Mr. Norbeck.

Ordered, That the Secretary notify the House of Representatives thereof.

TENNESSEE RIVER VALLEY—MUSCLE SHOALS DEVELOPMENT

The Senate resumed the consideration of its unfinished business, viz, the bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama; and for other purposes.

The question being on agreeing to the amendment proposed by Mr. Bankhead, on page 8, after line 6,

Pending debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Duffy in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The question being taken on agreeing to the amendment proposed by Mr. Bankhead, viz, on page 8, after line 6, insert the following:

(j) It shall be the duty of the board to operate the nitrate plants or either of them by employment of existing facilities or by modernizing the existing plants and facilities for the production of nitrogenous plant food of a kind and quality and in form available as plant food and capable of being applied directly to the soil in connection with the growth of crops containing not less than ten thousand tons of fixed nitrogen, and said amount of such fertilizer or fertilizer ingredients shall periodically be increased from time to time as the market demands may reasonably require until the maximum production capacity of the plants now owned by the Government at Muscle Shoals, as the board may find them to be economically adapted, or susceptible of being made economically adapted for the fixation of nitrogen is reached, if the reasonable demands of the market shall justify except when the market demands are satisfied by maintenance in storage and unsold of such fertilizer or fertilizer ingredients containing at least two thousand five hundred tons of fixed nitrogen if such production is economically justifiable and so found by the authority and so approved by the President. Whenever such stock in storage shall fall below the quantity containing two thousand five hundred tons of fixed nitrogen the production of such nitrogenous plant food shall thereupon be resumed. In the event such production is not so found economically justifiable, then it shall be the duty of the authority to operate such plants and facilities for the production of phosphoric acid and/or other fertilizer ingredients in a form available as plant food and capable of being applied directly to the soil, and in an amount and quantity equal to the production of nitrogenous plant food herein required.

(k) Instead of exercising the powers granted by subsection (d) and (j), the board is authorized lease upon such terms and conditions as may safeguard the interests of the United States and insure the mass production of fertilizer and/or fertilizer ingredients the existing plants and facilities and any such additional plants and facilities as may be constructed and any other property or properties, in whole or in part, for the benefit of the farmer and for agricultural conservation, except that there shall be no lease of power dams, power plants, and power-generating facilities: Provided, That all fertilizer produced shall be in such form and in combination with such other ingredients as shall make such fertilizer immediately available and practical for use by farmers in application to soil and crops. In the event that a lease be made, the board shall supply the said lessee the power necessary for the operation of the properties leased and for such other manufacturing purposes as the President and the Board may agree upon at a price which shall be deemed fair and just by the President and the Board. The lease of any such properties for the production of fertilizer or fertilizer ingredients shall contain a stipulation that the operation of any properties used in the manufacture of fertilizer or fertilizer ingredients shall be conducted in an economical manner and that there must be manufactured annually at least a prescribed amount of nitrogenous plant food of a kind and quality and in a form available as plant food and capable of being applied directly to the soil in connection with the growth of crops: And provided further, That the contract shall contain a stipulation requiring the lessee to produce within two years from the date such lease shall become effective, such fertilizer or fertilizer ingredients containing not less than ten thousand tons of fixed nitrogen, and shall require periodic increases in quantity of fixed nitrogen from time to time as the market demands may reasonably require, and such lease shall provide that such increases shall finally reach the maximum production capacity of such plant or plants as the Board may find to be economically adapted, or susceptible of being made economically adapted to the fixation of nitrogen, if the reasonable demands of the market shall justify the same, except when the nitrogen produced is required for national defense, or when the market demands for same are satisfied by the maintenance in storage and unsold of such fertilizer or fertilizer ingredients containing at least two thousand five hundred tons of fixed nitrogen, but whenever said stock in storage shall fall below the quantity containing two thousand five hundred tons of fixed nitrogen, the production of such nitrogen, and the manufacture of such fertilizer or fertilizer ingredients shall thereupon be resumed: Provided further, That if at any time after ten thousand tons of fixed nitrogen for fertilizer, as above provided, has been produced by the lessee by use of the existing United States properties adapted to the fixation of nitrogen, the board shall find (and it shall be the duty of the board upon the written request of the lessee to make a finding) that the cost of fertilizer or fertilizer ingredients to the farmer can be reduced by purchase of the nitrogen ingredient from time to time required to be produced under the lease contract, it shall be the duty of the board to permit the lessee to purchase the same so long as such condition shall continue in order that fertilizer may be produced at Muscle Shoals in large quantities and sold to the farmer at the lowest practicable cost: Provided further, however, That for purposes of national defense the lessee shall not thereby be released, until the board shall otherwise authorize, from the obligation of maintaining in storage, as herein provided, fertilizer or fertilizer ingredients containing not less than two thousand five hundred tons of fixed nitrogen.

(l) To make alterations, modifications, or improvements in existing plants and facilities, and to construct new plants, for the production of concentrated fertilizers, and/or fertilizer ingredients, in form suitable for home mixing, or for direct application to soil, and for use in connection with growing crops, and to sell same at cost plus 4 per centum, under such rules and regulations as will insure the widest practicable distribution thereof, and preference in such sale shall be given to farmers or to their authorized purchasing agents.

(m) It shall be the duty of the board to maintain in stand-by condition nitrate plant numbered 2, or its equivalent, for the fixation of atmospheric nitrogen, for the production of explosives in the event of war or a national emergency, until the Congress shall by joint resolution release the board from this obligation.

The authority, with the approval of the President of the United States, is hereby authorized to ascertain and declare, for the purpose of fixing the cost of fertilizers and/or fertilizer ingredients, the value of such part of any plant or plants as may be employed by the authority in the production of fertilizer and/or fertilizer ingredients: Provided, That the total value of nitrate plant numbered 2 shall not be fixed to exceed $6,000,000.

It was determined in the negative, { Yeas---------- 12 / Nays---------- 73

On motion by Mr. Long,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bankhead, Black, Byrnes, Fletcher, Kendrick, McGill, Overton, Reynolds, Russell, Sheppard, Smith, and Stephens.

Senators who voted in the negative are—

Adams, Ashurst, Austin, Bachman, Barbour, Barkley, Bone, Borah, Bratton, Brown, Bulow, Byrd, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Keyes, King, La Follette, Logan, Lonergan, Long, McCarran, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Patterson, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Shipstead, Steiwer, Thomas of Oklahoma, Thomas of Utah, Townsend, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

So Mr. Bankhead's amendment was not agreed to.

The bill was further amended on the motion of Mr. Norris.

On motion by Mr. Bankhead to further amend the bill by striking out sections 10, 11, 12, and 18 and inserting in lieu thereof certain words,

Pending debate,

Mr. Bankhead raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-six Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

The amendment proposed by Mr. Bankhead was not agreed to.

No further amendment being proposed.

The bill (H.R. 5081) to provide for the common defense; to aid interstate commerce by navigation; to provide flood control; to promote the general welfare by creating a Tennessee Valley Authority; to operate the Muscle Shoals properties; and to encourage agricultural, industrial, and economic development, heretofore received from the House of Representatives for concurrence, was read the first and second times by unanimous consent.

On motion by Mr. Norris, and by unanimous consent,

The Senate proceeded to consider the said bill; and having been amended on his motion by striking out all after

the enacting clause and inserting in lieu thereof the text of Senate bill 1272, as amended,

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, Yeas 63, Nays 20

On motion by Mr. McNary,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Hayden, Johnson, Kendrick, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, Wagner, and Wheeler.

Senators who voted in the negative are—

Austin, Barbour, Carey, Coolidge, Dale, Fess, Goldsborough, Gore, Hale, Hastings, Hatfield, Kean, Metcalf, Patterson, Reed, Townsend, Tydings, Vandenberg, Walcott, and White.

So it was

Resolved, That the bill pass.

The title was amended so as to read: "An act to improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes."

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Ordered, by unanimous consent, That the bill S. 1272 be postponed indefinitely.

APPROPRIATIONS FOR GOVERNMENT OF DISTRICT OF COLUMBIA

On motion by Mr. Thomas of Oklahoma,

The Senate proceeded to consider the bill (H.R. 4589) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes.

The reported amendment on page 30, beginning in line 21, was amended on the motion of Mr. Bratton, and as amended, agreed to; the residue of the reported amendments were agreed to, and the bill further amended on the motion of Mr. Thomas of Oklahoma, and the motion of Mr. Bratton, respectively, on behalf of the Committee on Appropriations, and the motion of Mr. Couzens.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

On motion by Mr. Thomas of Oklahoma,

Resolved, That the Senate insist upon its amendments to the said bill and ask a conference with the House of Representatives thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Thomas of Oklahoma, Mr. Glass, Mr. King, Mr. Nye, and Mr. Keyes.

Ordered, That the Secretary notify the House of Representatives thereof.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Robinson of Arkansas, at 4 o'clock and 45 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, MAY 4, 1933)

The Vice President called the Senate to order.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Monday, May 1, Tuesday, May 2, and Wednesday, May 3, 1933, was approved.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF PUERTO RICAN HURRICANE RELIEF COMMISSION

The Vice President laid before the Senate a communication from the Secretary of War, chairman of the Puerto Rican Hurricane Relief Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Commission and the annual cost thereof, together with certain information concerning employees and salaries; which, with the accompanying report, was ordered to lie on the table and to be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, memorial, and communication, which were referred as indicated:

A joint memorial of the Legislature of the Territory of Alaska, praying appropriations for the construction of certain public works in the Territory of Alaska;

A joint memorial of the Legislature of the Territory of Alaska, praying the enactment of legislation to eliminate from the homestead laws the provision exempting islands leased or occupied for the propagation of foxes from the benefits of such laws, and favoring the extension of such benefits to the Territory of Alaska; and

A communication from the president and president pro tempore of the senate and the speaker of the house of representatives of the Philippine Legislature, requesting that a committee of Congress visit the Philippines soon after the Legislature has acted on the Philippine Independence Act; to the Committee on Territories and Insular Affairs.

A concurrent resolution of the Legislature of the State of Florida, favoring the inclusion of the Gulf Coast Highway in the Federal aid system of highways and the allocation of funds to Florida for the immediate construction of the highway in that State; to the Committee on Post Offices and Post Roads.

A joint resolution of the Legislature of the State of Illinois, urging the enactment of legislation to encourage the manufacture of ethyl alcohol from agricultural products and remove restrictions on such manufacture for motor fuel uses; to the Committee on Manufactures.

A resolution adopted by the Common Council of Racine, Wis., favoring the enactment of legislation authorizing loans from the Reconstruction Finance Corporation or other Federal agency at a rate of interest not exceeding 3 percent to municipalities upon the security of delinquent real-estate taxes for repayment; to the Committee on Banking and Currency.

A petition of C. W. Finley, of Eunice, La., praying an investigation of acts and conduct of Senator Huey P. Long; and

A telegram from Philip A. Tharp, of Columbus, Miss., remonstrating against such investigation; to the Committee on the Judiciary.

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Illinois, urging the enactment of the President's program for the relief of agriculture.

Ordered, That it lie on the table.

Mr. Robinson of Indiana presented a resolution adopted by the Beth-El Men's Club, of Indianapolis, Ind., remonstrating against the alleged mistreatment of Jews in Germany; which was referred to the Committee on Foreign Relations.

Mr. Sheppard presented a resolution of the Legislature of the State of Texas, favoring the retention of Fort D. A. Russell at Marfa, Tex.; which was referred to the Committee on Military Affairs.

Mr. Connally presented a resolution adopted by Rufus Shelton Post, No. 247, American Legion, of Honey Grove, Tex., favoring the enactment of legislation reducing the first-class postage rate to 2 cents and the taxation of present tax-exempt Government bonds; which was referred to the Committee on Finance.

Mr. Hayden presented a copy of an address delivered by Hon. Cordell Hull, Secretary of State, before the American section of the International Chamber of Commerce, on May 2, 1933; which was referred to the Committee on Finance.

REPORTS OF COMMITTEE ON COMMERCE

Mr. Sheppard, by unanimous consent, from the Committee on Commerce, to whom were referred the following bills, reported them each without amendment and submitted reports thereon, as follows:

S. 1255. A bill to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans. (Rept. No. 51);

S. 1256. A bill granting the consent of Congress to compacts or agreements between the States of Kansas and Missouri for the acquisition, maintenance, and operation of a toll bridge across the Missouri River near Kansas City, Kans., for the construction and maintenance of connections with established highways, for the incorporation of such bridge in the highway systems of said States, and for other purposes (Rept. No. 52);

H.R. 48. An act to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans. (Rept. No. 53);

H.R. 1596. An act to extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C. (Rept. No. 54);

H.R. 4127. An act to extend the times for commencing and completing the construction of a bridge across the Waccamaw River near Conway, S.C. (Rept. No. 55); and

H.R. 4491. An act granting the consent of Congress to the Board of County Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio (Rept. No. 56).

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Tydings:

A bill (S. 1574) to provide a government for American Samoa; to the Committee on Territories and Insular Affairs.

By Mr. Copeland:

A bill (S. 1575) for the relief of Jacob G. Ackerman; and

A bill (S. 1576) for the relief of Benjamin Stern, and Melville A. Stern and Benjamin Stern, as executors under the last will and testament of Louis Stern, deceased, and Arthur H. Hahlo, as executor under the last will and testament of Isaac Stern, deceased, all of New York City, N.Y., for compensation and in settlement of their damages and loss sustained by virtue of a lease in writing, dated September 12, 1919, between the said parties and the United States of America, by Daniel C. Roper, Commissioner of Internal Revenue; to the Committee on Claims.

A bill (S. 1577) creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.; to the Committee on Commerce.

A bill (S. 1578) to amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want; to the Committee on the District of Columbia.

By Mr. McAdoo:

A bill (S. 1579) to amend paragraph (8) of section 1 of the Interstate Commerce Act, as amended; to the Committee on Interstate Commerce.

By Mr. Robinson of Arkansas:

A bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended; to the Committee on Interstate Commerce.

A bill (S. 1581) to amend the act approved July 3, 1930 (46 Stat. 1005) authorizing commissioners or members of international tribunals to administer oaths, and so forth; to the Committee on the Judiciary.

By Mr. Ashurst:

A bill (S. 1582) to amend section 1025 of the Revised Statutes of the United States; to the Committee on the Judiciary.

INVESTIGATION OF RECONSTRUCTION FINANCE CORPORATION

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, reported the following resolution (S.Res. 69):

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized to investigate from time to time the operations of the Reconstruction Finance Corporation, the status of its affairs, and the procedure adopted by it in passing upon applications for loans, and to investigate particularly (1) any loan heretofore or hereafter made by the Corporation, and (2) any application for a loan heretofore or hereafter made to the Corporation. The committee shall report from time to time to the Senate the results of its investigations, together with its recommendations, if any, for legislation.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

Resolved, That the Senate agree thereto.

BANKING AND INVESTMENT SECURITIES INVESTIGATION

Mr. Fletcher, by unanimous consent, submitted the following resolution (S.Res. 70), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution No. 56, agreed to April 4, 1933, authorizing and directing the Committee on Banking and Currency to make investigations of the business of banking, financing, and extending credit and other practices therein mentioned in addition to the authority contained in Resolution No. 84, agreed to March 4, 1932, hereby is continued in full force and effect until the beginning of the second session of the Seventy-third Congress, and the amount authorized to be expended from the contingent fund of the Senate for above-mentioned purposes hereby is increased $25,000 in addition to the amounts previously authorized to be expended in pursuance of the purposes of such resolutions.

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HEARINGS OF 30-HOUR WORK WEEK

Mr. Black, by unanimous consent, submitted the following resolution (S.Res. 71), which was referred to the Committee on Printing:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on the Judiciary of the Senate be, and is hereby, empowered to have printed for its use 1,000 additional copies of the hearings held before a subcommittee of said committee relative to 30-hour work week, Seventy-second Congress, second session.

AMERICAN CONCESSIONS IN FOREIGN COUNTRIES

Mr. Wheeler, by unanimous consent, submitted the following resolution (S.Res. 72), which was referred to the Committee on Foreign Relations:

Whereas American investments abroad, already amounting to many billions of dollars, are increasing rapidly, especially since the World War, and are alleged in a number of instances to be conditioned upon unjustifiable concessions from foreign governments which lack capital but desire to develop their resources; and

Whereas such concessions if unjust in their terms endanger legitimate investments abroad; and

Whereas controversies regarding the rights and duties of holders of such concessions constitute an increasingly important part of the foreign relations of this Government and produce tension which has frequently led to armed intervention and may lead to war: Therefore be it

Resolved, That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized to investigate the terms and conditions under which concessions have been procured in foreign countries by United States citizens and by corporations and other associations in which United States citizens are financially interested, and the nature and extent of such concessions, with particular reference to (1) the source and sanction of such concessions; (2) the record, precedents, and traditions of the Government of the United States in its foreign relations since its establishment, insofar as the rights and duties incident to such concessions constitute the subject matter of international official correspondence; and (3) the principal aspects of public policy involved in the treatment, as property rights for purposes of diplomatic protection, of such concessions.

For the purposes of this resolution such committee or subcommittee is authorized to hold hearings, to sit and act at such times and places, to employ such experts and clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of such committee or subcommittee shall not exceed $30,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of such committee or subcommittee. Such committee or subcommittee shall make a final report to the Senate as to its findings at the beginning of the second session of the Seventy-third Congress.

PRESERVATION OF OLD DOCUMENTS IN THE SENATE FILES

Mr. Robinson of Arkansas, by unanimous consent, submitted the following resolution (S.Res. 73), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is authorized to expend from the contingent fund of the Senate such sums as may be necessary, not to exceed —— dollars, for the purpose of adequately providing for the preservation of old documents on file in the Senate Library.

NOTIFICATION TO PRESIDENT OF CONFIRMATION OF NOMINATIONS

On motion by Mr. Costigan, and by unanimous consent,

Ordered, as in executive session, that the Secretary notify the President of the United States of the confirmation of the nomination of Oscar L. Chapman to be Assistant Secretary of the Interior.

On motion by Mr. Long, and by unanimous consent,

Ordered, as in executive session, that the Secretary notify the President of the United States of the confirmation of the nomination of James Crawford Biggs to be Solicitor General.

EMERGENCY RELIEF FOR RAILROADS

The Presiding Officer (Mr. King in the chair) laid before the Senate the following message from the President of the United States, which was read.

To the Congress:

The steam railways still constitute the main arteries of commerce in the United States. At this time, however, available traffic is not sufficient profitably to utilize existing railway facilities and the supplementary facilities provided by new forms of transportation.

Our broad problem is so to coordinate all agencies of transportation as to maintain adequate service. I am not yet ready to submit to the Congress a comprehensive plan for permanent legislation.

I do believe, however, that three emergency steps can and should be taken at this special session of the Congress.

First. I recommend the repeal of the recapture provisions of the Interstate Commerce Commission Act. The Commission has pointed out that existing provisions are unworkable and impracticable.

Second. Railway holding companies should be placed definitely under the regulation and control of the Interstate Commerce Commission in like manner as the railways themselves.

Third. As a temporary emergency measure, I suggest the creation of a Federal coordinator of transportation, who, working with groups of railroads, will be able to encourage, promote, or require action on the part of carriers in order to avoid duplication of service, prevent waste, and encourage financial reorganizations. Such a coordinator should also, in carrying out this policy, render useful service in maintaining railroad employment at a fair wage.

The experience gained during the balance of this year will greatly assist the Government and the carriers in preparation for a more permanent and a more comprehensive national transportation policy at the regular session of the Congress in 1934.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 4, 1933*.

Ordered, That the message be referred to the Committee on Interstate Commerce and printed.

PURCHASE OF OBLIGATIONS OF INSURANCE COMPANIES

On motion by Mr. Fletcher,

The Senate resumed the consideration of the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies.

The question being on agreeing to the reported amendment on page 2, line 17,

It was determined in the affirmative.

The reported amendment on page 2, line 19, was agreed to.

On the question of agreeing to the reported amendment inserting section 3 (being lines 6 to 25, inclusive, on page 3),

Pending debate,

On motion by Mr. Walsh to amend the said amendment by adding at the end thereof a new section, and the amendment having been subsequently modified by him,

Pending debate,

Mr. Austin raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. King in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

Mr. Hatfield raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. George in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

Mr. Walsh's amendment, as modified, was agreed to.

The reported amendment was further amended on the motion of Mr. Robinson of Indiana, and, as amended, agreed to.

The residue of the reported amendments were agreed to, and the bill further amended on the motion of Mr. Johnson, the motion of Mr. Dill, the motion of Mr. Bulkley, and the motion of Mr. La Follette.

On motion by Mr. King, and by unanimous consent,

The vote agreeing to the reported amendment beginning on page 2, line 17, was reconsidered; and having been amended on his motion, the reported amendment, as amended, was agreed to.

No further amendment being made,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

TERM OF DISTRICT COURT AT ORLANDO, FLA.

On motion by Mr. Long, and by unanimous consent,

The Senate proceeded to consider the bill (S. 687) providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla.; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Robinson of Arkansas, at 4 o'clock and 8 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. on Monday next.

AT 12 O'CLOCK M. (CALENDAR DAY, MONDAY, MAY 8, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5390. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes; and

H.R. 5480. An act to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes.

The President of the United States has informed the House that he approved and signed acts and joint resolutions as follows:

On April 14, 1933:

H.J.Res. 152. Joint resolution to provide for the payment of pages for the Senate and House of Representatives for the first session of the Seventy-third Congress.

On April 29, 1933:

H.R. 4225. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Parkers Landing, in the county of Armstrong, Commonwealth of Pennsylvania; and

H.R. 4332. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at a point near the Forest-Venango County line, in Tionesta Township, and in the county of Forest, and in the Commonwealth of Pennsylvania.

On May 1, 1933:

H.J.Res. 135. Joint resolution to amend section 2 of the act approved February 4, 1933, to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

HOUSE BILL REFERRED

The bill H.R. 5390, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Appropriations.

MOTOR FUEL CONTAINING ALCOHOL MADE FROM CORN

The Vice President laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to Senate Resolution 65, agreed to May 2, 1933, a report on the practicability and advantages to agriculture of using alcohol manufactured from corn and other farm products in motor fuel; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A joint resolution of the Legislature of the State of California, favoring the completion of the John Muir Trail in the State of California; to the Committee on Banking and Currency.

A joint resolution of the Legislature of the State of California, memorializing Congress to enact legislation protecting and fostering the rubber industry of the United States;

Petitions of citizens of the State of California, praying the restoration of all benefits to veterans actually disabled in the military or naval service who were deprived of such benefits by the so-called "Economy Act"; and

A resolution adopted at a mass meeting of workers of the Turtle Creek Valley, Pa., demanding the immediate payment of the so-called "soldiers' bonus", and remonstrating against reductions in disability benefits or pensions to veterans or their dependents; to the Committee on Finance.

A joint memorial of the Legislature of the State of Colorado, favoring the enactment of legislation providing for the construction of a drain through the "closed basin" of the Rio Grande in Colorado, and for the surveying of a suitable site for a reservoir, toward the development and conservation of the waters of the Rio Grande Basin in Colorado, New Mexico, and Texas; to the Committee on Irrigation and Reclamation.

A resolution adopted by the City Council of Cambridge, Mass., remonstrating against the alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

A resolution adopted by the said city council, favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciusko; to the Committee on Post Offices and Post Roads.

A resolution adopted by the executive committee of the American Transit Association, of New York City, favoring the enactment of legislation providing legal facilities to accomplish reorganizations and compositions of indebtedness of electric railways;

A resolution adopted by the Sixty-six Nonpareil Americans, Inc., of New York City, praying intercession on behalf of nine Negroes of Scottsboro, Ala., on trial in that State;

Petitions of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; and

Memorials remonstrating against such investigation and charges against Senator Long; to the Committee on the Judiciary.

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, urging the support of the President in his Muscle Shoals and other recommendations.

Ordered, That it lie on the table.

Mr. Trammell presented the following concurrent resolutions of the Legislature of the State of Florida, which were referred as indicated:

A concurrent resolution favoring the maintenance of an adequate national defense; to the Committee on Military Affairs.

A concurrent resolution favoring the inclusion of the Gulf Coast Highway in the Federal-aid system of highways and the allocation of funds to Florida for the immediate construction of the said highway in that State; to the Committee on Post Offices and Post Roads.

Mr. Johnson presented a joint resolution of the Legislature of the State of California, memorializing Congress to enact legislation to permit the issuance of postage stamps commemorating the sixtieth anniversary of the planting of the parent Washington navel orange trees in honor of the California citrus industry; which was referred to the Committee on Post Offices and Post Roads.

Mr. Capper presented a petition of citizens of southwestern Kansas, praying the more general use of existing private hospital facilities in the treatment of disabled veterans; which was referred to the Committee on Finance.

Mr. Norbeck presented a concurrent resolution of the Legislature of the State of South Dakota, favoring the ratification of the Great Lakes-St. Lawrence Deep Waterway Treaty with Canada.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A memorial of members of Ramapo Council, No. 51, Junior Order United American Mechanics, of Suffern, N.Y., remonstrating against the passage of House Resolution 67, relating to visas by consular offices abroad under the immigration laws of applications of persons who may be related to American citizens; to the Committee on Immigration.

A resolution adopted by the port commission of the city of Rochester, N.Y., remonstrating against the transfer of jurisdiction of the Engineer Corps of the Army over river and harbor work;

A resolution adopted by the Reserve Officers Association, of Ithaca, N.Y., remonstrating against abolishing compulsory military training at Cornell University, of Ithaca, N.Y.;

A resolution adopted by Binghamton Post, No. 80, American Legion, of Binghamton, N.Y., urging the retention of the present military and naval forces, including all civilian components; and

A resolution adopted by the Veterans Association of the Seventy-fourth Infantry, National Guard of New York, of Buffalo, N.Y., remonstrating against any reduction in the armed forces of the country, and favoring appropriations for armory drills and summer camps for the National Guard; to the Committee on Military Affairs.

A memorial of citizens of Brooklyn, N.Y., remonstrating against the enactment of legislation providing for the compulsory retirement of Government employees after 30 years' service;

A resolution adopted by Long Island Branch No. 85 of the National Association of Postal Supervisors, of Jamaica, N.Y., favoring optional instead of compulsory retirement of Government employees after 30 years' service; and

A resolution of the Chamber of Commerce of Watertown, N.Y., remonstrating against economy measures reducing the personnel of the Army and Navy, the abandonment of Army posts, and the curtailment of citizens' military training camps; to the Committee on Appropriations.

A resolution adopted by Long Island Chapter, Knights of Columbus, of Brooklyn, N.Y., remonstrating against the recognition of the Government of Soviet Russia; to the Committee on Foreign Relations.

Mr. Copeland presented a resolution adopted by the Buffalo Street Methodist Episcopal Church, of Jamestown, N.Y., remonstrating against the action of public men in putting party pledges above their oath of office.

Ordered, That it lie on the table.

Mr. Robinson of Indiana presented a petition of citizens of the State of California, praying the restoration of all benefits to veterans actually disabled in the military or naval service who were deprived of such benefits by the so-called "Economy Act"; which was referred to the Committee on Finance.

REPORT OF COMMITTEE ON FINANCE

Mr. Harrison, by unanimous consent, from the Committee on Finance, to whom was referred the bill (S. 1514) authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss., reported it without amendment.

EXECUTIVE REPORTS

As in executive session, and by unanimous consent,

Mr. Harrison, from the Committee on Finance, to whom were referred the nomination of Dean G. Acheson to be Under Secretary of the Treasury, Asst. Surg. Donald J. Hunt to be passed assistant surgeon in the Public Health Service, and certain other nominations in the Public Health Service, reported them favorably.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Johnson:

A bill (S. 1583) for the relief of John C. McCann; to the Committee on Naval Affairs.

By Mr. McNary:

A bill (S. 1584) authorizing an appropriation for a loan, reimbursable from tribal assets, to provide capital and credit for the purpose of encouraging industry and self-support among the Indians having tribal rights on the Klamath Indian Reservation in Oregon; to the Committee on Indian Affairs.

By Mr. Sheppard:

A bill (S. 1585) for the relief of the Black Hardware Co.; and

A bill (S. 1586) for the relief of Arthur N. Knofft; to the Committee on Claims.

A bill (S. 1587) to amend an act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, as amended, by including Roger P. Ames among those honored by said act; to the Committee on Military Affairs.

A bill (S. 1588) to impound a portion of the cotton crop in order to stabilize prices and production; to the Committee on Agriculture and Forestry.

By Mr. Copeland:

A bill (S. 1589) for the relief of the Kings County Trust Co., of Brooklyn, N.Y.; to the Committee on Claims.

A bill (S. 1590) to authorize the construction of barracks at Fort Ontario, Oswego, N.Y., and for other purposes; to the Committee on Military Affairs.

A bill (S. 1591) to renew and extend certain letters patent; to the Committee on Patents.

By Mr. Capper:

A bill (S. 1592) to prohibit untrue, deceptive, or misleading advertising through the use of the mails or in interstate or foreign commerce; to the Committee on Interstate Commerce.

By Mr. La Follette:

A bill (S. 1593) authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States; to the Committee on Indian Affairs.

By Mr. Sheppard:

A bill (S. 1594) for the relief of William Edward Tidwell; and

A bill (S. 1595) extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to provisional officers of the Regular Establishment who served during the World War; to the Committee on Military Affairs.

By Mr. Costigan (for himself, Mr. La Follette, and Mr. Cutting):

A bill (S. 1596) to create an administration of public works; to provide for the construction, extension, and improvement of public facilities and services; to relieve unemployment; and for other purposes; to the Committee on Education and Labor.

By Mr. George and Mr. Russell:

A joint resolution (S.J.Res. 50) designating May 22 as National Maritime Day; to the Committee on Commerce.

INVESTIGATION OF SO-CALLED "RACKETS"

Mr. Copeland, by unanimous consent, submitted the following resolution (S.Res. 74), which was referred to the Committee on Commerce:

Whereas there have grown up in this country numbers of so-called "rackets", newspapers being filled with accounts of "beer rackets", "poultry rackets", "milk rackets", other "food rackets", "laundry rackets", "drug rackets", and other similar schemes for the exploitation, deception, and terrorizing of our citizens; and

Whereas the legitimate trade and commerce of the country, as well as the general welfare of our people, demand that, so far as the Federal Government can accomplish it, all these forms of racketeering should cease: Be it

Resolved, That the Committee on Commerce, or a subcommittee thereof, be authorized to investigate the whole subject and recommend to the Senate what action or legislation is needed to destroy this growing evil.

SALARIES OF EXECUTIVE OFFICERS AND DIRECTORS OF CORPORATIONS

Mr. Costigan, by unanimous consent, submitted the following resolution (S.Res. 75):

Resolved, That the Federal Reserve Board is requested to prepare and transmit to the Senate, as soon as practicable, a report showing the salary schedule of the executive officers and directors of each Federal Reserve bank and member bank of the Federal Reserve System.

Resolved further, That the Reconstruction Finance Corporation is requested to prepare and transmit to the Senate, as soon as practicable, a report showing the salary schedule of the executive officers and directors of each bank not a member of the Federal Reserve System to which loans or advances have been made by the Corporation.

Resolved further, That the Interstate Commerce Commission is requested to prepare and transmit to the Senate, as soon as practicable, a report showing the salary schedule of the executive officers and directors of each carrier engaged in interstate commerce.

Resolved further, That the Federal Power Commission is requested to prepare and transmit to the Senate, as soon as practicable, a report showing the salary schedule of the executive officers and directors of each public-utility corporation engaged in the transportation of electrical energy in interstate commerce, and of all other corporations licensed under the Federal Water Power Act.

Resolved further, That the Federal Trade Commission is requested to prepare and transmit to the Senate, as soon as practicable, a report showing the salary schedule of the executive officers and directors of each corporation engaged in interstate commerce (other than public-utility corporations) having capital and/or assets of more than a million dollars in value, whose securities are listed on the New York Stock Exchange or the New York Curb Exchange.

For the purposes of this resolution the term "salary" includes any compensation, fee, bonus, commission, or other payment, direct or indirect, in money or otherwise, for personal services.

Ordered, That the resolution lie on the table.

FEDERAL EMERGENCY RELIEF

Mr. Fletcher submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States and territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 3, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *their appointment may be made and compensation fixed without regard to the civil service laws, or the Classification Act of 1923, as amended, and the Administrator may, in the same manner, appoint and fix the compensation of*; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4,

and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *The Administrator may, under rules and regulations prescribed by the President, assume control of the administration in any State or States where, in his judgment, more effective and efficient cooperation between the State and Federal authorities may thereby be secured in carrying out the purposes of this act*; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 8, line 3, of the House bill, after "Hawaii," insert *the Virgin Islands,*; and the Senate agree to the same.

DUNCAN U. FLETCHER,
ROBERT F. WAGNER,
PETER NORBECK,
Managers on the part of the Senate.

HENRY B. STEAGALL,
T. ALAN GOLDSBOROUGH,
Managers on the part of the House.

The Senate proceeded, by unanimous consent, to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

REMONETIZATION OF SILVER

On motion by Mr. Wheeler, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 67) authorizing the delegates to the international conference to work unceasingly for the remonetization of silver on the basis of 16 to 1; and

Resolved, That the Senate agree thereto.

The preamble was agreed to.

CONSIDERATION OF CALENDAR

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the Senate proceed to the consideration of unobjected bills on the calendar, subject to debate under the 5-minute rule.

The Senate thereupon proceeded to consider the bill (H.R. 4220) for the protection of Government records; and the reported amendment having been amended on the motion of Mr. Robinson of Arkansas, and, as amended, agreed to,

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Johnson, and by unanimous consent,

The vote on the passage of the foregoing bill was reconsidered.

The Senate proceeded to consider the bill (S. 727) for the relief of Francis N. Dominick; and the reported amendment having been agreed to,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the following bills; and no amendment was made:

H.R. 48. An act to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.;

H.R. 1596. An act to extend the times for commencing and completing the construction of a bridge across the Peedee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.;

H.R. 4127. An act to extend the times for commencing and completing the construction of a bridge across the Waccamaw River near Conway, S.C.; and

H.R. 4491. An act granting the consent of Congress to the Board of County Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio.

Ordered, That the bills pass to a third reading.

The said bills were severally read the third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the following bills; and no amendment was made:

S. 1425. A bill to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933;

S. 555. A bill to authorize the acquisition by the United States of the land upon which the Seneca Indian School, Wyandotte, Okla., is located;

S. 1255. A bill to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.; and

S. 1256. A bill granting the consent of Congress to compacts or agreements between the States of Kansas and Missouri for the acquisition, maintenance, and operation of a toll bridge across the Missouri River near Kansas City, Kans., for the construction and maintenance of connections with established highways, for the incorporation of such bridge in the highway systems of said States, and for other purposes.

Ordered, That the bills be engrossed and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. McGill, and by unanimous consent,

The vote on the passage of the bill (S. 1255) to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans., was reconsidered; and

Ordered, by unanimous consent, that the said bill be postponed indefinitely.

The Senate resumed the consideration of the bill (H.R. 4220) for the protection of Government records.

Mr. Vandenberg raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

The further consideration of the said bill was, by unanimous consent, temporarily postponed.

SALE OF INVESTMENT SECURITIES

On motion by Mr. Fletcher,

The Senate proceeded to consider the bill (S. 875) to provide for the furnishing of information and the supervision of traffic in investment securities in interstate commerce.

The question being on agreeing to the reported amendment, striking out all after the enacting clause and inserting in lieu thereof certain words,

Pending debate,

On motion by Mr. Fletcher to amend the reported amendment by striking out on page 37, lines 1 and 2, the words "with respect to each other class",

Mr. Nye raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Logan in the chair) directed the roll to be called;

When

Eighty-six Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

The amendment proposed by Mr. Fletcher was agreed to.

The reported amendment was further amended on the motion of Mr. Fletcher, from the Committee on Banking and Currency, the motion of Mr. Adams, and the motion of Mr. Johnson, and, as amended, agreed to.

The bill (H.R. 5480) to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent fraud in the sales thereof, and for other purposes, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the said bill.

On motion by Mr. Fletcher to strike out all after the enacting clause and insert in lieu thereof the text of Senate bill 875, as amended,

The part proposed to be inserted was amended on the motion of Mr. Shipstead, and Mr. Fletcher's amendment, as amended, was agreed to.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

On motion by Mr. Fletcher,

Resolved, That the Senate insist upon its amendment to the said bill and ask a conference with the House of Representatives thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer (Mr. Barkley in the chair) appointed Mr. Fletcher, Mr. Glass, Mr. Wagner, Mr. Norbeck, and Mr. Goldsborough.

Ordered, That the Secretary notify the House of Representatives thereof.

Ordered, by unanimous consent, That the bill S. 875 be postponed indefinitely.

PAYMENTS OF JUDGMENTS AND CLAIMS AND SUPPLEMENTAL ESTIMATE

The Presiding Officer (Mr. Barkley in the chair) laid before the Senate five communications from the President of the United States, together with accompanying letters from the Director of the Bureau of the Budget, transmitting, pursuant to law, the following:

A supplemental estimate of appropriation pertaining to the legislative establishment, fiscal years 1933 and 1934, for the payment of salaries of the police force for the Senate Office Building, amounting to $24,300;

A list of judgments rendered by the Court of Claims which have been submitted by the Attorney General through the Secretary of the Treasury and require an appropriation for their payment, amounting to $719,670.55;

Records of judgments rendered against the Government by United States district courts, as submitted by the Attorney General through the Secretary of the Treasury, amounting to $6,140.62;

Schedules of claims, amounting to $110,030.92, allowed by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund; and

Estimates of appropriations submitted by the Post Office and Treasury Departments to pay claims for damages to privately owned property, amounting to $4,519.92, which have been considered and adjusted and require appropriations for their payment.

Ordered, That the communications, with the accompanying papers, be referred to the Committee on Appropriations.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

RECESS

On motion by Mr. Robinson of Arkansas, at 3 o'clock and 40 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. on Wednesday next.

AT 12 O'CLOCK M. (CALENDAR DAY, WEDNESDAY, MAY 10, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Walcott, Wheeler, and White.

A quorum being present,

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power; and it insists upon its disagreement to the amendment of the Senate numbered 83 to the said bill.

The House has disagreed to the amendments of the Senate to the bill (H.R. 4589) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Cannon of Missouri, Mr. Blanton, Mr. Buchanan, Mr. Taber, and Mr. Bacon managers at the same on its part.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes.

The House has disagreed to the amendments of the Senate to the bill (H.R. 5081) to provide for the common defense; to aid interstate commerce by navigation; to provide flood control; to promote the general welfare by creating the Tennessee Valley Authority; to operate the Muscle Shoals properties; and to encourage agricultural, industrial, and economic development; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. McSwain, Mr. Hill of Alabama, and Mr. James managers at the same on its part.

The House has disagreed to the amendment of the Senate to the bill (H.R. 5480) to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Rayburn, Mr. Huddleston, Mr. Lea of California, Mr. Parker of New York, and Mr. Mapes managers at the same on its part.

The House has agreed to the following concurrent resolution (H.Con.Res. 18), in which it requests the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, the Clerk of the House is authorized and directed to strike out the word "basic" where it appears in subsection (3) of section 8.

The Speaker of the House having signed four enrolled bills, viz, H.R. 48, H.R. 1596, H.R. 4127, and H.R. 4491, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

H.R. 48. An act to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.;

H.R. 1596. An act to extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.;

H.R. 4127. An act to extend the times for commencing and completing the construction of a bridge across the Waccamaw River near Conway, S.C.; and

H.R. 4491. An act granting the consent of Congress to the Board of County Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

SUPPLEMENTAL ESTIMATE OF APPROPRIATION FOR CONTINGENT EXPENSES, SENATE

The Vice President laid before the Senate a communication from the President of the United States, together with an accompanying letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a supplemental estimate of appropriation pertaining to the legislative establishment, fiscal year 1933, amounting to $20,000, for contingent expenses, United States Senate; which, with the accompanying papers, was referred to the Committee on Appropriations.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE

The Vice President laid before the Senate a communication from the President of the United States, together with an accompanying letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a schedule of claims amounting to $13,569.10, allowed by the General Accounting Office, under appropriations the balances of which have been carried to the surplus fund; which, with the accompanying papers, was referred to the Committee on Appropriations.

REVISION OF FEDERAL ACCOUNTING SYSTEM

The Vice President laid before the Senate a communication from the Comptroller General, transmitting, in response to Senate Resolution 350, agreed to February 8, 1933, a report of the savings that may be effected through the reorganization, centralization, consolidation, and the elimination of accounting records, accounting and audit procedures, disbursing and collecting offices, and purchasing and warehousing activities of the Governments of the United States and the District of Columbia; which, with the accompanying report, was ordered to lie on the table and be printed.

PAYMENT OF AWARDS UNDER WAR CLAIMS ACT

The Vice President laid before the Senate a communication from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the War Claims Act of 1928 for the purpose of extending for 1 additional year from March 10, 1933, the time within which American nationals who have obtained awards from the Mixed Claims Commission, United States and Germany, or from the Tripartite Claims Commission, United States, Austria, and Hungary, may make application to the Treasury for the payment of such awards; which, with the accompanying paper, was referred to the Committee on Finance.

MAINTENANCE OF SENATE OFFICE BUILDING

The Vice President laid before the Senate a communication from the President of the United States, together with an accompanying letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a supplemental estimate of appropriation pertaining to the Legislative Establishment, fiscal year 1933, amounting to $5,000, for maintenance of the Senate Office Building; which, with the accompanying papers, was referred to the Committee on Appropriations.

RECOMMENDATIONS OF PRESIDENT AFFECTING STATE DEPARTMENT APPROPRIATIONS

The Vice President laid before the Senate a communication from the President of the United States, together with an accompanying letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, three drafts of proposed provisions pertaining to appropriations "Office and living quarters, Foreign Service, 1933" and "Salaries of Foreign Service officers while receiving instructions and in transit, 1933"; "Contingent expenses, Foreign Service, 1934", and "Salaries of Foreign Service officers while receiving instructions and in transit, 1934"; and "Seventh International Conference of American States, Monevideo, Uruguay, 1933–34", under the Department of State; which, with the accompanying papers, was referred to the Committee on Appropriations.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

The Vice President laid before the Senate a communication from the chairman and secretary of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report covering its operation for the 3 months ending March 31, 1933, and for the period from February 2, 1932, to March 31, 1933; which, with the accompanying report, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, memorials, etc., which were referred as indicated:

A concurrent resolution of the Legislature of the Territory of Hawaii, favoring the enactment of legislation changing the date for the holding of regular sessions of the legislature; to the Committee on Territories and Insular Affairs.

A communication from I. C. Blackwood, of Columbia, S.C., enclosing a petition signed by all but two members of the house of representatives of that State, praying Federal employment of William Pierce Drennon, of Abbeville County, S.C.; to the Committee on Rules.

A resolution adopted by the Board of Aldermen of Chelsea, Mass., remonstrating against the closing of the naval hospital in Chelsea; to the Committee on Naval Affairs.

A resolution adopted at Detroit, Mich., by the League of Catholic Women, remonstrating against the persecution of Catholics in Mexico and Spain and requesting representations to the Governments of those countries to the end that they may enjoy freedom of religious worship in those countries as is guaranteed by the Constitution to citizens living in this country; to the Committee on Foreign Relations.

A joint resolution of the Legislature of the State of California, urging the enactment of the so-called "Ludlow bill", providing for the creation of a Federal industrial commission to aid in the stabilization of employment in industry, agriculture, and commerce; and

A communication from the publisher of the Long Island Daily Press, of Jamaica, N.Y., together with a book prepared by the chairman of the Long Island division of the Home Mortgage Advisory Board, suggesting amendments to the bill providing emergency relief with respect to home-mortgage indebtedness; to the Committee on Banking and Currency.

A resolution adopted at Newark, N.J., by the New Jersey Department of the Reserve Officers' Association of the United States, remonstrating against any further weakening of the national defense and any reduction in the number of officers in the Regular Army or training given to Reserve officers; and

A resolution adopted by the Veterans' Postal Employees Association of Philadelphia, favoring optional rather than compulsory retirement of Federal employees after 30 years' service; to the Committee on Appropriations.

Petitions of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long;

Memorials of citizens of the State of Louisiana remonstrating against such investigation and charges against Senator Long;

A communication from John D. Ewing, president of the Ewing Newspapers, of New Orleans, La., enclosing an editorial from the New Orleans entitled "The Price Louisiana is Paying for Longism";

A communication from the Manufacturers Association of San Antonio, Tex., relative to the action of the foreign trade committee of the Merchants Association of New York to prevent the application of proposed legislation providing for a 30-hour work week to imported goods; and

A draft of proposed legislation presented by the Free the Scottsboro Boys Marchers, proposed by the League of Struggle for Negro Rights and endorsed by the National Scottsboro Action Committee, barring discrimination in the exercise of civil rights by reason of race, nationality, or color; to the Committee on the Judiciary.

A petition of Dr. Fayette C. Ewing, of Alexandria, La., praying a continuance of the investigation of the senatorial election in Louisiana in 1932; to the Committee to Audit and Control the Contingent Expenses of the Senate.

The Vice President laid before the Senate the following resolutions:

A resolution adopted at Norristown, Pa., by the Eastern Synod of the Reformed Church in the United States, favoring the feeding, clothing, and housing of innocent victims of the economic collapse; and

A resolution adopted by the League of Catholic Women of Detroit, Mich., expressing appreciation for the selection by the President of Frank Murphy, of Detroit, Mich., as Governor General of the Philippine Islands.

Ordered, That they lie on the table.

Mr. Reynolds presented a joint resolution of the Legislature of the State of North Carolina, favoring the maintenance of the veterans' regional office at Charlotte, N.C., with other regional offices of the Veterans' Administration; which was referred to the Committee on Finance.

Mr. Thomas of Utah presented a plan of Wm. G. Roylance, former professor at the University of Utah, for employment stabilization and economic recovery; which was referred to the Committee on Banking and Currency.

Mr. Wheeler presented a petition of citizens of Tarkio, Mont., praying the prosecution, if guilty of law violation, of certain banking institutions; which was referred to the Committee on Banking and Currency.

Mr. Fletcher presented a concurrent resolution of the Legislature of the State of Florida, favoring the inclusion of the Gulf Coast Highway in the system of Federal-aid highways and the allocation of funds to Florida for the immediate construction of said highway; which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES

Mr. McCarran, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 813) to remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit, reported it without amendment and submitted a report (No. 57) thereon.

Mr. Harrison, by unanimous consent, from the Committee on Finance, to whom was referred the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, reported it with amendments and submitted a report (No. 58) thereon.

Mr. Bratton, by unanimous consent, from the Committee on Appropriations, to whom was referred the bill (H.R. 5390) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, reported it with amendments and submitted a report (No. 59) thereon.

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 1410) to amend section 207 of the Bank Conservation Act with respect to bank reorganizations, reported it without amendment and submitted a report (No. 60) thereon.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills and joint resolutions were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. McNary:

A bill (S. 1597) granting a pension to Lina Buckley; to the Committee on Pensions.

By Mr. George:

A bill (S. 1598) for the relief of Louise Ramsing; to the Committee on Pensions.

A bill (S. 1599) to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.; to the Committee on Commerce.

By Mr. Norbeck:

A bill (S. 1600) for the relief of S. G. Mortimer; to the Committee on Claims.

By Mr. Walsh:

A bill (S. 1601) to carry out the findings of the Court of Claims in the case of the Atlantic Works, of Boston, Mass.;

A bill (S. 1602) for the relief of William Hensley;

A bill (S. 1603) for the relief of Edwin C. Jenney, receiver of the First National Bank of Newton, Mass.; and

A bill (S. 1604) for the relief of the estate of John Stewart, deceased; to the Committee on Claims.

By Mr. Dale:

A bill (S. 1605) for the relief of Anna Elizabeth Rice Denison; to the Committee on Foreign Relations.

A bill (S. 1606) granting a pension to Catherine Davis Broughton;

A bill (S. 1607) granting a pension to Mary Derrick;

A bill (S. 1608) granting a pension to Emma H. Hughes;

A bill (S. 1609) granting a pension to Calvin C. Manley;

A bill (S. 1610) granting a pension to Nellie M. Reynolds;
A bill (S. 1611) granting a pension to Hazel Tripp;
A bill (S. 1612) granting an increase of pension to Vitaline Beaudet;
A bill (S. 1613) granting an increase of pension to Sarah E. Harran;
A bill (S. 1614) granting an increase of pension to Helen S. Humphrey;
A bill (S. 1615) granting an increase of pension to Eliza C. Lower;
A bill (S. 1616) granting an increase of pension to Mary L. Lussier;
A bill (S. 1617) granting an increase of pension to Denise Maheu;
A bill (S. 1618) granting an increase of pension to Eola E. Manley;
A bill (S. 1619) granting an increase of pension to Nellie Muzzey;
A bill (S. 1620) granting an increase of pension to Addie Ransom;
A bill (S. 1621) granting an increase of pension to Addie Richardson;
A bill (S. 1622) granting an increase of pension to Julia D. Rogers; and
A bill (S. 1623) granting an increase of pension to Marcia O. Seaver; to the Committee on Pensions.

By Mr. Bulkley:

A bill (S. 1624) for the relief of Henry A. Taylor;
A bill (S. 1625) for the relief of the Union Trust Co., successors to the Broadway Savings & Trust Co., of Cleveland, Ohio; and
A bill (S. 1626) for the relief of the Union Trust Co., successors to State Banking & Trust Co., of Cleveland, Ohio; to the Committee on Claims.

By Mr. Reed:

A bill (S. 1627) to amend section 206 of the Bank Conservation Act; to the Committee on Banking and Currency.

By Mr. Capper:

A bill (S. 1628) to regulate the importation of milk and cream and milk-and-cream products into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health; to the Committee on Agriculture and Forestry.

By Mr. Sheppard:

A bill (S. 1629) for the relief of the Southern Products Co.; to the Committee on Claims.
A bill (S. 1630) for the relief of Virgil W. Minor; to the Committee on Military Affairs.

By Mr. Glass:

A bill (S. 1631) to provide for the safer and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes; to the Committee on Banking and Currency.

By Mr. Bailey (by request):

A bill (S. 1632) providing for the recognition and enrollment as Cheraw Indians of certain Indians in the State of North Carolina; to the Committee on Indian Affairs.

By Mr. Robinson of Arkansas:

A bill (S. 1633) for the relief of Emma Fein; to the Committee on Claims.

By Mr. Robinson of Indiana:

A joint resolution (S.J.Res. 51) proposing an amendment to the Constitution of the United States with respect to the regulation of the business or commerce of insurance; to the Committee on the Judiciary.

By Mr. Walsh:

A joint resolution (S.J.Res. 52) conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Atlantic Works, of Boston, Mass.; to the Committee on Claims.

By Mr. McGill:

A joint resolution (S.J.Res. 53) granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll bridge across the Missouri River from a point in Platte County, Mo., to a point at or near Kansas City, in Wyandotte County, Kans., and specifying the conditions thereof; to the Committee on Commerce.

DAIRY COMMODITY PRICES IN THE DISTRICT OF COLUMBIA

Mr. King, by unanimous consent, submitted the following resolution (S.Res. 76), which was referred to the Committee on the District of Columbia:

Whereas it is claimed that price levels in dairy commodities within the District of Columbia indicate that competition in trade in such commodities has become stifled therein, and that the cost to the consumer of such commodities exceeds the cost to the producer by more than a fair margin of profit to the producer: Therefore be it

Resolved, That the Committee on the District of Columbia, or any duly authorized subcommittee thereof, is authorized and directed to investigate conditions with respect to the sale and distribution of milk, cream, ice cream, or other dairy products within the District of Columbia with a view to determining particularly whether any individual, partnership, or corporation, whether residing in the District of Columbia or elsewhere, is operating within such District under any contract, combination in form of trust or otherwise, or is a party to any conspiracy, in restraint of trade or commerce in any such dairy products, or in any way monopolizing such trade within such District. The committee shall report to the Senate as soon as practicable the results of its investigations, together with its recommendations, if any, for necessary remedial legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third Congress until the final report is submitted, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

FARM RELIEF

Mr. Smith submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate (numbers 1 to 84, inclusive) to the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 16, 27, 32, 42, 46, and 63.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 18, 19, 20, 21, 22, 23, 26, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, 44, 45, 47, 48, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 80, 81, and 82, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *base period. The base period in the case of all agricultural commodities except tobacco shall be the pre-war period, August 1909–July 1914. In the case of tobacco, the base period shall be the post-war period, August 1919–July 1929.*

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: On page 5, line 16, of the Senate engrossed amendments, strike out "Act" and insert *title*; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *Under regulations of the Secretary of Agriculture requiring adequate facilities for the storage of any nonperishable agricultural commodity on the farm, inspection and measurement of any such commodity so stored, and the locking and sealing thereof, and such other regulations as may be prescribed by the Secretary of Agriculture for the protection of such commodity and for the marketing thereof, a reasonable percentage of any benefit payment may be advanced on any such commodity so stored. In any such case, such deduction may be made from the amount of the benefit payment as the Secretary of Agriculture determines will reasonably compensate for the cost of inspection and sealing, but no deduction may be made for interest.*

And the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *The making of any such agreement shall not be held to be in violation of any of the antitrust laws of the United States, and any such agreement shall be deemed to be lawful: Provided, That no such agreement shall remain in force after the termination of this act.*

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

(5) No person engaged in the storage in a public warehouse of any basic agricultural commodity in the current of interstate or foreign commerce, shall deliver any such commodity upon which a warehouse receipt has been issued and is outstanding, without prior surrender and cancelation of such warehouse receipt. Any person violating any of the provisions of this subsection shall, upon conviction, be punished by a fine of not more than $5,000, or by imprisonment for not more than two years, or both. The Secretary of Agriculture may revoke any license issued under subsection (3) of this section, if he finds, after due notice and opportunity for hearing, that the licensee has violated the provisions of this subsection.

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Beginning with line 3 on page 8 of the Senate engrossed amendments strike out through line 13 on page 9 and insert in lieu thereof the following:

Sec. 9. (a) To obtain revenue for extraordinary expenses incurred by reason of the national economic emergency, there shall be levied processing taxes as hereinafter provided. When the Secretary of Agriculture determines that rental or benefit payments are to be made with respect to any basic agricultural commodity, he shall proclaim such determination, and a processing tax shall be in effect with respect to such commodity from the beginning of the marketing year therefor next following the date of such proclamation. The processing tax shall be levied, assessed, and collected upon the first domestic processing of the commodity, whether of domestic production or imported, and shall be paid by the processor. The rate of tax shall conform to the requirements of subsection (b). Such rate shall be determined by the Secretary of Agriculture as of the date the tax first takes effect, and the rates so determined shall, at such intervals as the Secretary finds necessary to effectuate the declared policy, be adjusted by him to conform to such requirements. The processing tax shall terminate at the end of the marketing year current at the time the Secretary proclaims that rental or benefit payments are to be discontinued with respect to such commodity. The marketing year for each commodity shall be ascertained and prescribed by regulations of the Secretary of Agriculture: Provided, That upon any article upon which a manufacturers' sales tax is levied under the authority of the Revenue Act of 1932 and which manufacturers' sales tax is computed on the basis of weight, such manufacturers' sales tax shall be computed on the basis of the weight of said finished article less the weight of the processed cotton contained therein on which a processing tax has been paid.

And the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with amendments as follows: On page 15, line 3, of the Senate engrossed amendments, strike out "sums" and insert *sum*; and in line 21, strike out "(d)" and insert (c); and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

(b) No tax shall be required to be paid on the processing of any commodity by or for the producer thereof for consumption by his own family, employees, or household; and the Secretary of Agriculture is authorized, by regulations, to exempt from the payment of the processing tax the processing of commodities by or for the producer thereof for sale by him where, in the judgment of the Secretary, the imposition of a processing tax with respect thereto is unnecessary to effectuate the declared policy.

And the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: On page 18, line 20, of the Senate engrossed amendments, after "delivery" insert *on or*; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendments of the Senate numbered 84, and agree to the same with amendments as follows:

On page 24, line 18, of the Senate engrossed amendments, before the word "value", insert *normal.*

On page 29, between lines 10 and 11 of the Senate engrossed amendments, insert the following new paragraph:

The rate of interest on such direct loans made at any time by any Federal land bank shall be one half of 1 per centum per annum in excess of the rate of interest charged to borrowers on mortgage loans made at such time by the bank through national farm-loan associations.

On page 29, line 22, of the Senate engrossed amendments, strike out "shall" and insert *may.*

On page 34, line 6, of the Senate engrossed amendments, before "value" insert *normal.*

On page 35 of the Senate engrossed amendments, beginning with line 13, strike out all through line 9, page 36.

On page 36 of the Senate engrossed amendments strike out lines 12 to 19, both inclusive, and insert in lieu thereof the following:

Sec. 31. (a) Out of the funds made available to him under section 30, the Farm Loan Commissioner is authorized to make loans, in an aggregate amount not exceeding $25,000,000, at a rate of interest.

On page 39, line 6, of the Senate engrossed amendments, before "value" insert *normal.*

On page 39, line 16, of the Senate engrossed amendments, after "years" insert *or, in the case of a first or second mortgage secured wholly by real property and made for the purpose of reducing and refinancing an existing mortgage within an agreed period no greater than that for which loans may be made under the Federal Farm Loan Act, as amended,*

On page 39, line 19, of the Senate engrossed amendments, before the period insert *if the borrower shall not be in default with respect to any other condition or covenant of his mortgage.*

On page 41, line 7, of the Senate engrossed amendments, strike out "$8,500" and insert *$10,000.*

On page 42, line 8, of the Senate engrossed amendments, strike out "(1)".

On page 42 of the Senate engrossed amendments, beginning with the word "including" in line 10, strike out through the word "project", in line 24, and insert in lieu thereof the following: *and to political subdivisions of States, which, prior to the date of enactment of this act, have completed projects devoted chiefly to the improvement of lands for agricultural purposes.*

On page 45 of the Senate engrossed amendments, beginning with line 1, strike out all through the period in line 9 and insert *Sec. 37.*

On page 46, line 9, of the Senate engrossed amendments, strike out "$325,000,000" and insert *$300,000,000.*

On page 47, line 12, of the Senate engrossed amendments, strike out "$8,500" and insert *$10,000.*

On page 47 of the Senate engrossed amendments, beginning with line 13, strike out all through line 20, page 48.

On page 49, line 2, of the Senate engrossed amendments, strike out "shall" and insert *may.*

On page 46, lines 3, 12, and 24, of the Senate engrossed amendments, strike out "37", "38", and "39" and insert *38, 39,* and *40,* respectively.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

The committee of conference have not agreed on amendment numbered 83.

MARVIN JONES,
JOHN D. CLARKE,
CLIFFORD R. HOPE,
WALL DOXEY,
H. P. FULMER,
Managers on the part of the House.

E. D. SMITH,
CHAS. L. MCNARY,
DUNCAN U. FLETCHER,
ELMER THOMAS,
ROBERT F. WAGNER,
F. C. WALCOTT,
Managers on the part of the Senate.

On motion by Mr. Smith,

The Senate proceeded to consider the said report.

On the question of agreeing to the conference report,

After debate,

It was determined in the affirmative, {Yeas---------- 53 / Nays---------- 28}

On motion by Mr. McNary,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Bankhead, Barkley, Black, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Connally, Coolidge, Copeland, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Fletcher, George, Harrison, Hayden, Johnson, Kendrick, La Follette, Lonergan, Long, McGill, McKellar, McNary, Murphy, Neely, Norbeck, Norris, Overton, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, and Walcott.

Senators who voted in the negative are—

Adams, Austin, Bailey, Bone, Borah, Bulkley, Caraway, Carey, Clark, Costigan, Erickson, Fess, Frazier, Goldsborough, Hale, Hastings, Hatfield, Kean, Keyes, McCarran, Nye, Patterson, Reed, Townsend, Tydings, Vandenberg, Wheeler, and White.

So it was

Resolved, That the Senate agree to the said report.

Ordered, That the Secretary notify the House of Representatives thereof.

The Vice President laid before the Senate the message this day received from the House of Representatives, announcing its further disagreement to the amendment of the Senate no. 83 to the foregoing bill.

On motion by Mr. Smith that the Senate recede from the said amendment,

After debate,

It was determined in the affirmative, {Yeas---------- 48 / Nays---------- 33}

On motion by Mr. La Follette,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bailey, Bankhead, Barkley, Black, Brown, Bulkley, Byrd, Byrnes, Carey, Connally, Coolidge, Copeland, Couzens, Dickinson, Dieterich, Fess, Fletcher, George, Glass, Goldsborough, Hale, Harrison, Hastings, Hayden, Johnson, Kean, Kendrick, Keyes, Logan, Lonergan, McKellar, McNary, Patterson, Pittman, Reed, Robinson of Arkansas, Sheppard, Smith, Steiwer, Stephens, Townsend, Trammell, Tydings, Walcott, and White.

Senators who voted in the negative are—

Bone, Borah, Bratton, Bulow, Caraway, Clark, Cutting, Dill, Duffy, Erickson, Frazier, Hatfield, La Follette, Long, McCarran, McGill, Murphy, Neely, Norbeck, Norris, Nye, Overton, Pope, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Thomas of Oklahoma, Thomas of Utah, Vandenberg, Van Nuys, and Wheeler.

So the Senate receded from its amendment no. 83.

Ordered, That the Secretary notify the House of Representatives thereof.

ENROLLMENT OF FARM RELIEF BILL

The concurrent resolution (H.Con. Res. 18) authorizing the Clerk of the House, in the enrollment of H.R. 3835, to strike out the word "basic" where it appears in subsection (3) of section 8, this day received from the House of Representatives for concurrence, was read.

The Senate proceeded to consider the said resolution; and,

On motion by Mr. Smith,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

NOMINATION OF COMPTROLLER OF THE CURRENCY

On motion by Mr. Long, and by unanimous consent,

Ordered, as in executive session, That the Secretary notify the President of the United States of the confirmation of the nomination of J. F. T. O'Connor to be Comptroller of the Currency.

TENNESSEE RIVER VALLEY-MUSCLE SHOALS DEVELOPMENT

The Vice President laid before the Senate the message this day received from the House of Representatives, announcing its disagreement to the amendments of the Senate to the bill (H.R. 5081) to provide for the common defense; to aid interstate commerce by navigation; to provide flood control; to promote the general welfare by creating the Tennessee Valley Authority; to operate the Muscle Shoals properties; and to encourage agricultural, industrial, and economic development, and asking a conference with the Senate thereon.

On motion by Mr. Norris,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Smith, Mr. Kendrick, Mr. Wheeler, Mr. Norris, and Mr. McNary.

Ordered, That the Secretary notify the House of Representatives thereof.

PROTECTION OF GOVERNMENT RECORDS

On motion by Mr. Pittman,

The Senate resumed the consideration of the bill (H.R. 4220) for the protection of Government records.

The question being, Shall the bill pass?

Pending debate,

The votes ordering the engrossment of the amendment and third reading of the bill, and agreeing to the reported amendment, as amended, were respectively reconsidered.

On motion by Mr. Cutting to further amend the said amendment by inserting in lieu of the part proposed to be inserted certain words,

Pending debate,

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Bachman in the chair) directed the roll to be called;

When

Fifty-six Senators answered to their names, as follows:

Adams, Ashurst, Bachman, Bailey, Barkley, Black, Brown, Bulkley, Bulow, Capper, Caraway, Connally, Costigan, Couzens, Cutting, Dickinson, Dieterich, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Johnson, Kean, Kendrick, King, La Follette, Logan, Lonergan, McAdoo, McCarran, McKellar, Murphy, Norris, Nye, Overton, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Steiwer, Stephens, Thomas of Utah, Townsend, Vandenberg, Van Nuys, and White.

A quorum being present,

After debate,

On the question of agreeing to the amendment proposed by Mr. Cutting, viz, in lieu of the language proposed to be inserted by the reported amendment, as amended, as follows:

"That whoever, by virtue of his employment by the United States, shall obtain from another or having custody of or access to, or having had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both."

Insert the following:

That whoever by virtue of his employment by the United States shall obtain and thereafter willfully, without authorization or competent authority, publish or furnish to another any official diplomatic code, or any message or matter prepared in any such code shall, upon conviction thereof, be fined not more than $10,000, or imprisoned not more than 10 years, or both.

It was determined in the negative, {Yeas---------- 30 / Nays---------- 42}

On motion by Mr. Johnson,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Austin, Black, Borah, Bratton, Byrd, Caraway, Costigan, Cutting, Dill, Frazier, Goldsborough, Hastings, Johnson, Kean, La Follette, McCarren, Murphy, Neely, Norbeck, Norris, Nye, Robinson of Indiana, Schall, Steiwer, Stephens, Townsend, Vandenberg, Van Nuys, and Wheeler.

Senators who voted in the negative are—

Bachman, Bailey, Bankhead, Barkley, Brown, Bulkley, Bulow, Byrnes, Capper, Clark, Connally, Copeland, Dickinson, Dieterich, Duffy, Erickson, Fess, Fletcher, George, Glass, Gore, Hale, Harrison, Hatfield, Hayden, Kendrick, King, Logan, Lonergan, McKellar, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Thomas of Oklahoma, Thomas of Utah, Trammell, and White.

So Mr. Cutting's amendment was not agreed to.

The reported amendment was further amended on the motion of Mr. Reed, and, as amended, agreed to.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 4 o'clock and 35 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, MAY 11, 1933)

The Vice President called the Senate to order.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Thursday, May 4, Monday, May 8, and Wednesday, May 10, was approved.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

FUNCTIONS AND EXPENSES OF FEDERAL TRADE COMMISSION

The Vice President laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting, in partial response to Senate Resolution 351, agreed to February 8, 1933, a report of the functions of the Commission and the annual cost thereof; which, with the accompanying report, was ordered to lie on the table and be printed.

APPROPRIATION ESTIMATES AND AUTHORIZATIONS FOR EXPENDITURES

The Vice President laid before the Senate a communication from the President of the United States, together with an accompanying letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a supplemental estimate of appropriation for the War Department, fiscal year 1933, amounting to $21,000 for flood control, Lowell Creek, Alaska; a proposed authorization for expenditure from Indian tribal funds, under the Department of the Interior, fiscal years 1933 and 1934, amounting to $10,000; and drafts of proposed provisions pertaining to certain existing appropriations of the Department of the Interior and the Department of State; which, with the accompanying papers, was referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A resolution adopted by Johnson-Brown Post, No. 1736, Veterans of Foreign Wars of the United States, of Alexandria, La., remonstrating against any reduction in the budget for military projects; to the Committee on Appropriations.

A resolution adopted by the council of the city of Cleveland, Ohio, favoring prompt loans by the Reconstruction Finance Corporation to municipalities and organizations in Cleveland, Ohio, for the purpose of slum clearance and housing construction for low income groups; to the Committee on Banking and Currency.

A petition of John Karachon, of Newark, N.J., praying consideration of his claim for compensation due to injuries while engaged on Government work for a private concern in that city; to the Committee on Claims.

Resolutions adopted by the Commissioners Courts of Tarrant and San Jacinto Counties, in the State of Texas, favoring the inclusion of highway construction in any public-works program for unemployment relief; to the Committee on Education and Labor.

A petition of the Veterans' Expeditionary Force, of New York City, demanding the immediate cash payment of adjusted-service certificates, restoration of disability compensations, allowances, and pensions to war veterans, immediate remedial relief of the unemployed and farmers, and an appropriation for adequate shelter and food for veterans while in Washington; to the Committee on Finance.

A resolution adopted at Washington, D.C., by the National Society United States Daughters of 1812, remonstrating against the recognition by the United States of the Government of Soviet Russia; to the Committee on Foreign Relations.

A memorial of citizens of Plaucheville, La., remonstrating against an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

Mr. Robinson of Indiana presented a telegram from the Indianapolis Chapter of Hadassah, of Indianapolis, Ind., remonstrating against alleged outrages and cruel discrimination being perpetrated against Jews in Germany; which was referred to the Committee on Foreign Relations.

Mr. Walsh presented the following petition, memorials, and communication, which were referred as indicated:

A resolution adopted by the City Council of Cambridge, Mass., favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciusko; to the Committee on Post Offices and Post Roads.

Resolutions adopted at Haverhill, Mass., by the Massachusetts State Union of Women's Clubs, remonstrating against the prosecution of the Scottsboro boys by the courts of Alabama and discriminations against the colored race; to the Committee on the Judiciary.

Telegrams from organizations of Pittafield, Fall River, and Boston, a resolution adopted by the City Council of Cambridge, and memorials of citizens of Worcester, Millbury, and Boston, all in the State of Massachusetts, remonstrating against the alleged mistreatment of Jews in Germany; to the Committee on the Judiciary.

A communication from the president of the Waltham Watch Co., Waltham, Mass., relative to investigations made by former Commissioner of Customs and special agents of the Customs Bureau in connection with the smuggling of watches into the United States; to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Stephens, by unanimous consent, from the Committee on Commerce, to whom was referred the bill (S. 1129) to amend sections 361, 392, 406, 407, 408, 409, 410, 411, and 412 of title 46 of the United States Code relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof, reported it without amendment and submitted a report (No. 61) thereon.

Mr. Bratton, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 1518) providing for waiver of prosecution by indictment in certain criminal proceedings, reported it without amendment and submitted a report (No. 62) thereon.

Mr. Walsh, by unanimous consent, from the Committee on Education and Labor, to whom was referred the bill (S. 510) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes, reported it with amendments and submitted a report (No. 63) thereon.

Mr. Ashurst, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 1582) to amend section 1025 of the Revised Statutes of the United States, reported it without amendment and submitted a report (No. 64) thereon.

The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Fletcher:

A bill (S. 1634) to provide for the redemption of national-bank notes, Federal Reserve bank notes, and Federal Reserve notes which cannot be identified as to the banks of issue; to the Committee on Banking and Currency.

By Mr. Dickinson:

A bill (S. 1635) for the relief of Robert McFarland; to the Committee on Military Affairs.

A bill (S. 1636) granting a pension to Bridget Wagner;

A bill (S. 1637) granting a pension to Pearl F. Warren; and

A bill (S. 1638) granting an increase of pension to Lizzie Wilford; to the Committee on Pensions.

By Mr. Sheppard:

A bill (S. 1639) to establish a Federal credit union system, to establish a further market for securities of the United States and to make more available to people of small means credit for provident purposes through a national system of cooperative credit, thereby helping to stabilize the credit structure of the United States (with accompanying paper);

A bill (S. 1640) to amend section 13 of the Federal Reserve Act by authorizing Federal Reserve banks to receive deposits from credit unions (with accompanying paper); and

A bill (S. 1641) to amend section 4 of the act approved June 25, 1910, authorizing the Postal Savings System, and for other purposes (with accompanying paper); to the Committee on Banking and Currency.

A bill (S. 1642) for the relief of the Southern Products Co.; to the Committee on Claims.

A bill (S. 1643) to amend section 3477, Revised Statutes of the United States (sec. 203, title 31, U.S.C.); to the Committee on the Judiciary.

By Mr. Shipstead:

A bill (S. 1644) to authorize owners or representatives of the owner of resort property to secure from the home-loan banks loans secured by mortgages and to authorize such banks to lend to members on the security of such mortgages; to the Committee on Banking and Currency.

A bill (S. 1645) for the relief of Henry R. Harris; and

A bill (S. 1646) for the relief of John C. Seebach; to the Committee on Claims.

A bill (S. 1647) relating to annual leave of employees in the Government Printing Office; to the Committee on Printing.

By Mr. Bulkley:

A bill (S. 1648) to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations; to the Committee on Banking and Currency.

By Mr. King:

A bill (S. 1649) to amend section 23 of the Revenue Act of 1932; to the Committee on Finance.

By Mr. Lonergan:

A bill (S. 1650) amending section 74 of the Judicial Code, title 28, section 147, of the United States Code, Annotated; to the Committee on the Judiciary.

By Mr. Schall:

A bill (S. 1651) for the relief of the estate of Anton W. Fischer; to the Committee on Claims.

SIGNING OF ENROLLED BILLS

Mr. Robinson of Arkansas, by unanimous consent, submitted the following resolution (S.Res. 77), which was considered by unanimous consent and agreed to:

Resolved, That the President of the Senate and the President pro tempore be, and they are hereby, authorized to sign enrolled bills of the Senate or House of Representatives during recess or adjournments of the Senate during the first session of the Seventy-third Congress.

BANK REORGANIZATIONS

On motion by Mr. Fletcher, and by unanimous consent,

The Senate proceeded to consider the bill (S. 1410) to amend section 207 of the Bank Conservation Act with respect to bank reorganizations; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

GASOLINE TAX AND POSTAGE RATES

On motion by Mr. Harrison,

The Senate proceeded to consider the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes.

Pending debate,

The reported amendment on page 2, line 20, was agreed to.

On the question of agreeing to the reported amendment, beginning on page 5, line 4, striking out section 5 and inserting in lieu thereof certain words,

On motion by Mr. Norris to amend the part proposed to be inserted by striking out all after line 11, on page 6, down to and including line 22, on page 7, as follows:

"(a) There is hereby imposed upon electrical energy sold on or after September 1, 1933, for domestic or commercial consumption and not for resale a tax equivalent to 2 per centum of the price for which so sold, to be paid by the vendor under such rules and regulations as the Commissioner, with the approval of the Secretary, shall prescribe.

"(b) The provisions of sections 619, 622, and 625 shall not be applicable with respect to the tax imposed by this section.

"(c) No tax shall be imposed under this section upon electrical energy sold to the United States or to any State or Territory, or political subdivision thereof, or the District of Columbia. The right to exemption under this subsection shall be evidenced in such manner as the Commissioner, with the approval of the Secretary, may by regulation prescribe."

(b) Section 616 (a) of the Revenue Act of 1932 is amended to read as follows:

"(a) There is hereby imposed a tax equivalent to 1 per centum of the amount paid for electrical energy for consumption other than domestic or commercial and not for resale furnished on or after September 1, 1933, and before July 1, 1934, to be paid by the person paying for such electrical energy and to be collected by the vendor."

(c) The title of section 616 of the Revenue Act of 1932 is amended by striking out "tax on electrical energy" and inserting in lieu thereof "tax on electrical energy for consumption other than domestic or commercial".

(d) Despite the provisions of this section the tax imposed under section 616 of the Revenue Act of 1932 before its amendment by this section on electrical energy furnished before September 1, 1933, shall be imposed, collected, and paid in the same manner and shall be subject to the same provisions of law (including penalties) as if this section had not been enacted.

And inserting in lieu thereof the following:

There is hereby imposed upon energy sold by privately owned, operating electrical power companies a tax equivalent to 3 per centum of the price for which so sold: Provided, That this tax shall not apply to the sale of electrical energy sold for manufacturing purposes.

Pending debate,

Mr. Borah raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Long in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norbeck, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Russell in the chair) directed the roll to be called;

When

Eighty Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Utah, Trammell, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The question being taken on agreeing to the amendment proposed by Mr. Norris,

It was determined in the negative, { Yeas 35 / Nays 42 }

On motion by Mr. Harrison,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bankhead, Black, Bone, Borah, Bratton, Capper, Caraway, Connally, Costigan, Couzens, Cutting, Dill, Erickson, Frazier, George, Johnson, Long, McCarran, McGill, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Indiana, Russell, Sheppard, Shipstead, Thomas of Utah, Trammell, and Wheeler.

Senators who voted in the negative are—

Austin, Bachman, Bailey, Barbour, Barkley, Brown, Bulkley, Byrd, Byrnes, Carey, Clark, Coolidge, Dickinson, Dieterich, Duffy, Fess, Fletcher, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Kean, Kendrick, Keyes, King, Lewis, Logan, Lonergan, McNary, Metcalf, Patterson, Reed, Robinson of Arkansas, Steiwer, Stephens, Vandenberg, Van Nuys, Wagner, Walsh, and White.

So the amendment of Mr. Norris to the reported amendment was not agreed to.

Mr. Clark subsequently gave notice of a motion to reconsider the vote disagreeing to the foregoing amendment.

On motion by Mr. Norris to amend the said reported amendment by striking out all after line 11, on page 6, down to and including line 22, on page 7, and inserting in lieu thereof the following:

There is hereby imposed upon energy sold by privately owned operating electrical power companies a tax equivalent to 3 percent of the price of which so sold.

It was determined in the negative, {Yeas---------- 36 / Nays---------- 45}

On motion by Mr. Harrison,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bankhead, Black, Bone, Borah, Bratton, Bulow, Capper, Caraway, Connally, Costigan, Cutting, Dill, Erickson, Frazier, George, Johnson, Long, McAdoo, McCarran, McGill, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Indiana, Russell, Sheppard, Shipstead, Thomas of Utah, Trammell, and Wheeler.

Senators who voted in the negative are—

Austin, Bachman, Bailey, Barbour, Barkley, Brown, Bulkley, Byrd, Byrnes, Carey, Clark, Coolidge, Couzens, Dale, Dickinson, Dieterich, Duffy, Fess, Fletcher, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Kean, Kendrick, Keyes, King, Lewis, Logan, Lonergan, McNary, Metcalf, Patterson, Reed, Robinson of Arkansas, Smith, Steiwer, Stephens, Vandenberg, Van Nuys, Wagner, Walcott, and White.

So the amendment of Mr. Norris to the reported amendment was not agreed to.

The reported amendment was amended on the motion of Mr. Connally.

On motion by Mr. Johnson to further amend the reported amendment by inserting as a part of subdivision (a) of section 616 the following new paragraph:

None of the provisions of this section or of section 615½ shall apply to publicly owned electric and power companies.

After debate,

It was determined in the affirmative, {Yeas---------- 45 / Nays---------- 31}

On motion by Mr. Bone,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Bailey, Bankhead, Black, Bone, Borah, Bratton, Bulow, Byrd, Capper, Carey, Clark, Connally, Costigan, Couzens, Cutting, Dale, Dill, Duffy, Erickson, Frazier, Hayden, Johnson, Kendrick, Long, McAdoo, McCarran, McGill, Neely, Norris, Overton, Pope, Reynolds, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Stephens, Thomas of Utah, Trammell, Vandenberg, Van Nuys, Wheeler, and White.

Senators who voted in the negative are—

Adams, Austin, Bachman, Barbour, Barkley, Brown, Bulkley, Byrnes, Caraway, Coolidge, Dickinson, Dieterich, Fess, George, Goldsborough, Hale, Harrison, Hatfield, Kean, Keyes, King, Lonergan, McNary, Metcalf, Murphy, Patterson, Reed, Steiwer, Wagner, Walcott, and Walsh.

So Mr. Johnson's amendment was agreed to.

The reported amendment was further amended on the motion of Mr. Carey, and, as amended, agreed to.

On motion by Mr. Harrison (for Mr. Carey), and by unanimous consent,

The foregoing amendment proposed by Mr. Carey was subsequently modified by striking out the word "subsection" where it occurs in said amendment, and inserting in lieu thereof the word *section*.

A further amendment to the bill having been proposed by Mr. Hatfield,

Pending debate,

The further consideration of the said bill was, by unanimous consent, temporarily postponed.

DEFICIENCY APPROPRIATIONS

On motion by Mr. Bratton, and by unanimous consent,

The Senate proceeded to consider the bill (H.R. 5390) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes.

The reported amendments were agreed to, and the bill further amended on the motion of Mr. Bratton, from the Committee on Appropriations, the motion of Mr. Byrnes, the motion of Mr. Barkley, and the motion of Mr. Johnson.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

RECESS

On motion by Mr. Bratton, at 5 o'clock and 15 minutes p.m.,

The Senate took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, FRIDAY, MAY 12, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, viz, H.R. 3835 and H.R. 4606, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

H.R. 3835. An act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes; and

H.R. 4606. An act to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follete, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Walsh, Wheeler, and White.

A quorum being present,

PRESCRIBING OF MEDICINAL LIQUOR

On motion by Mr. Metcalf, and by unanimous consent,

Ordered, That Regulations No. 11, of the Bureau of Industrial Alcohol, Treasury Department, concerning the prescribing of medicinal liquors, be printed as a Senate document.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A concurrent resolution of the Legislature of the State of South Carolina, favoring the establishment of a conservation corps camp in that State and the employment of its citizens at such camp;

A memorial of the Unemployed Workers' League of Mineral County, W.Va., remonstrating against the use of relief checks and the reduction of the wage scale to persons receiving relief; and

A resolution adopted by the Commissioners' Court of McLennan County, Tex., favoring the inclusion of highway construction for Texas in any public-works program; to the Committee on Education and Labor.

A joint resolution of the Legislature of the State of Wisconsin, urging the prompt enactment of legislation providing for refinancing home-mortgage indebtedness; and

A concurrent resolution of the Legislature of the State of Texas, memoralizing Congress to enact legislation providing that funds appropriated for relief to the Texas Relief Commission may be used for road building in any section of the State which cannot use them more profitably in the work of reforestation, flood prevention, or soil erosion; to the Committee on Banking and Currency.

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to enact legislation alloting to the State in which collected not less than 20 percent of the tax received by the Federal Government on the manufacture of beer; to the Committee on Finance.

A petition of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; and

A memorial of T. D. Pollard, of New Iberia, La., remonstrating against such investigation and charges against Senator Long; to the Committee on the Judiciary.

Mr. Robinson of Indiana presented a resolution adopted by George Vawter Camp 73, United Spanish War Veterans, Department of Indiana, urging relief to Spanish-American war veterans deprived of pensions; which was referred to the Committee on Pensions.

Mr. Bulkley presented a petition praying the enactment of the so-called Long plan for the redistribution of wealth.

Ordered, That it lie on the table.

Mr. Trammell presented a petition of widows of officers and enlisted men of the Navy who lost their lives in the wreck of the U.S.S. *Akron* and the *J-3* praying the enactment of legislation to restore the double pension authorized by law prior to the passage of the so-called Economy Act; which was referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES

Mr. Sheppard, by unanimous consent, from the Committee on Commerce, to whom was referred the bill (S. 1577) creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y., reported it without amendment and submitted a report (No. 65) thereon.

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 1634) to provide for the redemption of national-bank notes, Federal Reserve bank notes, and Federal Reserve notes which cannot be identified as to the bank of issue, reported it without amendment and submitted a report (No. 66) thereon.

Mr. Carey, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 879) for the relief of Howell K. Stephens, reported it with an amendment and submitted a report (No. 67) thereon.

Mr. Carey, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 1587) to amend an act entitled "An act to recognize the high public service rendered by Major Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, as amended, by including Roger P. Ames among those honored by said act, reported it without amendment and submitted a report (No. 68) thereon.

Mr. Sheppard, by unanimous consent, from the Committee on Military Affairs, to whom were referred the following bills and joint resolution, reported them each without amendment and submitted reports thereon, as follows:

S. 1286. A bill to increase the efficiency of the Veterinary Corps of the Regular Army (Rept. No. 69);

S. 1548. A bill for the relief of Harry Flanery (Rept. No. 71); and

S.J.Res. 48. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China (Rept. No. 70).

Mr. Cutting, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 860) for the relief of George W. Edgerly, reported it without amendment and submitted a report (No. 72) thereon.

Mr. Stephens, by unanimous consent, from the Committee on Commerce, to whom was referred the joint resolution (S.J.Res. 50) designating May 22 as National Maritime Day, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said joint resolution; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said joint resolution was read the third time.

Resolved, That it pass, that the preamble be agreed to, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Hale:

A bill (S. 1652) granting a pension to Alice H. Palmer (with accompanying papers); to the Committee on Pensions.

By Mr. Neely:

A bill (S. 1653) for the relief of Charles Flanagan; to the Committee on Finance.

A bill (S. 1654) for the relief of George Yusko; to the Committee on Military Affairs.

A bill (S. 1655) granting a pension to Earl E. Bayles; to the Committee on Pensions.

By Mr. Fletcher:

A bill (S. 1656) for the relief of Lyman D. Drake, Jr.; to the Committee on Claims.

By Mr. Thomas of Oklahoma:

A bill (S. 1657) to amend section 3 of the act entitled "An act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", approved May 10, 1928 (45 Stat.L., p. 496), as amended by the act of February 14, 1931 (46 Stat.L., p. 1108); to the Committee on Indian Affairs.

By Mr. Pittman, Mr. Walcott, Mr. McNary, and Mr. Norbeck:

A bill (S. 1658) to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas, for the protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes; to the Special Committee on Conservation of Wild Life Resources.

APPOINTMENT OF RECEIVERS AND TRUSTEES IN BANKRUPTCY

Mr. McAdoo, by unanimous consent, submitted the following resolution (S.Res. 78):

Resolved, That a special committee of the Senate, consisting of 5 Senators, to be appointed by the President of the Senate, 3 from the majority political party and 2 from the minority political party, is authorized and directed to make an investigation of the administration of receivership and bankruptcy proceedings in the courts of the United States, with particular reference to the appointment of receivers

and trustees in bankruptcy in such proceedings, and the fees received in the course of such administration, and generally of all matters concerning which information would be desirable in order to correct by legislation such abuses as may be found. The committee shall report to the Senate, as soon as practicable, the results of its investigation, together with its recommendations.

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

Ordered, That the resolution lie on the table.

GENERAL SURVEY OF INDIAN CONDITIONS

Mr. King, by unanimous consent, submitted the following resolution (S.Res. 79), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, authorized and directed by Senate resolution to make a general survey of Indian conditions in the United States, is hereby authorized to expend $15,000 from the contingent fund of the Senate in addition to the sums previously authorized for said purpose.

FARM MORTGAGES

The Presiding Officer (Mr. Tydings in the chair) laid before the Senate the bill (H.R. 4795) to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to amend and supplement the Federal Farm Loan Act, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, heretofore received from the House of Representatives for concurrence; when,

On motion by Mr. Fletcher,

Ordered, That it be postponed indefinitely.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes, in which it requests the concurrence of the Senate.

HOUSE BILL REFERRED

The bill H.R. 5389, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Appropriations.

SALE OF INVESTMENT SECURITIES

The Presiding Officer (Mr. Clark in the chair) appointed Mr. Townsend as a member of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5480) to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes, vice Mr. Norbeck, excused.

GASOLINE TAX AND POSTAGE RATES

The Senate resumed the consideration of the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes.

The question being on agreeing to the amendment yesterday proposed by Mr. Hatfield, inserting at the end of the bill certain new sections,

Pending debate,

Mr. King raised a question as to the presence of a quorum; Whereupon

The Presiding Officer (Mr. Tydings in the chair) directed the roll to be called;

When

Seventy-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Barbour, Barkley, Black, Borah, Bulow, Byrd, Byrnes, Capper, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Kean, Kendrick, Keyes, King, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Walsh, Wheeler, and White.

A quorum being present,

On the question of agreeing to the amendment proposed by Mr. Hatfield, viz, at the end of the bill insert the following:

Sec. —. That there shall be levied, collected, and paid upon all articles when imported directly or indirectly into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, American Samoa, and the island of Guam) directly or indirectly from any foreign country, if the depreciation in the currency of such country, as determined by the Secretary of the Treasury, is 5 per centum or more below the standard value of such currency as proclaimed by the Secretary of the Treasury on October 1, 1931, or similarly depreciated when compared with currency of the United States, these following taxes, which shall be in addition to the duties collected under existing law as amended by section 7 of this act:

(1) If the amount of the invoice value of the article is ascertained in units of currency of such foreign country—a tax equal to the difference between the invoice value of the article expressed in units of currency of such foreign country and converted to units of currency of the United States at the standard value of the currency of such foreign country as proclaimed by the Secretary of the Treasury on October 1, 1931; and (b) such amount converted to the currency of the United States at the buying rate of the unit of currency of such foreign country as ascertained under section 522 (c) of the Tariff Act of 1930.

(b) If the amount of the invoice value of the article is ascertained in units of currency of any country (including the United States) other than the country of exportation—a tax equal to the difference between (a) such amount expressed in units of currency of the country of exportation at the current rate of exchange for noon of the date of exportation and converted as provided in paragraph (1) to the currency of the United States at the standard value of such unit of currency of the country of exportation as proclaimed by the Secretary of the Treasury on October 1, 1931, and such amount expressed in units of currency of the country of exportation, and converted as provided in paragraph (1) into the currency of the United States at the buying rate of the units of currency of the country of exportation as ascertained under section 522 (c) of the Tariff Act of 1930. In cases, if any, where the Secretary of the Treasury is unable to determine the said buying rate under any of the provisions of said section 522 (c) of the Tariff Act of 1930, he shall determine such buying rate by the method which he approves as most fair and equitable in the premises and make and proclaim his determination accordingly and such determination and decision shall be final.

Sec. 6. This act shall not apply to imports of articles on the free list of the Tariff Act of 1930 not produced in the United States in substantial commercial quantities.

Sec. 7. For the purpose of the assessment and collection of duties under the existing law, the value (whether such value is ascertained in units of currency of the United States or of any other country) of any article provided for in section 5 shall be the value of such article converted to the currency of the United States at the standard value of the unit of currency of the country of exportation as provided for in paragraph (1) or (2) of section 5, as the case may be.

Sec. 8. Until June 30, 1935, the Tariff Commission, upon the filing of petitions, the adoption of resolutions by the Senate or House of Representatives, the initiation of proceedings before it in any form, or on its own motion shall, when satisfied by evidence before it, that such increased duty, or new duties, as the case may be, will increase employment in the industry which is the subject matter of the investigation, report to the President increased duties on articles on the dutiable list or duties on articles on the free list.

When unable with due regard to prompt action, to fix rates of duties with greater exactness, the Commission shall report ad valorem rates of either 25 per centum, 50 per centum, 75 per centum, or 100 per centum, whichever the proof before it shows to be nearest to the rate which the Commission finds necessary to increase employment, in the United States, in the industry which is the subject matter of the investigation.

The President, upon receipt of such report, and, within ten days thereafter, shall approve the same by issing his proclamation in the manner now provided by law, or return the same to the Commission, with or without recommendation. No rate of duty on any article, fixed under the provisions of this section, shall be less than the rate of duty, plus the additional tax, if any, imposed under the provisions of the preceding sections of this act on the same article nor less than the rate fixed under and by virtue of the provisions of the Tariff Act of 1930 or by section 601 of the Revenue Act of 1932. Except as otherwise provided in this section, and except that the Commission shall not be required to hold public hearings, the provisions of part 2 of title 3 of the Tariff Act of 1930 shall, so far as applicable, apply to proceedings taken under the provisions of this section.

Sec. 9. Duties fixed, if any, by the President, under the provisions of section 338 of the Tariff Act of 1930, shall not be in addition to the taxes, new duties, or additional duties fixed under and by virtue of the provisions of this act.

In case of the fixing of any such duties under said section, the additional duties in force shall, while the duties fixed under said section 338 remain in effect, be either the new or additional duties or taxes fixed under and by virtue of the provisions of this act, or the additional duties fixed by the President under said section 338, whichever are higher.

Sec. 10. Terms used in this act shall have the meaning assigned to such terms in the Tariff Act of 1930.

Sec. 11. Sections 5 to 12, both inclusive, of this act shall be administered as part of the customs laws.

Sec. 12. Sections 5 to 11, both inclusive, of this act shall take effect on the day following the date of enactment and continue in force until June 30, 1935.

It was determined in the negative, { Yeas—27 / Nays—51

On motion by Mr. Hatfield,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Barbour, Capper, Carey, Dale, Dickinson, Dill, Fess, Fletcher, Frazier, Goldsborough, Hale, Hatfield, Kean, Keyes, Long, McAdoo, McNary, Metcalf, Nye, Reed, Robinson of Indiana, Schall, Shipstead, Steiwer, Townsend, Vandenberg, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barkley, Black, Borah, Bratton, Brown, Bulkley, Byrd, Byrnes, Caraway, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dieterich, Duffy, Erickson, George, Gore, Harrison, Hayden, Kendrick, King, Logan, Lonergan, McCarran, McGill, McKellar, Murphy, Neely, Overton, Pope, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Van Nuys, Walsh, and Wheeler.

So Mr. Hatfield's amendment was not agreed to.

On motion by Mr. Dickinson to further amend the bill by striking out section 2 and inserting in lieu thereof a substitute,

Pending debate,

On motion by Mr. Vandenberg to amend the part proposed to by stricken out by inserting in lieu of the word "modifications", on page 1, line 8, the word *reductions*.

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed without amendment the bill (S. 7) providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska.

The House has disagreed to the amendments of the Senate to the bill (H.R. 5390) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Buchanan, Mr. Taylor of Colorado, Mr. Ayres of Kansas, Mr. Taber, and Mr. Bacon managers at the same on its part.

CONFIRMATION OF CIVIL SERVICE COMMISSIONERS

On motion by Mr. McKellar, and by unanimous consent,

Ordered, as in executive session, That the Secretary notify the President of the United States of the confirmation of Lucille F. McMillin and Harry B. Mitchell to be Civil Service Commissioners.

DEFICIENCY APPROPRIATIONS

The Presiding Officer (Mr. Clark in the chair) laid before the Senate the message this day received from the House of Representatives, announcing its disagreement to the amendments of the Senate to the bill (H.R. 5390) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, and asking a conference with the Senate thereon.

On motion by Mr. Bratton,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer appointed Mr. Bratton, Mr. Glass, Mr. McKellar, Mr. Hale, and Mr. Keyes.

Ordered, That the Secretary notify the House of Representatives thereof.

GASOLINE TAX AND POSTAGE RATES

The Senate resumed the consideration of the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes.

The question being on agreeing to Mr. Vandenberg's amendment inserting in lieu of the word "modifications", on page 1, line 8, the word *reductions*,

Pending debate,

Mr. Vandenberg raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Murphy in the chair) directed the roll to be called;

When

Eighty-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette,

Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Walsh, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to Mr. Vandenberg's amendment,

It was determined in the negative, Yeas 37, Nays 37

On motion by Mr. Vandenberg,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Austin, Bachman, Bankhead, Barbour, Black, Bone, Borah, Capper, Caraway, Carey, Couzens, Cutting, Dickinson, Frazier, Goldsborough, Hale, Hatfield, Johnson, Kean, Keyes, La Follette, Long, McCarran, McNary, Nye, Overton, Pope, Reed, Robinson of Indiana, Schall, Shipstead, Steiwer, Stephens, Trammell, Vandenberg, and White.

Senators who voted in the negative are—

Ashurst, Bailey, Barkley, Bratton, Brown, Bulkley, Byrd, Byrnes, Clark, Connally, Coolidge, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, George, Glass, Gore, Harrison, Hayden, King, Logan, Lonergan, McGill, McKellar, Neely, Reynolds, Robinson of Arkansas, Russell, Sheppard, Thomas of Oklahoma, Thomas of Utah, Van Nuys, Walsh, and Wheeler.

So Mr. Vandenberg's amendment was not agreed to.

On motion by Mr. Costigan to reconsider the vote disagreeing to the foregoing amendment proposed by Mr. Vandenberg,

On motion by Mr. Harrison to lay on the table Mr. Costigan's motion to reconsider, and

The question being taken on agreeing to Mr. Harrison's motion,

The Presiding Officer (Mr. Clark in the chair) announced that the yeas were 39 and the nays were 38, and that Mr. Harrison's motion to lay on the table was agreed to.

Senators who voted in the affirmative are—

Ashurst, Bailey, Bankhead, Barkley, Black, Bratton, Brown, Bulkley, Byrd, Byrnes, Clark, Connally, Coolidge, Couzens, Dieterich, Dill, Duffy, Fess, Fletcher, George, Glass, Gore, Harrison, Hayden, Kendrick, King, Logan, Lonergan, McAdoo, McGill, Murphy, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Thomas of Oklahoma, Thomas of Utah, and Van Nuys.

Senators who voted in the negative are—

Adams, Austin, Bachman, Barbour, Bone, Borah, Capper, Caraway, Carey, Costigan, Cutting, Dale, Dickinson, Erickson, Frazier, Goldsborough, Hale, Hatfield, Johnson, Kean, Keyes, La Follette, Long, McCarran, McNary, Neely, Norris, Nye, Overton, Pope, Reed, Robinson of Indiana, Schall, Shipstead, Steiwer, Trammell, Vandenberg, Wheeler, and White.

Subsequently, in response to a parliamentary inquiry by Mr. Vandenberg, the Presiding Officer stated that, upon a recapitulation of the roll call on the foregoing motion, it appeared that an error had been made in the announcement of the result, that the yeas were 39 and the nays 39, and therefore Mr. Harrison's motion to lay Mr. Costigan's motion on the table was not agreed to.

The question then recurring on agreeing to Mr. Costigan's motion to reconsider the vote disagreeing to Mr. Vandenberg's amendment,

It was determined in the negative, Yeas 37, Nays 43

On motion by Mr. Harrison,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Austin, Bachman, Barbour, Borah, Capper, Caraway, Carey, Costigan, Cutting, Dale, Dickinson, Frazier, Goldsborough, Hale, Hatfield, Johnson, Kean, Keyes, La Follette, Long, McCarran, McNary, Metcalf, Neely, Norris, Nye, Overton, Pope, Reed, Robinson of Indiana, Schall, Shipstead, Steiwer, Trammell, Vandenberg, and White.

Senators who voted in the negative are—

Ashurst, Bailey, Bankhead, Barkley, Bone, Bratton, Brown, Bulkley, Byrd, Byrnes, Clark, Connally, Coolidge, Couzens, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, George, Glass, Gore, Harrison, Hayden, Kendrick, King, Lonergan, McAdoo, McGill, McKellar, Murphy, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Van Nuys, Walsh, and Wheeler.

So Mr. Costigan's motion to reconsider was not agreed to.

The question recurring on agreeing to the amendment proposed by Mr. Dickinson, viz, strike out all after line 6, on page 1, down to and including line 16, on page 2 (being section 2), and insert in lieu thereof the following:

That subsections (a) and (c) of section 1001 of title 8 of the Revenue Act of 1932 be and are hereby repealed.

It was determined in the negative, Yeas 30, Nays 46

On motion by Mr. Dickinson,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Barbour, Bone, Borah, Capper, Caraway, Carey, Cutting, Dale, Dickinson, Fess, Frazier, Goldsborough, Hale, Hatfield, Johnson, Kean, Keyes, La Follette, Long, McNary, Nye, Overton, Reed, Robinson of Indiana, Schall, Shipstead, Steiwer, Wheeler, and White.

Senators who voted in the negative are—

Adams, Bachman, Bailey, Bankhead, Barkley, Bratton, Brown, Bulkley, Byrd, Byrnes, Clark, Coolidge, Costigan, Couzens, Dieterich, Dill, Duffy, Erickson, Fletcher, George, Glass, Gore, Harrison, Hayden, King, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, Murphy, Neely, Norris, Pope, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Van Nuys, and Walsh.

So Mr. Dickinson's amendment was not agreed to.

On motion by Mr. Long to further amend the bill by adding at the end thereof certain new sections, and the amendment having been subsequently modified by him,

Pending debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Seventy-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Byrd, Byrnes, Capper, Carey, Clark, Connally, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Shipstead, Smith, Steiwer, Thomas of Utah, Trammell, Vandenberg, Van Nuys, Walsh, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to Mr. Long's amendment, as modified, viz, at the end of the bill insert the following:

Sec. —. That subsection (a) of section 12 of the Revenue Act of 1932 is amended by striking out the last five paragraphs thereof and inserting in lieu thereof the following new paragraphs:

"$120,960 upon net incomes of $300,000; and upon net incomes in excess of $300,000 and not in excess of $400,000, 55 percent in addition of such excess.

"$175,960 upon net incomes of $400,000; and upon net incomes in excess of $400,000 and not in excess of $500,000, 60 percent in addition of such excess.

"$235,960 upon net incomes of $500,000; and upon net incomes in excess of $500,000 and not in excess of $600,000, 65 percent in addition of such excess.

"$300,960 upon net incomes of $600,000; and upon net incomes in excess of $600,000 and not in excess of $700,000, 70 percent in addition of such excess.

"$370,960 upon net incomes of $700,000; and upon net incomes in excess of $700,000 and not in excess of $800,000, 75 percent in addition of such excess.

"$445,960 upon net incomes of $800,000; and upon net incomes in excess of $800,000 and not in excess of $900,000, 80 percent in addition of such excess.

"$525,960 upon net incomes of $900,000; and upon net incomes in excess of $900,000 and not in excess of $1,000,000, 90 percent in addition of such excess.

"$615,960 upon net incomes of $1,000,000; and upon net incomes in excess of $1,000,000, 100 percent in addition of such excess."

Sec. —. Subsection (b) of section 401 of such act is amended by striking out the last paragraph thereof and inserting in lieu thereof the following new paragraphs:

"$3,116,000 upon net estates of $10,000,000; and upon net estates in excess of $10,000,000 and not in excess of $12,500,000, 45 percent in addition of such excess.

"$4,241,000 upon net estates of $12,500,000; and upon net estates in excess of $12,500,000 and not in excess of $15,000,000, 50 percent in addition of such excess.

"$5,491,000 upon net estates of $15,000,000; and upon net estates in excess of $15,000,000 and not in excess of $17,500,000, 55 percent in addition of such excess.

"$6,866,000 upon net estates of $17,500,000; and upon net estates in excess of $17,500,000 and not in excess of $20,000,000, 60 percent in addition of such excess.

"$8,366,000 upon net estates of $20,000,000; and upon net estates in excess of $20,000,000 and not in excess of $22,500,000, 65 percent in addition of such excess.

"$9,991,000 upon net estates of $22,500,000; and upon net estates in excess of $22,500,000 and not in excess of $25,000,000, 70 percent in addition of such excess.

"$11,741,000 upon net estates of $25,000,000; and upon net estates in excess of $25,000,000 and not in excess of $27,500,000, 75 percent in addition of such excess.

"$13,616,000 upon net estates of $27,500,000; and upon net estates in excess of $27,500,000 and not in excess of $30,000,000, 80 percent in addition of such excess.

"$15,616,000 upon net estates of $30,000,000; and upon net estates in excess of $30,000,000 and not in excess of $32,500,000, 85 percent in addition of such excess.

"$17,741,000 upon net estates of $32,500,000; and upon net estates in excess of $32,500,000 and not in excess of $35,000,000, 90 percent in addition of such excess.

"$19,991,000 upon net estates of $35,000,000; and upon net estates in excess of $35,000,000, 95 percent in addition of such excess."

In addition there shall be levied, collected, and paid upon the transfer to any beneficiary of the decedent a tax equal to 100 percent of the value of his beneficial interest in excess of $5,000,000, less any State death taxes imposed in respect of such interest; such tax to be paid by the executor of the decedent and to be subject to all applicable provisions of law relating to other taxes imposed by this section.

Sec. —. Section 502 of the Revenue Act of 1932 is amended by striking out the last paragraph thereof and inserting in lieu thereof the following new paragraphs:

"$2,312,125 upon net gifts of $10,000,000; and upon net gifts in excess of $10,000,000 and not in excess of $20,000,000, 37½ percent in addition of such excess.

"$6,062,125 upon net gifts of $20,000,000; and upon net gifts in excess of $20,000,000 and not in excess of $30,000,000, 40 percent in addition of such excess.

"$10,062,125 upon net gifts of $30,000,000; and upon net gifts in excess of $30,000,000 and not in excess of $40,000,000, 45 percent in addition of such excess.

"$14,562,125 upon net gifts of $40,000,000; and upon net gifts in excess of $40,000,000, and not in excess of $50,000,000, 50 percent in addition of such excess.

"$19,562,125 upon net gifts of $50,000,000; and upon net gifts in excess of $50,000,000 and not in excess of $60,000,000, 55 percent in addition of such excess.

"$25,062,125 upon net gifts of $60,000,000; and upon net gifts in excess of $60,000,000 and not in excess of $70,000,000, 60 percent in addition of such excess.

"$31,062,125 upon net gifts of $70,000,000; and upon net gifts in excess of $70,000,000 and not in excess of $80,000,000, 70 percent in addition of such excess.

"$38,062,125 upon net gifts of $80,000,000; and upon net gifts in excess of $80,000,000 and not in excess of $90,000,000, 80 percent in addition of such excess.

"$46,061,125 upon net gifts of $90,000,006; and upon net gifts in excess of $90,000,000; and not in excess of $100,000,000, 90 percent in addition of such excess.

"$55,062,125 upon net gifts of $100,000,000; and upon net gifts in excess of $100,000,000, 100 percent in addition of such excess."

Sec. —. This act shall take effect as of January 1, 1934.

It was determined in the negative, Yeas 14, Nays 50

On motion by Mr. Long,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bone, Cutting, Dill, Long, McGill, Neely, Norris, Nye, Overton, Pope, Reynolds, Shipstead, Trammell, and Wheeler.

Senators who voted in the negative are—

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bratton, Brown, Byrd, Byrnes, Carey, Connally, Couzens, Dickinson, Dieterich, Duffy, Erickson, Fess, Fletcher, George, Goldsborough, Gore, Hale, Harrison, Hayden, Johnson, Kean, Kendrick, Keyes, King, Logan, Lonergan, McCarran, McKellar, McNary, Metcalf, Murphy, Reed, Robinson of Arkansas, Schall, Sheppard, Smith, Steiwer, Thomas of Utah, Van Nuys, Walsh, and White.

So Mr. Long's amendment was not agreed to.

No further amendment being made,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business,

Pending the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 40 minutes p.m.,

The Senate, as in legislative session, adjourned until Monday next.

MONDAY, MAY 15, 1933

The Vice President called the Senate to order, and the Chaplain offered prayer.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Thursday, May 11, and Friday, May 12, 1933, was approved.

QUESTION OF QUORUM

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds,

Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Nan Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

TENNESSEE RIVER VALLEY-MUSCLE SHOALS DEVELOPMENT

Mr. Smith submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5081) to provide for the common defense, to aid interstate commerce by navigation; to provide flood control; to promote the general welfare by creating the Tennessee Valley Authority; to operate the Muscle Shoals properties; and to encourage agricultural, industrial, and economic development, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter inserted by the Senate insert the following:

That for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Alabama, in the interest of the national defense and for agricultural and industrial development, and to improve navigation in the Tennessee River and to control the destructive flood waters in the Tennessee River and Mississippi River Basins, there is hereby created a body corporate by the name of the "Tennessee Valley Authority" (hereinafter referred to as the "Corporation"). The board of directors first appointed shall be deemed the incorporators, and the incorporation shall be held to have been effected from the date of the first meeting of the board. This act may be cited as the "Tennessee Valley Authority Act of 1933."

Sec. 2. (a) The board of directors of the Corporation (hereinafter referred to as the "board") shall be composed of three members, to be appointed by the President, by and with the advice and consent of the Senate. In appointing the members of the board, the President shall designate the chairman. All other officials, agents, and employees shall be designated and selected by the board.

(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the third year, one at the end of the sixth year, and one at the end of the ninth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring nine years from the date of the expiration of the term for which his predecessor was appointed.

(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Vacancies in the board so long as there shall be two members in office shall not impair the powers of the board to execute the functions of the Corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Each of the members of the board shall be a citizen of the United States, and shall receive a salary at the rate of $10,000 a year, to be paid by the Corporation as current expenses. Each member of the board, in addition to his salary, shall be permitted to occupy as his residence one of the dwelling houses owned by the Government in the vicinity of Muscle Shoals, Alabama, the same to be designated by the President of the United States. Members of the board shall be reimbursed by the Corporation for actual expenses (including traveling and subsistence expenses) incurred by them in the performance of the duties vested in the board by this act. No member of said board shall, during his continuance in office, be engaged in any other business, but each member shall devote himself to the work of the Corporation.

(f) No director shall have financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen or fertilizer, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Corporation as a producer of concentrated fertilizers or as a producer of electric power.

(g) The board shall direct the exercise of all the powers of the Corporation.

(h) All members of the board shall be persons who profess a belief in the feasibility and wisdom of this act.

Sec. 3. The board shall without regard to the provisions of Civil Service laws applicable to officers and employees of the United States, appoint such managers, assistant managers, officers, employees, attorneys, and agents, as are necessary for the transaction of its business, fix their compensation, define their duties, require bonds of such of them as the board may designate, and provide a system of organization to fix responsibility and promote efficiency. Any appointee of the board may be removed in the discretion of the board. No regular officer or employee of the Corporation shall receive a salary in excess of that received by the members of the board.

All contracts to which the Corporation is a party and which require the employment of laborers and mechanics in the construction, alteration, maintenance, or repair of buildings, dams, locks, or other projects shall contain a provision that not less than the prevailing rate of wages for work of a similar nature prevailing in the vicinity shall be paid to such laborers or mechanics.

In the event any dispute arises as to what are the prevailing rates of wages, the question shall be referred to the Secretary of Labor for determination, and his decision shall be final. In the determination of such prevailing rate or rates, due regard shall be given to those rates which have been secured through collective agreement by representatives of employers and employees.

Where such work as is described in the two preceding paragraphs is done directly by the Corporation the prevailing rate of wages shall be paid in the same manner as though such work had been let by contract.

Insofar as applicable the benefits 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, shall extend to persons given employment under the provisions of this act.

Sec. 4. Except as otherwise specifically provided in this act, the Corporation—

(a) Shall have succession in its corporate name.

(b) May sue and be sued in its corportae name.

(c) May adopt and use a corporate seal, which shall be judicially noticed.

(d) May make contracts, as herein authorized.

(e) May adopt, amend, and repeal bylaws.

(f) May purchase or lease and hold such real and personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

The board shall select a treasurer and as many assistant treasurers as it deems proper, which treasurer and assistant treasurers shall give such bonds for the safe-keeping of the securities and moneys of the said Corporation as the board may require: Provided, That any member of said board may be removed from office at any time by a concurrent resolution of the Senate and House of Representatives.

(g) Shall have such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the Corporation.

(h) Shall have power in the name of the United States of America to exercise the right of eminent domain, and in the purchase of any real estate or the acquisition of real estate by condemnation proceedings, the title to such real estate shall be taken in the name of the United States of America, and thereupon all such real estate shall be entrusted to the Corporation as the agent of the United States to accomplish the purposes of this act.

(i) Shall have power to acquire real estate for the construction of dams, reservoirs, transmission lines, power houses, and other structures, and navigation projects at any point along the Tennessee River, or any of its tributaries, and in the event that the owner or owners of such property shall fail and refuse to sell to the Corporation at a price deemed fair and reasonable by the board, then the Corporation may proceed to exercise the right of eminent domain, and to condemn all property that it deems necessary for carrying out the purposes of this act, and all such condemnation proceedings shall be had pursuant to the provisions and requirements hereinafter specified, with reference to any and all condemnation proceedings.

(j) Shall have power to construct dams, reservoirs, power houses, power structures, transmission lines, navigation projects, and incidental works in the Tennessee River and its tributaries, and to unite the various power installations into one or more systems by transmission lines.

Sec. 5. The board is hereby authorized—

(a) To contract with commercial producers for the production of such fertilizers or fertilizer materials as may be needed in the Government's program of development and introduction in excess of that produced by Government plants. Such contracts may provide either for outright purchase of materials by the board or only for the payment of carrying charges on special materials manufactured at the board's request for its program.

(b) To arrange with farmers and farm organizations for large-scale practical use of the new forms of fertilizers under conditions permitting an accurate measure of the economic return they produce.

(c) To cooperate with National, State, district, or county experimental stations or demonstration farms, for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction.

(d) The board in order to improve and cheapen the production of fertilizer is authorized to manufacture and sell fixed nitrogen, fertilizer, and fertilizer ingredients at Muscle Shoals by the employment of existing facilities, by modernizing existing plants, or by any other process or processes that in its judgment shall appear wise and profitable for the fixation of atmospheric nitrogen or the cheapening of the production of fertilizer.

(e) Under the authority of this act the board may make donations or sales of the product of the plant or plants operated by it to be fairly and equitably distributed through the agency of county demonstration agents, agricultural colleges, or otherwise as the board may direct, for experimentation, education, and introduction of the use of such products in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of their use.

(f) The board is authorized to make alterations, modifications, or improvements in existing plants and facilities, and to construct new plants.

(g) In the event it is not used for the fixation of nitrogen for agricultural purposes, or leased, then the board shall maintain in stand-by condition nitrate plant numbered 2, or its equivalent for the fixation of atmospheric nitrogen, for the production of explosives in the event of war or a national emergency, until the Congress shall by joint resolution release the board from this obligation, and if any part thereof be used by the board for the manufacture of phosphoric acid or potash, the balance of nitrate plant numbered 2 shall be kept in stand-by condition.

(h) To establish, maintain, and operate laboratories and experimental plants, and to undertake experiments for the purpose of enabling the Corporation to furnish nitrogen products for military purposes, and nitrogen and other fertilizer products for agricultural purposes in the most economical manner and at the highest standard of efficiency.

(i) To request the assistance and advice of any officer, agent, or employee of any executive department or of any independent office of the United States, to enable the Corporation the better to carry out its powers successfully, and as far as practicable shall utilize the services of such officers, agents, and employees, and the President shall, if in his opinion, the public interest, service, or economy so require, direct that such assistance, advice, and service be rendered to the Corporation, and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board: Provided, That any invention or discovery made by virtue of and incidental to such service by an employee of the Government of the United States serving under this section, or by any employee of the Corporation, together with any patents which may be granted thereon, shall be the sole and exclusive property of the Corporation, which is hereby authorized to grant such licenses thereunder as shall be authorized by the board: Provided further, That the board may pay to such inventor such sum from the income from sale of licenses as it may deem proper.

(j) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States explosives or their nitrogenous content.

(k) Upon the requisition of the Secretary of War the Corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said Department for use in operation of all locks, lifts, or other facilities, in aid of navigation.

(l) To produce, distribute, and sell electric power, as herein particularly specified.

(m) No products of the Corporation shall be sold for use outside of the United States, its Territories and possessions, except to the United States Government for the use of its Army and Navy, or to its allies in case of war.

(n) The President is authorized, within twelve months after the passage of this act, to lease to any responsible farm organization or to any corporation organized by it nitrate plant numbered 2 and Waco Quarry, together with the railroad connecting said quarry with nitrate plant numbered 2, for a term not exceeding fifty years at a rental of not less than $1 per year, but such authority shall be subject to the express condition that the lessee shall use said property during the term of said lease exclusively for the manufacture of fertilizer and fertilizer ingredients to be used only in the manufacture of fertilizer by said lessee and sold for use as fertilizer. The said lessee shall covenant to keep said property in first-class condition, but the lessee shall be authorized to modernize said plant numbered 2 by the installation of such machinery as may be necessary, and is authorized to amortize the cost of said machinery and improvements over the term of said lease or any part thereof. Said lease shall also provide that the board shall sell to the lessee power for the operation of said plant at the same schedule of prices that it charges all other customers for power of the same class and quantity. Said lease shall also provide that, if the said lessee does not desire to buy power of the publicly owned plant, it shall have the right to purchase its power for the operation of said plant of the Alabama Power Company or any other publicly or privately owned corporation engaged in the generation and sale of electric power, and in such case the lease shall provide further that the said lessee shall have a free right of way to build a transmission line over Government property to said plant, paying the actual expenses and damages, if any, incurred by the Corporation on account of such line. Said lease shall also provide that the said lessee shall covenant that during the term of said lease the said lessee shall not enter into any illegal monopoly, combination, or trust with any privately owned corporation engaged in the manufacture, production, and sale of fertilizer with the object or effect of increasing the price of fertilizer to the farmer.

Sec. 6. In the appointment of officials and the selection of employees for said Corporation, and in the promotion of any such employees or officials, no political test or quali-

fication shall be permitted or given consideration, but all such appointments and promotions shall be given and made on the basis of merit and efficiency. Any member of said board who is found by the President of the United States to be guilty of a violation of this section shall be removed from office by the President of the United States, and any appointee of said board who is found by the board to be guilty of a violation of this section shall be removed from office by said board.

Sec. 7. In order to enable the Corporation to exercise the powers and duties vested in it by this act—

(a) The exclusive use, possession, and control of the United States nitrate plants numbered 1 and 2, including steam plants, located, respectively, at Sheffield, Alabama, and Muscle Shoals, Alabama, together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam Numbered 2, located at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, and all appurtenances thereof, and all other property to be acquired by the Corporation in its own name or in the name of the United States of America, are hereby intrusted to the Corporation for the purposes of this act.

(b) The President of the United States is authorized to provide for the transfer to the Corporation of the use, possession, and control of such other real or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the Corporation as herein stated.

Sec. 8. (a) The Corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Alabama. The Corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to the venue of civil suits.

(b) The Corporation shall at all times maintain complete and accurate books of accounts.

(c) Each member of the board, before entering upon the duties of his office, shall subscribe to an oath (or affirmation) to support the Constitution of the United States and to faithfully and impartially perform the duties imposed upon him by this act.

Sec. 9. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the Corporation covering the preceding governmental fiscal year. This report shall include an itemized statement of the cost of power at each power station, the total number of employees, and the names, salaries, and duties of those receiving compensation at the rate of more than $1,500 a year.

(b) The Comptroller General of the United States shall audit the transactions of the Corporation at such times as he shall determine, but not less frequently than once each governmental fiscal year, with personnel of his selection. In such connection he and his representatives shall have free and open access to all papers, books, records, files, accounts, plants, warehouses, offices, and all other things, property, and places belonging to or under the control of or used or employed by the Corporation, and shall be afforded full facilities for counting all cash and verifying transactions with and balances in depositaries. He shall make report of each such audit in quadruplicate, one copy for the President of the United States, one for the chairman of the board, one for public inspection at the principal office of the Corporation, and the other to be retained by him for the uses of the Congress. The expenses of each such audit may be paid from moneys advanced therefor by the Corporation, or from any appropriation or appropriations for the General Accounting Office, and appropriations so used shall be reimbursed promptly by the Corporation as billed by the Comptroller General. All such audit expenses shall be charged to operating expenses of the Corporation. The Comptroller General shall make special report to the President of the United States and to the Congress of any transaction or condition found by him to be in conflict with the powers or duties intrusted to the Corporation by law.

Sec. 10. The board is hereby empowered and authorized to sell the surplus power not used in its operations, and for operation of locks and other works generated by it, to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth; and to carry out said authority, the board is authorized to enter into contracts for such sale for a term not exceeding twenty years, and in the sale of such current by the board it shall give preference to States, counties, municipalities, and cooperative organizations of citizens or farmers, not organized or doing business for profit, but primarily for the purpose of supplying electricity to its own citizens or members: Provided, That all contracts made with private companies or individuals for the sale of power, which power is to be resold for a profit, shall contain a provision authorizing the board to cancel said contract upon five years' notice in writing, if the board needs said power to supply the demands of States, counties, or municipalities. In order to promote and encourage the fullest possible use of electric light and power on farms within reasonable distance of any of its transmission lines the board in its discretion shall have power to construct transmission lines to farms and small villages that are not otherwise supplied with electricity at reasonable rates, and to make such rules and regulations governing such sale and distribution of such electric power as in its judgment may be just and equitable: Provided further, That the board is hereby authorized and directed to make studies, experiments, and determinations to promote the wider and better use of electric power for agricultural and domestic use, or for small or local industries, and it may cooperate with State governments, or their subdivisions or agencies, with educational or research institutions, and with cooperatives or other organizations, in the application of electric power to the fuller and better balanced development of the resources of the region.

Sec. 11. It is hereby declared to be the policy of the Government so far as practical to distribute and sell the surplus power generated at Muscle Shoals equitably among the States, counties, and municipalities within transmission distance. This policy is further declared to be that the projects herein provided for shall be considered primarily as for the benefit of the people of the section as a whole and particularly the domestic and rural consumers to whom the power can economically be made available, and accordingly that sale to and use by industry shall be a secondary purpose, to be utilized principally to secure a sufficiently high load factor and revenue returns which will permit domestic and rural use at the lowest possible rates and in such manner as to encourage increased domestic and rural use of electricity. It is further hereby declared to be the policy of the Government to utilize the Muscle Shoals properties so far as may be necessary to improve, increase, and cheapen the production of fertilizer and fertilizer ingredients by carrying out the provisions of this act.

Sec. 12. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power, it is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power, or from funds secured by the sale of bonds hereafter provided for, to construct, lease, purchase, or authorize the construction of transmission lines within transmission distance from the place where generated, and to interconnect with other systems. The board is also authorized to lease to any person, persons, or corporation the use of any transmission line owned by the Government and operated by the board, but no such lease shall be made that in any way interferes with the use of such transmission line by the board: Provided, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit, but

primarily for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct and maintain a properly designed and built transmission line to the Government reservation upon which is located a Government generating plant, or to a main transmission line owned by the Government or leased by the board and under the control of the board, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding thirty years; and in any such case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the board for such power: Provided further, That all contracts entered into between the Corporation and any municipality or other political subdivision or cooperative organization shall provide that the electric power shall be sold and distributed to the ultimate consumer without discrimination as between consumers of the same class, and such contract shall be voidable at the election of the board if a discriminatory rate, rebate, or other special concession is made or given to any consumer or user by the municipality or other political subdivision or cooperative organization: And provided further, That as to any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be made to the ultimate consumer of such electric power at prices that shall not exceed a schedule fixed by the board from time to time as reasonable, just, and fair; and in case of any such sale, if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the board, the contract for such sale between the board and such distributor of electricity shall be voidable at the election of the board: And provided further, That the board is hereby authorized to enter into contracts with other power systems for the mutual exchange of unused excess power upon suitable terms, for the conservation of stored water, and as an emergency or breakdown relief.

Sec. 13. Five per centum of the gross proceeds received by the board for the sale of power generated at Dam Numbered 2, or from any other hydropower plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama; and 5 per centum of the gross proceeds from the sale of power generated at Cove Creek Dam, hereinafter provided for or any other dam located in the State of Tennessee, shall be paid to the State of Tennessee. Upon the completion of said Cove Creek Dam the board shall ascertain how much additional power is thereby generated at Dam Numbered 2 and at any other dam hereafter constructed by the Government of the United States on the Tennessee River, in the State of Alabama, or in the State of Tennessee, and from the gross proceeds of the sale of such additional power 2½ per centum shall be paid to the State of Alabama and 2½ per centum to the State of Tennessee. These percentages shall apply to any other dam that may hereafter be constructed and controlled and operated by the board on the Tennessee River or any of its tributaries, the main purpose of which is to control flood waters and where the development of electric power is incidental to the operation of such flood-control dam. In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee, the board shall not take into consideration the proceeds of any power sold or delivered to the Government of the United States, or any department or agency of the Government of the United States, used in the operation of any locks on the Tennessee River or for any experimental purpose, or for the manufacture of fertilizer or any of the ingredients thereof, or for any other governmental purpose: Provided, That the percentages to be paid to the States of Alabama and Tennessee, as provided in this section, shall be subject to revision and change by the board, and any new percentages established by the board, when approved by the President, shall remain in effect until and unless again changed by the board with the approval of the President. No change of said percentages shall be made more often than once in five years, and no change shall be made without giving to the States of Alabama and Tennessee an opportunity to be heard.

Sec. 14. The board shall make a thorough investigation as to the present value of Dam Numbered 2, and the steam plants at nitrate plant numbered 1, and nitrate plant numbered 2, and as to the cost of Cove Creek Dam, for the purpose of ascertaining how much of the value or the cost of said properties shall be allocated and charged up to (1) flood control, (2) navigation, (3) fertilizer, (4) national defense, and (5) the development of power. The findings thus made by the board, when approved by the President of the United States, shall be final, and such findings shall thereafter be used in all allocation of value for the purpose of keeping the book value of said properties. In like manner, the cost and book value of any dams, steam plants, or other similar improvements hereafter constructed and turned over to said board for the purpose of control and management shall be ascertained and allocated.

Sec. 15. In the construction of any future dam, steam plant, or other facility, to be used in whole or in part for the generation or transmission of electric power the board is hereby authorized and empowered to issue on the credit of the United States and to sell serial bonds not exceeding $50,000,000 in amount, having a maturity not more than fifty years from the date of issue thereof, and bearing interest not exceeding 3½ per centum per annum. Said bonds shall be issued and sold in amounts and prices approved by the Secretary of the Treasury, but all such bonds as may be so issued and sold shall have equal rank. None of said bonds shall be sold below par, and no fee, commission, or compensation whatever shall be paid to any person, firm, or corporation for handling, negotiating the sale, or selling the said bonds. All of such bonds so issued and sold shall have all the rights and privileges accorded by law to Panama Canal bonds, authorized by section 8 of the act of June 28, 1902, chapter 1302, as amended by the act of December 21, 1905 (ch. 3, sec. 1, 34 Stat. 5), as now compiled in section 743 of title 31 of the United States Code. All funds derived from the sale of such bonds shall be paid over to the Corporation.

Sec. 16. The board, whenever the President deems it advisable, is hereby empowered and directed to complete Dam Numbered 2 at Muscle Shoals, Alabama, and the steam plant at nitrate plant numbered 2, in the vicinity of Muscle Shoals, by installing in Dam Numbered 2 the additional power units according to the plans and specifications of said dam, and the additional power unit in the steam plant at nitrate plant numbered 2.

Sec. 17. The Secretary of War, or the Secretary of the Interior, is hereby authorized to construct, either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long custom become known and designated as the Cove Creek Dam, together with a transmission line from Muscle Shoals, according to the latest and most approved designs, including power house and hydroelectric installations and equipment for the generation of power, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam Numbered 2 and at any and all other dams below the said Cove Creek Dam: Provided, however, That the President is hereby authorized by appropriate order to direct the employment by the Secretary of War, or by the Secretary of the Interior, of such

engineer or engineers as he may designate, to perform such duties and obligations as he may deem proper, either in the drawing of plans and specifications for said dam, or to perform any other work in the building or construction of the same. The President may, by such order, place the control of the construction of said dam in the hands of such engineer or engineers taken from private life as he may desire: And provided further, That the President is hereby expressly authorized, without regard to the restriction or limitation of any other statute, to select attorneys and assistants for the purpose of making any investigation he may deem proper to ascertain whether, in the control and management of Dam Numbered 2, or any other dam or property owned by the Government in the Tennessee River Basin, or in the authorization of any improvement therein, there has been any undue or unfair advantage given to private persons, partnerships, or corporations, by any officials or employees of the Government, or whether in any such matters the Government has been injured or unjustly deprived of any of its rights.

Sec. 18. In order to enable and empower the Secretary of War, the Secretary of the Interior, or the board to carry out the authority hereby conferred, in the most economical and efficient manner, he or it is hereby authorized and empowered in the exercise of the powers of national defense, in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain for all purposes of this act, and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam, and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public-utility commissions and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act. When said Cove Creek Dam, transmission line, and power house shall have been completed, the possession, use, and control thereof shall be intrusted to the Corporation for use and operation in connection with the general Tennessee Valley project, and to promote flood control and navigation in the Tennessee River.

Sec. 19. The Corporation, as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulæ, and scientific information (not including access to pending applications for patents) necessary to enable the Corporation to use and employ the most efficacious and economical process for the production of fixed nitrogen, or any essential ingredient of fertilizer, or any method of improving and cheapening the production of hydroelectric power, and any owner of a patent whose patent rights may have been thus in any way copied, used, infringed, or employed by the exercise of this authority by the Corporation shall have as the exclusive remedy a cause of action against the Corporation to be instituted and prosecuted on the equity side of the appropriate district court of the United States, for the recovery of reasonable compensation for such infringement. The Commissioner of Patents shall furnish to the Corporation, at its request and without payment of fees, copies of documents on file in his office: Provided, That the benefits of this section shall not apply to any art, machine, method of manufacture, or composition of matter, discovered or invented by such employee during the time of his employment or service with the Corporation or with the Government of the United States.

Sec. 20. The Government of the United States hereby reserves the right, in case of war or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes; but, if this right is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract for the purchase of electric power or fixed nitrogen or fertilizer ingredients is hereby violated, after the amount of the damages has been fixed by the United States Court of Claims in proceedings instituted and conducted for that purpose under rules prescribed by the court.

Sec. 21 (a). All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States, shall apply to the moneys and property of the Corporation and to moneys and properties of the United States intrusted to the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States (1) makes any false entry in any book of the Corporation, or (2) makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than five years, or both.

Sec. 22. To aid further the proper use, conservation, and development of the natural resources of the Tennessee River drainage basin and of such adjoining territory as may be related to or materially affected by the development consequent to this act, and to provide for the general welfare of the citizens of said areas, the President is hereby authorized, by such means or methods as he may deem proper within the limits of appropriations made therefor by Congress, to make such surveys of and general plans for said Tennessee basin and adjoining territory as may be useful to the Congress and to the several States in guiding and controlling the extent, sequence, and nature of development that may be equitably and economically advanced through the expenditure of public funds, or through the guidance or control of public authority, all for the general purpose of fostering an orderly and proper physical, economic, and social development of said areas; and the President is further authorized in making said surveys and plans to cooperate with the States affected thereby, or subdivisions or agencies of such States, or with cooperative or other organizations, and to make such studies, experiments, or demonstrations as may be necessary and suitable to that end.

Sec. 23. The President shall, from time to time, as the work provided for in the preceding section progresses, recommend to Congress such legislation as he deems proper to carry out the general purposes stated in said section, and for the especial purpose of bringing about in said Tennessee drainage basin and adjoining territory in conformity with said general purposes (1) the maximum amount of flood control; (2) the maximum development of said Tennessee River for navigation purposes; (3) the maximum generation of electric power consistent with flood control and navigation; (4) the proper use of marginal lands; (5) the proper method of reforestation of all lands in said drainage basin suitable for reforestation; and (6) the economic and social well-being of the people living in said river basin.

Sec. 24. For the purpose of securing any rights of flowage, or obtaining title to or possession of any property, real or personal, that may be necessary or may become necessary, in the carrying out of any of the provisions of this act, the President of the United States for a period of three years from the date of the enactment of this act, is hereby authorized to acquire title in the name of the United States to such rights or such property, and to provide for the payment for same by directing the board to contract to deliver power generated at any of the plants now owned or hereafter owned or constructed by the Government or by said Corporation, such future delivery of power to continue for a period not exceeding thirty years. Likewise, for one year after the enactment of this act, the President is further authorized to sell or lease any parcel or part of any vacant real estate now owned by the Government in said Tennessee River Basin, to persons, firms, or corporations who shall contract to erect thereon factories or manufacturing establishments, and who shall contract to purchase of said Corporation electric power for the operation of any such factory or manufacturing establishment. No contract shall be made by the President for the sale of any of such real estate as may be necessary for present or future use on the part of the Government for any of the purposes of this act. Any such contract made by the President of the United States shall be carried out by the board: Provided, That no such contract shall be made that will in any way abridge or take away the preference right to purchase power given in this act to States, counties, municipalities, or farm organizations: Provided further, That no lease shall be for a term to exceed fifty years: Provided further, That any sale shall be on condition that said land shall be used for industrial purposes only.

Sec. 25. The Corporation may cause proceedings to be instituted for the acquisition by condemnation of any lands, easements, or rights of way which, in the opinion of the Corporation, are necessary to carry out the provisions of this act. The proceedings shall be instituted in the United States district court for the district in which the land, easement, right of way, or other interest, or any part thereof, is located, and such court shall have full jurisdiction to divest the complete title to the property sought to be acquired out of all persons or claimants and vest the same in the United States in fee simple, and to enter a decree quieting the title thereto in the United States of America.

Upon the filing of a petition for condemnation and for the purpose of ascertaining the value of the property to be acquired, and assessing the compensation to be paid, the court shall appoint three commissioners who shall be disinterested persons and who shall take and subscribe an oath that they do not own any lands, or interest or easement in any land, which it may be desirable for the United States to acquire in the furtherance of said project, and such commissioners shall not be selected from the locality wherein the land sought to be condemned lies. Such commissioners shall receive a per diem of not to exceed $15 for their services, together with an additional amount of $5 per day for subsistence for time actually spent in performing their duties as commissioners.

It shall be the duty of such commissioners to examine into the value of lands sought to be condemned, to conduct hearings and receive evidence, and generally to take such appropriate steps as may be proper for the determination of the value of said lands sought to be condemned, and for such purpose the commissioners are authorized to administer oaths and subpœna witnesses, which said witnesses shall receive the same fees as are provided for witnesses in the Federal courts. The said commissioners shall thereupon file a report setting forth their conclusions as to the value of the said property sought to be condemned, making a separate award and valuation in the premises with respect to each separate parcel involved. Upon the filing of such award in court the clerk of said court shall give notice of the filing of such award to the parties to said proceeding, in manner and form as directed by the judge of said court.

Either or both parties may file exceptions to the award of said commissioners within twenty days from the date of the filing of said award in court. Exceptions filed to such award shall be heard before three Federal district judges unless the parties, in writing, in person, or by their attorneys, stipulate that the exceptions may be heard before a lesser number of judges. On such hearing such judges shall pass de novo upon the proceedings had before the commissioners, may view the property, and may take additional evidence. Upon such hearings the said judges shall file their own award, fixing therein the value of the property sought to be condemned, regardless of the award previously made by the said commissioners.

At any time within thirty days from the filing of the decision of the district judges upon the hearing on exceptions to the award made by the commisisoners, either party may appeal from such decision of the said judges to the circuit court of appeals, and the said circuit court of appeals shall, upon the hearing on said appeal, dispose of the same upon the record, without regard to the awards or findings theretofore made by the commissioners or the district judges, and such circuit court of appeals shall thereupon fix the value of the said property sought to be condemned.

Upon acceptance of an award by the owner of any property herein provided to be appropriated, and the payment of the money awarded or upon the failure of either party to file exceptions to the award of the commissioners within the time specified, or upon the award of the commissioners, and the payment of the money by the United States pursuant thereto, or the payment of the money awarded into the registry of the court by the Corporation, the title to said property and the right to the possession thereof shall pass to the United States, and the United States shall be entitled to a writ in the same proceeding to dispossess the former owner of said property, and all lessees, agents, and attorneys of such former owner, and to put the United States, by its corporate creature and agent, the Corporation, into possession of said property.

In the event of any property owned in whole or in part by minors, or insane persons, or incompetent persons, or estates of deceased persons, then the legal representatives of such minors, insane persons, incompetent persons, or estates shall have power, by and with the consent and approval of the trial judge in whose court said matter is for determination, to consent to or reject the awards of the commissioners herein provided for, and in the event that there be no legal representatives, or that the legal representatives for such minors, insane persons, or incompetent persons shall fail or decline to act, then such trial judge may, upon motion, appoint a guardian ad litem to act for such minors, insane persons, or incompetent persons, and such guardian ad litem shall act to the full extent and to the same purpose and effect as his ward could act, if competent, and such guardian ad litem shall be deemed to have full power and authority to respond, to conduct, or to maintain any proceeding herein provided for affecting his said ward.

Sec. 26. The net proceeds derived by the board from the sale of power and any of the products manufactured by the Corporation, after deducting the cost of operation, maintenance, depreciation, amortization, and an amount deemed by the board as necessary to withhold as operating capital, or devoted by the board to new construction, shall be paid into the Treasury of the United States at the end of each calendar year.

Sec. 27. All appropriations necessary to carry out the provisions of this act are hereby authorized.

Sec. 28. That all acts or parts of acts in conflict herewith are hereby repealed, so far as they affect the operations contemplated by this act.

Sec. 29. The right to alter, amend, or repeal this act is hereby expressly declared and reserved, but no such amendment or repeal shall operate to impair the obligation of any contract made by said Corporation under any power conferred by this act.

Sec. 30. The sections of this act are hereby declared to be separable, and in the event any one or more sections of this act be held to be unconstitutional, the same shall not affect the validity of other sections of this act.

And the Senate agree to the same.

Amend the title as proposed by the Senate, so as to read:

An act to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of

Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes.

And the House agree to the same.

E. D. SMITH,
JOHN B. KENDRICK,
B. K. WHEELER,
G. W. NORRIS,
CHAS. L. MCNARY,
Managers on the part of the Senate.
JOHN J. MCSWAIN,
LISTER HILL,
Managers on the part of the House.

Ordered, That the report lie on the table and be printed.

CHAIN STORES

The Vice President laid before the Senate a communication from the Chairman of the Federal Trade Commission, transmitting, in further response to Senate Resolution 224, Seventieth Congress, relating to chain stores, a report of the commission entitled "Prices and margins of chain and independent distributors, Washington—grocery"; which, with the accompanying report, was referred to the Committee on the Judiciary and ordered to be printed under authority of Senate Resolution 228, Seventieth Congress.

REPORTING REQUIREMENTS RESPECTING GRAIN-FUTURES ACCOUNTS

The Vice President laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to Senate Resolution 376, Seventy-second Congress, a report concerning the suspension of reports of large speculative accounts in grain futures; which, with the accompanying report and illustration, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

TERMS OF PRESIDENT, VICE PRESIDENT, AND MEMBERS OF CONGRESS

The Vice President laid before the Senate a concurrent resolution of the Legislature of the State of Florida, ratifying the twentieth amendment of the Constitution, fixing the commencement of the terms of the President and Vice President and Members of Congress and fixing the time of the assembling of Congress.

Ordered, That it lie on the table.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A joint resolution of the Legislature of the State of Maryland, favoring a reservation, if ratified, to the World Court protocols that the code of law to be administered by the Court shall not contain inequalities based on sex; and

A resolution adopted by the Brooklyn division of the Cosmopolitan Twine & Paper Association, Inc., of New York City, remonstrating against the alleged mistreatment of Jews in Germany; and

A memorial of citizens of Augusta, Ill., remonstrating against the recognition of Soviet Russia by the Government of the United States; to the Committee on Foreign Relations.

A joint resolution of the Legislature of the Territory of Hawaii, favoring the enactment of legislation providing for the placing of certain of the lands on the island of Oahu under the operation of the Hawaiian Homes Commission Act of 1920 and to confer thereon the status of Hawaiian home lands; to the Committee on Territories and Insular Affairs.

A petition of citizens of New Orleans, La., praying an investigation of acts and conduct of Senator Huey P. Long;

A communication from F. S. Gould, of New Orleans, La., together with a newspaper editorial, relative to acts and conduct of Senator Long; and

Memorials of citizens of the State of Louisiana, remonstrating against an investigation of acts and conduct of Senator Long; to the Committee on the Judiciary.

Resolutions adopted by the Commissioners Courts of Bandera, Bexar, and El Paso Counties, and a resolution adopted at a mass meeting of business and professional men of the Thirteenth Congressional District, held at Wichita Falls, all in the State of Texas, favoring the inclusion of highway construction in any public-works program for the relief of unemployment; to the Committee on Education and Labor.

Resolutions adopted by the Summit Veterans Association, of Akron, Ohio, and the South Texas Chapter, Disabled Emergency Officers of the World War, of San Antonio, Tex., remonstrating against the denial of compensation to war veterans who were disabled in service; to the Committee on Finance.

A resolution adopted by the Allied Patriotic Societies, Inc., of New York City, remonstrating against the enactment of legislation granting certificates of legal entry to aliens who have entered the country illegally; to the Committee on Immigration.

The Vice President laid before the Senate a resolution adopted by Phoenix Camp, No. 1, United Spanish War Veterans, of Phoenix, Ariz., remonstrating against the passage of legislation which deprived Spanish-American War veterans of pensions and benefits and the regulations of the Veterans' Administration interpreting provisions of such act.

Ordered, That they lie on the table.

The Vice President laid before the Senate the following joint memorials of the Legislature of the Territory of Alaska, which were referred as indicated:

A joint memorial favoring the enactment of legislation to provide sufficient funds for the Bureau of Indian Affairs to construct and operate such institutions in each of the four judicial divisions of the Territory as may be necessary for the proper care of Indian tuberculosis patients; to the Committee on Indian Affairs.

A joint memorial favoring the enactment of legislation for the development and prospecting of unappropriated lands in the Territory;

A joint memorial favoring the abolishment of the Alaska Game Commission and authorizing the Alaska Legislature to make and enforce laws and regulations governing for and game in the Territory, and favoring the exemption of native Indians from the provisions of the Alaska game law; and

A joint memorial favoring action relative to reduce the number of traps and to restrict the days of fishing in certain waters of the Territory, and to prevent any person or company from acquiring an exclusive right of fishery therein; to the Committee on Territories and Insular Affairs.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A resolution adopted by Columbia Council, No. 64, Sons and Daughters of Liberty, of Ridgewood, N.Y., favoring the enactment of legislation to further restrict immigration into the United States;

A resolution adopted by the Allied Patriotic Societies, Inc., of New York City, favoring the enforcement of the Executive order instructing consuls to strictly enforce the clause of the present immigration law having the effect of excluding immigrants and aliens seeking employment in the United States, and remonstrating against the enactment of legislation granting certificates of legal entry to aliens who have entered the country illegally; and

A resolution adopted by the New York Committee of the National Woman's Party, of New York City, favoring the enactment of legislation granting women equality in nationality rights with men; to the Committee on Immigration.

A resolution adopted by the foregoing organization favoring the proposed amendment to the Constitution granting equal rights to men and women; and

A resolution adopted by the Building Material Men's Association of Westchester County, Inc., of Scarsdale, N.Y., favoring the enactment of legislation to modify or permit a more liberal interpretation of the antitrust laws to aid in the restoration of business profits; to the Committee on the Judiciary.

A petition and resolution of the Taxpayers' Organization of Jamestown, N.Y., praying the enactment of legislation establishing a uniform minimum hourly wage rate of 50 cents and a maximum working week throughout the United States, with the exception of enlisted men; to the Committee on Education and Labor.

A petition of retail and wholesale meat dealers of New York State, urging adequate tariffs on importations of animal, marine, and vegetable oils and fats and the oil content of such oils and fats and of raw materials from which they are processed, and on hides and skins; and

A resolution adopted by the Brooklyn Council-Kings County, Department of New York, Veterans of Foreign Wars of the United States, favoring a tax on income derived from governmental obligations; to the Committee on Finance.

A resolution adopted by the Allied Patriotic Societies, Inc., of New York City, remonstrating against the enactment of legislation authorizing the President to place on furlough with half pay officers of the Regular Army;

A resolution adopted by citizens and organizations of the State of New York, remonstrating against any reduction in the military or naval forces of the United States or the training or personnel of the civilian components thereof;

A memorial of Dr. Raiford T. Wainock, of Portland, Maine, remonstrating against the furlough of certain officers of the Public Health Service;

A memorial of citizens of Brooklyn and New York City and vicinity, remonstrating against the enactment of legislation providing for the retirement of Government employees after 30 years' service; and

A resolution adopted by the Civil Service Forum, of New York City, remonstrating against the compulsory retirement of Government employees after 30 years' service; to the Committee on Appropriations.

Petitions of home owners' organizations in the State of New York, praying the enactment of legislation providing relief to home owners on mortgage indebtedness; to the Committee on Banking and Currency.

Memorials of citizens and organizations of the State of New York, remonstrating against the alleged mistreatment of Jews in Germany;

Resolutions adopted by the Owen Roe Club and the United Irish-American Societies, of New York City, remonstrating against the reduction or cancelation of foreign war debts; and

Resolutions adopted by councils of the Knights of Columbus, of the State of New York, and the Brooklyn Alumni Sodality, of Brooklyn, N.Y., remonstrating against the recognition by the United States Government of Soviet Russia; to the Committee on Foreign Relations.

Mr. Copeland presented the following petition and memorial:

A resolution adopted by the Twenty-eighth Ward Taxpayers Protective Association, of Brooklyn, N.Y., favoring the restoration of the former postage rate of 2 cents on first-class mail matter; and

A resolution adopted by the Erie County Committee of the American Legion, of Buffalo, N.Y., remonstrating against the passage of legislation which deprived World War veterans of certain privileges and benefits.

Ordered, That they lie on the table.

Mr. Keyes presented a concurrent resolution of the Legislature of the State of New Hampshire remonstrating against the lowering of the standard of the lighthouse station in Portsmouth Harbor, N.H.; which was referred to the Committee on Commerce.

Mr. Barbour presented a resolution adopted at Asbury Park, N.J., at a mass meeting of American-Jewish citizens of the County of Monmouth, N.J., remonstrating against the alleged mistreatment of Jews in Germany; which was referred to the Committee on Foreign Relations.

Mr. Robinson of Indiana presented a resolution adopted by the Indianapolis Zionist District of Indianapolis, Ind., remonstrating against the alleged mistreatment of Jews in Germany; which was referred to the Committee on Foreign Relations.

Mr. Robinson of Indiana presented a resolution adopted by the Summit Veterans Association, of Akron, Ohio, remonstrating against the denial of compensaton to war veterans who were disabled in service.

Ordered, That it lie on the table.

REPORTS OF COMMITTEES

Mr. Bratton, from the Committee on Indian Affairs, to whom was referred the bill (S. 691) to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the act approved June 7, 1924, in certain respects, reported it without amendment and submitted a report (No. 73) thereon.

Mr. King, from the Committee on the District of Columbia, to whom was referred the resolution (S.Res. 76) to investigate conditions respecting the sale and distribution of dairy products in the District of Columbia, reported it without amendment.

Mr. Glass, from the Committee on Banking and Currency, to whom was referred the bill (S. 1631) to provide for the safer and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes, reported it with amendments.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. White:

A bill (S. 1659) to authorize an increase in the number of directors of the Washington Home for Foundlings; to the Committee on the District of Columbia.

(By request.) A bill (S. 1660) providing for the clearance of certain American vessels where a fine has been imposed under the laws of the United States; to the Committee on Commerce.

By Mr. Barbour:

A bill (S. 1661) granting a pension to Minnie Wild; to the Committee on Pensions.

By Mr. Neely:

A bill (S. 1662) granting an increase of pension to Caspar Hartmann; to the Committee on Pensions.

By Mr. Stephens:

A bill (S. 1663) granting an increase in pension to Mary L. Burgess; to the Committee on Pensions.

A bill (S. 1664) for the relief of Shelby Howell Batson; to the Committee on Military Affairs.

By Mr. King:

A bill (S. 1665) to provide for the establishment and maintenance, under the Bureau of Mines, of a research station at Salt Lake City, Utah; to the Committee on Mines and Mining.

By Mr. Copeland:

A bill (S. 1666) to carry out the findings of the Court of Claims in the case of the Wales Island Packing Co.; to the Committee on Foreign Relations.

A bill (S. 1667) to amend section 177 of the Judicial Code; to the Committee on the Judiciary.

A bill (S. 1668) for the relief of Charles F. Bond, receiver of the partnership of Thorp & Bond, New York, N.Y.;

A bill (S. 1669) for the relief of Cowtan & Tout, Inc.;

A bill (S. 1670) for the relief of Etna Watch Co.;

A bill (S. 1671) for the relief of B. Lindner & Bro., Inc.;

A bill (S. 1672) for the relief of Louis Godick;

A bill (S. 1673) for the relief of Valle & Co., Inc.;

A bill (S. 1674) for the relief of Epstein Underwear Co.;
A bill (S. 1675) for the relief of Sorenson & Co., Inc.;
A bill (S. 1676) for the relief of Bengol Trading Co., Inc.;
A bill (S. 1677) for the relief of Schapiro Bros.;
A bill (S. 1678) for the relief of A. and M. Karagheusian, Inc.;
A bill (S. 1679) for the relief of J. Henry Miller, Inc.;
A bill (S. 1680) for the relief of the estate of George B. Spearin, deceased;
A bill (S. 1681) for the relief of the Snare & Triest Co.;
A bill (S. 1682) for the relief of the North American Dredging Co.;
A bill (S. 1683) for the relief of the Standard Dredging Co.;
A bill (S. 1684) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes;
A bill (S. 1685) for the relief of A. W. Duckett & Co., Inc.;
A bill (S. 1686) for the relief of H. P. Converse & Co.;
A bill (S. 1687) authorizing the Court of Claims of the United States to hear and determine the claims of the estate of George Chorpenning, deceased;
A bill (S. 1688) for the relief of Messieurs M. Aronin & Sons;
A bill (S. 1689) for the relief of Robbins-Ripley Co., Inc.;
A bill (S. 1690) for the relief of the Bowers Southern Dredging Co.;
A bill (S. 1691) for the relief of the Sound Construction & Engineering Co., Inc.;
A bill (S. 1692) for the relief of the Compagnie Generale Transatlantique;
A bill (S. 1693) for the relief of the International Mercantile Marine Co.;
A bill (S. 1694) for the relief of the city of New York;
A bill (S. 1695) for the relief of Messrs. Stein & Blaine;
A bill (S. 1696) for the relief of M. T. Stark, Inc.; and
A bill (S. 1697) for the relief of W. K. Webster & Co.; to the Committee on Claims.

By Mr. Sheppard:

A bill (S. 1698) for the relief of Frank S. Fischer; to the Committee on Military Affairs.

A bill (S. 1699) to prevent the loss of the title of the United States to lands in the Territories or territorial possessions through adverse possession or prescription (with accompanying papers); to the Committee on Territories and Insular Affairs.

By Mr. Robinson of Arkansas:

A joint resolution (S.J.Res. 54) limiting the operation of sections 109 and 113 of the Criminal Code; to the Committee on Agriculture and Forestry.

COST OF ELECTRICAL DISTRIBUTION BY SERVICE COMPANIES

Mr. Costigan submitted the following resolution (S.Res. 80):

Whereas growing interest is manifest throughout the Nation on the part of householders, both urban and rural, as to present and future uses of electricity and reasonable rates chargeable therefor; and

Whereas a considerable, if not controlling, factor in the cost of rural and domestic electric service is reported to be the expense of distributing transmitted current between local substations and the customers' meters; and

Whereas it is responsibly alleged by engineers that the service companies keep no record of this important distribution cost, and that the subject has never been discussed before any engineering society; that technical literature does not deal with it; and that only rarely has it been considered in electric-rate cases:

Resolved, That the Federal Power Commission is hereby requested to furnish the Senate with a report summarizing such information as may be available, indicating the cost of electrical distribution expressed in cents per kilowatt-hour under varying service conditions as contrasted with the more widely known costs of electrical generation and electrical transmission.

Ordered, That the resolution lie on the table.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed, each without amendment, the following bills of the Senate:

S. 1410. An act to amend section 207 of the Bank Conservation Act with respect to bank reorganizations; and

S. 1415. An act to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases.

The House of Representatives has disagreed to the amendments of the Senate to the bill (H.R. 5040) to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Doughton, Mr. Ragon, Mr. S. B. Hill, Mr. Treadway, and Mr. Bacharach managers at the same on its part.

The Speaker of the House having signed an enrolled bill, viz. S. 7, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 7) providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

PRODUCTION COSTS OF GOAT, KID, AND CABRETTA LEATHERS

The Vice President laid before the Senate a resolution coming over from a previous day, viz, the resolution (S.Res. 68) directing the Tariff Commission to investigate the production costs of goat, kid, and cabretta leathers.

The Senate proceeded to consider the said resolution; and

Resolved, That the Senate agree thereto.

IMPEACHMENT OF HAROLD LOUDERBACK

The hour of 12 o'clock and 30 minutes p.m. having arrived, legislative business was suspended; and, under its order of April 18, 1933,

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

After proceedings had therein, as stated in the Impeachment Journal,

The Senate, sitting for the impeachment trial aforesaid, at 5 o'clock and 30 minutes p.m., took a recess until 11 o'clock a.m. tomorrow.

TAX ON GASOLINE AND POSTAGE RATES

The Vice President laid before the Senate, in legislative session, the message this day received from the House of Representatives, announcing its disagreement to the amendments of the Senate to the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, and asking a conference with the Senate thereon.

On motion by Mr. Harrison,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Harrison, Mr. King, Mr. George, Mr. Reed, and Mr. Couzens.

Ordered, That the Secretary notify the House of Representatives thereof.

ENROLLED BILL PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they this day presented to the President of the United States the enrolled bill (S. 7) providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 38 minutes p.m.,

The Senate, as in legislative session, took a recess until the conclusion of the impeachment proceedings on tomorrow.

AT 4 O'CLOCK AND 10 MINUTES P.M. (CALENDAR DAY, TUESDAY, MAY 16, 1933)

QUESTION OF QUORUM

The impeachment proceedings for today having been concluded,

The Senate, pursuant to its order of yesterday, convened in legislative session.

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. King in the chair) directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dietrich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed, each without amendment, the following bills of the Senate:

S. 73. An act to authorize the Comptroller General to allow claim of district numbered 13, Choctaw County, Okla., for payment of tuition for Indian pupils; and

S. 1582. An act to amend section 1025 of the Revised Statutes of the United States.

The House has passed the bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy with amendments, in which it requests the concurrence of the Senate.

The House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4014. An act to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Land Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the act approved June 7, 1924, in certain respects;

H.R. 4494. An act authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States;

The President of the United States has informed the House that, on May 12, 1933, he approved and signed acts, as follows:

H.R. 48. An act to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.;

H.R. 1596. An act to extend the times for commencing and completing the construction of a bridge across the Peedee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.;

H.R. 3835. An act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes;

H.R. 4127. An act to extend the times for commencing and completing the construction of a bridge across the Waccamaw River near Conway, S.C.;

H.R. 4491. An act granting the consent of Congress to the Board of County Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio; and

H.R. 4606. An act to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A petition of citizens of the State of California, praying the restoration of former benefits to all veterans who were actually disabled in the military or naval service; to the Committee on Appropriations.

A resolution of the executive board of the Georgia Federation of Business and Professional Women's Clubs, expressing regret at the separation of Miss Jessie Dell as a Civil Service Commissioner; to the Committee on Civil Service.

A communication from L. M. Fournet, of Angola, La., remonstrating against the continuance of an investigation of the senatorial election in that State in 1932; to the Committee to Audit and Control the Contingent Expenses of the Senate.

A resolution adopted by the San Francisco County Council of the Veterans of Foreign Wars of the United States, remonstrating against the action of certain World War veterans in marching to Washington for the purpose of making demand for the payment of the balance due on adjusted-compensation certificates; to the Committee on Finance.

The Vice President laid before the Senate the following petitions:

A resolution adopted by the Westchester County, N.Y., District Council United Brotherhood of Carpenters and Joiners of America, favoring the institution of the 6-hour day for labor;

A resolution adopted at Los Angeles, Calif., by the Thirty-Hour League of America favoring the principle of the 6-hour workday and the 5-day work week and approving the withholding of aid from the Reconstruction Finance Corporation to institutions which fail to make substantial reductions in salaries paid to executives and to justly compensate their employees; and

A resolution adopted by the Tennessee Valley Association, of Chattanooga, Tenn., favoring the complete carrying out of the President's program for the development of the Tennessee River Valley without change.

Ordered, That they lie on the table.

Mr. Robinson of Indiana presented petitions of citizens of Los Angeles and San Pedro, Calif., praying the restoration of benefits to veterans who were actually disabled in the

military or naval service; which were referred to the Committee on Appropriations.

Mr. Copeland presented the following petition and memorials, which were referred as indicated:

A resolution adopted by Hollis-Bellaire Post, No. 980, American Legion, Department of New York, favoring an increase in the rates of postage on second-class mail matter to such amounts as may be determined necessary to defray the actual cost of handling, and that subsidies in the form of contracts for carrying the mails by steamship and air transport companies be discontinued and contracts be based upon rates established for carrying other freight or merchandise; to the Committee on Post Offices and Post Roads.

A resolution adopted by the Alumni Association of St. Francis College, of Brooklyn, N.Y., remonstrating against the recognition by the United States Government of Soviet Russia; and

A resolution adopted by the Geraldine Club, of New York City, remonstrating against any reduction or cancellation of foreign war debts; to the Committee on Foreign Relations.

Mr. Dill presented a memorial of citizens of Spokane, Wash., remonstrating against the enactment of legislation providing for the reduction of the officer or enlisted personnel of the Army, Navy, or Marine Corps, suspension of training camps for the National Guard and the Reserve Officers' Training Corps, or Federal aid to military schools, and reductions in pay of Army, Navy, or Marine Corps Air Service flying officers; which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES

Mr. Steiwer, by unanimous consent, from the Committee on Public Lands and Surveys, to whom were referred the following bills, reported them each without amendment and submitted reports thereon, as follows:

S. 284. An act authorizing the conveyance of certain lands to school district no. 28, Deschutes County, Oreg. (Rept. No. 74); and

S. 285. An act to authorize the addition of certain lands to the Ochoco National Forest, Oreg. (Rept. No. 75).

Mr. McKellar (for Mr. Glass), by unanimous consent, from the Committee on Appropriations, to whom was referred the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes, reported it with amendments and submitted a report (No. 76) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Fess:

A bill (S. 1700) to amend the act entitled "An act to enable the George Washington Bicentennial Commission to carry out and give effect to certain approved plans", approved February 21, 1930, as amended; to the Committee on the Library.

By Mr. Hale:

A bill (S. 1701) correcting the naval record of Frank J. Curran (with accompanying papers); to the Committee on Naval Affairs.

By Mr. Reed (for Mr. Davis):

A bill (S. 1702) for the relief of H. Bluestone; to the Committee on Claims.

By Mr. Bone:

A bill (S. 1703) for the relief of William Smith; to the Committee on Claims.

(By request.) A bill (S. 1704) to secure to unemployed American citizens the right to work advantageously for themselves in the production and mutual exchange of food, shelter, clothing, and commodities; to the Committee on Finance.

By Mr. Nye:

A bill (S. 1705) to amend the Air Mail Act of February 2, 1925, as amended by the acts of June 3, 1926, May 17, 1928, and April 29, 1930, further to encourage commercial aviation; to the Committee on Post Offices and Post Roads.

By Mr. Copeland:

A bill (S. 1706) granting a pension to Vincent San Filipo; to the Committee on Pensions.

By Mr. Overton:

A bill (S. 1707) for the relief of Carlos C. Bedsole; to the Committee on Public Lands and Surveys.

By Mr. Clark:

A bill (S. 1708) for the relief of the Mississippi Valley Trust Co., of St. Louis, Mo.; and

A bill (S. 1709) for the relief of the Mercantile-Commerce Bank & Trust Co., formerly Mercantile Trust Co., of St. Louis, Mo.; to the Committee on Claims.

TENNESSEE RIVER VALLEY-MUSCLE SHOALS DEVELOPMENT

On motion by Mr. Smith,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5081) to provide for the common defense; to aid interstate commerce by navigation; to provide flood control; to promote the general welfare by creating the Tennessee Valley Authority; to operate the Muscle Shoals properties; and to encourage agricultural, industrial, and economic development; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

CONFERRING OF DEGREES UPON NAVAL ACADEMY GRADUATES

The Vice President laid before the Senate the amendment this day received from the House of Representatives for concurrence to the text of the bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy, together with an amendment to the title to the said bill providing the same read as follows: "An act to confer the degree of bachelor of science upon graduates of the Naval, the Military, and the Coast Guard academies."

On motion by Mr. Trammell,

Resolved, That the Senate disagree to the amendments of the House of Representatives to the said bill and ask a conference with the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Trammell, Mr. Russell, and Mr. Hale.

Ordered, That the Secretary notify the House of Representatives thereof.

HOUSE BILLS REFERRED

The bills this day received from the House of Representatives for concurrence were severally read the first and second times by unanimous consent.

Ordered, That the bill H.R. 4494 be referred to the Committee on Indian Affairs, and that the bill H.R. 4014 be placed on the Calendar.

SALARIES OF EXECUTIVE OFFICERS AND DIRECTORS OF CORPORATIONS

Mr. Costigan asked and obtained leave to modify the resolution (S.Res. 75) calling for salary schedules of executive officers of certain banks, railroads, electric power corporations, and certain other corporations engaged in interstate commerce, to read as follows:

Resolved, That the Federal Reserve Board is requested to prepare and transmit to the Senate as soon as practicable a report showing the salary schedule of the executive officers and directors of each Federal Reserve bank and member bank of the Federal Reserve System; be it further

Resolved, That the Reconstruction Finance Corporation is requested to prepare and transmit to the Senate as soon as practicable a report showing the salary schedule of the executive officers and directors of each bank not a member of the Federal Reserve System to which loans or advances have been made by the Corporation; be it further

Resolved, That the Federal Power Commission is requested to prepare and transmit to the Senate as soon as practicable a report showing the salary schedule of the executive officers and directors of each public utility corporation engaged in the transportation of electrical energy in interstate commerce and of all other corporations licensed under the Federal Water Power Act; and be it further

Resolved, That the Federal Trade Commission is requested to prepare and transmit to the Senate as soon as practicable a report showing the salary schedule of the executive officers and directors of each corporation engaged in interstate commerce (other than public utility corporations) having capital and/or assets of more than a million dollars in value, whose securities are listed on the New York Stock Exchange or the New York Curb Exchange.

For the purposes of this resolution the term "salary" includes any compensation, fee, bonus, commission, or other payment, direct or indirect, in money or otherwise, for personal services.

WORLD POLITICAL AND ECONOMIC PEACE

The Vice President laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress:

For the information of the Congress I am sending herewith a message that I have addressed this morning to the sovereigns and presidents of those nations participating in the disarmament conference and the World Monetary and Economic Conference.

I was impelled to this action because it has become increasingly evident that the assurance of world political and economic peace and stability is threatened by selfish and short-sighted policies, actions, and threats of actions.

The sincere wish for this assurance by an overwhelming majority of the nations faces the danger of recalcitrant obstruction by a very small minority, just as in the domestic field the good purposes of a minority in business, labor, or in other cooperative efforts are often frustrated by a selfish few.

The deep-rooted desire of Americans for better living conditions and for the avoidance of war is shared by mass humanity in every country. As a means to this end I have, in the message to the various nations, stressed the practical necessity of reducing armaments. It is high time for us and for every other nation to understand the simple fact that the invasion of any nation or the destruction of a national sovereignty can be prevented only by the complete elimination of the weapons that make such a course possible today.

Such an elimination will make the little nation relatively more secure against the great nation.

Furthermore, permanent defenses are a nonrecurring charge against governmental budgets, while large armies continually rearmed with improved offensive weapons constitute a recurring charge. This more than any other factor today is responsible for governmental deficits and threatened bankruptcy.

The way to disarm is to disarm. The way to prevent invasion is to make it impossible.

I have asked for an agreement among nations on four practical and simultaneous steps:

First. That through a series of steps the weapons of offensive warfare be eliminated.

Second. That the first definite step be taken now.

Third. That while these steps are being taken no nation shall increase existing armaments over and above the limitations of treaty obligations.

Fourth. That subject to existing treaty rights no nation during the disarmament period shall send any armed force of whatsoever nature across its own borders.

Our people realize that weapons of offense are needed only if other nations have them, and they will freely give them up if all the nations of the world will do likewise.

In the domestic field the Congress has labored in sympathetic understanding with me for the improvement of social conditions, for the preservation of individual human rights, and for the furtherance of social justice.

In the message to the nations which I herewith transmit I have named the same objectives. It is in order to assure these great human values that we seek peace by ridding the world of the weapons of aggression and attack.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 16, 1933.*

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

The Senate resumed its legislative session.

BANKING REFORMS

On motion by Mr. Bulkley that the Senate proceed to the consideration of the bill (S. 1631) to provide for the safe and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operation, and for other purposes,

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 12 minutes p.m.,

The Senate took a recess until the conclusion of the impeachment proceedings on tomorrow.

AT 4 O'CLOCK AND 39 MINUTES P.M. (CALENDAR DAY WEDNESDAY, MAY 17, 1933)

The impeachment proceedings for today having been concluded,

The Senate, pursuant to its order of yesterday, convened in legislative session.

RELIEF OF UNEMPLOYMENT

During the impeachment proceedings,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Presiding Officer (Mr. Hastings in the chair) laid before the Senate, as in legislative session, the following message from the President of the United States, which was read, referred to the Committee on Finance, and ordered to be printed:

To the Congress:

Before the special session of the Congress adjourns, I recommend two further steps in our national campaign to put people to work.

I

My first request is that the Congress provide for the machinery necessary for a great cooperative movement throughout all industry in order to obtain wide reemployment, to shorten the working week, to pay a decent wage for the shorter week, and to prevent unfair competition and disastrous overproduction.

Employers cannot do this singly or even in organized groups, because such action increases costs and thus permits cutthroat underselling by selfish competitors unwilling to join in such a public-spirited endeavor.

One of the great restrictions upon such cooperative efforts up to this time has been our antitrust laws. They were properly designed as the means to cure the great evils of monopolistic price fixing. They should certainly be retained as a permanent assurance that the old evils of unfair competition shall never return. But the public interest will be served if, with the authority and under the guidance of Government, private industries are permitted to make agreements and codes insuring fair competition. However, it is necessary, if we thus limit the operation of antitrust laws to their original purpose, to provide a rigorous licensing power in order to meet rare cases of noncooperation and abuse. Such a safeguard is indispensable.

II

The other proposal gives the Executive full power to start a large program of direct employment. A careful survey convinces me that approximately $3,300,000,000 can be in-

vested in useful and necessary public construction, and at the same time put the largest possible number of people to work.

Provision should be made to permit States, counties, and municipalities to undertake useful public works, subject, however, to the most effective possible means of eliminating favoritism and wasteful expenditures on unwarranted and uneconomic projects.

We must, by prompt and vigorous action, override unnecessary obstructions which in the past have delayed the starting of public-works programs. This can be accomplished by simple and direct procedure.

In carrying out this program it is imperative that the credit of the United States Government be protected and preserved. This means that at the same time we are making these vast emergency expenditures there must be provided sufficient revenue to pay interest and amortization on the cost, and that the revenue so provided must be adequate and certain rather than inadequate and speculative.

Careful estimates indicate that at least $220,000,000 of additional revenue will be required to service the contemplated borrowings of the Government. This will of necessity involve some form or forms of new taxation. A number of suggestions have been made as to the nature of these taxes. I do not make a specific recommendation at this time, but I hope that the Committee on Ways and Means of the House of Representatives will make a careful study of revenue plans and be prepared by the beginning of the coming week to propose the taxes which they judge to be best adapted to meet the present need and which will at the same time be least burdensome to our people. At the end of that time, if no decision has been reached, or if the means proposed do not seem to be sufficiently adequate or certain, it is my intention to transmit to the Congress my own recommendations in the matter.

The taxes to be imposed are for the purpose of providing reemployment for our citizens. Provision should be made for their reduction or elimination--

First. As fast as increasing revenues from improving business become available to replace them.

Second. Whenever the repeal of the eighteenth amendment, now pending before the States, shall have been ratified and the repeal of the Volstead Act effected. The prohibition revenue laws would then automatically go into effect and yield enough wholly to eliminate these temporary reemployment taxes.

Finally, I stress the fact that all of these proposals are based on the gravity of the emergency, and that, therefore, it is urgently necessary immediately to initiate a reemployment campaign if we are to avoid further hardships, to sustain business improvement, and to pass on to better things.

For this reason I urge prompt action on this legislation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 17, 1933.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5081) to provide for the common defense; to aid interstate commerce by navigation; to provide flood control; to promote the general welfare by creating the Tennessee Valley Authority; to operate the Muscle Shoals properties; and to encourage agricultural, industrial, and economic development.

The House has disagreed to the amendment of the Senate to the bill (H.R. 4220) for the protection of Government records; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. McKeown, Mr. Celler, and Mr. Kurtz managers at the same on its part.

The House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 5091. An act to amend section 289 of the Criminal Code;

H.R. 5152. An act granting the consent of Congress to the State Highway Commission of Virginia to replace and maintain a bridge across Northwest River in Norfolk County, Va., on State Highway Route No. 27;

H.R. 5173. An act granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed to replace a weak structure in the same location, across the Staunton and Dan Rivers, in Mecklenburg County, Va., on United States Route No. 15;

H.R. 5208. An act to amend the probation law;

H.R. 5329. An act creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.;

H.R. 5476. An act to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.; and

H.J.Res. 159. Joint resolution granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll bridge across the Missouri River from a point in Platte County, Mo., to a point at or near Kansas City, in Wyandotte County, Kans., and specifying the conditions thereof.

The Speaker of the House having signed four enrolled bills, viz, S. 75, S. 1410, S. 1415, and S. 1582, I am directed to bring the same to the Senate for the signature of its President.

The House has passed the following resolution (H.Res. 147), which I am directed to communicate to the Senate:

Resolved, That the House has heard with profound sorrow of the death of Hon. Charles H. Brand, a Representative from the State of Georgia.

Resolved, That a committee of two Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A joint resolution of the Legislature of the State of Maryland, requesting the repeal of the tax on bank checks; to the Committee on Finance.

A joint resolution of the Legislature of the State of California, memorializing Congress to exempt from the provisions of legislation limiting the hours of labor to 30 a week people engaged in the mining industry;

A memorial of the Legislature of the State of Florida, favoring the enactment of legislation to amend the Bankruptcy Act so as to permit adjustment of debts of insolvent municipalities or other political subdivisions of any State;

Memorials of Louis Smith, of New Orleans, and Ben. H. Dykes, of Bolivar, in the State of Louisiana, remonstrating against an investigation of acts and conduct of Senator Huey P. Long; and

A petition of citizens of New Orleans, La., praying the enactment of legislation limiting the hours of labor in industry and to provide for minimum wages; to the Committee on the Judiciary.

Resolutions of the Legislature of the State of Massachusetts, urging the retention of the naval and marine hospitals at Chelsea, Mass.; to the Committee on Naval Affairs.

A resolution of the Waco Chamber of Commerce, of Waco, Tex., favoring the inclusion of highway construction in any public-works program for the relief of unemployment; to the Committee on Education and Labor.

A resolution of the Hoboken National Memorial Association, of Hoboken, N.J., favoring the enactment of legislation to set aside a suitable plot of ground at the entrance of the Hoboken piers as a national memorial to commemorate the departure and return of World War veterans; to the Committee on the Library.

The Vice President laid before the Senate a resolution adopted by Vincent B. Costello Post, No. 15, American Legion, of Washington, D.C., favoring a recess of Congress instead of an adjournment of this session with provision for its reconvening prior to the next session on its own authority.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorial, which were referred as indicated:

A resolution adopted by Progressive Council, No. 66, Sons and Daughters of Liberty, of Freeport, N.Y., favoring the enactment of legislation providing a fixed quota of immigrants for admission into the United States; to the Committee on Immigration.

A resolution adopted by the Westchester County, N.Y., District Council United Brotherhood of Carpenters and Joiners of America, favoring a 6-hour work day in industry; to the Committee on Education and Labor.

A resolution adopted by the Executive Board of Retail Jewelers' Associations of Greater New York, favoring the enactment of legislation permitting voluntary working agreements in various industries under the antitrust laws; to the Committee on the Judiciary.

A memorial of employees of the post office at Plattsburg, N.Y., remonstrating against the enactment of legislation providing for the compulsory retirement of Government employees after 30 years' service or upon reaching the age of 60 years; to the Committee on Appropriations.

Mr. Robinson of Indiana presented a petition of citizens of the State of California, praying a restoration of benefits to veterans who were actually disabled in the military or naval service; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Glass, by unanimous consent, from the Committee on Banking and Currency, submitted a report (No. 77) to accompany the bill (S. 1631) to provide for the safer and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes, heretofore reported.

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 63) authorizing the Committee on Patents to employ an assistant clerk during the Seventy-third Congress, reported it without amendment.

CHANGE OF REFERENCE

On motion by Mr. King, and by unanimous consent,

Ordered, That the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from the further consideration of the resolution (S.Res. 79) authorizing an additional expenditure in connection with a general survey of Indian conditions in the United States and that it be referred to the Committee on Indian Affairs.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Wheeler:

A bill (S. 1710) to authorize appropriations for the completion of the public high school at Frazer, Mont.; and

A bill (S. 1711) for the relief of certain homeless Indians in the State of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. Wagner:

A bill (S. 1712) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes; to the Committee on Finance.

By Mr. La Follette:

A bill (S. 1713) for the relief of Wayne Bert Watkins; to the Committee on Naval Affairs.

By Mr. Copeland:

A bill (S. 1714) granting an increase of pension to Kate O'Donnell Wood; to the Committee on Pensions.

A bill (S. 1715) authorizing Charles V. Bossert, his heirs and assigns, to construct, maintain, and operate a bridge across the East River between Bronx and Whitestone Landing; to the Committee on Commerce.

By Mr. Reed:

A bill (S. 1716) for the relief of Leonard J. Mygatt; to the Committee on Military Affairs.

By Mr. McNary:

A bill (S. 1717) to extend the provisions of the Forest Exchange Act to lands adjacent to the national forests in the State of Oregon; to the Committee on Public Lands and Surveys.

PAPERS REFERRED

Papers in the cases hereinafter mentioned, to accompany bills heretofore introduced, were taken from the files and referred, under the rule, as follows:

Aronin & Sons, Messieurs M.; B. Lindner & Bro., Inc., Bengol Trading Co.; Bond, Charles F., receiver of Thorp & Bond; Bowers Southern Dredging Co.; Compagnie Generale Transatlantique; George Chorpenning; Cowtan & Tout; A. W. Duckett & Co.; Etna Watch Co.; Louis Godick; H. P. Converse & Co.; International Mercantile Marine Co.; A. & M. Karagheusian; M. T. Stark, Inc.; J. Henry Miller, Inc.; navy yard, overtime claims; city of New York; North American Dredging Co.; Schapiro Bros.; Snare & Triest; Sorenson & Co.; Sound Construction & Engineering Co., Inc.; George B. Spearin; Standard Dredging Co.; Stein & Blaine; Valle & Co.; and W. K. Webster & Co.; to the Committee on Claims.

Edward Francis Bailey; Elizabeth Burrell; Emma F. Burrell; Sarah J. Carpenter; Clara A. Colby; Fred Cook; Lucie P. Cranston; Richard R. Denton; Eliza Ellis; Columbus R. Fulks; Polly Fuller; Mary Elizabeth Hall; Caspar Hartmann; Rachel Heizeman; Lena Hook; Blanche C. Hurd; Margaret Jane Loar; Lucy Montgomery; Angie L. Moulton; Polly Ann Newton; Alice L. Preston; Mary Roode; Lucy J. Whipple; and Drucilla Wright; to the Committee on Pensions.

Elmer E. C. Armstrong; Army officers, warrant officers, and nurses of Army, Navy, and Marine Corps, to withhold pay of for indebtedness to United States; F. M. Belda; Joseph Duncan Smedberg; and George Yusko; to the Committee on Military Affairs.

Wales Island Packing Co.; to the Committee on Foreign Relations.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The bills and joint resolution this day received from the House of Representatives for concurrence were severally read the first and second times by unanimous consent.

Ordered, That the bills H.R. 5091 and H.R. 5208 be referred to the Committee on the Judiciary; that the bills H.R. 5152, H.R. 5173, and H.R. 5476, and the joint resolution H.J.Res. 159 be referred to the Committee on Commerce; and that the bill H.R. 5329 be placed on the calendar.

ASSISTANT CLERK FOR COMMITTEE ON PATENTS

On motion by Mr. Wagner, and by unanimous consent, The Senate proceeded to consider the resolution (S. Res. 63) authorizing the Committee on Patents to employ an assistant clerk during the Seventy-third Congress; and

Resolved, That the Senate agree thereto.

BANKING REFORMS

The Senate resumed the consideration of the motion yesterday made by Mr. Bulkley that the Senate proceed to the consideration of the bill (S. 1631) to provide for the safer and more effective use of the assets of the Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes; and

The motion was agreed to.

On motion by Mr. Bulkley, and by unanimous consent,

The further consideration of the said bill was temporarily postponed.

EXECUTIVE SESSION

On motion by Mr. George,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

The Senate resumed its legislative session.

DEATH OF REPRESENTATIVE BRAND, OF GEORGIA

The Presiding Officer (Mr. Robinson of Arkansas in the chair) laid before the Senate the resolution this day received from the House of Representatives, announcing the death of Hon. Charles H. Brand, late a Representative from the State of Georgia, which was read.

Mr. George submitted the following resolution (S.Res. 81), which was read by unanimous consent and unanimously agreed to:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Charles Hillyer Brand, late a Representative from the State of Georgia.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The Presiding Officer, under the second resolution, appointed Mr. George and Mr. Russell as the committee on the part of the Senate.

On motion by Mr. George, as a further mark of respect to the memory of the deceased Representative,

The Senate took a recess until the conclusion of the impeachment proceedings on tomorrow.

AT 5 O'CLOCK AND 47 MINUTES P.M. (CALENDAR DAY, MAY 18, 1933)

The Louderback impeachment proceedings for today having been concluded,

The Senate, pursuant to its order of yesterday, convened in legislative session.

MESSAGES FROM THE PRESIDENT

During the impeachment proceedings,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Certain nominations were received from the President of the United States and referred, as in executive session, to the appropriate committees.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, viz, H.R. 5081, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H.R. 5081) to improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills, heretofore signed by the Speaker:

S. 73. An act to authorize the Comptroller General to allow claim of district numbered 13, Choctaw County, Okla., for payment of tuition of Indian pupils;

S. 1410. An act to amend section 207 of the Bank Conservation Act with respect to bank reorganizations;

S. 1415. An act to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases; and

S. 1582. An act to amend section 1025 of the Revised Statutes of the United States.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

RATIFICATION OF CHILD LABOR AMENDMENT TO THE CONSTITUTION

The Vice President laid before the Senate a concurrent resolution of the Legislature of the State of Michigan, ratifying the so-called child labor amendment to the Constitution.

Ordered, That it lie on the table.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A resolution adopted at Ladysmith, Wis., at a meeting of officers of the Farm Holiday Association of Rusk County, favoring the removal of the Secretary of Agriculture because of his attitude toward the so-called cost-of-production provision in the farm relief bill; to the Committee on Agriculture and Forestry.

A resolution adopted by the city council of the city of Two Rivers, Wis., favoring the issuance of national currency to municipalities on the pledge of their bonds; and

A resolution adopted by depositors of the Northwestern Trust & Savings Bank, of Chicago, Ill., favoring action to open closed banks; to the Committee on Banking and Currency.

A resolution adopted by Old Glory Post, No. 2044, Veterans of Foreign Wars of the United States, of San Francisco, Calif., remonstrating against the action of a group of World War veterans in a march on Washington, D.C., to demand the payment of the adjusted-compensation certificates;

A petition of citizens of the State of California praying the restoration of benefits to veterans who were actually disabled in the military or naval service.

A memorial adopted at Tulsa, Okla., by the American Petroleum Institute, urging the repeal of the present Federal gasoline tax and the substitution of a general manufacturers' sales tax; and

A resolution adopted by officers of the Rusk County (Wis.) Farmers Union, remonstrating against the passage of legislation curtailing benefits to World War veterans and favoring the restoration of such benefits; to the Committee on Finance.

A petition of M. L. Wiggins, of Georgetown, La., praying an investigation of acts and conduct of Senator Huey P. Long; and

A memorial of John Gannon, of Pollock, La., remonstrating against such investigation of Senator Long; to the Committee on the Judiciary.

A resolution adopted by the Pennsylvania State Hotel Association, of Philadelphia, Pa., favoring the enactment of House bill 5157, providing for an appropriation for Federal highway construction; to the Committee on Post Offices and Post Roads.

The Vice President laid before the Senate the following communication and memorial:

A communication from Wade H. Cooper, of the Commercial National Bank, of Washington, D.C., expressing appreciation for the passage of Senate bill 1410, permitting State banks to reorganize in the same manner as national banks; and

A resolution adopted by the board of directors of the Chamber of Commerce, of Beaumont, Tex., remonstrating against the ratification of the Great Lakes-St. Lawrence Waterway Treaty with Canada.

Ordered, That they lie on the table.

Mr. Robinson of Arkansas presented a communication from R. E. Lee Wilson, of Wilson, Ark., favoring the passage of Senate bill 1580, providing for the reorganization, relief, and coordination of railroads, with certain suggested amendments; which was referred to the Committee on Interstate Commerce.

Mr. Reed presented a resolution adopted by the Philadelphia Board of Trade, of Philadelphia, Pa., remonstrating against the recognition by the United States Government of Soviet Russia; which was referred to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Capper:

A bill (S. 1718) granting a pension to Alma Blanche Shipman (with accompanying papers); and

A bill (S. 1719) granting a pension to Clarence Edward Shipman (with accompanying papers); to the Committee on Pensions.

By Mr. Reed:

A bill (S. 1720) for the relief of Mary Ellen Tiefenthaler; to the Committee on Claims.

By Mr. King:

A bill (S. 1721) granting certain lands to the University of Utah in Salt Lake County, Utah; to the Committee on Military Affairs.

By Mr. Johnson:

A bill (S. 1722) to extend certain letters patent; to the Committee on Patents.

By Mr. Fletcher:

A bill (S. 1723) to amend the Reconstruction Finance Corporation Act, as amended, to remove limitations upon the aggregate amount of funds which the Corporation may lend to aid in the reorganization or liquidation of banks and savings banks, either closed or in process of liquidation; to the Committee on Banking and Currency.

By Mr. Harrison:

A joint resolution (S.J.Res. 55) extending for 1 year the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission; to the Committee on Finance.

EXPENSES OF LOUDERBACK IMPEACHMENT TRIAL

Mr. Byrnes, by unanimous consent, submitted the following resolution (S.Res. 82), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That $20,000 is hereby authorized to be expended from the contingent fund of the Senate in addition to the amount previously authorized to defray the expenses in the impeachment trial of Judge Harold Louderback.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 52 minutes p.m.,

The Senate, as in legislative session, took a recess until after the conclusion of the Louderback impeachment proceedings on tomorrow.

AT 2 O'CLOCK P.M. (CALENDAR DAY, FRIDAY, MAY 19, 1933)

The Louderback impeachment proceedings for today having been concluded,

The Senate, pursuant to its order of yesterday, convened in legislative session.

QUESTION OF QUORUM

Mr. King raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Neely in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

DEATH OF THEODORE F. SHUEY

During the impeachment proceedings, Mr. Robinson of Arkansas announced the death last evening of Theodore F. Shuey, an official reporter of Senate debates for over 65 years, and tributes to his memory were paid by Mr. Robinson of Arkansas, Mr. Vandenberg, and Mr. Fess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives insists upon its amendments to the bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy, disagreed to by the Senate; it has agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Vinson of Georgia, Mr. Drewry, and Mr. Britten managers at the same on its part.

The House has passed without amendment the joint resolution (S.J.Res. 50) designating May 22 as National Maritime Day.

The Speaker of the House having signed an enrolled joint resolution, viz, S.J.Res. 50, I am directed to bring the same to the Senate for the signature of its President.

The President of the United States has informed the House that on yesterday he approved and signed the act (H.R. 5081) to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes.

PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA

The Presiding Officer (Mr. McKellar in the chair) laid before the Senate a communication from the Chairman of the Public Utilities Commission of the District of Columbia, transmitting a draft of legislation proposing to amend the public-utility provisions in the District appropriation act for the fiscal year 1914; which was referred to the Committee on the District of Columbia.

ANNUAL REPORT OF DIRECTOR GENERAL OF RAILROADS

The Presiding Officer laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Interstate Commerce:

To the Congress of the United States:

I transmit herewith for the information of the Congress the annual report of the Director General of Railroads for the calendar year 1932.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 19, 1933.*

(Report accompanied similar message to the House of Representatives.)

SUPPLEMENTARY REPORT OF PERRY'S VICTORY MEMORIAL COMMISSION

The Presiding Officer laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on the Library:

To the Congress of the United States:

I transmit herewith for the information of the Congress a special report of the Perry's Victory Memorial Commission, dated April 6, 1933, supplementary to the annual report of the Commission for the fiscal year ended December 1, 1932.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 19, 1933.*

FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The Presiding Officer laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1931, in connection with the Foreign Service retirement and disability system, as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931.

FRANKLIN D. ROOSEVELT.

Enclosure: Report concerning retirement and disability fund, Foreign Service.

THE WHITE HOUSE, *May 19, 1933.*

INVESTIGATION OF COTTONSEED INDUSTRY

The Presiding Officer (Mr. Neely in the chair) laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting, in further response to Senate Resolutions 136 and 147 (71st Cong.) the final report of the Commission regarding its investigation of the cottonseed industry; which, with the accompanying report and appendix thereto, was referred to the Committee on Agriculture and Forestry and ordered to be printed under authority of Senate Resolution 292 (71st Cong.).

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on yesterday they presented to the President of the United States the following enrolled bills:

S. 73. An act to authorize the Comptroller General to allow claim of district numbered 13, Choctaw County, Okla., for payment of tuition of Indian pupils;

S. 1410. An act to amend section 207 of the Bank Conservation Act with respect to bank reorganizations;

S. 1415. An act to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases; and

S. 1582. An act to amend section 1025 of the Revised Statutes of the United States.

PETITIONS AND MEMORIALS

The Presiding Officer (Mr. McKellar in the chair) laid before the Senate the following petitions and memorials, which were referred as indicated:

A resolution adopted by the National Society Daughters of the Revolution, of New York City, remonstrating against any reductions in the active strength of the Regular Army, the curtailment of the training of the National Guard, or any decrease in the support now extended to the Organized Reserves, the Reserve Officers' Training Corps, or the citizens' military training camps; to the Committee on Appropriations.

Resolutions adopted by the Commissioners Court of Henderson County and the Huntsville Walker County Chamber of Commerce board of directors, of Huntsville, in the State of Texas, favoring the inclusion of highway construction in any public works program for unemployment relief; to the Committee on Finance.

A communication from Samuel K. Taminosian, of Lincoln, Nebr., suggesting an increase in passport fees to be paid by Americans visiting France and a charge of 10 percent of their total wealth; to the Committee on Foreign Relations.

A petition of citizens of New Orleans, praying an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

Mr. Tydings presented a memorial of citizens of the State of Maryland, remonstrating against any reduction in the Army, Navy, or Marine Corps, suspension of National Guard and Reserve Officers' Training Corps training camps or Federal aid to military schools, and reductions in pay to flying officers of the Army, Navy, or Marine Corps air services; which was referred to the Committee on Military Affairs.

Mr. Sheppard presented a petition of Dr. Alexander S. Garrett, of Weatherford, Tex., praying restrictions on the planting, raising, and selling and use of tobacco in the United States, which was referred to the Committee on the Judiciary.

Mr. Costigan presented a joint memorial of the Legislature of the State of Colorado, favoring the enactment of legislation providing for the construction of a drain through the "closed basin" of the Rio Grande in the State of Colorado and for the surveying of a suitable site for a reservoir, toward the development and conservation of the waters of the Rio Grande Basin in Colorado, New Mexico, and Texas, which was referred to the Committee on Irrigation and Reclamation.

REPORTS OF COMMITTEES

Mr. King, by unanimous consent, from the Committee on the District of Columbia, submitted a report (No. 78) to accompany the resolution (S.Res. 76) to investigate conditions respecting the sale and distribution of dairy products in the District of Columbia, heretofore reported.

Mr. Sheppard, by unanimous consent, from the Committee on Commerce, to whom were referred the following bills and joint resolution, reported them each without amendment and submitted reports thereon, as follows:

S. 1562. A bill granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct a bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del. (Rept. No. 79);

H.R. 5152. An act granting the consent of Congress to the State Highway Commission of Virginia to replace and maintain a bridge across Northwest River in Norfolk County, Va., on State Highway Route No. 27 (Rept. No. 80);

H.R. 5173. An act granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed to replace a weak structure in the same location, across the Staunton and Dan Rivers, in Mecklenburg County, Va., on United States Route No. 15 (Rept. No. 81);

H.R. 5476. An act to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga. (Rept. No. 82); and

H.J.Res. 159. Joint resolution granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll bridge across the Missouri River from a point in Platte County, Mo., to a point at or near Kansas City, in Wyandotte County, Kans., and specifying the conditions thereof (Rept. No. 83).

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Bratton:

A bill (S. 1724) authorizing the reimbursement of Edward B. Wheeler and the State Investment Co. for the loss of certain lands in the Mora Grant, N.Mex.; to the Committee on Public Lands and Surveys.

By Mr. Dill:

A bill (S. 1725) for the relief of Robert Emil Taylor; and

A bill (S. 1726) to authorize the appointment of Master Sgt. Joseph Eugene Kramer as a warrant officer, United States Army; to the Committee on Military Affairs.

A bill (S. 1727) for the relief of Earl A. Ross; and

A bill (S. 1728) for the relief of Frank P. Ross; to the Committee on Public Lands and Surveys.

By Mr. Tydings:

A bill (S. 1729) for the relief of Emma Gregory;

A bill (S. 1730) for the relief of Richard Riggles;

A bill (S. 1731) for the relief of Marion Von Bruning (nee Marion Hubbard Treat) and others; and

A bill (S. 1732) for the relief of William Zeiss, administrator of William B. Reaney, survivor of Thomas Reaney and Samuel Archbold; to the Committee on Claims.

By Mr. McNary:

A bill (S. 1733) relating to the retirement of the present senior member of the Board of Engineers for Rivers and Harbors; to the Committee on Military Affairs.

By Mr. McNary and Mr. Steiwer:

A bill (S. 1734) for the rehabilitation of the Stanfield project, Oregon; to the Committee on Irrigation and Reclamation.

By Mr. Schall:

A bill (S. 1735) to amend an act approved May 14, 1926 (44 Stat. 555), entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims"; to the Committee on Indian Affairs.

By Mr. Capper:

A bill (S. 1736) to preserve and protect the correlative rights of the oil-producing States, to assist them in the proper enforcement of their oil conservation laws, to assure the conservation of crude petroleum and natural gas and to preserve the same as national resources, and to regulate the transportation and sale in interstate and foreign commerce of natural gas, crude petroleum, and the products thereof to prevent waste in the production, marketing, and use of such natural gas and petroleum; to invest the Secretary of the Interior with power to carry out this act, and for other purposes; to the Committee on Interstate Commerce.

DEFICIENCY APPROPRIATIONS

Mr. Bratton submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5390) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 11, and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 6, 8, 9, 12, 15, 16, 17, 18, 21, 22, 23, and 25, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Transpose the matter inserted by said amendment to precede line 1 on page 3 of the bill, amended to read as follows:

Bureau of Reclamation

Palo Verde Valley, California: The unexpended balance of the appropriation of $50,000 for the protection of Palo Verde Valley, California, contained in the Second Deficiency Act, fiscal year 1932, approved July 1, 1932, shall remain available for the same purposes during the fiscal year 1934.

And the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment, strike out the words "War Department:"; and in line 5, after the figures "$3,632.14;", insert the following: *in all, under the Treasury Department, $15,792.58*; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the last five lines of the matter inserted by said amendment insert the following: *Total, audited claims, section 4, $110,030.92*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 7, and 14.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
W. A. AYRES,
JOHN TABER,
ROBERT L. BACON,
Managers on the part of the House.

SAM G. BRATTON,
CARTER GLASS,
KENNETH MCKELLAR,
FREDERICK HALE,
HENRY W. KEYES,
Managers on the part of the Senate.

The Senate proceeded to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

PRESIDENTIAL APPROVALS

A message from the President of the United States by Mr. Latta, his secretary:

Mr. President: The President of the United States approved and signed the following acts and joint resolution:

On May 3, 1933:

S.J.Res. 13. Joint resolution authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered.

On May 18, 1933:

S. 7. An act providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska; and

S. 1582. An act to amend section 1025 of the Revised Statutes of the United States.

Ordered, That the Secretary notify the House of Representatives thereof.

ENROLLED JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the joint resolution (S.J.Res. 50) designating May 22 as National Maritime Day.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

BANKING REFORMS

The Senate resumed the consideration of the bill (S. 1631) to provide for the safer and more effective use of the assets

of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes.

Pending debate,

Mr. Vandenberg having proposed an amendment to the bill, inserting on page 45, after line 3, a new section relative to insurance of bank deposits,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 3 o'clock and 50 minutes p.m.,

The Senate, as in legislative session, took a recess until the conclusion of the Louderback impeachment proceedings on tomorrow.

AT 1 O'CLOCK AND 11 MINUTES P.M. (CALENDAR DAY, SATURDAY, MAY 20, 1933)

The Louderback impeachment proceedings for today having been concluded,

The Senate, pursuant to its order of yesterday, convened in legislative session.

ANNUAL REPORT OF FEDERAL RESERVE BOARD

The Vice President laid before the Senate a communication from the governor of the Federal Reserve Board, transmitting, pursuant to law, the nineteenth annual report of the Board for the year ended December 31, 1932; which, with the accompanying report, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A petition of citizens of Brooklyn, N.Y., praying that the Senate express its regret for the action of counsel Samuel T. Ansell, in the sessions held at New Orleans by the special committee investigating the senatorial election in the State of Louisiana in 1932, and that provisions be made to prevent his future practice before any of the departments or the courts; and

A resolution adopted by the Perry Community Club, of Perry, and memorials of Dr. S. J. Couvillon, of Moreauville, and George E. Haine, of Clinton, East Feliciana, in the State of Louisiana, remonstrating against an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

A resolution adopted by the Commissioners Court of Fort Bend County, Tex., favoring the inclusion of highway construction in any public works program for unemployment relief; to the Committee on Finance.

A joint resolution of the Legislature of the State of Maryland, favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciusko; to the Committee on Post Offices and Post Roads.

Mr. Kean laid before the Senate the following petition and memorial, which were referred as indicated:

A resolution adopted by the Hoboken (N.J.) National Memorial Association, favoring the setting aside of a suitable plot of ground at the entrance to the Hoboken piers as a national memorial to commemorate the departure and return of World War veterans; to the Committee on the Library.

A resolution adopted at Asbury Park, N.J., by American-Jewish citizens of Monmouth County, N.J., remonstrating against the alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

ENROLLED JOINT RESOLUTION PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on yesterday they presented to the President of the United States the enrolled joint resolution (S.J.Res. 50) designating May 22 as National Maritime Day.

REPORTS OF COMMITTEES

Mr. Vandenberg (for Mr. Hayden), by unanimous consent, from the Committee on Printing, reported the following resolution (S.Res. 83); which was considered by unanimous consent and agreed to:

Resolved, That 25,000 copies of Public Law No. 10, approved May 12, 1933, relating to agricultural adjustment, agricultural credits, and currency expansion, be printed for the use of the Senate Document Room.

Mr. Dill, by unanimous consent, from the Committee on Public Lands and Surveys, to whom were referred the following bills, reported them each without amendment and submitted reports thereon, as follows:

S. 1727. A bill for the relief of Earl A. Ross (Rept. No. 84); and

S. 1728. A bill for the relief of Frank P. Ross (Rept. No. 85).

Mr. Bratton, by unanimous consent, from the Committee on Public Lands and Surveys, to whom was referred the bill (S. 1724) authorizing the reimbursement of Edward B. Wheeler and the State Investment Co. for the loss of certain lands in the Mora Grant, New Mexico, reported it without amendment and submitted a report (No. 86) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Vandenberg:

A bill (S. 1737) authorizing a preliminary examination and survey of the Crooked and Indian Rivers, Mich.; to the Committee on Commerce.

By Mr. McCarran:

A bill (S. 1738) authorizing the Reconstruction Finance Corporation to make loans to irrigation districts for certain purposes; to the Committee on Irrigation and Reclamation.

By Mr. Sheppard:

A bill (S. 1739) to relieve the existing critical national economic emergency in agricultural as well as in commercial and industrial pursuits; to the Committee on Agriculture and Forestry.

CONFERRING OF DEGREES UPON NAVAL ACADEMY GRADUATES

Mr. Trammell submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: After the word "academies", at the end of the said amendment, insert the following: , *from and after the date of the accrediting of said academies by the Association of American Universities*; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

PARK TRAMMELL,
FREDERICK HALE,
Managers on the part of the Senate.

CARL VINSON,
FRED A. BRITTEN,
Managers on the part of the House.

Ordered, That the report lie on the table.

NOMINATION OF HARRY L. HOPKINS

As in executive session, and by unanimous consent,

Mr. Fletcher, from the Committee on Banking and Currency, to whom was referred the nomination of Harry L. Hopkins to be Federal emergency relief administrator, reported it favorably.

The Senate proceeded, by unanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent thereto.

Ordered, by unanimous consent, That the Secretary notify the President of the United States thereof.

BANKING REFORMS

The Senate resumed the consideration of the bill (S. 1631) to provide for the safer and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes.

The question being on agreeing to the amendment yesterday proposed by Mr. Vandenberg on page 45, after line 3, relating to insurance of bank deposits,

Pending debate,

RELIEF OF OIL-PRODUCING INDUSTRY

The Vice President laid before the Senate the following communication from the President of the United States, which was read and referred to the Committee on Interstate Commerce:

THE WHITE HOUSE,
Washington, May 20, 1933.

Hon. JOHN N. GARNER,
President of the Senate.

MY DEAR MR. PRESIDENT: As the Congress is doubtless aware, a serious situation confronts the oil-producing industry. Because oil taken from the ground is a natural resource which once used cannot be replaced, it is of interest to the Nation that its production should be under reasonable control for the best interests of the present and future generations.

My administration for many weeks has been in conference with the governors of the oil-producing States and with component parts of the industry, but it seems difficult, if not impossible, to bring order out of chaos only by State action. In fact, this is recognized by most of the governors concerned.

There is a wide-spread demand for Federal legislation. May I request that this subject be given immediate attention by the appropriate committee or committees? The Secretary of the Interior stands ready to present any information or data desired.

May I suggest further that in order to save the time of the special session it might be possible to incorporate action relating to the oil industry with whatever action the Congress decides to take in regard to other industries—in other words, that consideration could be given at the same time that action is taken on the bills already introduced and now pending in committee.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the conclusion of executive business,

On motion by Mr. Robinson of Arkansas, at 2 o'clock and 5 minutes p.m.,

The Senate, as in legislative session, took a recess until after the conclusion of the Louderback impeachment proceedings on Monday next.

AT 5 O'CLOCK AND 58 MINUTES P.M. (CALENDAR DAY, MONDAY, MAY 22, 1933)

The impeachment proceedings for today having been concluded,

The Senate, pursuant to its order of Saturday last, resumed its legislative session.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5480) to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes.

MIGRATORY BIRD CONSERVATION COMMISSION

The Presiding Officer (Mr. Robinson of Indiana in the chair) appointed Mr. Pittman as a member of the Migratory Bird Conservation Commission, created by the act of February 18, 1929, to fill the vacancy caused by the resignation as Senator of Harry B. Hawes.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorial, which were referred as indicated:

A resolution of the House of Representatives of the State of Illinois, urging the enactment of legislation and an appropriation to provide for the taking over by some Federal agency of all the assets and liabilities of closed banks throughout the United States and pay all the depositors in full; to the Committee on Banking and Currency.

A cablegram from the President of the Senate and the Speaker of the House of Representatives of the Territory of Hawaii, setting out a concurrent resolution of the Legislature of Hawaii remonstrating against the enactment of legislation eliminating the requirement of 3 years' residence as a qualification for the office of Governor of the Territory; to the Committee on Territories and Insular Affairs.

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to enact legislation providing that all petroleum products used as a fuel in internal-combustion engines shall be blended with ethyl alcohol made from agricultural products grown within the United States; and

Resolutions adopted by various Chambers of Commerce, County Commissioners' Courts, and commercial organizations of the State of Texas favoring the inclusion of highway construction in any public-works program for unemployment relief; to the Committee on Finance.

A resolution adopted by Hope Council, No. 1, Sons and Daughters of Liberty, of Washington, D.C., favoring the enactment of legislation establishing a fixed quota on the admission into the United States of alien immigrants; to the Committee on Immigration.

A resolution adopted by John A Hadley Chapter No. 3, Eighth Army Corps Association of the United States, of Los Angeles, Calif., favoring a restoration of pensions to which Spanish War veterans were entitled prior to the passage of the so-called economy act; to the Committee on Pensions.

Mr. Walsh presented the following petitions and memorial, which were referred as indicated:

A resolution of the mayor and city council of Brockton, Mass., favoring a study of the entire matter of veterans' legislation to the end that no veteran suffering from a disability incurred in line of duty while in the active military or naval service of the United States shall be called upon to bear a greater sacrifice than other classes of the American public; and

A resolution adopted by the John Boyle O'Reilly Club, of West Newton, Mass., remonstrating against cancellation or further reduction of foreign war debts due to the United States; to the Committee on Finance.

A petition of Commonwealth Lodge No. 229, Brotherhood of Railroad Clerks, of Worcester, Mass., praying consideration of employees in the enactment of proposed legislation providing for the reorganization and coordination of railroads; to the Committee on Interstate Commerce.

Resolutions of the Legislature of the State of Massachusetts, favoring the continuance of the naval and marine hospitals at Chelsea, Mass.; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 82) authorizing a further expenditure in connection with the impeachment trial of Judge Harold Louderback, reported it without amendment.

Mr. Dill, by unanimous consent, from the Committee on Interstate Commerce, to whom was referred the bill (S.

1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce act, as amended, reported it with amendments and submitted a report (No. 87) thereon.

Mr. King, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 1581) to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, and so forth, reported it with amendments and submitted a report (No. 88) thereon.

OFFICIAL REPORTERS OF SENATE DEBATE

Mr. Hayden, by unanimous consent, from the Committee on Printing, reported the following resolution (S.Res. 84), which was considered by unanimous consent and agreed to:

Resolved, That James W. Murphy and Percy E. Budlong are hereby appointed official reporters for reporting the proceedings and debates of the Senate until further order of the Senate, subject to all the duties and obligations of the contract made with D. F. Murphy, deceased, late reporter of the Senate, and to the supervision and control of the Committee on Printing on behalf of the Senate in all respects therein provided, and to receive payment for such services according to law: *Provided*, That the contract heretofore made with the late Theodore F. Shuey and said James W. Murphy be considered as terminated by the death of the former on May 18, 1933, and that said James W. Murphy and said Percy E. Budlong be paid for services rendered in reporting the debates and proceedings of the Senate at the rate allowable by law for such services from May 19, 1933, to the date upon which this resolution is agreed to by the Senate, both dates inclusive: *Provided further*, That in the event of the death of either said James W. Murphy or said Percy E. Budlong during any recess or adjourned period of the Senate, the survivor of them shall discharge all the duties and obligations and be entitled to all the rights and benefits of said contract made with said D. F. Murphy, deceased, and shall receive payment for such services according to law, until further order of the Senate.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Vandenberg:

A bill (S. 1740) to extend certain benefits of the Public Health Service to certain seamen, and for other purposes; to the Committee on Commerce.

By Mr. Nye:

A bill (S. 1741) to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. Dill:

A bill (S. 1742) granting consent of Congress to Ernest N. Hutchinson, Otto A. Case, and A. C. Martin to construct, maintain, and operate a bridge across Deception Pass between Whidby Island and Fidalgo Island in the State of Washington; to the Committee on Commerce.

A bill (S. 1743) authorizing the extension of time for the payment of governmental fees in the nature of purchase price payable to the United States Government under applications for commutations of homestead entries, the purchase of timberlands, and the purchase of coal lands of the United States; to the Committee on Public Lands and Surveys.

By Mr. Trammell:

A bill (S. 1744) enabling certain farmers and fruit growers to receive the benefits of the Federal Farm Loan Act and amendments thereto and the Emergency Farm Mortgage Act of 1933; to the Committee on Banking and Currency.

By Mr. McNary:

A bill (S. 1745) granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oreg.;

A bill (S. 1746) granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newport, Lincoln County, Oreg.;

A bill (S. 1747) granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Walport, Lincoln County, Oreg.;

A bill (S. 1748) granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near North Bend, Coos County, Oreg.; and

A bill (S. 1749) granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence, Lane County, Oreg.; to the Committee on Commerce.

GOVERNOR OF HAWAII

The Presiding Officer (Mr. Robinson of Indiana in the chair) laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

It is particularly necessary to select for the post of Governor of Hawaii a man of experience and vision, who will be regarded by all citizens of the islands as one who will be absolutely impartial in his decisions on matters as to which there may be a difference of local opinion. In making my choice I should like to be free to pick either from the islands themselves or from the entire United States the best man for this post. I request, therefore, suitable legislation temporarily suspending that part of the law which requires the Governor of Hawaii to be an actual resident of the islands.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 22, 1933*.

Ordered, That the message be referred to the Committee on Territories and Insular Affairs and be printed.

SALE OF INVESTMENT SECURITIES

Mr. Fletcher submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5480) to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I

Short title

Section 1. This title may be cited as the "Securities Act of 1933."

Definitions

Sec. 2. When used in this title, unless the context otherwise requires—

(1) The term "security" means any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting-trust certificate, certificate of interest in property, tangible or intangible, or, in general, any instrument commonly known as a security, or any certificate of interest or participation in, temporary or interim certificate for, receipt for, or warrant or right to subscribe to or purchase, any of the foregoing.

(2) The term "person" means an individual, a corporation, a partnership, an association, a joint-stock company, a trust, any unincorporated organization, or a government or political subdivision thereof. As used in this paragraph the term "trust" shall include only a trust where the interest or interests of the beneficiary or beneficiaries are evidenced by a security.

(3) The term "sale", "sell", "offer to sell", or "offer for sale" shall include every contract of sale or disposition of, attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest in a security, for value; except that such terms shall not include preliminary negotiations or agreements between an issuer and any underwriter. Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing, shall be conclusively presumed to constitute a part of the subject of such purchase and to have been sold for value. The issue or transfer of a right or privilege, when originally issued or transferred with a security, giving the holder of such security the right to convert such security into another security of the same issuer or of another person, or giving a right to subscribe to another security of the same issuer or of another person, which right cannot be exercised until some future date, shall not be deemed to be a sale of such other security, but the issue or transfer of such other security upon the exercise of such right of conversion or subscription shall be deemed a sale of such other security.

(4) The term "issuer" means every person who issues or proposes to issue any security or who guarantees a security either as to principal or income; except that with respect to certificates of deposit, voting-trust certificates, or collateral-trust certificates, or with respect to certificates of interest or shares in an unincorporated investment trust not having a board of directors (or persons performing similar functions) or of the fixed, restricted management, or unit type, the term "issuer" means the person or persons performing the acts and assuming the duties of depositor or manager pursuant to the provisions of the trust or other agreement or instrument under which such securities are issued; and except that with respect to equipment-trust certificates or like securities, the term "issuer" means the person by whom the equipment or property is or is to be used.

(5) The term "Commission" means the Federal Trade Commission.

(6) The term "Territory" means Alaska, Hawaii, Puerto Rico, the Philippine Islands, Canal Zone, the Virgin Islands, and the insular possessions of the United States.

(7) The term "interstate commerce" means trade or commerce in securities or any transportation or communication relating thereto among the several States or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia.

(8) The term "registration statement" means the statement provided for in section 6, and includes any amendment thereto and any report, document, or memorandum accompanying such statement or incorporated therein by reference.

(9) The term "write" or "written" shall include printed, lithographed, or any means of graphic communication.

(10) The term "prospectus" means any prospectus, notice, circular advertisement, letter, or communication, written or by radio, which offers any security for sale; except that (a) a communication shall not be deemed a prospectus if it is proved that prior to such communication a written prospectus meeting the requirements of section 10 was received, by the person to whom the communication was made, from the person making such communication or his principal, and (b) a notice, circular, advertisement, letter, or communication in respect of a security shall not be deemed to be a prospectus if it states from whom a written prospectus meetng the requirements of section 10 may be obtained and, in addition, does no more than identify the security, state the price thereof, and state by whom orders will be executed

(11) The term "underwriter" means any person who has purchased from an issuer with a view to, or sells for an issuer in connection with, the distribution of any security, or participates or has a direct or indirect participation in any such undertaking, or participates or has a participation in the direct or indirect underwriting of any such undertaking; but such term shall not include a person whose interest is limited to a commission from an underwriter or dealer not in excess of the usual and customary distributors' or sellers' commission. As used in this paragraph the term "issuer" shall include, in addition to an issuer, any person directly or indirectly controlling or controlled by the issuer, or any person under direct or indirect common control with the issuer.

(12) The term "dealer" means any person who engages either for all or part of his time, directly or indirectly, as agent, broker, or principal, in the business of offering, buying, selling, or otherwise dealing or trading in securities issued by another person.

Exempted securities

Sec. 3. (a) Except as hereinafter expressly provided, the provisions of this title shall not apply to any of the following classes of securities:

(1) Any security which, prior to or within sixty days after the enactment of this title, has been sold or disposed of by the issuer or bona fide offered to the public, but this exemption shall not apply to any new offering of any such security by an issuer or underwriter subsequent to such sixty days;

(2) Any security issued or guaranteed by the United States or any Territory thereof, or by the District of Columbia, or by any State of the United States, or by any political subdivision of a State or Territory, or by any public instrumentality of one or more States or Territories exercising an essential governmental function, or by any corporation created and controlled or supervised by and acting as an instrumentality of the Government of the United States pursuant to authority granted by the Congress of the United States, or by any national bank, or by any banking institution organized under the laws of any State or Territory, the business of which is substantially confined to banking and is supervised by the State or territorial banking commission or similar official; or any security issued by or representing an interest in or a direct obligation of a Federal Reserve bank;

(3) Any note, draft, bill of exchange, or banker's acceptance which arises out of a current transaction or the proceeds of which have been or are to be used for current transactions, and which has a maturity at the time of issuance of not exceeding nine months, exclusive of days of grace, or any renewal thereof the maturity of which is likewise limited;

(4) Any security issued by a corporation organized and operated exclusively for religious, educational, benevolent, fraternal, charitable, or reformatory purposes and not for pecuniary profit, and no part of the net earnings of which inures to the benefit of any person, private stockholder, or individual;

(5) Any security issued by a building and loan association, homestead association, savings and loan association, or similar institution, substantially all the business of which is confined to the making of loans to members (but the foregoing exemption shall not apply with respect to any such security where the issuer takes from the total amount paid or deposited by the purchaser, by way of any fee, cash value, or other device whatsoever, either upon termination of the investment at maturity or before maturity, an aggregate amount in excess of 3 per centum of the face value of such security), or any security issued by a farmers' cooperative association as defined in paragraphs (12), (13), and (14) of section 103 of the Revenue Act of 1932;

(6) Any security issued by a common carrier which is subject to the provisions of section 20a of the Interstate Commerce Act, as amended;

(7) Certificates issued by a receiver or by a trustee in bankruptcy, with the approval of the court;

(8) Any insurance or endowment policy or annuity contract or optional annuity contract, issued by a corporation subject to the supervision of the insurance commissioner, bank commissioner, or any agency or officer performing like functions, of any State or Territory of the United States or the District of Columbia.

(b) The Commission may from time to time by its rules and regulations, and subject to such terms and conditions as may be prescribed therein, add any class of securities to the securities exempted as provided in this section, if it finds that the enforcement of this title with respect to such securi-

ties is not necessary in the public interest and for the protection of investors by reason of the small amount involved or the limited character of the public offering; but no issue of securities shall be exempted under this subsection where the aggregate amount at which such issue is offered to the public exceeds $100,000.

Exempted transactions

Sec. 4. The provisions of section 5 shall not apply to any of the following transactions:

(1) Transactions by any person other than an issuer, underwriter, or dealer; transactions by an issuer not with or through an underwriter and not involving any public offering; or transactions by a dealer (including an underwriter no longer acting as an underwriter in respect of the security involved in such transaction), except transactions within one year after the last date upon which the security was bona fide offered to the public by the issuer or by or through an underwriter (excluding in the computation of such year any time during which a stop order issued under section 8 is in effect as to the security), and except transactions as to securities constituting the whole or a part of an unsold allotment to or subscription by such dealer as a participant in the distribution of such securities by the issuer or by or through an underwriter.

(2) Brokers' transactions, executed upon customers' orders on any exchange or in the open or counter market, but not the solicitation of such orders.

(3) The issuance of a security of a person exchanged by it with its existing security holders exclusively, where no commission or other remuneration is paid or given directly or indirectly in connection with such exchange; or the issuance of securities to the existing security holders or other existing creditors of a corporation in the process of a bona fide reorganization of such corporation under the supervision of any court, either in exchange for the securities of such security holders or claims of such creditors or partly for cash and partly in exchange for the securities or claims of such security holders or creditors.

Prohibitions relating to interstate commerce and the mails

Sec. 5. (a) Unless a registration statement is in effect as to a security, it shall be unlawful for any person, directly or indirectly—

(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell or offer to buy such security through the use or medium of any prospectus or otherwise; or

(2) to carry or cause to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale.

(b) It shall be unlawful for any person, directly or indirectly—

(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to carry or transmit any prospectus relating to any security registered under this title, unless such prospectus meets the requirements of section 10; or

(2) to carry or to cause to be carried through the mails or in interstate commerce any such security for the purpose of sale or for delivery after sale, unless accompanied or preceded by a prospectus that meets the requirements of section 10.

(c) The provisions of this section relating to the use of the mails shall not apply to the sale of any security where the issue of which it is a part is sold only to persons resident within a single State or Territory, where the issuer of such securities is a person resident and doing business within, or if a corporation, incorporated by and doing business within, such State or Territory.

Registration of securities and signing of registration statement

Sec. 6. (a) Any security may be registered with the Commission under the terms and conditions hereinafter provided, by filing a registration statement in triplicate, at least one of which shall be signed by each issuer, its principal executive officer or officers, its principal financial officer, its comptroller or principal accounting officer, and the majority of its board of directors or persons performing similar functions (or, if there is no board of directors or persons performing similar functions, by the majority of the persons or board having the power of management of the issuer), and in case the issuer is a foreign or Territorial person by its duly authorized representative in the United States; except that when such registration statement relates to a security issued by a foreign government, or political subdivision thereof, it need be signed only by the underwriter of such security. Signatures of all such persons when written on the said registration statements shall be presumed to have been so written by authority of the person whose signature is so affixed and the burden of proof, in the event such authority shall be denied, shall be upon the party denying the same. The affixing of any signature without the authority of the purported signer shall constitute a violation of this title. A registration statement shall be deemed effective only as to the securities specified therein as proposed to be offered.

(b) At the time of filing a registration statement the applicant shall pay to the Commission a fee of one one-hundredth of 1 per centum of the maximum aggregate price at which such securities are proposed to be offered, but in no case shall such fee be less than $25.

(c) The filing with the Commission of a registration statement, or of an amendment to a registration statement, shall be deemed to have taken place upon the receipt thereof, but the filing of a registration statement shall not be deemed to have taken place unless it is accompanied by a United States postal money order or a certified bank check or cash for the amount of the fee required under subsection (b).

(d) The information contained in or filed with any registration statement shall be made available to the public under such regulations as the Commission may prescribe, and copies thereof, photostatic or otherwise, shall be furnished to every applicant at such reasonable charge as the Commission may prescribe.

(e) No registration statement may be filed within the first forty days following the enactment of this act.

Information required in registered statement

Sec. 7. The registration statement, when relating to a security other than a security issued by a foreign government, or political subdivision thereof, shall contain the information, and be accompanied by the documents, specified in schedule A, and when relating to a security issued by a foreign government, or political subdivision thereof, shall contain the information, and be accompanied by the documents, specified in schedule B; except that the Commission may by rules or regulations provide that any such information or document need not be included in respect of any class of issuers or securities if it finds that the requirement of such information or document is inapplicable to such class and that disclosure fully adequate for the protection of investors is otherwise required to be included within the registration statement. If any accountant, engineer, or appraiser, or any person whose profession gives authority to a statement made by him, is named as having prepared or certified any part of the registration statement, or is named as having prepared or certified a report or valuation for use in connection with the registration statement, the written consent of such person shall be filed with the registration statement. If any such person is named as having prepared or certified a report or valuation (other than a public official document or statement) which is used in connection with the registration statement, but is not named as having prepared or certified such report or valuation for use in connection with the registration statement, the written consent of such person shall be filed with the registration statement unless the Commission dispenses with such filing as impracticable or as involving undue hardship on the person filing the registration statement. Any such registration statement shall contain such other information, and be accompanied by such other documents, as the Commission may by rules or regulations require as being necessary or appropriate in the public interest or for the protection of investors.

Taking effect of registration statements and amendments thereto

Sec. 8. (a) The effective date of a registration statement shall be the twentieth day after the filing thereof, except as hereinafter provided, and except that in case of securities of any foreign public authority, which has continued the full service of its obligations in the United States, the proceeds of which are to be devoted to the refunding of obligations payable in the United States, the registration statement shall become effective seven days after the filing thereof. If any amendment to any such statement is filed prior to the effective date of such statement, the registration statement shall be deemed to have been filed when such amendment was filed; except that an amendment filed with the consent of the Commission, prior to the effective date of the registration statement, or filed pursuant to an order of the Commission, shall be treated as a part of the registration statement.

(b) If it appears to the Commission that a registration statement is on its face incomplete or inaccurate in any material respect, the Commission may, after notice by personal service or the sending of confirmed telegraphic notice not later than ten days after the filing of the registration statement, and opportunity for hearing (at a time fixed by the Commission) within ten days after such notice by personal service or the sending of such telegraphic notice, issue an order prior to the effective date of registration refusing to permit such statement to become effective until it has been amended in accordance with such order. When such statement has been amended in accordance with such order the Commission shall so declare and the registration shall become effective at the time provided in subsection (a) or upon the date of such declaration, whichever date is the later.

(c) An amendment filed after the effective date of the registration statement, if such amendment, upon its face, appears to the Commission not to be incomplete or inaccurate in any material respect, shall become effective on such date as the Commission may determine, having due regard to the public interest and the protection of investors.

(d) If it appears to the Commission at any time that the registration statement includes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, the Commission may, after notice by personal service or the sending of confirmed telegraphic notice, and after opportunity for hearing (at a time fixed by the Commission) within fifteen days after such notice by personal service or the sending of such telegraphic notice, issue a stop order suspending the effectiveness of the registration statement. When such statement has been amended in accordance with such stop order the Commission shall so declare and thereupon the stop order shall cease to be effective.

(e) The Commission is hereby empowered to make an examination in any case in order to determine whether a stop order should issue under subsection (d). In making such examination the Commission or any officer or officers designated by it shall have access to and may demand the production of any books and papers of, and may administer oaths and affirmations to and examine, the issuer, underwriter, or any other person, in respect of any matter relevant to the examination, and may, in its discretion, require the production of a balance sheet exhibiting the assets and liabilities of the issuer, or its income statement, or both, to be certified to by a public or certified accountant approved by the Commission. If the issuer or underwriter shall fail to cooperate, or shall obstruct or refuse to permit the making of an examination, such conduct shall be proper ground for the issuance of a stop order.

(f) Any notice required under this section shall be sent to or served on the issuer, or, in case of a foreign government or political subdivision thereof, to or on the underwriter, or, in the case of a foreign or Territorial person, to or on its duly authorized representative in the United States named in the registration statement, properly directed in each case of telegraphic notice to the address given in such statement.

Court review of orders

Sec. 9. (a) Any person aggrieved by an order of the Commission may obtain a review of such order in the Circuit Court of Appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the Court of Appeals of the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission be modified or be set aside in whole or in part. A copy of such petition shall be forthwith served upon the Commission, and thereupon the Commission shall certify and file in the court a transcript of the record upon which the order complained of was entered. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission. The finding of the Commission as to the facts, if supported by evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The jurisdiction of the court shall be exclusive and its judgment and decree, affirming, modifying, or setting aside, in whole or in part, any order of the Commission, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U.S.C., title 28, secs. 346 and 347).

(b) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

Information required in prospectus

Sec. 10. (a) A prospectus—

(1) when relating to a security other than a security issued by a foreign government or political subdivision thereof, shall contain the same statements made in the registration statement, but it need not include the documents referred to in paragraphs (28) to (32), inclusive, of Schedule A;

(2) when relating to a security issued by a foreign government or political subdivision thereof shall contain the same statements made in the registration statement, but it need not include the documents referred to in paragraphs (13) and (14) of schedule B.

(b) Notwithstanding the provisions of subsection (a)—

(1) when a prospectus is used more than thirteen months after the effective date of the registration statement, the information in the statements contained therein shall be as of a date not more than twelve months prior to such use.

(2) there may be omitted from any prospectus any of the statements required under such subsection (a) which the Commission may by rules or regulations designate as not being necessary or appropriate in the public interest or for the protection of investors,

(3) any prospectus shall contain such other information as the Commission may by rules or regulations require as being necessary or appropriate in the public interest or for the protection of investors,

(4) in the exercise of its powers under paragraphs (2) and (3) of this subsection, the Commission shall have au-

thority to classify prospectuses according to the nature and circumstances of their use, and, by rules and regulations and subject to such terms and conditions as it shall specify therein, to prescribe as to each class the form and contents which it may find appropriate to such use and consistent with the public interest and the protection of investors.

(c) The statements or information required to be included in a prospectus by or under authority of subsection (a) or (b), when written, shall be placed in a conspicuous part of the prospectus in type as large as that used generally in the body of the prospectus.

(d) In any case where a prospectus consist of a radio broadcast, copies thereof shall be filed with the Commission under such rules and regulations as it shall prescribe. The Commission may by rules and regulations require the filing with it of forms of prospectuses used in connection with the sale of securities registered under this title.

Civil liabilities on account of false registration statement

Sec. 11. (a) In case any part of the registration statement, when such part became effective, contained an untrue statement of a material fact or omitted to state a material fact required to be stated therein or necessary to make the statements therein not misleading, any person acquiring such security (unless it is proved that at the time of such acquisition he knew of such untruth or omission) may, either at law or in equity, in any court of competent jurisdiction, sue—

(1) every person who signed the registration statement;

(2) every person who was a director of (or person performing similar functions), or partner in, the issuer at the time of the filing of the part of the registration statement with respect to which his liability is asserted;

(3) every person who, with his consent, is named in the registration statement as being or about to become a director, person performing similar functions, or partner;

(4) every accountant, engineer, or appraiser, or any person whose profession gives authority to a statement made by him, who has with his consent been named as having prepared or certified any part of the registration statement, or as having prepared or certified any report or valuation which is used in connection with the registration statement, with respect to the statement in such registration statement, report, or valuation, which purports to have been prepared or certified by him;

(5) every underwriter with respect to such security.

(b) Notwithstanding the provisions of subsection (a) no person, other than the issuer, shall be liable as provided therein who shall sustain the burden of proof—

(1) that before the effective date of the part of the registration statement with respect to which his liability is asserted (A) he had resigned from or had taken such steps as are permitted by law to resign from, or ceased or refused to act in, every office, capacity, or relationship in which he was described in the registration statement as acting or agreeing to act, and (B) he had advised the Commission and the issuer in writing that he had taken such action and that he would not be responsible for such part of the registration statement; or

(2) that if such part of the registration statement became effective without his knowledge, upon becoming aware of such fact he forthwith acted and advised the Commission, in accordance with paragraph (1), and, in addition, gave reasonable public notice that such part of the registration statement had become effective without his knowledge; or

(3) that (A) as regards any part of the registration statement not purporting to be made on the authority of an expert, and not purporting to be a copy of or extract from a report or valuation of an expert, and not purporting to be made on the authority of a public official document or statement, he had, after reasonable investigation, reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading; and (B) as regards any part of the registration statement purporting to be made upon his authority as an expert or purporting to be a copy of or extract from a report or valuation of himself as an expert, (i) he had, after reasonable investigation, reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, or (ii) such part of the registration statement did not fairly represent his statement as an expert or was not a fair copy of or extract from his report or valuation as an expert; and (C) as regards any part of the registration statement purporting to be made on the authority of an expert (other than himself) or purporting to be a copy of or extract from a report or valuation of an expert (other than himself), he had reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, and that such part of the registration statement fairly represented the statement of the expert or was a fair copy of or extract from the report or valuation of the expert; and (D) as regards any part of the registration statement purporting to be a statement made by an official person or purporting to be a copy of or extract from a public official document, he had reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true, and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, and that such part of the registration statement fairly represented the statement made by the official person or was a fair copy of or extract from the public official document.

(c) In determining, for the purpose of paragraph (3) of subsection (b) of this section, what constitutes reasonable investigation and reasonable ground for belief, the standard of reasonableness shall be that required of a person occupying a fiduciary relationship.

(d) If any person becomes an underwriter with respect to the security after the part of the registration statement with respect to which his liability is asserted has become effective, then for the purposes of paragraph (3) of subsection (b) of this section such part of the registration statement shall be considered as having become effective with respect to such person as of the time when he became an underwriter.

(e) The suit authorized under subsection (a) may be either (1) to recover the consideration paid for such security with interest thereon, less the amount of any income received thereon, upon the tender of such security, or (2) for damages if the person suing no longer owns the security.

(f) All or any one or more of the persons specified in subsection (a) shall be jointly and severally liable, and every person who becomes liable to make any payment under this section may recover contribution as in cases of contract from any person who, if sued separately, would have been liable to make the same payment, unless the person who has become liable was, and the other was not, guilty of fraudulent misrepresentation.

(g) In no case shall the amount recoverable under this section exceed the price at which the security was offered to the public.

Civil liabilities arising in connection with prospectuses and communications

Ses. 12. Any person who—

(1) Sells a security in violation of section 5, or

(2) Sells a security (whether or not exempted by the provisions of section 3, other than paragraph (2) of subsection (a) thereof), by the use of any means or instruments of transportation or communication in interstate commerce or of the mails, by means of a prospectus or oral communication, which includes an untrue statement of a material fact or omits to state a material fact necessary in order to make the statements, in the light of the circumstances under which they were made, not misleading (the purchaser not knowing of such untruth or omission), and who shall not sustain the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of such untruth or omission, shall be liable to the person purchasing such security from him, who may sue either at law or in equity in any court of competent jurisdiction, to recover the consideration paid for such security with interest thereon, less the amount of any income received thereon, upon the tender of such security, or for damages if he no longer owns the security.

Limitation of actions

Sec. 13. No action shall be maintained to enforce any liability created under section 11 or section 12 (2) unless brought within two years after the discovery of the untrue statement or the omission, or after such discovery should have been made by the exercise of reasonable diligence, or, if the action is to enforce a liability created under section 12 (1), unless brought within two years after the violation upon which it is based. In no event shall any such action be brought to enforce a liability created under section 11 or section 12 (1) more than ten years after the security was bona fide offered to the public.

Contrary stipulations void

Sec. 14. Any condition, stipulation, or provision binding any person acquiring any security to waive compliance with any provision of this title or of the rules and regulations of the Commission shall be void.

Liability of controlling persons

Sec. 15. Every person who, by or through stock ownership, agency, or otherwise, or who, pursuant to or in conection with an agreement or understanding with one or more other persons by or through stock ownership, agency, or otherwise, controls any person liable under section 11 or 12, shall also be liable jointly and severally with and to the same extent as such controlled person to any person to whom such controlled person is liable.

Additional remedies

Sec. 16. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies that may exist at law or in equity.

Fraudulent interstate transactions

Sec. 17. (a) It shall be unlawful for any person in the sale of any securities by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails, directly or indirectly—

(1) to employ any device, scheme, or artifice to defraud, or

(2) to obtain money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or

(3) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

(b) It shall be unlawful for any person, by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails, to publish, give publicity to, or circulate any notice, circular, advertisement, newspaper, article, letter, investment service, or communication which, though not purporting to offer a security for sale, describes such security for a consideration received or to be received, directly or indirectly, from an issuer, underwriter, or dealer, without fully disclosing the receipt, whether past or prospective, of such consideration and the amount thereof.

(c) The exemptions provided in section 3 shall not apply to the provisions of this section.

State control of securities

Sec. 18. Nothing in this title shall affect the jurisdiction of the securities commission (or any agency or office performing like functions) of any State or Territory of the United States, or the District of Columbia, over any security or any person.

Special powers of Commission

Sec. 19. (a) The Commission shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this title, including rules and regulations governing registration statements and prospectuses for various classes of securities and issuers, and defining accounting and trade terms used in this title. Among other things, the Commission shall have authority, for the purposes of this title, to prescribe the form or forms in which required information shall be set forth, the items or details to be shown in the balance sheet and earning statement, and the methods to be followed in the preparation of accounts, in the appraisal or valuation of assets and liabilities, in the determination of depreciation and depletion, in the differentiation of recurring and nonrecurring income, in the differentiation of investment and operating income, and in the preparation, where the Commission deems it necessary or desirable, of consolidated balance sheets or income accounts of any person directly or indirectly controlling or controlled by the issuer, or any person under direct or indirect common control with the issuer; but insofar as they relate to any common carrier subject to the provisions of section 20 of the Interstate Commerce Act, as amended, the rules and regulations of the Commission with respect to accounts shall not be inconsistent with the requirements imposed by the Interstate Commerce Commission under authority of such section 20. The rules and regulations of the Commisison shall be effective upon publication in the manner which the Commission shall prescribe.

(b) For the purpose of all investigations which, in the opinion of the Commission, are necessary and proper for the enforcement of this title any member of the Commission or any officer or officers designated by it are empowered to administer oaths and affirmations, subpena witnesses, take evidence, and require the production of any books, papers or other documents which the Commission deems relevant or material to the inquiry. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States or any Territory at any designated place of hearing.

Injunctions and prosecution of offenses

Sec. 20. (a) Whenever it shall appear to the Commission, either upon complaint or otherwise, that the provisions of this title, or of any rule or regulation prescribed under authority thereof, have been or are about to be violated, it may, in its discretion, either require or permit such person to file with it a statement in writing, under oath, or otherwise, as to all the facts and circumstances concerning the subject matter which it believes to be in the public interest to investigate, and may investigate such facts.

(b) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this title, or of any rule or regulation prescribed under authority thereof, it may in its discretion bring an action in any district court of the United States, United States court of any Territory, or the Supreme Court of the District of Columbia to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney General who may, in his discretion, institute the necessary criminal proceedings under this title. Any such criminal proceeding may be brought either in the district wherein the transmittal of the prospectus or security complained of begins, or in the district wherein such prospectus or security is received.

(c) Upon application of the Commission the district courts of the United States, the United States courts of any Territory, and the Supreme Court of the District of Columbia shall also have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this title or any order of the Commission made in pursuance thereof.

Hearings by Commission

Sec. 21. All hearings shall be public and may be held before the Commission or an officer or officers of the Commission designated by it, and appropriate records thereof shall be kept.

Jurisdiction of offenses and suits

Sec. 22. (a) The district courts of the United States, the United States courts of any Territory, and the Supreme Court of the District of Columbia shall have jurisdiction of offenses and violations under this title and under the rules and regulations promulgated by the Commission in respect thereto, and, concurrent with State and Territorial courts, of all suits in equity and actions at law brought to enforce any liability or duty created by this title. Any such suit or action may be brought in the district wherein the defendant is found or is an inhabitant or transacts business, or in the district where the sale took place, if the defendant participated therein, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U.S.C., title 28, secs. 225 and 347). No case arising under this title and brought in any State court of competent jurisdiction shall be removed to any court of the United States. No costs shall be assessed for or against the Commission in any proceeding under this title brought by or against it in the Supreme Court or such other courts.

(b) In case of contumacy or refusal to obey a subpena issued to any person, any of the said United States courts, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides, upon application by the Commission may issue to such person an order requiring such person to appear before the Commission, or one of its examiners designated by it, there to produce documentary evidence if so ordered, or there to give evidence, touching the matter in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books, papers, contracts, agreements, and other documents before the Commission, or in obedience to the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him, may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Unlawful representations

Sec. 23. Neither the fact that the registration statement for a security has been filed or is in effect nor the fact that a stop order is not in effect with respect thereto shall be deemed a finding by the Commission that the registration statement is true and accurate on its face or that it does not contain an untrue statement of fact or omit to state a material fact, or be held to mean that the Commission has in any way passed upon the merits of, or given approval to, such security. It shall be unlawful to make, or cause to be made, to any prospective purchaser any representation contrary to the foregoing provisions of this section.

Penalties

Sec. 24. Any person who willfully violates any of the provisions of this title, or the rules and regulations promulgated by the Commission under authority thereof, or any person who willfully, in a registration statement filed under this title, makes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than $5,000 or imprisoned not more than five years, or both.

Jurisdiction of other Government agencies over securities

Sec. 25. Nothing in this title shall relieve any person from submitting to the respective supervisory units of the Government of the United States information, reports, or other documents that are now or may hereafter be required by any provision of law.

Separability of provisions

Sec. 26. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Schedule A

(1) The name under which the issuer is doing or intends to do business;

(2) the name of the State or other sovereign power under which the issuer is organized;

(3) the location of the issuer's principal business office, and if the issuer is a foreign or territorial person, the name and address of its agent in the United States authorized to receive notice;

(4) the names and addresses of the directors or persons performing similar functions, and the chief executive, financial and accounting officers, chosen or to be chosen if the issuer be a corporation, association, trust, or other entity; of all partners, if the issuer be a partnership; and of the issuer, if the issuer be an individual; and of the promoters in the case of a business to be formed, or formed within two years prior to the filing of the registration statement;

(5) the names and addresses of the underwriters;

(6) the names and addresses of all persons, if any, owning of record or beneficially, if known, more than 10 per centum of any class of stock of the issuer, or more than 10 per centum in the aggregate of the outstanding stock of the issuer as of a date within 20 days prior to the filing of the registration statement;

(7) the amount of securities of the issuer held by any person specified in paragraphs (4), (5), and (6) of this schedule, as of a date within 20 days prior to the filing of the registration statement, and, if possible, as of one year prior thereto, and the amount of the securities, for which the registration statement is filed, to which such persons have indicated their intention to subscribe;

(8) the general character of the business actually transacted or to be transacted by the issuer;

(9) a statement of the capitalization of the issuer, including the authorized and outstanding amounts of its capital stock and the proportion thereof paid up, the number and classes of shares in which such capital stock is divided, par value thereof, or if it has no par value, the stated or assigned value thereof, a description of the respective voting rights, preferences, conversion and exchange rights, rights to dividends, profits, or capital of each class, with respect to each other class, including the retirement and liquidation rights or values thereof;

(10) a statement of the securities, if any, covered by options outstanding or to be created in connection with the security to be offered, together with the names and addresses of all persons, if any, to be allotted more than 10 per centum in the aggregate of such options;

(11) the amount of capital stock of each class issued or included in the shares of stock to be offered;

(12) the amount of the funded debt outstanding and to be created by the security to be offered, with a brief description of the date, maturity, and character of such debt, rate of interest, character of amortization provisions, and the security, if any, therefor. If substitution of any security is permissible, a summarized statement of the conditions under which such substitution is permitted. If substitution is permissible without notice, a specific statement to that effect;

(13) the specific purposes in detail and the approximate amounts to be devoted to such purposes, so far as determinable, for which the security to be offered is to supply funds, and if the funds are to be raised in part from other sources, the amounts thereof and the sources thereof, shall be stated;

(14) the remuneration, paid or estimated to be paid, by the issuer or its predecessor, directly or indirectly, during the past year and ensuing year to (a) the directors or persons performing similar functions, and (b) its officers and other persons, naming them wherever such remuneration exceeded $25,000 during any such year;

(15) the estimated net proceeds to be derived from the security to be offered;

(16) the price at which it is proposed that the security shall be offered to the public or the method by which such price is computed and any variation therefrom at which any portion of such security is proposed to be offered to any persons or classes of persons, other than the underwriters, naming them or specifying the class. A variation in price may be proposed prior to the date of the public offering of the security, but the Commission shall immediately be notified of such variation;

(17) all commissions or discounts paid or to be paid, directly or indirectly, by the issuer to the underwriters in respect of the sale of the security to be offered. Commissions shall include all cash, securities, contracts, or anything else of value, paid, to be set aside, disposed of, or understandings with or for the benefit of any other persons in which any underwriter is interested, made, in connection with the sale of such security. A commission paid or to be paid in connection with the sale of such security by a person in which the issuer has an interest or which is controlled or directed by, or under common control with, the issuer shall be deemed to have been paid by the issuer. Where any such commission is paid, the amount of such commission paid to each underwriter shall be stated;

(18) the amount or estimated amounts, itemized in reasonable detail, of expenses, other than commissions specified in paragraph (17) of this schedule, incurred or borne by or for the account of the issuer in connection with the sale of the security to be offered or properly chargeable thereto, including legal, engineering, certification, authentication, and other charges;

(19) the net proceeds derived from any security sold by the issuer during the two years preceding the filing of the registration statement, the price at which such security was offered to the public, and the names of the principal underwriters of such security;

(20) any amount paid within two years preceding the filing of the registration statement or intended to be paid to any promotor and the consideration for any such payment;

(21) the names and addresses of the vendors and the purchase price of any property, or good will, acquired or to be acquired, not in the ordinary course of business, which is to be defrayed in whole or in part from the proceeds of the security to be offered, the amount of any commission payable to any person in connection with such acquisition, and the name or names of such person or persons, together with any expense incurred or to be incurred in connection with such acquisition, including the cost of borrowing money to finance such acquisition;

(22) full particulars of the nature and extent of the interest, if any, of every director, principal executive officer, and of every stockholder holding more than 10 per centum of any class of stock or more than 10 per centum in the aggregate of the stock of the issuer, in any property acquired, not in the ordinary course of business of the issuer, within two years preceding the filing of the registration statement or proposed to be acquired at such date;

(23) the names and addresses of counsel who have passed on the legality of the issue;

(24) dates of and parties to, and the general effect concisely stated of every material contract made, not in the ordinary course of business, which contract is to be executed in whole or in part at or after the filing of the registration statement or which contract has been made not more than two years before such filing. Any management contract or contract providing for special bonuses or profit-sharing arrangements, and every material patent or contract for a material patent right, and every contract by or with a public utility company or an affiliate thereof, providing for the giving or receiving of technical or financial advice or service (if such contract may involve a charge to any party thereto at a rate in excess of $2,500 per year in cash or securities or anything else of value), shall be deemed a material contract;

(25) a balance sheet as of a date not more than ninety days prior to the date of the filing of the registration statement showing all of the assets of the issuer, the nature and cost thereof, whenever determinable, in such detail and in such form as the commission shall prescribe (with intangible items segregated), including any loan in excess of $20,000 to any officer, director, stockholder or person directly or indirectly controlling or controlled by the issuer, or person under direct or indirect common control with the issuer. All the liabilities of the issuer in such detail and such form as the commission shall prescribe, including surplus of the issuer showing how and from what sources such surplus was created, all as of a date not more than ninety days prior to the filing of the registration statement. If such statement be not certified by an independent public or certified accountant, in addition to the balance sheet required to be submitted under this schedule, a similar detailed balance sheet of the assets and liabilities of the issuer, certified by an independent public or certified accountant, of a date not more than one year prior to the filing of the registration statement, shall be submitted;

(26) a profit and loss statement of the issuer showing earnings and income, the nature and source thereof, and the expenses and fixed charges in such detail and such form as the commission shall prescribe for the latest fiscal year for which such statement is available and for the two preceding fiscal years, year by year, or, if such issuer has been in actual business for less than three years, then for such time as the issuer has been in actual business, year by year. If the date of the filing of the registration statement is more than six months after the close of the last fiscal year, a statement from such closing date to the latest practicable date. Such statement shall show what the practice of the issuer has been during the three years or lesser period as to the character of the charges, dividends or other distributions made against its various surplus accounts, and as to depreciation, depletion, and maintenance charges, in such detail and form as the commission shall prescribe, and if stock dividends or avails from the sale of rights have been credited to income, they shall be shown separately with a statement of the basis upon which the credit is computed. Such statement shall also differentiate between any recurring and nonrecurring income and between any investment and operating income. Such statement shall be certified by an independent public or certified accountant;

(27) if the proceeds, or any part of the proceeds, of the security to be issued is to be applied directly or indirectly to the purchase of any business, a profit and loss statement of such business certified by an independent public or certified accountant, meeting the requirements of paragraph (26) of this schedule, for the three preceding fiscal years, together with a balance sheet, similarly certified, of such business, meeting the requirements of paragraph (25) of this schedule of a date not more than ninety days prior to the filing of the registration statement or at the date such business was acquired by the issuer if the business was acquired by the issuer more than ninety days prior to the filing of the registration statement;

(28) a copy of any agreement or agreements (or, if identic agreements are used, the forms thereof) made with any underwriter, including all contracts and agreements referred to in paragraph (17) of this schedule;

(29) a copy of the opinion or opinions of counsel in respect to the legality of the issue, with a translation of such opinion, when necessary, into the English language;

(30) a copy of all material contracts referred to in paragraph (24) of this schedule, but no disclosure shall be re-

quired of any portion of any such contract if the Commission determines that disclosure of such portion would impair the value of the contract and would not be necessary for the protection of investors;

(31) unless previously filed and registered under the provisions of this title, and brought up to date, (a) a copy of its articles of incorporation, with all amendments thereof and of its existing bylaws or instruments corresponding thereto, whatever the name, if the issuer be a corporation; (b) copy of all instruments by which the trust is created or declared, if the issuer is a trust; (c) a copy of its articles of partnership or association and all other papers pertaining to its organization, if the issuer is a partnership, unincorporated association, joint-stock company, or any other form of organization; and

(32) a copy of the underlying agreements or indentures affecting any stock, bonds, or debentures offered or to be offered.

In case of certificates of deposit, voting trust certificates, collateral trust certificates, certificates of interest or shares in unincorporated investment trusts, equipment trust certificates, interim or other receipts for certificates, and like securities, the Commission shall establish rules and regulations requiring the submission of information of a like character applicable to such cases, together with such other information as it may deem appropriate and necessary regarding the character, financial or otherwise, of the actual issuer of the securities and/or the person performing the acts and assuming the duties of depositor or manager.

Schedule B

(1) Name of borrowing government or subdivision thereof;

(2) specific purposes in detail and the approximate amounts to be devoted to such purposes, so far as determinable, for which the security to be offered is to supply funds, and if the funds are to be raised in part from other sources, the amounts thereof and the sources thereof, shall be stated;

(3) the amount of the funded debt and the estimated amount of the floating debt outstanding and to be created by the security to be offered, excluding intergovernmental debt, and a brief description of the date, maturity, character of such debt, rate of interest, character of amortization provisions, and the security if any, therefor. If substitution of any security is permissible, a statement of the conditions under which such substitution is permitted. If substitution is permissible without notice, a specific statement to that effect;

(4) whether or not the issuer or its predecessor has, within a period of twenty years prior to the filing of the registration statement, defaulted on the principal or interest of any external security, excluding intergovernmental debt, and, if so, the date, amount, and circumstances of such default, and the terms of the succeeding arrangement, if any;

(5) the receipts, classified by source, and the expenditures, classified by purpose, in such detail and form as the Commission shall prescribe for the latest fiscal year for which such information is available and the two preceding fiscal years, year by year;

(6) the names and addresses of the underwriters;

(7) the name and address of its authorized agent, if any, in the United States;

(8) the estimated net proceeds to be derived from the sale in the United States of the security to be offered;

(9) the price at which it is proposed that the security shall be offered in the United States to the public or the method by which such price is computed. A variation in price may be proposed prior to the date of the public offering of the security, but the Commission shall immediately be notified of such variation;

(10) all commissions paid or to be paid, directly or indirectly, by the issuer to the underwriters in respect of the sale of the security to be offered. Commissions shall include all cash, securities, contracts, or anything else of value, paid, to be set aside, disposed of, or understandings with or for the benefit of any other persons in which the underwriter is interested, made, in connection with the sale of such security. Where any such commission is paid, the amount of such commission paid to each underwriter shall be stated;

(11) the amount or estimated amounts, itemized in reasonable detail, of expenses, other than the commissions specified in paragraph (10) of this schedule, incurred or borne by or for the account of the issuer in connection with the sale of the security to be offered or properly chargeable thereto, including legal, engineering, certification, and other charges;

(12) the names and addresses of counsel who have passed upon the legality of the issue;

(13) a copy of any agreement or agreements made with any underwriter governing the sale of the security within the United States; and

(14) an agreement of the issuer to furnish a copy of the opinion or opinions of counsel in respect to the legality of the issue, with a translation, where necessary, into the English language. Such opinion shall set out in full all laws, decrees, ordinances, or other acts of Government under which the issue of such security has been authorized.

Title II

Section 201. For the purpose of protecting, conserving, and advancing the interests of the holders of foreign securities in default, there is hereby created a body corporate with the name "Corporation of Foreign Security Holders" (herein called the "Corporation"). The principal office of the Corporation shall be located in the District of Columbia, but there may be established agencies or branch offices in any city or cities of the United States under rules and regulations prescribed by the board of directors.

Sec. 202. The control and management of the Corporation shall be vested in a board of six directors, who shall be appointed and hold office in the following manner: As soon as practicable after the date this act takes effect the Federal Trade Commission (hereinafter in this title called "Commission") shall appoint six directors, and shall designate a chairman and a vice chairman from among their number. After the directors designated as chairman and vice chairman cease to be directors, their successors as chairman and vice chairman shall be elected by the board of directors itself. Of the directors first appointed, two shall continue in office for a term of two years, two for a term of four years, and two for a term of six years, from the date this act takes effect, the term of each to be designated by the Commission at the time of appointment. Their successors shall be appointed by the Commission, each for a term of six years from the date of the expiration of the term for which his predecessor was appointed, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of such predecessor. No person shall be eligible to serve as a director who within the five years preceding has had any interest, direct or indirect, in any corporation, company, partnership, bank, or association which has sold, or offered for sale, any foreign securities. The office of a director shall be vacated if the board of directors shall at a meeting specially convened for that purpose by resolution passed by a majority of at least two thirds of the board of directors, remove such member from office, provided that the member whom it is proposed to remove shall have seven days' notice sent to him of such meeting and that he may be heard.

Sec. 203. The Corporation shall have power to adopt, alter, and use a corporate seal; to make contracts; to lease such real estate as may be necessary for the transaction of its business; to sue and be sued, to complain and to defend, in any court of competent jurisdiction, State or Federal; to require from trustees, financial agents, or dealers in foreign securities information relative to the original or present holders of foreign securities and such other information as may be required and to issue subpenas therefor; to take over the functions of any fiscal and paying agents of any foreign securities in default; to borrow money for the purposes of this title, and to pledge as collateral for such loans any securities deposited with the Corporation pursuant to this title; by and with the consent and approval of the Commission to select, employ, and fix the compensation of officers, directors, members of committees, employees, attorneys, and agents of the Corporation, without regard to the provisions of other laws applicable to the employment and compensation of officers or employees of the United States; to define their authority and duties, require bonds of them and fix the penalties thereof, and to dismiss at pleasure such officers, employees, attorneys, and agents; and to prescribe, amend, and repeal, by its board of directors, bylaws, rules, and regulations governing the manner in which its general business may be conducted and the powers granted to it by law may be exercised and enjoyed, together with provisions for such committees and the functions thereof as the board of directors may deem necessary for facilitating its business under this title. The board of directors of the Corporation shall determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid.

Sec. 204. The board of directors may—

(1) Convene meetings of holders of foreign securities.

(2) Invite the deposit and undertake the custody of foreign securities which have defaulted in the payment either of principal or interest, and issue receipts or certificates in the place of securities so deposited.

(3) Appoint committees from the directors of the Corporation and/or all other persons to represent holders of any class or classes of foreign securities which have defaulted in the payment either of principal or interest and determine and regulate the functions of such committees. The chairman and vice chairman of the board of directors shall be ex officio chairman and vice chairman of each committee.

(4) Negotiate and carry out, or assist in negotiating and carrying out arrangements for the resumption of payments due or in arrears in respect of any foreign securities in default or for rearranging the terms on which such securities may in future be held or for converting and exchanging the same for new securities or for any other object in relation thereto; and under this paragraph any plan or agreement made with respect to such securities shall be binding upon depositors, providing that the consent of holders resident in the United States of sixty per centum of the securities deposited with the Corporation shall be obtained.

(5) Undertake, superintend, or take part in the collection, and application of funds derived from foreign securities which come into the possession of or under the control or management of the Corporation.

(6) Collect, preserve, publish, circulate, and render available in readily accessible form, when deemed essential or necessary, documents, statistics, reports, and information of all kinds in respect of foreign securities, including particularly records of foreign external securities in default and records of the progress made toward the payment of past-due obligations.

(7) Take such steps as it may deem expedient with the view of securing the adoption of clear and simple forms of foreign securities and just and sound principles in the conditions and terms thereof.

(8) Generally, act in the name and on behalf of the holders of foreign securities the care or representation of whose interests may be entrusted to the Corporation; conserve and protect the rights and interests of holders of foreign securities issued, sold, or owned in the United States; adopt measures for the protection, vindication, and preservation or reservation of the rights and interests of holders of foreign securities either on any default in or on breach or contemplated breach of the conditions on which such foreign securities may have been issued, or otherwise; obtain for such holders such legal and other assistance and advice as the board of directors may deem expedient; and do all such other things as are incident or conducive to the attainment of the above objects.

Sec. 205. The board of directors shall cause accounts to be kept of all matters relating to or connected with the transactions and business of the Corporation, and cause a general account and balance sheet of the Corporation to be made out in each year, and cause all accounts to be audited by one or more auditors who shall examine the same and report thereon to the board of directors.

Sec. 206. The Corporation shall make, print, and make public an annual report of its operations during each year, send a copy thereof, together with a copy of the account and balance sheet and auditor's report, to the Commission and to both Houses of Congress, and provide one copy of such report but not more than one on the application of any person and on receipt of a sum not exceeding $1: Provided, That the board of directors in its discretion may distribute copies gratuitously.

Sec. 207. The Corporation may in its discretion levy charges, assessed on a pro rata basis, on the holders of foreign securities deposited with it: Provided, That any charge levied at the time of depositing securities with the Corporation shall not exceed one fifth of 1 per centum of the face value of such securities: Provided further, That any additional charges shall bear a close relationship to the cost of operations and negotiations including those enumerated in sections 203 and 204 and shall not exceed 1 per centum of the face value of such securities.

Sec. 208. The Corporation may receive subscriptions from any person, foundation with a public purpose, or agency of the United States Government, and such subscriptions may, in the discretion of the board of directors, be treated as loans repayable when and as the board of directors shall determine.

Sec. 209. The Reconstruction Finance Corporation is hereby authorized to loan out of its funds not to exceed $75,000 for the use of the Corporation.

Sec. 210. Notwithstanding the foregoing provisions of this title, it shall be unlawful for, and nothing in this title shall be taken or construed as permitting or authorizing, the Corporation in this title created, or any committee of said Corporation, or any person or persons acting for or representing or purporting to represent it—

(a) to claim or assert or pretend to be acting for or to represent the Department of State or the United States Government;

(b) to make any statements or representations of any kind to any foreign government or its officials or the officials of any political subdivision of any foreign government that said Corporation or any committee thereof or any individual or individuals connected therewith were speaking or acting for the said Department of State or the United States Government; or

(c) to do any act directly or indirectly which would interfere with or obstruct or hinder or which might be calculated to obstruct, hinder or interfere with the policy or policies of the said Department of State or the Government of the United States or any pending or contemplated diplomatic negotiations, arrangements, business or exchanges between the Government of the United States or said Department of State and any foreign government or any political subdivision thereof.

Sec. 211. This title shall not take effect until the President finds that its taking effect is in the public interest and by proclamation so declares.

Sec. 212. This title may be cited as the "Corporation of Foreign Bondholders Act, 1933."

And the Senate agree to the same.

DUNCAN U. FLETCHER,
CARTER GLASS,
ROBERT F. WAGNER,
Managers on the part of the Senate.

SAM RAYBURN,
GEO. HUDDLESTON,
CLARENCE LEA,
JAMES S. PARKER,
CARL E. MAPES,
Managers on the part of the House.

Ordered, That the report lie on the table.

PROTECTION OF GOVERNMENT RECORDS

The Vice President laid before the Senate the message heretofore received from the House of Representatives, an-

nouncing its disagreement to the amendment of the Senate to the bill (H.R. 4220) for the protection of Government records, and asking a conference with the Senate thereon.

On motion by Mr. Robinson of Arkansas,

Resolved, That the Senate insist upon its amendment to the said bill, disagreed to by the House of Representatives and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Pittman, Mr. Robinson of Arkansas, and Mr. Borah.

Ordered, That the Secretary notify the House of Representatives thereof.

BANKING REFORMS

The Senate resumed the consideration of the bill (S. 1631) to provide for the safer and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes.

The question being on agreeing to the amendment heretofore proposed by Mr. Vandenberg, inserting on page 45, after line 3, a new section relating to guarantee of bank deposits,

Mr. Vandenberg modified his proposed amendment.

INSTRUCTION OF POSHENG YEN AT MILITARY ACADEMY

On motion by Mr. Sheppard, and by unanimous consent,

The Senate proceeded to consider the joint resolution (S.J.Res. 48) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said joint resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

TOLL BRIDGE ACROSS MISSOURI RIVER

On motion by Mr. McGILL, and by unanimous consent,

The Senate proceeded to consider the joint resolution (H.J.Res. 159) granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll bridge across the Missouri River from a point in Platte County, Mo., to a point at or near Kansas City, in Wyandotte County, Kans., and specifying the conditions thereof; and no amendment being made,

Ordered, That it pass to a third reading.

The said joint resolution was read the third time.

Resolved, That it pass, and that the preamble thereto be agreed to.

Ordered, That the Secretary notify the House of Representatives thereof.

EXECUTIVE SESSION

On motion by Mr. ROBINSON of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. ROBINSON of Arkansas, at 6 o'clock and 5 minutes p.m.,

The Senate, as in legislative session, took a recess until the conclusion of the Louderback impeachment proceedings on tomorrow.

AT 3 O'CLOCK AND 30 MINUTES P. M. (CALENDAR DAY, TUESDAY, MAY 23, 1933)

The Louderback impeachment proceedings for to-day having been concluded,

The Senate, pursuant to its order of yesterday, resumed its legislative session.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Monday, May 15, to Saturday, May 20, 1933, inclusive, was approved.

RATIFICATION OF CHILD-LABOR AMENDMENT TO THE CONSTITUTION

The Vice President laid before the Senate a concurrent resolution of the Legislature of the State of New Hampshire, ratifying the so-called child-labor amendment to the Constitution.

Ordered, That it lie on the table.

PETITIONS

The Vice President laid before the Senate resolutions adopted by the Commissioners Court of Van Zandt County and the Center Chamber of Commerce, of Center, in the State of Texas, praying the inclusion in any program for public works construction of highway construction; which were referred to the Committee on Finance.

Mr. Lewis presented a petition of Edward T. Lee, of Chicago, Ill., praying for the abolishment of railroad grade crossings; which was referred to the Committee on Interstate Commerce.

Mr. McCarran presented resolutions adopted at a meeting of the Elko (Nev.) Chamber of Commerce with representatives of the Eastern Nevada Woolgrowers Association and the Nevada Livestock Association, with recommendations for the consolidation of loan agencies of the Government and prompt action on applications for loans for the relief of the livestock industry; which were referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES

Mr. Sheppard, by unanimous consent, from the Committee on Commerce, to whom was referred the bill (S. 1564) to revive and reenact the act entitled "An act authorizing the Great Falls Bridge Co. to construct, maintain, and operate a bridge across the Potomac River at or near Great Falls," approved April 21, 1928, reported it with an amendment and submitted a report (No. 89) thereon.

Mr. Bulkley, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (S. 1648) to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations, reported it with amendments and submitted a report (No. 90) thereon.

Mr. Bulkley, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the bill (H.R. 5240) to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes, reported it with an amendment and submitted a report (No. 91) thereon.

CHANGE OF REFERENCE

On motion by Mr. Capper, and by unanimous consent,

Ordered, That the Committee on Interstate Commerce be discharged from the further consideration of the bill (S. 1736) to preserve and protect the correlative rights of the oil-producing States, to assist them in the proper enforcement of their oil-conservation laws, to assure the conservation of crude petroleum and natural gas and to preserve the same as national resources, and to regulate the transportation and sale in interstate and foreign commerce of natural gas, crude petroleum, and the products thereof to prevent waste in the production, marketing, and use of such natural gas and petroleum; to invest the Secretary of the Interior with power to carry out this act, and for other purposes, and that it be referred to the Committee on Finance.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Pope:

A bill (S. 1750) to broaden the lending powers of the Reconstruction Finance Corporation to include apiarians; to the Committee on Banking and Currency.

A bill (S. 1751) to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. Byrd:

A bill (S. 1752) to extend certain letters patent to the Stark Car-Coupler Corporation; to the Committee on Patents.

By Mr. Bulkley:

A bill (S. 1753) for the relief of Marcella Leahy McNerney; to the Committee on Foreign Relations.

By Mr. Dickinson:

A bill (S. 1754) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near New Boston, Ill.; to the Committee on Commerce.

CONFERRING OF DEGREES UPON NAVAL ACADEMY GRADUATES

On motion by Mr. Trammell, and by unanimous consent,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval Academy; and

After debate,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

CONSIDERATION OF CALENDAR

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the Senate proceed to the consideration of unobjected bills on the calendar, subject to the 5-minute limitation on debate.

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Black in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The Senate proceeded to consider the following bills; and no amendment was made:

S. 1514. A bill authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss.;

S. 813. A bill to remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit;

S. 1518. A bill providing for waiver of prosecution by indictment in certain criminal proceedings;

S. 1634. A bill to provide for the redemption of national-bank notes, Federal Reserve bank notes, and Federal Reserve notes which cannot be identified as to the bank of issue;

S. 1587. A bill to amend an act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, as amended, by including Roger P. Ames among those honored by said act;

S. 1548. A bill for the relief of Harry Flanery;

S. 1562. A bill granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct a bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del.;

S. 860. A bill for the relief of George W. Edgerly;

S. 1129. A bill to amend sections 361, 392, 406, 407, 408, 409, 410, 411, and 412 of title 46 of the United States Code relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof;

S. 284. A bill authorizing the conveyance of certain lands to School District Numbered 28, Deschutes County, Oreg.;

S. 1727. A bill for the relief of Earl A. Ross;

S. 1728. A bill for the relief of Frank P. Ross; and

S. 1724. A bill authorizing the reimbursement of Edward B. Wheeler and the State Investment Co. for the loss of certain lands in the Mora Grant, New Mexico.

Ordered, That the bills be engrossed and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the following bills; and the reported amendments were agreed to:

S. 879. A bill for the relief of Howell K. Stephens; and

S. 1581. A bill to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, etc.

Ordered, That the bills be engrossed and read a third time.

The said bills were read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the following bills; and no amendment was made:

H.R. 5152. An act granting the consent of Congress to the State Highway Commission of Virginia to replace and maintain a bridge across Northwest River in Norfolk County, Va., on State Highway Route No. 27;

H.R. 5173. An act granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed to replace a weak structure in the same location, across the Staunton and Dan Rivers, in Mecklenburg County, Va., on United States Route No. 15; and

H.R. 5476. An act to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.

Ordered, That they pass to a third reading.

The said bills were severally read the third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the resolution (S.Res. 76) to investigate conditions respecting the sale and distribution of dairy products in the District of Columbia; and

Resolved, That the Senate agree to the said resolution and to the preamble thereto.

The Senate proceeded to consider the resolution (S.Res. 82) authorizing a further expenditure in connection with the impeachment trial of Judge Harold Louderback; and

Resolved, That the Senate agree thereto.

The bill (S. 691) to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the act approved June 7, 1924, in certain respects, having been reached,

The Senate, by unanimous consent, proceeded to consider the bill (H.R. 4014) of an identical title; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Ordered, by unanimous consent, That the bill S. 691 be postponed indefinitely.

SALE OF INVESTMENT SECURITIES

Mr. Fletcher submitted a request for unanimous consent that the Senate proceed to the consideration of the report of the committee of conference upon the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5480) to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes; and

He raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Black in the Chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The Senate proceeded, by unanimous consent, to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

BRIDGE ACROSS THE POTOMAC RIVER AT GREAT FALLS

On motion by Mr. Sheppard, and by unanimous consent,

The Senate proceeded to consider the bill (S. 1564) to revive and reenact the act entitled "An act authorizing the Great Falls Bridge Co. to construct, maintain, and operate a bridge across the Potomac River at or near Great Falls", approved April 21, 1928; and the reported amendment having been agreed to,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That is pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

DIRECTORS OF WASHINGTON HOME FOR FOUNDLINGS

On motion by Mr. King, and by unanimous consent,

Ordered, That the Committee on the District of Columbia be discharged from the further consideration of the bill (S. 1659) to authorize an increase in the number of directors of the Washington Home for Foundlings.

The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. King, at 5 o'clock and 23 minutes p.m.,

The Senate, as in legislative session, took a recess until the conclusion of the Louderback impeachment proceedings on tomorrow.

AT 6 O'CLOCK AND 5 MINUTES P.M. (CALENDAR DAY, WEDNESDAY, MAY 24, 1933)

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, having adjourned sine die,

The Senate, pursuant to its order of yesterday, resumed its legislative session.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 5661) to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes, in which it requests the concurrence of the Senate.

The Speaker of the House having signed six enrolled bills, viz, S. 753, H.R. 4014, H.R. 5152, H.R. 5173, H.R. 5476, and H.R. 5480, and an enrolled joint resolution, viz, H.J.Res. 159, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills and joint resolutions:

S. 753. An act to confer the degree of bachelor of science upon graduates of the Naval, the Military, and the Coast Guard Academies;

H.R. 4014. An act to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the act approved June 7, 1924, in certain respects;

H.R. 5152. An act granting the consent of Congress to the State Highway Commission of Virginia to replace and maintain a bridge across Northwest River in Norfolk County, Va., on State Highway Route No. 27;

H.R. 5173. An act granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed to replace a weak structure in the same location, across the Stauton and Dan Rivers, in Mecklenburg County, Va., on United States Route No. 15;

H.R. 5476. An act to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.;

H.R. 5480. An act to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes; and

H.J.Res. 159. Joint resolution granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll bridge across the Missouri River from a point in Platte County, Mo., to a point at or near Kansas City, in Wyandotte County, Kans., and specifying the conditions thereof.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

PETITIONS AND MEMORIAL

The Vice President laid before the Senate the following petitions and memorial, which were referred as indicated:

A resolution adopted at Washington, D.C., by the Veterans National Rank and File Convention, demanding immediate cash payment of adjusted-service certificates, postponement of the enforcement of the Economy Act until the next session of Congress, immediate adequate cash relief for and moratorium on all debts and foreclosures on homes and belongings of workers and small farmers, protection of small depositors, without discrimination as to race, color, nationality, or creed, and full Federal insurance against unemployment for all;

A resolution adopted by the World Trade League of the United States, of New York City, urging the delegation by Congress to the President of full powers to negotiate and conclude reciprocal tariff arrangements between the United States and other nations; and

Resolutions adopted by the Commissioners Court of Brooks County and the Kiwanis Club of Tulia, in the State of Texas, favoring the inclusion of highway construction in any program for public-works construction; to the Committee on Finance.

A petition of G. H. Nickihoff, of Bogalusa, La., praying an investigation of acts and conduct of Senator Huey P. Long; and

A communication from J. A. McCulgan, of Huntington, W.Va., relative to George I. Neal, an aspirant for appointment as United States attorney for the southern district of West Virginia; to the Committee on the Judiciary.

Mr. Overton presented a copy of a telegram from the State Department of Disabled American Veterans, of New Iberia, La., requesting Congress to carefully review the new regulations and schedule affecting service-connected veterans compensation; which was referred to the Committee on Finance.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

Memorials of citizens of the State of New York remonstrating against the alleged mistreatment of Jews in Germany; and

A resolution adopted by the Holy Name Society of St. Xaviers Roman Catholic Church, of Brooklyn, N.Y., remonstrating against the recognition by the United States Government of Soviet Russia; to the Committee on Foreign Relations.

A resolution adopted by the Warehousemen's Association of the Port of New York, Inc., of New York City, remonstrating against the enactment of legislation placing a definite limit on the working hours of any day; to the Committee on the Judiciary.

Resolutions adopted by Shawangenk Council, No. 33, of the Sons and Daughters of Liberty, of Harriman, and Stars and Stripes Council, No. 32, of the same organization, of Islip, in the State of New York, favoring the enactment of legislation fixing a quota on the admission into the United States of alien immigrants; and

A resolution adopted by the Women's Good Government Club, of Lynbrook, N.Y., remonstrating against the enactment of legislation removing limitations on immigration; to the Committee on Immigration.

A resolution adopted by Tioughnioga Post, No. 2354, Veterans of Foreign Wars of the United States, of Cortland, N.Y., favoring the continuance of military training in high schools and colleges; to the Committee on Military Affairs.

Mr. Copeland presented the following petitions and memorial:

A resolution adopted by Bison City Lodge, No. 922, Brotherhood of Railway Clerks, of Buffalo, N.Y., and a petition of citizens of New York City, praying amendments to proposed legislation providing for the reorganization and coordination of railroads, as proposed by the Railway Labor Executives' Association; and

A resolution adopted by the American Exporters' and Importers' Association board of directors, of New York City, remonstrating against the ratification of the Great Lakes-St. Lawrence deep waterway treaty with Canada.

Ordered, That they lie on the table.

REPORTS OF COMMITTEES

Mr. Trammell, by unanimous consent, from the Committee on Naval Affairs, to whom were referred the following bills, reported them each without amendment and submitted reports thereon, as follows:

S. 1103. A bill to authorize the Secretary of the Navy to proceed with certain public works at the naval air station, Pensacola, Fla. (Rept. No. 92); and

S. 1104. A bill to authorize the Secretary of the Navy to proceed with certain public works at the naval air station, Pensacola (Corry Field), Fla. (Rept. No. 93).

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses, to whom was referred the resolution (S.Res. 70) continuing Senate Resolution 56, providing for an investigation of banking operations and sales of securities, and increasing the limit of expenditures therefor, reported it with an amendment.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Neely:

A bill (S. 1755) for the relief of Albert Kimble; and

A bill (S. 1756) for the relief of William K. Snodgrass; to the Committee on Military Affairs.

By Mr. Tydings:

A bill (S. 1757) to amend an act entitled "An act to incorporate the Mount Olivet Cemetery Co. in the District of Columbia"; to the Committee on the District of Columbia.

My Mr. Fletcher:

A bill (S. 1758) for the relief of B. E. Dyson, former United States marshal, southern district of Florida; to the Committee on Claims.

By Mr. McNary:

A bill (S. 1759) granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith; to the Committee on Commerce.

By Mr. Copeland:

A bill (S. 1760) for the relief of the Snare & Triest Co. now Frederick Snare Corporation; and

A bill (S. 1761) for the relief of the Globe Shipping Co., Inc.,, of New York, N.Y. (successors of the Globe Shipping Co.); to the Committee on Claims.

A bill (S. 1762) granting a pension to Margaret Nicholson; to the Committee on Pensions.

REFINANCING OF GOVERNMENT BONDS

Mr. Bone, by unanimous consent, submitted the following resolution (S.Res. 85):

Whereas the Government of the United States finds it necessary to undertake a program of public works in order to afford employment for its unemployed citizens, and current revenues are insufficient to provide adequate funds for this program; and

Whereas great sums of money are being paid to the holders of war-time and other Government obligations to maintain a rate of interest in excess of that now justified by the credit of the Government of the United States of America; and

Whereas the British treasury has successfully converted its war-time obligations from a rate approximating 5 percent per annum to a rate of less than 3½ percent per annum, effecting a saving of $38,000,000 a year by an appeal for voluntary reduction in interest paid to the holders of its bonds; and

Whereas the French treasury, by appeal to the patriotism of the French bondholders, also succeeded in bringing about a substantial reduction in the interest rate on its outstanding obligations; and

Whereas the Government of the United States has demonstrated its ability to borrow at less than the present average price of its outstanding obligations, particularly war-time obligations; and

Whereas an appeal to patriotic holders of Government obligations, particularly war-time obligations, to convert their bonds into new bonds bearing a lower and more equitable yield would, if successful, tend to equalize the burden which must be borne by all sections of the country in the hour of national difficulty; and

Whereas practically all other elements of the country, excepting only the creditors of the Government of the United States, have either been called upon or compelled to contribute toward the maintenance of the national credit; and

Whereas reduction of the interest burden would strengthen the national credit and greatly increase the borrowing power of the Government of the United States; and

Whereas the Government of the United States is faced with the immediate necessity of finding additional sources of revenue with which to pay interest on expenditures made necessary by the national emergency; and

Whereas many of the holders of Government obligations pay no taxes on the income derived from these obligations; and

Whereas creditors of the Government of the United States have generally been insistent upon rigid national economy, not, however, including reduction in interest on Government obligations; and

Whereas such a reduction is consistent with a program of national economy and with prevailing prices for Government money: Therefore be it

Resolved, That the Senate of the United States request, and it hereby does request, the Secretary of the Treasury of the United States to call immediately upon holders of United States Government bonds, particularly those issued to finance the World War, to exchange their bonds for new bonds of an issue to be known as the new Liberty Loan of 1933, and bearing a lower rate of interest, which would effect a saving as nearly as possible sufficient to service such additional loans as may be made necessary by the pending public-works program, and by such other emergency needs of the Government as the President may see fit to prescribe, such conversion loan to bear interest, however, at a rate not less than the rate paid to depositors in United States Postal Savings banks.

Ordered, That the resolution lie on the table.

RECESS

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 8 minutes p.m.,

The Senate took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, MAY 25, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

ORIGINAL COURT PAPERS IN LOUDERBACK IMPEACHMENT CASE

Ordered, by unanimous consent, that the Secretary of the Senate be, and he is hereby, directed to return to the clerk of the United States District Court for the Northern District of California the original papers filed in said court which were offered in evidence during the proceedings of the Senate sitting for the trial of the impeachment of Harold Louderback, judge of the court aforesaid.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies, with amendments, in which it requests the concurrence of the Senate.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5390) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes; it has receded from its its disagreement to the amendments of the Senate numbered 1 and 7 to the said bill; and it has receded from its disagreement to the amendments of the Senate numbered 2 and 14 to the said bill and agreed to each thereof with an amendment, in which it requests the concurrence of the Senate.

DEFICIENCY APPROPRIATIONS

The Vice President laid before the Senate the message this day received from the House of Representatives, announcing its action on certain amendments of the Senate to the bill (H.R. 5390) making appropriations to supply deficiencies in certain appropraitions for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes.

On motion by Mr. Bratton,

Resolved, That the Senate agree to the amendments of the House of Representatives to the amendments of the Senate numbered 2 and 14, respectively, to the said bill.

Ordered, That the Secretary notify the House of Representatives thereof.

RATIFICATION OF CHILD-LABOR AMENDMENT TO CONSTITUTION

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Washington, ratifying the so-called child-labor amendment to the Constitution.

Ordered, That it lie on the table.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, memorials, etc., which were referred as indicated:

A resolution adopted at Washington, D.C., by a conference of mayors of 50 of the largest cities of the United States, favoring the enactment of legislation authorizing the Reconstruction Finance Corporation to purchase or make loans upon tax anticipation or tax delinquency certificates or notes of municipalities;

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to enact legislation for the immediate payment in cash of the soldiers' bonus;

Resolutions adopted by the East Texas Division, Texas Good Roads Association, of Jacksonville, and the Lions Club, of Galveston, in the State of Texas, favoring the inclusion of highway construction in any public-works program for unemployment relief;

A resolution adopted by the East Texas Division, Texas Good Roads Association, of Jacksonville, Tex., relative to the use of funds derived from gasoline taxes for highway construction;

An interim report of the executive committee of the Chamber of Commerce of the State of New York, of New York City, remonstrating against the enactment of legislation providing for the application of normal income tax rates to income from corporation dividends and favoring in lieu a sales tax with exemptions on necessities; and

Telegrams from citizens and organizations of Allendale, S.C., remonstrating against any additional Federal tax on gasoline; to the Committee on Finance.

A plan of proposed legislation by Hugh Lee Kirby, of New York City, for the relief of present economic conditions; to the Committee on Banking and Currency.

A resolution adopted by the board of directors of the Laundry Owners National Association of the United States and Canada, of Joliet, Ill., favoring the enactment of legislation providing for cooperation between the government and established national trade associations in the rehabilitation and control of industry; to the Committee on Interstate Commerce.

A memorial of R. E. Poole, of Alexandria, La., remonstating against an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

Mr. Copeland presented a petition of Gun Hill Post, No. 271, Veterans of Foreign Wars, of Bronx, New York City, favoring consideration by Congress of hospital and domiciliary care for all deserving war veterans; which was referred to the Committee on Finance.

Mr. Copeland presented a resolution adopted by the Cleveland (Ohio) Chamber of Commerce remonstrating against the ratification of the Great Lakes-St. Lawrence Deep Waterway Treaty with Canada.

Ordered, That it lie on the table.

Mr. Barbour presented a telegram incorporating a resolution of the board of commissioners of Camden, N.J., favoring the enactment of legislation providing for loans by the Reconstruction Finance Corporation to municipalities upon estimated tax income and tax delinquencies upon tax anticipation bonds; which was referred to the Committee on Banking and Currency.

Mr. Kean presented an identical telegram, which was referred to the Committee on Banking and Currency.

Mr. Tydings presented a joint resolution of the Legislature of the State of Maryland favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciusko; which was referred to the Committee on Post Offices and Post Roads.

Mr. Kean presented telegrams from the Fidelity Union Trust Co., of Newark, the First National Bank of Jersey City, and the Asbury Park National Bank & Trust Co., of Asbury Park, in the State of New Jersey, remonstrating against the enactment of legislation providing for the guaranty of bank deposits; which were referred to the Committee on Banking and Currency.

PAPERS REFERRED

Papers in the cases hereinafter mentioned, to accompany bills heretofore introduced, were taken from the files and referred, under the rule, as follows:

Black Hardware Co.; H. Bluestone; Building and Loan Association; Burk W. Burns; Concrete Engineering Co.; John J. Doyle; Epstein Underwear Co.; John W. Fein; First National Bank of Billings, Mont.; Emma Gregory; Henry R. Harris; William Hensley; International Arms & Fuse Co.; First National Bank of Newton, Mass., Edwin C. Jenny, receiver; Stanley A. Jerman, receiver; Arthur N. Knofft; Charles F. Littlepage; A. H. Marshall; Richard Riggles; Edwin G. Scott, et al.; John C. Seebach; Sioux Valley Hospital, Sioux Falls Clinic and McKenna Hospital, Sioux Falls, S.Dak.; William Smith; Southern Products Co.; Benjamin and Melville Stern; John Stewart; Union Trust Co.; Marion Von Bruning; Western Electric Co.; Royce Wells; and William Zeiss, administrator of William B. Reaney; to the Committee on Claims.

Georgina Edmonds; Milton Carroll Merryman; Edward A. McGuire; Louise Ramsing; Jessica G. Roome; Lemuel T. Wilson; and Kate O'Donnell Wood; to the Committee on Pensions.

Emergency Officers Retirement Act, extending benefits of; John Hamilton; Jordan Narrows military reservation; Louis Kusnitz; Levin Milton Price; William K. Snodgrass; Lt. Col. Harry Walter Stephenson; and William Edward Tidwell; to the Committee on Military Affairs.

Charles Flanagan; unemployment, to secure certain rights for unemployed American citizens; to the Committee on Finance.

Frazer, Mont., School, to complete, homeless Indians in Montana; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES

Mr. Smith, by unanimous consent, from the Committee on Agriculture and Forestry, to whom was referred the joint resolution (S.J.Res. 54) limiting the operation of sections 109 and 113 of the Criminal Code, reported it without amendment.

Mr. Wheeler, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the resolution (S.Res. 79) authorizing an additional expenditure in connection with the general survey of Indian conditions in the United States, reported it without amendment, and submitted a report (No. 94) thereon.

Ordered, That the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. McNary:

A bill (S. 1763) for the relief of Noah C. Dugan; to the Committee on Military Affairs.

By Mr. Neely:

A bill (S. 1764) granting a pension to Ella A. Barker; to the Committee on Pensions.

By Mr. Tydings:

A bill (S. 1765) for the relief of Herbert J. Myers; to the Committee on Claims.

By Mr. Byrnes:

A bill (S. 1766) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. Johnson:

A bill (S. 1767) for the relief of the Wells Fargo Bank & Union Trust Co., successors to the Union Trust Co., of San Francisco, Calif.; to the Committee on Claims.

A bill (S. 1768) to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego; to the Committee on Naval Affairs.

By Mr. Wheeler:

A bill (S. 1769) to provide for the more efficient administration of the Indian Service, and for other purposes; to the Committee on Indian Affairs.

By Mr. Robinson of Indiana:

A bill (S. 1770) for the relief of James E. Emison; to the Committee on Military Affairs.

A bill (S. 1771) granting a pension to Effie Howard; to the Committee on Pensions.

By Mr. Wheeler:

A bill (S. 1772) for relief of the Western Montana Clinic, Missoula, Mont.; to the Committee on Indian Affairs.

By Mr. Dieterich and Mr. Lewis:

A bill (S. 1773) authorizing the State of Illinois to abandon the Illinois and Michigan Canal in Illinois, and to grant to the State of Illinois all right, title, and interest of the United States in and to the land comprising the right of way of the Illinois and Michigan Canal, as the same was routed and constructed through the public lands of the United States in the State of Illinois, pursuant to the act of Congress of the United States of March 2, 1827, and in and to the 90 feet of land on each side of said canal, vested in the State of Illinois, pursuant to the act of Congress of the United States of March 30, 1822; to the Committee on Commerce.

RENTAL PRICES IN THE DISTRICT OF COLUMBIA

Mr. Capper, by unanimous consent, submitted the following resolution (S.Res. 86), which was referred to the Committee on the District of Columbia:

Resolved, That the Public Utilities Commission of the District of Columbia is hereby directed and empowered to investigate all facts relating to the cost and character of housing in rented premises in the District of Columbia; and be it further

Resolved, That for the purpose of executing this direction the said commission may call witnesses and subpena records and accounts in the same manner as provided for the performance of the duties of the said commission with respect to public utilities; and be it further

Resolved, That the said Public Utilities Commission shall prepare a full and comprehensive report of the matters investigated under the terms of this resolution and shall transmit the same to the President of the Senate of the United States on or before January 30, 1934.

EXPENDITURES IN CASE AGAINST VICTOR SEYMOUR

Mr. Nye, by unanimous consent, submitted the following resolution (S.Res. 87), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for expenses of inquiries and investigations, contingent fund of the Senate, fiscal year 1932, to the following-named persons the amounts hereinafter mentioned for professional and other services rendered during the fiscal year 1932 in assisting the United States district attorney for Nebraska in the matter of the United States against Victor Seymour, arising from an indictment for perjury before the special committee of the Senate investigating contributions and expenditures of senatorial candidates, under authority of resolution of April 10, 1930, to wit: John Andrews, $200; William M. Day, $160; Frank Healy, $750.

INVESTIGATION OF BANKING OPERATIONS AND SECURITIES SALES

On motion by Mr. Byrnes,

The Senate proceeded to consider the resolution (S.Res. 70) continuing Senate Resolution 56, providing for an investigation of banking operations and sales of securities, and increasing the limit of expenditures therefor; and the reported amendment striking out on line 10 the sum "$25,000" and inserting in lieu thereof the sum *$20,000*, having been agreed to,

The resolution, as amended, was agreed to.

PURCHASE OF OBLIGATIONS OF INSURANCE COMPANIES

The Presiding Officer (Mr. Overton in the chair) laid before the Senate the amendments this day received from the House of Representatives for concurrence to the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies.

On motion by Mr. Fletcher,

Resolved, That the Senate disagree to the amendments of the House of Representatives to the said bill, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer appointed Mr. Fletcher, Mr. Barkley, Mr. Reynolds, Mr. Couzens, and Mr. Kean.

Ordered, That the Secretary notify the House of Representatives thereof.

BANKING REFORMS

The Senate resumed the consideration of the bill (S. 1631) to provide for the safer and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes.

The question being on agreeing to the amendment, as modified, heretofore proposed by Mr. Vandenberg, inserting on page 45, after line 3, a provision relative to insurance of bank deposits,

After debate,

The amendment was agreed to.

The reported amendments were agreed to, and the bill further amended on the motion of Mr. Glass, the motion of Mr. Bulkley, the motion of Mr. Keyes, the motion of Mr. Tydings, and the motion of Mr. McAdoo.

No further amendment being proposed,

On motion by Mr. Glass, and by unanimous consent,

The bill (H.R. 5661) to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes, yesterday received from the House of Representatives for concurrence, was read the first and second times by unanimous consent, and considered; and having been amended on the motion of Mr. Glass by striking out all after the enacting clause and inserting in lieu thereof the text of Senate bill 1631, as amended,

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

On motion by Mr. Glass,

Resolved, That the Senate insist upon its amendment to the said bill, and ask a conference with the House of Representatives thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer (Mr. Clark in the chair) appointed Mr. Glass, Mr. Bulkley, Mr. McAdoo, Mr. Walcott, and Mr. Townsend.

Ordered, That the Secretary notify the House of Representatives thereof.

Ordered, by unanimous consent, That the bill S. 1631 be postponed indefinitely.

RAILROAD EMERGENCY RELIEF

On motion by Mr. Dill,

The Senate proceeded to consider the bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, viz, H.R. 5390, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H.R. 5390) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

ABOLISHMENT OF BOARD OF INDIAN COMMISSIONERS

The Presiding Officer (Mr. Clark in the Chair) laid before the Senate the following message from the President of the United States, which was read, and referred to the Committee on Indian Affairs:

To the Congress:

Pursuant to the provisions of section 1, title III, of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, I am transmitting herewith an Executive order abolishing the Board of Indian Commissioners.

There is no necessity for the continuance of this Board, and its abolition will be in the interests of economy.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 25, 1933.*

EXECUTIVE SESSION

On motion by Mr. Kendrick,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Kendrick, at 5 o'clock and 30 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, FRIDAY, MAY 26, 1933)

The Vice President called the Senate to order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1767. An act to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego; and

H.R. 4812. An act to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes.

THE JOURNAL

On motion by Mr. Robinson of Arkansas,

The Journal of the proceedings of the calendar days of Monday, May 22, Tuesday, May 23, Wednesday, May 24, and Thursday, May 25, 1933, was approved.

QUESTION OF QUORUM

Mr. Dill raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dale, Dickinson, Dietrich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

SENATOR DESIGNATE FROM NEBRASKA

Mr. Norris presented the credentials of William H. Thompson, appointed a Senator by the Governor of the State of Nebraska to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Hon. Robert B. Howell, is filled by election as provided by law; which were read and ordered to be placed on file.

Mr. Thompson appeared, and the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

HOUSE BILL REFERRED

The bill H.R. 1767, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent, and referred to the Committee on Naval Affairs.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A resolution adopted at Albany, Ga., by the Georgia-Florida Pecan Growers Association urging a continuation of the work now being done by the Department of Agriculture on the pecan industry; to the Committee on Agriculture and Forestry.

A petition of Mrs. Betty W. Carter, of Hammond, La., praying a continuance of the investigation of the senatorial election in Louisiana in 1932; to the Committee to Audit and Control the Contingent Expenses of the Senate.

A petition of Mrs. H. C. Homeyer, of Covington, La., praying an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

A resolution adopted by the Federation of Jewish Junior Associations, of Philadelphia, Pa., remonstrating against the alleged mistreatment of Jews in Germany;

A resolution adopted at New York City by the General Court of the Order of the Founders and Patriots of America, remonstrating against the recognition by the United States Government of the Union of Soviet Socialist Republics of Russia; and

Resolutions adopted at Cincinnati, Ohio, by the Congress of the National Society of the Sons of the American Revolution remonstrating against the recognition by the United States Government of Soviet Russia and favoring the enactment of legislation to further restrict immigration and control communism; to the Committee on Foreign Relations.

A resolution adopted by the City Council of Worcester, Mass., favoring the enactment of legislation providing for the issuance of a special series of postage stamps in commemoration of Gen. Thaddeus Kosciuszko; to the Committee on Post Offices and Post Roads.

Mr. Kean presented a telegram from Stephen K. Little, Mercer County chairman Young Republicans of New Jersey, of Princeton, N.J., remonstrating against proposed increases in income taxes and favoring a small manufacturers' sales tax; which was referred to the Committee on Finance.

Mr. Walsh presented a copy of a letter from Bainbridge Colby, former Secretary of State, addressed to the national commander of the American Legion, in opposition to the recognition of Soviet Russia, and a copy of a reply, dated August 10, 1920, from Secretary of State Colby to the Ambassador of Italy responding to an inquiry as to the position of the United States regarding the Russian-Polish

situation; which were referred to the Committee on Foreign Relations.

Mr. Costigan presented a communication from the Swiss Watch Group, National Council of American Importers & Traders, Inc., of New York City, protesting against the charge of conspiracy of the Swiss watch manufacturing and importing industry with smugglers of watches; which was referred to the Committee on Finance.

Mr. Robinson of Indiana presented a memorial of citizens of the State of Indiana remonstrating against the passage of Senate bill 1580, the pending railroad emergency relief bill.

Ordered, That it lie on the table.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

A resolution adopted at New York City by the World Trade League of the United States, Inc., urging the delegation by Congress to the President of full powers to negotiate and conclude reciprocal tariff arrangements between the United States and other nations; to the Committee on Finance.

A resolution adopted by Naomi Council, No. 31, Sons and Daughters of Liberty, of Suffern, N.Y., favoring the passage of House bill 4114, fixing a definite quota for the admission of alien immigrants into the United States; to the Committee on Immigration.

A resolution adopted by Chas. E. Wescott Post, No. 173, American Legion, of Bath, N.Y., remonstrating against the passage of Senate bill 583, relating to Civil Service positions covered in the classified service by Executive order and appointments to such service without examination; to the Committee on Civil Service.

A resolution adopted by the Oelbaum Family Society, Inc., of New York City, remonstrating against the alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

Mr. Vandenberg presented a memorandum explanatory of the amendment proposed by him to Senate bill 1631, the so-called Banking Act of 1933, providing limited bank-deposit insurance for solvent banks; which was referred to the Senate conferees on the bill H.R. 5661.

OPINIONS IN LOUDERBACK IMPEACHMENT TRIAL

Under authority of an order adopted on May 24, 1933, by the Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, Mr. Bailey and Mr. Thomas of Utah, respectively, filed their opinions in writing.

REPORTS OF COMMITTEES

Mr. McNary, by unanimous consent, from the Committee on Irrigation and Reclamation, to whom was referred the bill (S. 1536) giving credit for water charges paid on damaged land, reported it with amendments and submitted a report (No. 95) thereon.

Mr. La Follette, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (H.R. 4494) authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States, reported it without amendment and submitted a report (No. 96) thereon.

Mr. Walsh, by unanimous consent, from the joint committee to investigate the operation of laws and regulations relating to relief of veterans, created under the provisions of title VII of the act approved June 30, 1932, submitted a report, which was ordered to be printed.

Mr. McKellar, by unanimous consent, from the Committee on Post Offices and Post Roads, to whom was referred the bill (S. 506) conferring upon the President the power to reduce subsidies, and for other purposes, reported it with an amendment and submitted a report (No. 97) thereon.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Hayden:

A bill (S. 1774) to provide for extension of time for making deferred payments on homestead entries in the abandoned Fort Lowell Military Reservation, Ariz.; to the Committee on Public Lands and Surveys.

By Mr. Shipstead:

A bill (S. 1775) to promote employment of adult labor by preventing interstate commerce in the products of child labor, and for other purposes; to the Committee on Education and Labor.

By Mr. Hale:

A bill (S. 1776) granting a pension to Rachel A. Bosworth (with accompanying papers); to the Committee on Pensions.

By Mr. Austin:

A bill (S. 1777) providing for an additional justice of the Court of Appeals of the District of Columbia; to the Committee on the Judiciary.

By Mr. Sheppard:

A bill (S. 1778) for the relief of David Francis Bradley; to the Committee on Military Affairs.

By Mr. Lonergan:

A bill (S. 1779) authorizing the issuance of a special postage stamp in commemoration of the three hundredth anniversary of the founding of the Colony of Connecticut; to the Committee on Post Offices and Post Roads.

By Mr. Capper:

A bill (S. 1780) to provide for the discontinuance of the use of dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes; to the Committee on the District of Columbia.

By Mr. Hebert:

A bill (S. 1781) to limit the reduction that may be made in the compensation of certain postmasters and postal employees; to the Committee on Post Offices and Post Roads.

By Mr. Goldsborough:

A bill (S. 1782) for the relief of the B. & O. Manufacturing Co.; to the Committee on Claims.

By Mr. Fletcher:

A bill (S. 1783) granting the consent of Congress to the Overseas Road and Toll Bridge District, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Fla., from Lower Matecumbe Key to No Name Key; to the Committee on Commerce.

By Mr. Thomas of Utah:

A bill (S. 1784) to amend sections 4, 5, and 6 of the act entitled "An act creating a United States Court for China, and prescribing the jurisdiction thereof", approved June 30, 1906; to the Committee on Foreign Relations.

By Mr. George:

A bill (S. 1785) to amend section 6 of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, with respect to domiciliary care and hospital treatment; to the Committee on Finance.

By Mr. Copeland:

A bill (S. 1786) for the relief of Lucille A. Abbey; to the Committee on Claims.

By Mr. Fletcher:

A joint resolution (S.J.Res. 56) to assure uniform value to the coins and currencies of the United States; to the Committee on Banking and Currency.

USE IN MOTOR FUEL OF ALCOHOL MADE FROM FARM PRODUCTS

Mr. Clark, by unanimous consent, submitted the following concurrent resolution (S.Con.Res. 4), which was referred to the Committee on Finance:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint committee to be composed of three Senators, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee is authorized and directed to make a general study and investigation of the practicability of the use in motor fuel of alcohol produced from domestic agricultural commodities, and the advantages of such use to agriculture, industry, and the public. The committee shall report to the Congress not later than the commencement of the second session of the Seventy-third Congress the results of such study and investigation, together with its recommendations for legislation, through the exercise of the taxing power or otherwise, to encourage the use of motor fuel containing such alcohol, and the effects of any such legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings in the District of Columbia and elsewhere, to sit and act at such times and places during the sessions and recesses of the Congress until the final report is submitted, to employ such clerical, stenographic, and other assistants, to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not exceed 25 cents per hundred words.

PURCHASES OF MATERIALS FOR CIVILIAN CONSERVATION CORPS

Mr. Carey, by unanimous consent, submitted the following resolution (S.Res. 88), which was referred to the Committee on Military Affairs:

Resolved, That the Committee on Military Affairs, or any duly authorized subcommittee thereof, is authorized and directed to investigate the negotiations between the Director of Emergency Conservation Work and the BeVier Corporation, a corporation organized under the laws of the State of New York, with respect to a contract proposed to be entered into between the Director and such corporation for the purchase of toilet kits to be furnished as part of the equipment of members of the Civilian Conservation Corps. The committee is also authorized, in its discretion, to investigate reports of irregularities in connection with any other purchases or proposed purchases of materials or equipment for the use of the Civilian Conservation Corps by any department, agency, or officer of the United States Government.

The committee shall report to the Senate as soon as practicable the results of its investigations together with its recommendations.

EMERGENCY RAILROAD RELIEF

The Senate resumed the consideration of the bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended.

Pending debate,

Mr. Frazier raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Nye in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

The reported amendments on page 27, line 20, and on page 28, line 16, were disagreed to, and the residue of the reported amendments agreed to.

A further amendment to the bill was proposed by Mr. Black, inserting on page 6, after line 4, a provision for a 6-hour workday for railroad employees.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 5 o'clock p.m.,

The Senate, as in legislative session, took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, SATURDAY, MAY 27, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Dill raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

PETITIONS AND MEMORIAL

The Vice President laid before the Senate the following petitions and memorial, which were referred as indicated:

A joint resolution of the Legislature of the State of Wisconsin memorializing Congress to pass House Joint Resolution 155, authorizing Congress to conscript property as well as persons in time of war; and

Petitions of citizens of the State of Louisiana praying an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

A resolution adopted by a special committee of the American Machinery and Tools Institute, of Chicago, Ill., favoring the passage of Senate bill 1712, and agreeing to cooperate with the machinery and tools industry and the Federal Government in setting up a code of fair competition for the industry;

A telegram from citizens of San Antonio, Tex., favoring action in the control of the oil industry by pipe-line divorcement, ending cut-throat transportation rates, and the protection of the producer and consumer from arbitrary prices;

A resolution adopted by the board of directors of the American Manufacturers Export Association, of New York City, favoring the delegation by Congress to the President of full powers to negotiate and conclude reciprocal tariff arrangements between the United States and other nations; and

A resolution adopted by the Commissioners Court of Lynn County, Tex., favoring the inclusion of highway construction in any program of public works construction for unemployment relief; to the Committee on Finance.

A resolution adopted by the National Society United States Daughters of 1812, State of Illinois, remonstrating against the recognition by the Government of Soviet Russia; to the Committee on Foreign Relations.

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Illinois memorializing Congress to enact legislation and make appropriations to provide for the care of mentally disabled war veterans in

State institutions under contract with the Veterans' Administration.

Ordered, That it lie on the table.

CHANGE OF REFERENCE

On motion by Mr. Trammell, and by unanimous consent,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of widows of officers and enlisted men of the United States Navy who lost their lives in the wreck of the U.S.S. *Akron* and the U.S.S. *J–3*, and that it be referred to the Committee on Pensions.

ADDRESS OF SAMUEL UNTERMYER

Mr. Shipstead presented a copy of an address of Samuel Untermyer, of New York City, before the University Club of Los Angeles, entitled "Hobson's Choice Between Government Ownership and Bankruptcy of Railroads," which was ordered to be printed as a Senate document.

REPORTS OF COMMITTEES

Mr. McCarran, by unanimous consent, from the Committee on Irrigation and Reclamation, to whom was referred the bill (S. 1738) authorizing the Reconstruction Finance Corporation to make loans to irrigation districts for certain purposes, reported it without amendment and submitted a report (No. 98) thereon.

Mr. Vandenberg, by unanimous consent, from the Committee on Foreign Relations, to whom was referred the bill (S. 696) to authorize Frank W. Mahin, retired American Foreign Service officer, to accept from Her Majesty the Queen of the Netherlands the brevet and insignia of the Royal Netherland Order of Orange Nassau, reported it without amendment.

Mr. Fletcher, by unanimous consent, from the Committee on Banking and Currency, to whom was referred the joint resolution (S.J.Res. 56) to assure uniform value to the coins and currencies of the United States, reported it without amendment and submitted a report (No. 99) thereon.

Mr. Trammell, by unanimous consent, from the Committee on Naval Affairs, to whom was referred the bill (H.R. 5012) to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy, reported it with an amendment.

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 30) authorizing the Committee on Foreign Relations to hold hearings during the Seventy-third Congress, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

Resolved, That the Senate agree thereto.

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 73) authorizing the Secretary of the Senate to provide for the preservation of old documents on file in the Senate Library, reported it with an amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution; and the reported amendment filling the blank on line 3, after the sign "$", with the numerals *1500* having been agreed to,

The resolution, as amended, was agreed to.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Copeland:

A bill (S. 1787) to provide for the prevention of blindness in infants born in the District of Columbia; to the Committee on the District of Columbia.

By Mr. Wheeler:

A bill (S. 1788) to amend section 36, part 4, of the Emergency Farm Mortgage Act of 1933; to the Committee on Banking and Currency.

By Mr. Johnson:

A bill (S. 1789) granting a pension to Mary D. Howard (with accompanying papers); to the Committee on Pensions.

By Mr. Hayden:

A bill (S. 1790) to amend the act of Congress approved June 7, 1924 (43 Stat.L. 475, 476), commonly called the San Carlos Act, and acts supplementary thereto, and for other purposes; to the Committee on Indian Affairs.

By Mr. Overton:

A bill (S. 1791) authorizing the Reconstruction Finance Corporation to make loans to levee districts for certain purposes; to the Committee on Commerce.

By Mr. Sheppard:

A bill (S. 1792) for the relief of Claude C. Martin; to the Committee on Military Affairs.

By Mr. Robinson of Indiana:

A bill (S. 1793) for the relief of James W. Emison; to the Committee on Military Affairs.

By Mr. Adams:

A bill (S. 1794) to authorize Vernon C. DeVotie, captain, United States Army, to accept a certain decoration tendered to him by the Colombian Government; to the Committee on Military Affairs.

By Mr. Black:

A bill (S. 1795) to amend the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, with respect to suits on contracts on yearly renewable term insurance; to the Committee on Finance.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives insists upon its amendments to the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or bonds and/or debentures of insurance companies, disagreed to by the Senate; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Steagall, Mr. Goldsborough, and Mr. Luce managers at the same on its part.

The House has disagreed to the amendments of the Senate to the bill (H.R. 5661) to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Steagall, Mr. Goldsborough, and Mr. Luce managers at the same on its part.

The House has passed the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes, in which it requests the concurrence of the Senate.

HOUSE BILLS REFERRED

The bills H.R. 4812 and H.R. 5755, received on yesterday and today, respectively, from the House of Representatives for concurrence, were read the first and second times by unanimous consent.

Ordered, That the bill H.R. 4812 be referred to the Committee on Agriculture and Forestry, and that the bill H.R. 5755 be referred to the Committee on Finance.

ENROLLED BILL PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on May 25, 1933, they presented to the President of the United States the enrolled bill (S. 753) to confer the degree of bachelor of science upon graduates of the Naval, Military, and the Coast Guard Academies.

EMERGENCY RAILROAD RELIEF

The Senate resumed the consideration of the bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended.

The question being on agreeing to the amendment yesterday proposed by Mr. Black, inserting on page 11, after line 3, a provision for a 6-hour workday for railroad employees,

Pending debate,

The proposed amendment was, by unanimous consent, temporarily laid aside, and subsequently withdrawn by Mr. Black.

The bill was further amended on the motion of Mr. Long, the motion of Mr. Trammell, the motion of Mr. Duffy, the motion of Mr. Norris, and the motion of Mr. Connally.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

APPROPRIATIONS FOR INDEPENDENT OFFICES

On motion by Mr. McKellar,

The Senate proceeded to consider the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

Mr. Robinson of Arkansas submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes, the following amendment, viz, at the proper place insert the following:

Section 36, Public Act No. 10, Seventy-third Congress, approved May 12, 1933, is amended to read as follows:

"Sec. 36. The Reconstruction Finance Corporation is authorized and empowered to make loans as hereinafter provided, in an aggregate amount not exceeding $50,000,000, to or for the benefit of drainage districts, levee districts, levee and drainage districts, irrigation districts, and similar districts duly organized under the laws of any State, and to or for the benefit of political subdivisions of States, which prior to the date of enactment of this act have completed projects devoted chiefly to the improvement of lands for agricultural purposes. Such loans shall be made for the purpose of enabling any such district or political subdivision (hereafter referred to as the "borrower") to reduce and refinance its outstanding indebtedness incurred in connection with any such projects, and shall be subject to the same terms and conditions as loans made under section 5 of the Reconstruction Finance Corporation Act, as amended; except that (1) the term of any such loan shall not exceed forty years; (2) each such loan shall be secured by bonds, notes, or other obligations which are a lien on the real property within the project or on the assessments, taxes or other charges imposed by the borrower pursuant to State law, or by such other collateral as may be acceptable to the Corporation; (3) the borrower shall agree not to issue during the term of the loan any other bonds so secured except with the consent of the Corporation; (4) the borrower shall agree, insofar as it lawfully may, to pay to the Corporation, until all bonds or other obligations of the borrower acquired by the Corporation are retired, an amount equal to the amount by which the assessments, taxes, and other charges collected by the borrower exceed the cost of operation and maintenance of the project and maturities of interest and principal on its outstanding obligations; and (5) the borrower shall agree, to the satisfaction of the Corporation, to reduce, insofar as it lawfully may, the annual taxes, assessments, and other charges imposed by it for or on account of the project by an amount proportional to the reduction in the corresponding annual requirements for principal and interest of its outstanding indebtedness by reason of the operation of this section. No loan shall be made under this section until the Reconstruction Finance Corporation (A) has caused an appraisal to be made of the property securing and/or underlying the outstanding bonds of the applicant, (B) has determined that the project of the applicant is economically sound, and (C) has been satisfied that an agreement has been entered into between the applicant and holders of its outstanding bonds or other obligations under which the applicant will be able to purchase or refund all or a major portion of such bonds or other obligations at a price determined by the Corporation to be reasonable after taking into consideration the average market price of such bonds over the 6-months period ending March 1, 1933, and under which a substantial reduction will be brought about in the amount of the outstanding indebtedness of the applicant."

Mr. Johnson submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI, for the purpose of proposing to the bill (H.R. 5389) making appropriations for the Executive Office, and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes, the following amendment, viz, on page 61, after line 6, insert the following new section:

The Secretary of the Treasury is hereby authorized to effect a modification of the contract for the construction of the Long Beach, California, post office, so as to afford such relief as he deems to be proper for losses caused the contractor for restoration of damages to the building occasioned by the earthquake of March 10, 1933, and to make such structural and other changes in the building as may be necessary to minimize a recurrence of earthquake damage to the building: Provided, That the present appropriation for the Long Beach project shall be available for the purposes named, and that any additional cost incurred by reason of the above shall not exceed the present limit of cost.

ADJOURNMENT

On motion by Mr. Robinson of Arkansas, at 3 o'clock and 35 minutes p.m.,

The Senate adjourned.

MONDAY, MAY 29, 1933

The Vice President called the Senate to order, and the Chaplain offered prayer.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Friday, May 26, and Saturday, May 27, 1933, was approved.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Van-

denberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

CLAIM OF RIO GRANDE SOUTHERN RAILROAD CO.

The Vice President laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim of the Rio Grande Southern Railroad Co. against the United States; which, with the accompanying report, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following joint resolutions of the Legislature of the State of California, which were referred as indicated:

A joint resolution memorializing Congress to enact legislation providing for relief of California Indians; to the Committee on Indian Affairs.

A joint resolution memoralizing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products; and

A joint resolution memoralizing Congress to adopt, as part of an emergency unemployment relief program, a plan for the construction of worthy public projects, and to include therein the construction of the Central Valley project of the California State water plan; to the Committee on Finance.

Mr. Johnson presented identical joint resolutions, which were referred to the committees, respectively, above indicated.

The Vice President laid before the Senate the following petitions, which were referred as indicated:

Petitions of citizens of the State of California, praying the restoration of benefits accorded to veterans who were actually disabled in the military or naval service; to the Committee on Finance.

A petition of Mrs. J. N. Whitfield, of New Orleans, La., praying an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

A resolution adopted by the Central Labor Council of Portland, Oreg., and vicinity, favoring the enactment of legislation to permit States and municipalities to make direct loans from the Reconstruction Finance Corporation at the same rate of interest paid by member banks of the Federal Reserve System; to the Committee on Banking and Currency.

A resolution adopted by Justice Council, No. 2, Sons and Daughters of Liberty, of Washington, D.C., favoring the passage of House bill 4114, fixing a quota for the admission of alien immigrants into the United States; to the Committee on Immigration.

Mr. Johnson presented the following joint resolutions of the Legislature of the State of California, which were referred as indicated:

A joint resolution favoring the enactment of legislation providing for the conservation of the waters of Yosemite Creek and the preservation of Yosemite Falls, in the State of California; to the Committee on Public Lands and Surveys.

A joint resolution memorializing Congress to exempt from the provisions of pending legislation limiting hours of labor to 30 per week people engaged in the mining industry; to the Committee on the Judiciary.

A joint resolution memorializing Congress to adopt legislation providing for Government use of American grown rubber; to the Committee on Agriculture and Forestry.

Mr. Johnson presented petitions of citizens of the State of California, praying the restoration of benefits accorded veterans who were actually disabled in the military or naval service; which were referred to the Committee on Finance.

Mr. Copeland presented the following petitions and memorial, which were referred as indicated:

A resolution adopted by the board of directors of the American Manufacturers Export Association, of New York City, favoring the delegation by Congress to the President of full powers to negotiate and conclude reciprocal tariff arrangements between the United States and other nations;

A resolution adopted by the Foreign Commerce Club of New York, Inc., favoring the enactment of legislation authorizing the President to alter, by Executive order, any rates of duty within 50 percent of the rates of the Tariff Act of 1930 in exchange for compensatory reciprocal advantages from other nations; and

A resolution adopted by the New York State Automobile Association directors, remonstrating against any further increase in the tax on gasoline and favoring the imposition of a general sales tax in lieu; to the Committee on Finance.

A resolution adopted by the congregation of St. John's Reformed Church, of Upper Red Hook, N.Y., favoring international agreements for the security of peace among nations and for general disarmament; to the Committee on Foreign Relations.

A resolution adopted by Corporal Joseph J. Mooney Post, No. 2250, Veterans of Foreign Wars, of Hornell, N.Y., favoring the continuance of military training in high schools and colleges; to the Committee on Military Affairs.

A resolution adopted by the board of directors of the American Forestry Association, of Washington, D.C., favoring the enactment of legislation to provide for the utilization of the civilian conservation corps upon the public domain during the entire year; to the Committee on Public Lands and Surveys.

Mr. Copeland presented a petition of citizens of Kingston, N.Y., praying the enactment of legislation providing for the compulsory retirement of Federal employees after 30 years' service as a means to relieve unemployment among the substitute postal employees, and the restoration of the 2-cent postage rate on first-class matter; and

A letter from the Rochester (N.Y.) Chamber of Commerce, requesting a delay in the adoption of the St. Lawrence waterway treaty until an impartial survey can be made by the Board of Engineers for Rivers and Harbors, together with a report of the Port of Rochester committee thereon.

Ordered, That they lie on the table.

Mr. Costigan presented a petition of the National Conference of the Association of Unemployed College Alumni, held at Washington, D.C., praying the extension of Federal aid for education, libraries and museums, health service, public works, research, and for unemployment relief; which was referred to the Committee on Education and Labor.

Mr. Robinson of Arkansas presented a communication from E. N. Hopkins, of the Meredith Publishing Co., of Des Moines, Iowa, relative to restricting the sale of Government and State prison-made goods in competition with private industry to products required by State institutions; which was referred to the Committee on Finance.

Mr. Robinson of Arkansas presented a communication from the secretary of the Little Rock Real Estate Board, of Little Rock, Ark., urging that actual relief be given to home owners by the passage of pending legislation providing for emergency relief with respect to home mortgage indebtedness.

Ordered, That it lie on the table.

Mr. Murphy presented a resolution adopted at a State convention of the Disabled American Veterans of the World War, Department of Iowa, urging a restoration of benefits accorded to disabled war veterans prior to the enactment of the so-called "economy bill"; which was referred to the Committee on Finance.

Mr. Bulkley presented a resolution adopted at a mass meeting in Cleveland, Ohio, by citizens of that city, and resolutions adopted by the Social Welfare Committee of Federated Churches, of that city, remonstrating against the alleged mistreatment of Jews in Germany; which were referred to the Committee on Foreign Relations.

Mr. Fess presented a resolution adopted at Springfield, Ohio, expressing the sentiments of the people of that city toward unemployment relief and the construction of public works; which was referred to the Committee on Finance.

EXECUTIVE REPORTS

As in executive session, and by unanimous consent,

Mr. Stephens, from the Committee on the Judiciary, to whom was referred the nomination of Richard Curd Pope Thomas to be district judge of the Canal Zone, reported it favorably.

As in executive session, and by unanimous consent,

Mr. McCarran, from the Committee on the Judiciary, to whom was referred the nomination of William Thomas Collins to be clerk of the United States Court for China, reported it favorably.

REPORT OF COMMITTEE ON THE JUDICIARY

Mr. Ashurst, from the Committee on the Judiciary, to whom was referred the bill (S. 815) to provide for the survival of certain actions in favor of the United States, reported it with amendments and submitted a report (No. 100) thereon.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

Bills were introduced, severally read the first and second times by unanimous consent, and referred as follows:

By Mr. King:

A bill (S. 1796) to authorize an exchange of lands between the United States and Joseph Hodges; to the Committee on Public Lands and Surveys.

By Mr. McNary:

A bill (S. 1797) authorizing the removal of rock from the submarine and destroyer base reservation at Astoria (Tongue Point), Oreg.; to the Committee on Naval Affairs.

By Mr. Shipstead:

A bill (S. 1798) for the relief of L. Elbert Van Buren; to the Committee on Claims.

By Mr. Bankhead:

A bill (S. 1799) to authorize the issuance of stamped-money certificates for the relief of depositors in closed banks, and for other purposes; to the Committee on Banking and Currency.

Mr. McKellar introduced a joint resolution (S.J.Res. 57) calling on the Secretary of the Treasury for information concerning tax assessments, income taxes, tax refunds, and claims therefor, including depletion, credits, and abatements, made by certain persons and corporations; which was read the first and second times by unanimous consent and ordered to lie on the table.

LAW VIOLATIONS BY HARRIMAN NATIONAL BANK

Mr. Costigan submitted the following resolution (S.Res. 89), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution No. 55, Seventy-third Congress, agreed to April 18, 1933, to investigate the delay in prosecuting alleged law violations by the Harriman National Bank, New York City, is hereby increased by $500.

CORPORATION INCOME TAXES AND REFUNDS

Mr. McKellar submitted the following resolution (S.Res. 90):

Resolved, That the Secretary of the Treasury is hereby directed to furnish to the Senate, at the earliest possible moment, the hereinafter-described information concerning the following corporations and individuals: Andrew W. Mellon, the Gulf Refining Co., the Gulf Oil Corporation, the Gulf Production Co., the Gulf Pipeline Co., the Gulf Refining Co. of Louisiana, the Gypsy Oil Co., the Gulf Pipeline Co. of Oklahoma, the Mexican Gulf Oil Co., the South American Gulf Oil Co., the Panama Gulf Oil Co., the Gulf Cooperage Co., the Gulf Commissary Co., the Standard Steel Car Co., the Middleton Car Co., the Baltimore Car & Foundry Co., the Verona Steel Casting Co., the Forged Steel Wheel Co., the Steel Car Forge Co., the Butler Bolt & Rivet Co., the Butler Car Wheel Co., the Lundora Land & Improvement Co., the Mellon National Bank, the Union Trust Co., the Union Savings Bank, Aluminum Co. of America, Aluminum Cooking Utensils Co., Aluminum Die Casting Corporation, the Aluminum Ore Co., the Aluminum Seal Co., the Electric Carbon Co., the Knoxville Power Co., the St. Lawrence River Power Co., the St. Lawrence Securities Co., the Tallahassee Power Co., McClintic-Marshall Co., Union Shipbuilding Co., Carborundum Co., the Pittsburg Plate Glass Co., and the Koppers Corporation; also Ogden L. Mills, and Ogden L. Mills, executor of the estate of Ogden L. Mills, Sr.

First. The assessments for individual and corporation income taxes as first made against each of said corporations and individuals for the years 1917 to 1933, inclusive;

Second. The aggregate sums actually paid by each of said several taxpayers for said several years, inclusive, the said several sums given by years;

Third. The claims for tax refunds, the dates of their filing, the names of the several attorneys filing same, the several amounts claimed as refunds by each of said parties for each, all, or any of said years, giving same by years;

Fourth. The claims of any of said parties for depletion allowances, the date of their filing, and the amounts allowed for depletion, and the dates of such allowances, giving the same by years;

Fifth. The dates and amounts refunded to each of said companies or individuals in the way of credits for current taxes or otherwise, giving the same by years;

Sixth. The amounts allowed in abatement to any of said corporations or individuals during said period, inclusive, giving the same by years;

Seventh. The amounts refunded to each of said several companies and individuals, by the years, in cash;

Eighth. The names of the officials in the Treasury Department approving such refunds, abatements, depletions, or credits, and the dates of their several approvals; and

Ninth. The names of the members of the committee or committees first determining each of said claims, the amount of salary paid each, and the names of any other officials or employees approving said claims, as well as the names of any officials or employees who disapproved any of said refunds.

Ordered, That it lie on the table.

COMMITTEE SERVICE

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That Mr. Reynolds be assigned to service on the Committee on the District of Columbia; and

That Mr. Thompson be assigned to service on the Committee on Indian Affairs, the Committee on Interstate Commerce, and the Committee on Public Lands and Surveys.

CONSIDERATION OF THE CALENDAR

The morning business having been concluded,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the Senate proceed to the consideration of unobjected bills on the calendar.

The following bills were thereupon considered, and the reported amendments were agreed to:

S. 317. A bill authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund;

S. 510. A bill to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes;

S. 1648. A bill to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed buildings and loan associations; and

S. 1536. A bill giving credit for water charges paid on damaged land.

Ordered, That they be engrossed, and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 1577) creating the St. Lawrence Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y., having been reached,

The Senate proceeded, by unanimous consent, to consider the bill (H.R. 5329) of an identical title; and having been amended on the motion of Mr. Copeland,

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Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

Ordered, by unanimous consent, That the bill S. 1577 be postponed indefinitely.

The Senate proceeded to consider the following bills and joint resolution; and no amendment was made:

S. 324. A bill to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes;

S. 1513. A bill to amend Public Act No. 435 of the Seventy-second Congress, relating to sales of timber on Indian land;

S. 285. A bill to authorize the addition of certain lands to the Ochoco National Forest, Oreg.;

S. 1103. A bill to authorize the Secretary of the Navy to proceed with certain public works at the naval air station, Pensacola, Fla.;

S. 1104. A bill to authorize the Secretary of the Navy to proceed with certain public works at the naval air station, Pensacola (Corry Field), Fla.;

S. 1738. A bill authorizing the Reconstruction Finance Corporation to make loans to irrigation districts for certain purposes;

S. 696. A bill to authorize Frank W. Mahin, retired American Foreign Service officer, to accept from Her Majesty the Queen of the Netherlands the brevet and insignia of the Royal Netherland Order of Orange Nassau; and

S.J.Res. 54. Joint resolution limiting the operation of sections 109 and 113 of the Criminal Code.

Ordered, That the bills and joint resolution be engrossed and read a third time.

The said bills and joint resolution were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the bill (H.R. 4494) authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the bill (H.R. 5012) to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy; and the reported amendment having been agreed to,

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

On motion by Mr. Trammell,

Resolved, That the Senate insist upon its amendment to the said bill and ask a conference with the House of Representatives thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer (Mr. Pope in the chair) appointed Mr. Trammell, Mr. McGill, and Mr. Hale.

Ordered, That the Secretary notify the House of Representatives thereof.

SALARIES OF EXECUTIVE OFFICERS OF CORPORATIONS

On motion by Mr. Costigan, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 75) calling for salary schedules of executive officers of certain banks, railroads, electric-power corporations, and certain other corporations engaged in interstate commerce, as modified; and

Resolved, That the Senate agree thereto.

COST OF ELECTRICAL DISTRIBUTION

On motion by Mr. Costigan, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 80) calling upon the Federal Power Commission for a report on the cost of electrical distribution by service companies; and

Resolved, That the Senate agree to the said resolution and to the preamble thereto.

LOANS TO CLOSED BUILDING AND LOAN ASSOCIATIONS

Mr. Dill entered a motion to reconsider the vote on the passage of the bill (S. 1648) to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations.

APPROPRIATIONS FOR INDEPENDENT OFFICES

On motion by Mr. McKellar, and by unanimous consent,

The Senate resumed the consideration of the unfinished business at its adjournment on Saturday last, viz, the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1934, and for other purposes.

Pending debate,

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 22 minutes p.m.,

The Senate took a recess until 12 o'clock m. to-morrow.

AT 12 O'CLOCK M. (CALENDAR DAY, TUESDAY, MAY 30, 1933

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A joint resolution of the Legislature of the State of New Jersey memorializing Congress to appropriate a sufficient sum of money to construct a ship canal across the State of New Jersey from Raritan Bay to the Delaware River, at a point upon a right of way to be furnished by the State; to the Committee on Commerce.

A resolution adopted by the Pennsylvania Committee for Total Disarmament, of Philadelphia, Pa., favoring an investigation by Congress into the munitions business in this country; to the Committee on Foreign Relations.

Mr. Wheeler presented a resolution adopted at Polson, Mont., by representatives of war veterans' organizations, remonstrating against the provisions of the so-called Economy Act as they affect veterans' pensions and compensation, urging its immediate repeal, and favoring the payment of the so-called "soldiers' bonus"; which was referred to the Committee on Finance.

Mr. Reed presented a resolution adopted by the Diocese of Bethlehem of the Protestant Episcopal Church, comprising certain counties in the State of Pennsylvania, favoring the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

Mr. Reed presented an editorial from the May 27th issue of the New York Evening Sun, calling attention to the attitude of Andrew W. Mellon, when Secretary of the Treasury, opposing the deduction of capital losses from taxable income; which was referred to the Committee on Finance.

Mr. Robinson of Indiana presented a petition of citizens of the State of California, praying the restoration of former benefits accorded to war veterans who were actually disabled in the military or naval service; which was referred to the Committee on Finance.

REPORT OF COMMITTEE ON FOREIGN RELATIONS

Mr. Robinson of Arkansas, by unanimous consent, from the Committee on Foreign Relations, to whom was referred the joint resolution (H.J.Res. 93) to prohibit the exportation of arms or munitions of war from the United States under certain conditions, reported it with an amendment and submitted a report (No. 101) thereon.

INTRODUCTION OF BILL

Mr. Trammell, by unanimous consent, introduced a bill (S. 1800) to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly by the Department of Agriculture; which was read the first and second times and referred to the Committee on Agriculture and Forestry.

LOANS TO CLOSED BUILDING AND LOAN ASSOCIATIONS

Mr. Dill, by unanimous consent, withdrew the motion yesterday entered by him to reconsider the vote on the passage of the bill (S. 1648) to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the joint resolution (S.J.Res. 48) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China, with amendments, in which it requests the concurrence of the Senate.

The House had disagreed to the amendment of the Senate to the bill (H.R. 5012) to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Vinson of Georgia, Mr. Drewry, and Mr. Britten managers at the same on its part.

The House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 5690. An act to legalize the manufacture, sale, or possession of 3.2 percent beer in the State of Oklahoma when and if the same is legalized by a majority vote of the people of Oklahoma or by act of the Legislature of the State of Oklahoma; and

H.J.Res. 192. Joint resolution to assure uniform value to the coins and currencies of the United States.

HOUSE BILL REFERRED

The bill H.R. 5690 and the joint resolution H.J.Res. 192, this day received from the House of Representatives for concurrence, were read the first and second times by unanimous consent,

Ordered, That the bill, H.R. 5690, be referred to the Committee on the Judiciary; and that the joint resolution, H.J. Res. 192, be placed on the calendar.

INSTRUCTION AT MILITARY ACADEMY OF POSHENG YEN

The Presiding Officer (Mr. Dickinson in the chair) laid before the Senate the amendments this day received from the House of Representatives for concurrence to the joint resolution (S.J.Res. 48), authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China.

The Senate proceeded to consider the said amendments; and,

On motion by Mr. Sheppard,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

INTERNATIONAL INSTITUTE OF AGRICULTURE

The Vice President laid before the Senate the following communication from the President of the United States, which was read, referred to the Committee on Foreign Relations, and ordered to be printed:

THE WHITE HOUSE,
Washington, May 24, 1933.

MY DEAR MR. PRESIDENT: I earnestly recommend the immediate passage of Senate Joint Resolution 32.

It is my understanding that this legislation has been favorably reported out by the Senate Committee on Foreign Relations but that it has not as yet been considered by the Senate. A motion to strike out the enacting clause of a similar bill was carried last Saturday by a small majority in the House. It is obvious from the published debates as they appeared in the Congressional Record that the opponents of this legislation entirely misunderstood the purposes of the resolution. The International Institute of Agriculture is not an Italian organization but an international organization founded in pursuance of a convention to which this Government is a party. The purpose of this legislation is not to provide a gratuity for any foreign government nor to provide for a junket for any American citizen. Its purpose is to authorize the appropriations necessary to enable this Government to contribute to the support of the Institute on the same basis as other member governments and to enable this Government to share effectively in the direction of the affairs of the Institute. There is no authorization in this bill for any appropriations for purposes other than those which I have specified.

Defeat of this legislation would place this Government in an exceedingly embarrassing position. We should be faced with the alternative of (1) continuing to pay our contribution to the Institute in paper francs when the other governments' members of the Institute were paying in gold francs and taking no part in the direction of the Institute, or (2) denouncing the convention of 1905 and withdrawing from the institute.

Either of these courses of action would result in placing the Institute in a precarious financial situation which would result in seriously crippling the organization. Thus this Government would be obliged to expend a far greater sum in order to obtain the services now rendered by the Institute. Neither of these courses of action would be in accordance with the fair dealing and good faith which should characterize all of the foreign relations of this Government.

The International Institute of Agriculture is rendering an important service to American agriculture.

1. As a clearinghouse of statistical information, collecting and publishing statistics from all parts of the world, it is giving all the member governments the benefit of the information collected by the government services of all the members of the Institute.

2. As an international organization, it is in a position to persuade the various governments to build up their statistical services in the common interest.

3. As an international forum, it serves as a meeting place for discussion of the broader phases of the agricultural situation of interest to farmers everywhere.

It is only just that we should pay our fair share of the expenses of this organization. With renewed American support and with American participation in the direction of its

affairs, we look forward to deriving increased benefits from our membership in the Institute.

I am sending similar letters to Senator Pittman and Senator Robinson of Arkansas.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

Hon. JOHN NANCE GARNER,
President of the Senate, Washington, D.C.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes; and the reported amendments in part were agreed to.

On the question of agreeing to the reported amendment on page 55, line 17, Mr. Black proposed to amend the same by adding at the end thereof certain words; when

Mr. Black's amendment, together with the reported amendment, was temporarily laid aside by unanimous consent.

The reported amendment on page 58, line 8, was amended on the motion of Mr. Byrnes, on behalf of the Committee on Appropriations, and, as amended, agreed to; and the bill further amended on the motion of Mr. Byrnes, on behalf of the said committee.

NOTICES OF MOTIONS TO SUSPEND RULE XVI

Mr. Dill submitted the following notice in writing:

Pursuant to the provisions of rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI, for the purpose of proposing to the bill (H.R. 5389), the independent offices appropriation bill, the following amendment, viz: At the proper place insert the following:

Subsection (b) of section 1 of the act approved March 20, 1933, entitled "An act to maintain the credit of the United States Government" is hereby amended to read as follows:

"(b) Any person who served in the active military or naval service during the Spanish-American War, including the Boxer rebellion and the Philippine insurrection, or the World War, and who is permanently disabled as a result of injury or disease: *Provided*, That nothing contained in this title shall deny a pension to any such veteran past the age of 62 years entitled to a pension under existing law, but the President may not reduce the amount of the pension of any such person more than 25 percent below the rate of pay provided by law previous to the passage of this act."

Mr. Cutting submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI, for the purpose of proposing to the bill (H.R. 5389), the independent offices appropriation bill, the following amendment, viz, at the proper place insert the following:

Section 17 of title I of the act approved March 20, 1933, entitled "An act to maintain the credit of the United States Government", is amended by adding at the end of the section the following:

"Nothing in this act shall authorize the President to reduce to a degree greater than 25 per centum the compensation, pension, or allowance of any veteran or dependent of a veteran whose disability has hitherto been traced officially to direct connection with military or naval service (otherwise than by benefit of presumption)."

Mr. Bone submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 1 of rule XVI for the purpose of proposing to the independent offices appropriation bill, H.R. 5389, the following amendment, viz, on page 48, line 18, strike out "$231,730,000" and insert in lieu thereof the numerals *$276,730,000*; and, on page 50, line 13, strike out "$493,988,000" and insert *$538,988,000*.

Mr. Trammell submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI, for the purpose of proposing to the bill (H.R. 5389), the independent offices appropriation bill, the following amendment, viz:

On page 61, between lines 6 and 7, add a new section, as follows:

That title I of Public, No. 2, is hereby amended by adding thereto the following:

"Sec. 21. That regardless of any provisions embraced in title I, of an act to maintain the credit of the United States Government, being Public, Numbered 2, Seventy-third Congress, the compensation of those veterans who on March 20, 1933, were drawing compensation on account of service-connected disability shall not be reduced more than 10 per centum. In any review of a veteran's case by the Veterans' Administration with a view to reducing the rating of or change the cause of his disability the burden of proof shall rest upon the Government."

Mr. Tydings submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI, for the purpose of proposing to the bill (H.R. 5389), the independent offices appropriation bill, the following amendment, viz:

On page 47, line 10, after the word "amended", insert the following:

Provided further, That in addition to the pensions provided in this title the Administrator of Veterans' Affairs is hereby authorized under such limitations as may be prescribed by the President, and within the limits of existing Veterans' Administration facilities, to furnish to men discharged from the Army, Navy, Marine Corps, or Coast Guard for disabilities incurred in line of duty and to veterans of any war, including the Boxer rebellion and the Philippine insurrection, domiciliary care where they are suffering with permanent disabilities, tuberculosis, or neuropsychiatric ailments and medical and hospital treatment for diseases or injuries.

Mr. Byrnes submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI, for the purpose of proposing to the bill (H.R. 5389), the independent offices appropriation bill, the following amendments, viz.:

On page 61, add a new section after line 6:

Sec. 16. That section 3 of the act of Congress approved May 28, 1928, entitled "An act to amend the salary rates contained in the compensation schedules of the act of March 4, 1928, entitled 'An act to provide for the classification of civilian positions within the District of Columbia and in the field services'", as amended by the act of July 3, 1930, be further amended by adding thereto the following:

"Provided, That in all cases where, since December 6, 1924, in such adjustment the position occupied by an employee has been or shall be allocated to a grade with a maximum salary below the salary received by the incumbent, the rate of pay fixed for such position prior to such allocation may be continued so long as the position is held by the incumbent occupying it at the time of such allocation."

On page 61, after line 6, insert the following:

Sec. 15. (a) There shall be in the Department of Justice an Assistant Solicitor General to assist the Solicitor General in the performance of his duties, who shall be appointed by the President by and with the advice and consent of the Senate. Said Assistant Solicitor General shall be allocated to the same classification grade and be paid the same rate of compensation as apply to Assistant Attorneys General and shall perform such additional duties as may be required of him by the Attorney General. (b) One of the existing positions of Assistant Attorney General is hereby abolished.

On page 49, after line 19, insert the following:

The unexpended balance of the appropriation "Fourteenth Annual Convention of French Veterans of the World War, Washington, D.C., 1933" is hereby made available for reimbursement to the Veterans' Administration for all expenses (including transportation to bona fide residence) incurred in connection with indigent veterans in attendance at the convention of the rank and file organization of World War veterans held in Washington, D.C., during the month of May, 1933, and the decision of the Administrator of Veterans' Affairs in connection with such expenditures shall be final and conclusive.

On page 48, after line 24, insert the following:

That the Attorney General of the United States is hereby authorized to agree to a judgment to be rendered by the presiding judge of the United States court having jurisdiction of the case, pursuant to compromise approved by the Attorney General upon the recommendation of the United States attorney charged with the defense, upon such terms and for such sums within the amount claimed to be payable, in any suit pending on March 20, 1933, and on the date of the enactment of this act, brought under the provisions of the World War Veterans' Act, 1924, as amended, on a contract of yearly renewable term insurance, and the Administrator of Veterans' Affairs is hereby authorized and directed to make payments in accordance with any such judgment: Provided, That the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of disbursing officers of the Veterans' Administration for all payments of insurance made in accordance with any such judgment: Provided further, That all such judgments shall constitute final settlement of the claim and no appeal therefrom shall be authorized.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 25 minutes p.m.,

The Senate, pursuant to an order agreed to in executive session, took a recess, as in legislative session, until 10 o'clock a.m., tomorrow.

AT 10 O'CLOCK A.M. (CALENDAR DAY, WEDNESDAY, MAY 31, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Twenty-four Senators answered to their names, as follows:

Ashurst, Austin, Bachman, Bratton, Brown, Bulow, Byrnes, Caraway, Coolidge, Erickson, Fess, Frazier, Gore, Hatfield, Johnson, Logan, Lonergan, McCarran, McGill, Robinson of Arkansas, Sheppard, Thomas of Utah, Thompson, and Walsh.

The number of Senators present not constituting a quorum,

The Vice President directed the names of the absentees to be called;

When

Nine Senators answered to their names, as follows:

Borah, Copeland, Dickinson, Hale, McKellar, Overton, Pope, Trammell, and Vandenberg.

A quorum not being present,

On motion by Mr. Robinson of Arkansas,

Ordered, That the Sergeant at Arms be directed to request the attendance of the absent Senators.

Pending the execution of the order,

Sixteen Senators appeared and answered to their names, as follows:

Black, Patterson, Stephens, Hastings, White, King, Russell, Norris, Van Nuys, Adams, Duffy, Nye, Connally, Thomas of Oklahoma, Capper, and Dickinson.

A quorum being present,

MEMBER OF GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

The Vice President appointed Mr. Van Nuys as a member of the George Rogers Clark Sesquicentennial Commission, created by the act approved May 23, 1928, to fill the vacancy caused by the expiration of the term of service of Hon. James E. Watson.

MEMBER OF MIGRATORY BIRD CONSERVATION COMMISSION

The Vice President, in accordance with the provisions of title 16, chapter 7 a, section 715 a, United States Code, reappointed Mr. Norbeck as a member of the Migratory Bird Conservation Commission.

MEMBER OF NASHVILLE (TENN.) PRESIDENTS' PLAZA COMMISSION

The Vice President appointed Mr. Bachman as a member of the Nashville (Tenn.) Presidents' Plaza Commission, established by section 2 of an act approved December 12, 1928, to fill the vacancy caused by the resignation of Hon. Cordell Hull.

MEMBER OF NATIONAL FOREST RESERVATION COMMISSION

The Vice President, in accordance with the provisions of title 16, chapter 2, section 513, United States Code, reappointed Mr. George as a member of the National Forest Reservation Commission.

MEMBERS OF UNITED STATES ROANOKE COLONY COMMISSION

The Vice President appointed Mr. Brown and Mr. Metcalf as members of the United States Roanoke Colony Commission, created by House Concurrent Resolution 26, Seventy-second Congress, to fill the vacancies created, respectively, by the expiration of the term of service of Hon. George H. Moses and the resignation of Hon. Harry B. Hawes.

SPECIAL SELECT COMMITTEE TO INVESTIGATE THE ALASKA RAILROAD

The Vice President appointed Mr. Bone and Mr. Austin as members of the Special Select Committee to Investigate the Alaska Railroad, created by Senate Resolution 298, Seventy-first Congress, and continuing resolutions, to fill the vacancies created, respectively, by the death of Hon. Robert B. Howell and the expiration of the term of service of Hon. John Thomas.

SPECIAL COMMITTEE ON CONSERVATION OF WILD LIFE RESOURCES

The Vice President appointed Mr. Clark as a member of the Special Committee on Conservation of Wild Life Resources, created by Senate Resolution 246, Seventy-first Congress, and continuing resolution, to fill the vacancy created by the resignation of Hon. Harry B. Hawes.

REGENTS OF SMITHSONIAN INSTITUTION

The Vice President, in accordance with the provisions of title 20, chapter 3, section 43, United States Code, appointed Mr. Logan and Mr. Reed as Regents of the Smithsonian Institution, to fill the vacancies caused, respectively, by the expiration of the term of service of Hon. Reed Smoot and the resignation of Hon. Claude A. Swanson.

DIRECTOR OF COLUMBIA INSTITUTION FOR THE DEAF

The Vice President, under authority of title 24, chapter 5, section 236, United States Code, reappointed Mr. Copeland a director of the Columbia Institution for the Deaf.

DIRECTOR OF COLUMBIA HOSPITAL FOR WOMEN

The Vice President, under authority of the act of June 10, 1872, appointed Mr. Adams a director of the Columbia Hospital for Women, to fill the vacancy caused by the expiration of the term of service of Hon. Lawrence C. Phipps.

MEMORIALS

The Vice President laid before the Senate a telegram and communications from citizens of the State of Louisiana, remonstrating against an investigation of acts and conduct of Senator Huey P. Long; which were referred to the Committee on the Judiciary.

Mr. Schall presented the following memorial and statement, which were referred as indicated:

A memorial of the Minneapolis Civic and Commerce Association, of Minneapolis, Minn., remonstrating against the closing of the Minneapolis customs office; to the Committee on Finance.

A statement by Donald Despain, of St. Paul, Minn., on the insurance of bank deposits; to the Committee on Banking and Currency.

REPORT OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. King, by unanimous consent, from the Committee on the District of Columbia, to whom was referred the bill (S. 1403) to authorize the merger of the Georgetown Gaslight Co. with and into Washington Gas Light Co., and for other purposes, reported it without amendment and submitted a report (No. 102) thereon.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Frazier:

A bill (S. 1801) granting a pension to Chief Drags Wolf (with accompanying papers); to the Committee on Pensions.

By Mr. Erickson:

A bill (S. 1802) authorizing the issuance of a patent to certain lands in the State of Montana to Florence Kerr Facey; to the Committee on Public Lands and Surveys.

By Mr. Shipstead:

A bill (S. 1803) for the relief of certain riparian owners for losses sustained by them on the drained Mud Lake bottom in Marshall County, in the State of Minnesota; to the Committee on Claims.

A bill (S. 1804) to authorize the transfer of certain real estate by the Secretary of the Treasury to C. F. Colvin in settlement of the Northfield, Minn., post office site litigation, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. Patterson:

A bill (S. 1805) granting a pension to Anna Elliott (with accompanying papers); to the Committee on Pensions.

A bill (S. 1806) granting an easement over certain lands to the Springfield special road district in the county of Greene, State of Missouri, for road purposes; to the Committee on the Judiciary.

By Mr. Hayden:

A bill (S. 1807) to provide for the exchange of Indian and privately owned lands, Fort Mojave Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. Connally:

A bill (S. 1808) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas, and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century; to the Committee on Banking and Currency.

By Mr. Dill:

A joint resolution (S.J.Res. 58) proposing an amendment to the Constitution of the United States relative to election and qualification of judges; to the Committee on the Judiciary.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, his secretary:

Mr. President: The President of the United States approved and signed the following acts and joint resolutions:

On May 20, 1933:

S. 1410. An act to amend section 207 of the Bank Conservation Act with respect to bank reorganizations;

S. 1415. An act to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases; and

S.J.Res. 50. Joint resolution designating May 22 as National Maritime Day.

On May 25, 1933:

S. 753. An act to confer the degree of bachelor of science upon graduates of the Naval, the Military, and the Coast Guard Academies.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, viz, H.R. 4494, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H.R. 4494) authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

On the question of agreeing to the reported amendment beginning on page 53, line 1, striking out section 6, as follows:

"SEC. 6. Whenever it shall appear to the President, in respect of any contract entered into by the United States prior to the date of enactment of this act for the transportation of persons and/or things, that the full performance of such contract is not required in the public interest, and that modification or cancellation of such contract will result in substantial savings to the United States, the President is hereby authorized, in his discretion, on or before April 30, 1935, to modify or cancel such contract. Whenever the President shall modify or cancel any such contract, he shall determine just compensation therefor; and if the amount thereof, so determined by the President, is unsatisfactory to the individual, firm, or corporation entitled to receive the same, such individual, firm, or corporation shall be entitled to receive such portion thereof as the President shall determine and shall be entitled to sue the United States to recover such further sum as, added to said portion so received, will make up such amount as will be just compensation therefor, in the manner provided for by paragraph 20 of section 41 and section 250 of title 28 of the United States Code: *Provided*, That where any such contract makes provision for settlement in the event of modification or cancelation, the amount of just compensation as determined hereunder shall not exceed such amount as is authorized by said contract. Any appropriation out of which payments upon the said contract were authorized to be made is hereby made available for the payment of such just compensation."

It was determined in the negative, | Yeas---------- 28 | Nays---------- 35

On motion by Mr. McKellar,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Borah, Capper, Carey, Coolidge, Copeland, Dickinson, Erickson, Fess, Hale, Hastings, Hatfield, Hebert, Johnson, Kean, Keyes, Lonergan, McCarran, McNary, Nye, Patterson, Robinson of Indiana, Thomas of Utah, Thompson, Vandenberg, Van Nuys, Walcott, and White.

Senators who voted in the negative are—

Ashurst, Bachman, Bankhead, Barkley, Black, Bratton, Brown, Byrnes, Caraway, Connally, Cutting, Dill, Duffy, Frazier, George, Hayden, King, La Follette, Logan, McGill, McKellar, Murphy, Neely, Norris, Overton, Pope, Robinson of Arkansas, Russell, Sheppard, Shipstead, Stephens, Thomas of Oklahoma, Trammell, Walsh, and Wheeler.

So the reported amendment was disagreed to.

The Senate resumed the consideration of the reported amendment on page 55, striking out lines 17, 18, and 19, and inserting in lieu thereof certain words.

The question being on agreeing to the amendment yesterday proposed by Mr. Black, adding at the end of the part proposed to be inserted certain words, and, having been subsequently modified by Mr. Black, the amendment, as modified, was agreed to.

The reported amendment, as amended, was agreed to.

The bill was further amended on the motion of Mr. Byrnes, from the Committee on Appropriations, the motion of Mr. Johnson, and the motion of Mr. Robinson of Arkansas.

On motion by Mr. Robinson of Arkansas to further amend the bill by inserting at the proper place therein the following:

The Botanic Garden, together with all records, property, and personnel pertaining thereto is transferred to the Department of Agriculture, effective the 1st day of the second month following the enactment of this act, and the appropriations for the support thereof are hereby made available to the Department of Agriculture.

Pending debate,

Mr. Copeland raised a question of order, viz, that the amendment proposed legislation on a general appropriation bill and was not in order.

The Presiding Officer (Mr. George in the chair) sustained the question of order.

The bill was further amended on the motion of Mr. Black.

On motion by Mr. Walcott to further amend the bill by inserting at the proper place in the bill the following:

Sec. —. Enforcement of black bass law: To enable the Secretary of Commerce to carry into effect the act entitled "An act to amend the act entitled 'An act to regulate interstate transportation of black bass and for other purposes', approved May 20, 1926" (U.S.C., Supp. V, title 16, secs. 851–856), approved July 2, 1930 (46 Stat. pp. 845–847), $13,950, of which not to exceed $1,800 may be expended for personal services in the District of Columbia.

Mr. Byrnes raised a question of order, viz, that the amendment was not germane to any provision in the bill, and that it was not estimated for by the Director of the Bureau of the Budget.

The Presiding Officer held that the amendment proposed to carry out a provision of existing law, and was in order under paragraph 1 of rule XVI.

The amendment was then agreed to.

On motion by Mr. Black to further amend the bill, as follows:

On page 49, line 7, strike out "$1,000,000" and insert *$2,000,000*.

On page 49, line 8, strike out the period, insert a colon, and add the following: *Provided, That one half of $2,000,000 so appropriated shall be used for supplying hospital treatment for veterans, without regard to whether their disability was service connected or not.*

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

Mr. Black modified his proposed amendment, and the amendment, as modified, was agreed to.

A further amendment to the bill having been proposed by Mr. Trammell on page 61, after line 6,

Pending debate,

GASOLINE TAX AND POSTAGE RATES

Mr. Harrison submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2 and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

Sec. 6. (a) Effective September 1, 1933, section 616 of the Revenue Act of 1932 is amended to read as follows:

"Sec. 616. Tax on electrical energy for domestic or commercial consumption.—(a) There is hereby imposed upon electrical energy sold for domestic or commercial consumption and not for resale a tax equivalent to 3 per centum of the price for which so sold, to be paid by the vendor under such rules and regulations as the Commissioner, with the approval of the Secretary, shall prescribe. The sale of electrical energy to an owner or lessee of a building, who purchases such electrical energy for resale to the tenants therein, shall for the purposes of this section be considered as a sale for consumption and not for resale, but the resale to the tenant shall not be considered a sale for consumption.

"(b) The provisions of sections 619, 622, and 625 shall not be applicable with respect to the tax imposed by this section.

"(c) No tax shall be imposed under this section upon electrical energy sold to the United States or to any State or Territory, or political subdivision thereof, or the District of Columbia. The right to exemption under this subsection shall be evidenced in such manner as the Commissioner, with the approval of the Secretary, may by regulation prescribe."

(b) Despite the provisions of this section the tax imposed under section 616 of the Revenue Act of 1932 before its amendment by this section on electrical energy furnished before September 1, 1933, shall be imposed, collected, and paid in the same manner and shall be subject to the same provisions of law (including penalties) as if this section had not been enacted.

And the Senate agree to the same.

PAT HARRISON,
WILLIAM H. KING,
WALTER F. GEORGE,
DAVID A. REED,
Managers on the part of the Senate.
R. L. DOUGHTON,
SAM B. HILL,
ALLEN T. TREADWAY,
ISAAC BACHARACH,
Managers on the part of the House.

Ordered, That the report lie on the table and be printed.

EXECUTIVE SESSION

The hour of 4 o'clock p.m. having arrived,

The Senate, under an order agreed to yesterday in executive session, proceeded to the consideration of executive business;

Pending which,

On motion by Mr. Robinson of Arkansas, at 6 o'clock p.m., The Senate took a recess, in executive session, until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, THURSDAY, JUNE 1), 1933

The Senate resumed the consideration of executive business; and after the consideration of executive business,

The Senate resumed its legislative session.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

The Vice President laid before the Senate a communication from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of the activities and expenditures of the Corporation for April 1933, together with a statement of loans authorized during that month, showing the name, amount, and rate of interest in each case; which, with the accompanying report, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following memorials, which were referred as indicated:

A resolution adopted at the annual congress of the Descendants of the Signers of the Declaration of Independence, remonstrating against the recognition by the United States Government of Soviet Russia; to the Committee on Foreign Relations.

A resolution adopted by the Board of Aldermen of Chelsea, Mass., remonstrating against the suspension of repair work at the Charlestown (Mass.) Navy Yard until 1935; to the Committee on Naval Affairs.

Mr. Wheeler presented a resolution adopted by Glentana (Mont.) Local No. 334, Farmers' Union, demanding the repeal of the Federal Reserve Act and favoring the enactment of legislation providing for the remonetization of silver, the payment of the soldiers' bonus, and the refinancing of agricultural indebtedness, which was referred to the Committee on Banking and Currency.

Mr. Bulkley presented a joint resolution of the Legislature of the State of Ohio, favoring the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. Stephens, by unanimous consent, from the Committee on Commerce, to whom was referred the resolution (S.Res. 74) authorizing an investigation of the matter of so-called "rackets" with a view to their suppression, reported it with an amendment; and

Ordered, That it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. Trammell, by unanimous consent, from the Committee on Naval Affairs, to whom was referred the bill (H.R. 1767) to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego, reported it without amendment and submitted a report (No. 103) thereon.

Mr. Capper, by unanimous consent, from the Committee on the District of Columbia, to whom was referred the bill (S. 1780) to provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes, reported it with amendments and submitted a report (No. 104) thereon.

Mr. Carey, by unanimous consent, from the Committee on Military Affairs, to whom was referred the resolution (S. Res. 88) to investigate alleged irregularities in connection with purchases of materials or equipment for the use of the Civilian Conservation Corps, reported it with an amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution; and the reported amendment having been agreed to, the resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Military Affairs, or any duly authorized subcommittee thereof, is authorized and directed to investigate the negotiations between the Director of Emergency Conservation Work and the BeVier Corporation, a corporation organized under the laws of the State of New York, with respect to a contract proposed to be entered into between the Director and such corporation for the purchase of toilet kits to be furnished as part of the equipment of members of the Civilian Conservation Corps. The committee shall report to the Senate as soon as practicable the results of its investigations, together with its recommendations.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Dill:

A bill (S. 1809) for the relief of Arthur L. Benedict; to the Committee on Claims.

By Mr. Walsh:

A bill (S. 1810) to amend the act authorizing the issuance of the Spanish War Service Medal; to the Committee on Military Affairs.

A bill (S. 1811) for the relief of James Maurice Reagan; to the Committee on Naval Affairs.

By Mr. McGill:

A bill (S. 1812) granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the War with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes; to the Committee on Pensions.

By Mr. Harrison:

A bill (S. 1813) providing for the sale to Joe Graham Post, No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi; to the Committee on Military Affairs.

By Mrs. Caraway:

A bill (S. 1814) to authorize the Secretary of War to erect one marker for the graves of 85 Confederate soldiers, buried in the Old Rondo Cemetery in Miller County, Ark., in lieu of separate markers as now authorized by law; to the Committee on Military Affairs.

By Mr. Barkley:

A bill (S. 1815) to extend the time for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Ky.; to the Committee on Commerce.

APPOINTMENT OF RECEIVERS AND TRUSTEES IN BANKRUPTCY

On motion by Mr. Ashurst, and by unanimous consent,

Ordered, That the resolution (S.Res. 78) authorizing the appointment of a special committee to investigate the administration of bankruptcy and receivership proceedings in United States courts be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes, in which it requests the concurrence of the Senate.

The Speaker of the House having signed an enrolled joint esolution, viz, S.J.Res. 48, I am directed to bring the same 'o the Senate for the signature of its President.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1934, and for other purposes.

The question being on agreeing to the amendment yesterday proposed by Mr. Trammell, on page 61, after line 6,

Pending debate,

ENROLLED JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the joint resolution (S.J.Res. 48) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

HOUSE BILL REFERRED

The bill H.R. 5790, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Agriculture and Forestry.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed without amendment the bill (S. 1581) to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, and so forth.

SEA PAY OF SURPLUS NAVAL ACADEMY GRADUATES

Mr. Trammell submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5012) to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

PARK TRAMMELL,
GEO. McGILL,
Managers on the part of the Senate.

CARL VINSON,
FRED A. BRITTEN,
Managers on the part of the House.

Ordered, That the report lie on the table.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

The question being on agreeing to the amendment yesterday proposed by Mr. Trammell,

Pending debate,

Mr. Trammell modified his amendment to read as follows: On page 61, after line 6, insert the following:

Sec. 21. That regardless of any provisions embraced in title I of an act to maintain the credit of the United States Government, being Public, Numbered 2, Seventy-third Congress, the compensation or the pension of those veterans who on March 20, 1933, were drawing compensation or pension or may hereafter be granted compensation or pension on account of service-connected disability, shall not be reduced more than 15 per centum below the compensation or pension to which they were entitled on March 20, 1933. In any review of a veteran's case by the Veterans' Administration with a view to reducing the rating of or change the cause of his disability the burden of proof shall rest upon the Government.

Pending further debate,

Mr. McKellar submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to House bill 5389, the independent offices appropriation bill, the following amendment, viz:

At the proper place in the bill insert the following:

Section 5 of the Reconstruction Finance Corporation Act, approved January 22, 1932, is amended by adding after the words "Agricultural Credit Corporation", in the eighth line of said section, the following: ", producers of finished articles, from raw or unmanufactured materials, the products of the soil or forest."

Pending further debate,

Mr. Byrnes raised a question of order, viz, that the amendment, as modified, proposed by Mr. Trammell, was general legislation on a general appropriation bill.

The Presiding Officer (Mr. Barkley in the chair) sustained the point of order.

On motion by Mr. Trammell, pursuant to notice heretofore given, to suspend paragraph 4 of rule XVI, for the purpose of proposing the amendment yesterday proposed by him on page 61, after line 6,

Pending debate,

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 37 minutes p.m.,

The Senate took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, FRIDAY, JUNE 2, 1933)

The Vice President called the Senate to order.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of May 29 to June 1, 1933, inclusive, was approved.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Twenty-two Senators answered to their names, as follows:

Ashurst, Austin, Black, Bone, Borah, Bratton, Byrnes, Caraway, Erickson, Hale, Johnson, Kendrick, Long, McGill, McNary, Patterson, Pope, Robinson of Arkansas, Sheppard, Steiwer, Thomas of Utah, and Trammell.

The number of Senators present not constituting a quorum;

The Vice President directed the names of the absentees to be called;

When

Sixteen Senators answered to their names, as follows:

Logan, Overton, Reynolds, Stephens, Vandenberg, Barbour, Brown, Capper, Coolidge, Copeland, Dale, Dickinson, Fess, Murphy, Russell, and White.

A quorum not being present,

On motion by Mr. Robinson of Arkansas,

Ordered, That the Sergeant at Arms be directed to request the attendance of the absent Senators.

Pending the execution of the order,

Twelve Senators appeared and answered to their names, as follows:

Van Nuys, Bulow, Robinson of Indiana, Neely, Cutting, Schall, Carey, Duffy, Hatfield, Wheeler, Dieterich, and Bankhead.

A quorum being present,

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A telegram from the mayor of Duluth, Minn., favoring the enactment of legislation to authorize loans by the Reconstruction Finance Corporation to municipalities upon estimated tax income and tax delinquencies upon tax anticipation bonds; to the Committee on Banking and Currency.

Petitions of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

A resolution adopted by the Purple Heart Association of the United States, Inc., of Ansonia, Conn., remonstrating

against reductions made in allowances to veterans and revisions in the ratings for disabilities; to the Committee on Finance.

A resolution adopted by U. S. S. Jacobs Jones Post, No. 2, American Legion, of Washington, D.C., remonstrating against depriving by law or regulation honorably discharged veterans of the preference in retention in Government service granted them under previous laws and Executive orders; to the Committee on Civil Service.

Mr. Copeland presented the following petitions and memorials, which were referred as indicated:

Resolutions adopted by Lincoln Council, No. 51, of Jamestown, and Dolly Madison Council, No. 116, of Brooklyn, Sons and Daughters of Liberty, of the State of New York, favoring the enactment of House bill 4114, providing a fixed quota for the admission of alien immigrants to the United States; to the Committee on Immigration.

A memorial of Harry J. Hurlburt, of Binghamton, N.Y., remonstrating against reductions in allowances to war veterans with service-connected disabilities; and

A resolution adopted at Niagara Falls, N.Y., by the New York State Department, Disabled American Veterans of the World War, favoring the repeal of the so-called Economy Act; to the Committee on Finance.

A resolution adopted by the national political committee of the Steuben Society of America, of New York City, favoring a study of the effects of the Sherman antitrust law and the Clayton Act on business in general, with a view to changing or amending the same; to the Committee on the Judiciary.

A resolution adopted by the Erie County Committee of the American Legion, of Buffalo, N.Y., favoring the conscription of all the country's resources and industries as well as the man power in event of war and favoring world peace; and

A resolution adopted by Joseph A. Wynn Post, No. 260, Veterans of Foreign Wars, of Brooklyn, N.Y., favoring the continuation of military training in high schools and colleges; to the Committee on Military Affairs.

A resolution adopted by the Schenectady County (N.Y.) Clearing House Association, favoring the elimination of competition of the Postal Savings System with banks and the payment of interest to its depositors; to the Committee on Post Offices and Post Roads.

Mr. Walsh presented the following telegram and communication, which were referred as indicated:

A telegram from Bessie P. Edwards Post, No. 264, American Legion, Boston, Mass., remonstrating against the recognition by the United States Government of Soviet Russia, together with a compilation of the membership and the organizations in the State of Massachusetts opposing such recognition; to the Committee on Foreign Relations.

A communication from A. W. Brandt, State highway commissioner of New York, together with a tabulation showing the allocation of funds to each State under section 24 of the public works bill for highway construction under different methods of allocation, favoring the provisions of the House bill; to the Committee on Finance.

REPORT OF COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. Kendrick (for Mr. Smith), by unanimous consent, from the Committee on Agriculture and Forestry, to whom was referred the bill (H.R. 4812) to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes, reported it with amendments and submitted a report (No. 105) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Bratton:

A bill (S. 1816) granting a pension to Margaret Griffin; to the Committee on Pensions.

By Mr. McNary:

A bill (S. 1817) granting a pension to Fred Burns; to the Committee on Pensions.

By Mr. Johnson:

A bill (S. 1818) for the relief of W. P. Fuller & Co.; to the Committee on Claims.

A bill (1819) to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. King:

A bill (S. 1820) to amend the Code of Law for the District of Columbia; to the Committee on the District of Columbia.

By Mr. Costigan, Mr. Adams, Mr. Bratton, Mr. Cutting, Mr. Sheppard, and Mr. Connally:

A bill (S. 1821) authorizing the construction of a channel for the drainage of the closed basin of the San Luis Valley in Colorado, authorizing an investigation relating to the construction of a reservoir in connection with such channel, and for other purposes; to the Committee on Irrigation and Reclamation.

PAYMENTS UNDER SETTLEMENT OF WAR CLAIMS ACT OF 1928

Mr. Copeland, by unanimous consent, submitted the following resolution (S.Res. 91), which was referred to the Committee on Finance:

Whereas Germany has exercised certain of the rights conferred by the agreement of June 23, 1930, between the United States and Germany permitting the suspension of payments by Germany of the sums payable under that agreement on account of awards of the Mixed Claims Commission, and no such payments have been made under the agreement since March 31, 1931, and suspensions of payments by Germany under the terms of that agreement without the consent of the United States are permitted for a period not exceeding 2½ years from the date of suspension of payment; and

Whereas the Treaty of Berlin of August 25, 1921, provided that "all property of the Imperial German Government, * * * and of all German nationals, which was on April 6, 1917, in or has since that date come into the possession or under the control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, * * * shall be retained by the United States of America and no disposition thereof made, * * * until such time as the Imperial German Government * * * or their successor or successors, shall have * * * made suitable provision for the satisfaction of all claims against said Government * * * of all persons, wheresoever domiciled who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, * * * loss, damage, or injury to their persons, or property, directly or indirectly"; and

Whereas the Settlement of War Claims Act of 1928 was enacted upon the understanding by the Congress that suitable provision would be made for all claims against Germany of American nationals who have suffered through acts of Germany, or its agents, loss, damage, or injury to their persons or property, in accordance with the provisions of the Treaty of Berlin, and would be paid out of the German special deposit account in the Treasury of the United States which was created by said act; and

Whereas there are on file in the Department of State unadjudicated claims against Germany of more than 3,000 American nationals who have suffered loss, damage, and injury to their persons and property, principally as a result of Germany's submarine warfare; and

Whereas the full amount of all of the principal of awards of the Mixed Claims Commission heretofore entered has already been paid by the Secretary of the Treasury under the provisions of the Settlement of War Claims Act of 1928, as well as the full amount of interest on the smaller awards of less than $100,000 and certain payments to German nationals; and there is no requirement by law for payment by the Secretary of the Treasury of further amounts under the Settlement of War Claims Act of 1928 prior to the completion of the work of the Mixed Claims Commission; and

Whereas the Secretary of the Treasury, before the Congress again convenes, before suitable provision has been made for the adjudication and payment of the claims of American nationals against Germany now on file in the Department of State, and before the German Government resumes its payments under the agreement of June 23, 1930, may make further payments out of the German special deposit fund, including payments to German nationals which will inure to the benefit of Germany: Therefore be it

Resolved, That it is the opinion of the Senate that the Secretary of the Treasury should not make further payments out of the funds in the Treasury under the Settlement of War Claims Act, or release any of the bonds of Germany now held in the Treasury of the United States pursuant to the terms of the agreement between Germany and the United States signed June 23, 1930, until suitable provision shall have been made by Germany for the adjudication and payment of all the claims of American nationals now on file in the Department of State; and, furthermore, that the Secretary of State should not consent to the discontinuance of the work of the Mixed Claims Commission until suitable provision has been made and consented to by the Government of Germany for the full ascertainment of Germany's liability to the United States under the Treaty of Berlin with respect to all claims of American nationals now on file in the Department of State, and until the discontinuance of the labors of the Mixed Claims Commission shall have been approved by the Congress of the United States.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (S. 510) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

The House has passed the bill (H.R. 5239) to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes, in which it requests the concurrence of the Senate.

ENROLLED JOINT RESOLUTION PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on yesterday they presented to the President of the United States the enrolled joint resolution (S.J.Res. 48) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China.

HOUSE BILL REFERRED

The bill H.R. 5239, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Public Lands and Surveys.

ESTABLISHMENT AND PROMOTION OF NATIONAL EMPLOYMENT SYSTEM

The Vice President laid before the Senate the amendments this day received from the House of Representatives for concurrence to the bill (S. 510) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

The Senate proceeded to consider the said amendments; and

On motion by Mr. Wagner,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

PURCHASE OF OBLIGATIONS OF INSURANCE COMPANIES

Mr. Fletcher submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of the preferred stock and/or bonds and/or debentures of insurance companies having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 6.

That the Senate recede from its disagreement to the amendments of the House numbered 2, 3, 4, 7, 8, 10, 11, and 12, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert *The total face amount of loans outstanding, preferred stock subscribed for, and capital notes purchased and held by the Reconstruction Finance Corporation, under the provisions of this section and section 2, shall not exceed at any one time, $50,000,000, and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section and section 2* and a period; and the House agree to the same.

Amendment numbered 5: That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert *The Reconstruction Finance Corporation shall not subscribe for or purchase any preferred stock or capital notes of any applicant insurance company, (1) until the applicant shows to the satisfaction of the Corporation that it has unimpaired capital stock, or that it will furnish new capital which will be subordinate to the preferred stock or capital notes to be subscribed for or purchased by the Corporation, equal to the amount of said preferred stock or capital notes so subscribed for or purchased by the Corporation: Provided, That the Corporation may make loans upon said preferred stock or capital notes, if, in its opinion, such loans will be adequately secured by said stock or capital notes, and/or such other forms of security as the Corporation may require*; and on page 3, line 13, of the Senate bill, strike out "acceptance" and insert in lieu thereof *loan*; and the House agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment as follows: On page 6, line 16, of the Senate bill, after the period, insert quotation marks; and the House agree to the same.

That the title of the bill be amended to read as follows:

An act to authorize the Reconstruction Finance Corporation to subscribe for preferred stock and purchase the capital notes of insurance companies, and for other purposes.

DUNCAN U. FLETCHER,
ALBEN W. BARKLEY,
R. R. REYNOLDS,
JAMES COUZENS,
HAMILTON F. KEAN,
Managers on the part of the Senate.

H. B. STEAGALL,
T. ALAN GOLDSBOROUGH,
ROBERT LUCE,
Managers on the part of the House.

Ordered, That the report lie on the table.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

The question being on agreeing to the motion yesterday made by Mr. Trammell, pursuant to notice, to suspend paragraph 4 of rule XVI for the purpose of proposing an amendment to the bill relating to reduction of compensation and pensions of veterans,

Pending debate,

Mr. Trammell raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Wheeler in the chair) directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Ashurst, Austin, Bachman, Barbour, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dieterich, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The question being taken on agreeing to Mr. Trammell's motion,

It was determined in the affirmative, {Yeas 59 / Nays 21}

On motion by Mr. Trammell,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Austin, Bachman, Barbour, Black, Bone, Borah, Bulkley, Capper, Caraway, Carey, Connally, Copeland, Costigan, Couzens, Cutting, Dickinson, Duffy, Erickson, Fletcher, Frazier, George, Goldsborough, Gore, Hale, Hatfield, Hebert, Johnson, Kean, Keyes, Lonergan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Neely, Norris, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Steiwer, Stephens, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, Walcott, Walsh, Wheeler, and White.

Senators who voted in the negative are—

Bratton, Brown, Bulow, Byrd, Byrnes, Clark, Coolidge, Dieterich, Fess, Glass, Harrison, Hayden, Kendrick, King, Lewis, Robinson of Arkansas, Sheppard, Thomas of Oklahoma, Thompson, Tydings, and Wagner.

So the motion was agreed to, two thirds of the Senators present having voted in the affirmative.

Mr. Trammell thereupon proposed the said amendment, and subsequently modified the same to read as follows:

On page 61, between lines 6 and 7, add a new section, as follows:

Sec. 21. That regardless of any provisions embraced in title I of an act to maintain the credit of the United States Government, being Public, Numbered 2, Seventy-third Congress, the compensation or the pension of those veterans who on March 20, 1933, were drawing compensation or pension or may hereafter be granted compensation or pension on account of service-connected disability, shall not be reduced more than 15 per centum below the compensation or pension to which they were entitled on March 20, 1933. In any review of a veteran's case by the Veterans' Administration with a view to reducing the rating of or change the cause of his disability the burden of proof shall rest upon the Government.

On motion by Mr. Robinson of Arkansas to amend Mr. Trammell's amendment by striking out the figures "15" and inserting in lieu thereof the figures 25,

After debate,

It was determined in the negative, {Yeas 25 / Nays 51}

On motion by Mr. Long,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Bankhead, Barkley, Bratton, Brown, Byrd, Byrnes, Connally, Coolidge, Dickinson, Dieterich, Dill, Fess, Fletcher, Glass, Hayden, Kendrick, Lewis, McNary, Robinson of Arkansas, Sheppard, Stephens, Thompson, Tydings, and Walsh.

Senators who voted in the negative are—

Austin, Bachman, Barbour, Black, Bone, Borah, Bulkley, Capper, Carey, Clark, Copeland, Costigan, Cutting, Duffy, Erickson, Frazier, Goldsborough, Hale, Hatfield, Hebert, Johnson, Kean, Keyes, La Follette, Lonergan, Long, McCarran, McGill, McKellar, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Steiwer, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, Walcott, Wheeler, and White.

So the amendment proposed by Mr. Robinson of Arkansas was not agreed to.

On motion by Mr. Connally to amend Mr. Trammell's amendment, as modified, by inserting in lieu of the language contained therein, certain words; and the said amendment having been subsequently modified by Mr. Connally,

Pending debate,

Mr. Trammell further modified his amendment.

After debate,

On the question of agreeing to the amendment, as modified, proposed by Mr. Connally, viz, in lieu of the language proposed to be inserted by Mr. Trammell's amendment, as modified, as follows:

"That title I of Public, No. 2 is hereby amended by adding thereto the following:

"'SEC. 21. That regardless of any provisions embraced in title I of an act to maintain the credit of the United States Government, being Public, No. 2, Seventy-third Congress, the compensation or the pension of those veterans who on March 20, 1933, were drawing compensation or pension or may hereafter be granted compensation or pension on account of service-connected disability shall not be reduced more than 15 percent below the compensation or pension to which they were entitled on March 20, 1933. In any review of a veterans' case by the Veterans' Administration with a view to reducing the rating of or change the cause of his disability the burden of proof shall rest upon the Government: *Provided*, That Spanish-American War veterans shall not be required to make proof of service-connected disability.'"

Insert the following:

Notwithstanding any of the provisions of the act approved March 20, 1933, entitled "An act to maintain the credit of the United States Government", in no event shall World War service-connected disability compensation of any veteran, or the pension of any veteran of a war prior to the World War, or the pension of any widow and/or dependents of such veterans, be reduced more than 25 per centum of the rate being received prior to March 15, 1933.

The yeas were 42 and the nays were 42.

On motion by Mr. Connally,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bankhead, Barkley, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Connally, Coolidge, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, George, Gore, Harrison, Hayden, Hebert, Kendrick, King, Logan, Lonergan, McAdoo, McGill, McNary, Murphy, Pope, Robinson of Arkansas, Russell, Sheppard, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Tydings, Vandenberg, and Walsh.

Senators who voted in the negative are—

Bachman, Barbour, Black, Bone, Borah, Capper, Caraway, Carey, Clark, Copeland, Costigan, Cutting, Dale, Dickinson, Frazier, Goldsborough, Hale, Hatfield, Johnson, Kean, Keyes, La Follette, Long, McCarran, McKellar, Metcalf, Neely, Norris, Nye, Overton, Reed, Reynolds, Robinson of Indiana, Schall, Shipstead, Steiwer, Townsend, Trammell, Van Nuys, Walcott, Wheeler, and White.

The vote of the Senate being divided,

The Vice President voted in the affirmative; and

Mr. Connally's amendment, as modified, was agreed to.

Mr. Trammell's amendment, as amended, was then agree to.

On motion by Mr. McKellar to further amend the bill by inserting at the proper place therein the following:

Section 5 of the Reconstruction Finance Corporation Act, approved January 22, 1932, is amended by adding after the words "agricultural credit corporation", in the eighth line of said section, the following: ", producers of finished articles, from raw or unmanufactured materials, the products of the soil or forest".

Pending debate,

Mr. Byrnes raised a question of order, viz, that the amendment proposed general legislation on a general appropriation bill, and, under rule XVI, was not in order.

Mr. McKellar, pursuant to notice yesterday given by him, thereupon moved to suspend paragraph 4 of rule XVI, for the purpose of proposing to the bill the foregoing amendment; and

It was determined in the negative, two thirds of the Senators present not having voted in the affirmative.

On motion by Mr. Wheeler to further amend the bill by inserting on page 10, after line 7, the following:

That the Civil Service Commission shall be empowered to investigate and conciliate differences between employees and their superiors in any of the Government departments or independent establishments, and to set up machinery within or without the departments and independent establishments for that purpose. To facilitate action, the head of each department or independent establishment shall, if requested by the Civil Service Commission, set up a board to make preliminary hearings and adjustments. The Commission shall have final power to enforce its decisions in every department and independent establishment of the Government and there shall be no appeal except to the President of the United States. To carry out the provisions of this act the Civil Service Commission shall be empowered to appoint a liaison officer at a salary of $6,000 per annum, who shall have had at least fifteen years of service in the Federal classified Civil Service.

Mr. Byrnes raised a question of order, viz, that the amendment was general legislation on a general appropriation bill, and not in order.

The Presiding Officer (Mr. Bratton in the chair) sustained the question of order.

The bill was further amended on the motion of Mr. Tydings, and the motion of Mr. Dieterich.

On motion by Mr. Steiwer to reconsider the vote disagreeing to the reported amendment proposing to strike out section 6, beginning on page 53, line 1,

Mr. Copeland raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Bachman, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Dickinson, Dieterich, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Vandenberg, Van Nuys, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On motion by Mr. McKellar to lay Mr. Steiwer's motion on the table,

It was determined in the affirmative, {Yeas 44 / Nays 36}

On motion by Mr. Steiwer,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are——

Adams, Bachman, Bankhead, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Clark, Connally, Costigan, Cutting, Dieterich, Duffy, Erickson, Fletcher, Frazier, Gore, Harrison, Kendrick, King, La Follette, McGill, McKellar, Murphy, Neely, Norris, Overton, Pope, Reynolds, Robinson of Arkansas, Russell, Sheppard, Thomas of Oklahoma, Thomas of Utah, Thompson, Tydings, Walsh, and Wheeler.

Senators who voted in the negative are—

Ashurst, Barbour, Borah, Byrd, Carey, Coolidge, Copeland, Dale, Dickinson, Fess, George, Goldsborough, Hale, Hatfield, Johnson, Kean, Lonergan, Long, McAdoo, McCarran, McNary, Metcalf, Nye, Patterson, Reed, Robinson of Indiana, Schall, Shipstead, Steiwer, Stephens, Townsend, Trammell, Vandenberg, Van Nuys, Walcott, and White.

So the motion to lay on the table was agreed to.

On motion by Mr. Ashurst to further amend the bill by inserting on page 57, after line 22, the following:

Sec. —. That the provisions of section 215 of the act entitled "An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1932" (Public Law No. 212, 72d Cong.), as amended by the act entitled "An act to maintain the credit of the United States Government" (Public Law No. 2, 73d Cong.), shall not apply to members of the Metropolitan Police force and the Fire Department of the District of Columbia.

Mr. Byrnes raised a question of order, viz, that the amendment proposed general legislation on a general appropriation bill and was not in order.

The Presiding Officer sustained the question of order.

The bill was further amended on the motion of Mr. Byrnes, and the motion of Mr. Steiwer.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

UNIFORM VALUE OF COINS AND CURRENCIES

On motion by Mr. Fletcher,

The Senate proceeded to consider the joint resolution (H.J.Res. 192) to assure uniform value to the coins and currencies of the United States.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 54 minutes p.m.,

The Senate, as in legislative session, took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, SATURDAY, JUNE 3, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Sixteen Senators answered to their names, as follows:

Bachman, Borah, Brown, Erickson, Fess, Fletcher, Johnson, Keyes, Logan, McCarran, McGill, Patterson, Reed, Robinson of Arkansas, Thompson, and Vandenberg.

The number of Senators present not constituting a quorum,

The Vice President directed the names of the absentees to be called;

When

Seventeen Senators answered to their names, as follows:

Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Cutting, Frazier, Goldsborough, Hayden, Kendrick, McNary, Pope, Robinson of Indiana, Sheppard, Townsend, and Trammell.

A quorum not being present,

On motion by Mr. Robinson of Arkansas,

Ordered, That the Sergeant at Arms be directed to request the attendance of the absent Senators.

Pending the execution of the order,

Twenty-eight Senators appeared and answered to their names, as follows:

Hebert, Thomas of Utah, Bratton, McKellar, Dickinson, Norris, McAdoo, La Follette, Harrison, Wagner, Van Nuys, King, Walsh, Byrd, George, Gore, Metcalf, Kean, Hatfield, Bulow, Duffy, Barbour, Carey, Black, Neely, Murphy, Barkley, and Adams.

A quorum being present,

MEMBER OF NATIONAL FOREST RESERVATION COMMISSION

The Vice President, under the provisions of title 16, chapter 2, section 513, United States Code, reappointed Mr. Keyes as a member of the National Forest Reservation Commission, his term having expired.

CLAIM OF WESTERN UNION TELEGRAPH CO.

The Vice President laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim of the Western Union Telegraph Co. against the United States; which, with the accompanying report, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A concurrent resolution of the Legislature of the State of Florida, favoring the allocation of funds for the immediate construction of a canal suitable for the operation of self-propelled barges on an inland waterway from New Orleans, La., to Columbus or Atlanta, Ga.; to the Committee on Commerce.

A resolution adopted at Chicago, Ill., by Carpenters Union No. 54, favoring the enactment of legislation providing for social and unemployed insurance; to the Committee on Education and Labor.

A resolution and report adopted by the Chamber of Commerce of the State of New York, remonstrating against the taxation of income from corporation dividends and favoring the imposition of a sales tax in lieu;

A resolution adopted by the League of War Veteran Guardsmen, of East Lynn, Mass., favoring direct credits by the Government to everybody;

A resolution and report of the Committee on Internal Trade and Improvements of the Chamber of Commerce of the State of New York, relative to the collective-bargaining provision in the so-called national industrial recovery bill;

A telegram from the North End Federated Clubs, of Seattle, Wash., favoring the enactment of legislation increasing income taxes and the defeat of a manufacturers' sales tax; and

A telegram from the Association of Manufacturers of Wood Working Machinery, of Chicago, Ill., remonstrating against the labor clause in pending legislation providing for industrial recovery; to the Committee on Finance.

A resolution adopted at New York City by the American Association for the Recognition of the Irish Republic, remonstrating against economic warfare against the Irish people by Great Britain; to the Committee on Foreign Relations.

A memorial of Ernest J. Lessing, of New Orleans, La., remonstrating against an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

The Vice President laid before the Senate a resolution adopted at Chicago, Ill., by Carpenters Union No. 54, favoring the enactment of legislation limiting the work day to 6 hours and 6 days per week, and remonstrating against the employment of children under 16 years of age in industries and the employment of women in night work.

Ordered, That it lie on the table.

Mr. Keyes presented a resolution adopted at Concord, N.H., by the directors of the Railway Employees' and Citizens' Association of New Hampshire, remonstrating against an appropriation for the construction or operation of an inland waterway system through the Great Lakes and St. Lawrence River.

Ordered, That it lie on the table.

Mr. Wheeler presented a communication from Harry G. Beatty, of Buffalo, Wyo., together with a copy of a petition of citizens of Johnson County, Wyo., praying the remonetization of silver, which was referred to the Committee on Banking and Currency.

Mr. Fletcher presented a concurrent resolution of the Legislature of the State of Florida, favoring the commencement of construction work on a ship canal across the Peninsula of the State of Florida, which was referred to the Committee on Commerce.

THE SILVER QUESTION

Mr. Wheeler presented a manuscript entitled "Elementary Facts Bearing on the Silver Question, 1896", by Joel F. Valle, which was ordered to be printed as a Senate document.

REPORTS OF COMMITTEES

Mr. Frazier, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 1561) providing for payment of $100 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States, reported it with amendments and submitted a report (No. 106) thereon.

Mr. Wheeler, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 1126) for the relief of M. M. Twichel, reported it with amendments and submitted a report (No. 107) thereon.

Mr. Wheeler, by unanimous consent, from the Committee on Indian Affairs, to whom were referred the following bills, reported them each without amendment and submitted reports thereon as follows:

S. 512. A bill for the relief of Peter Pierre (Rept. No. 109); and

S. 723. A bill to amend the act of March 13, 1924 (43 Stat.L. 21), so as to permit the Flathead, Kootenai, and Upper Pend d'Oreille Tribes or Nations of Indians to file suit thereunder (Rept. No. 108).

Mr. Bratton, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 690) for the relief of Charles L. Graves, reported it without amendment and submitted a report (No. 110) thereon.

Mr. Kendrick, by unanimous consent, from the Committee on Public Lands and Surveys, to whom was referred the bill (H.R. 5239) to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes, reported it without amendment and submitted a report (No. 111) thereon.

Mr. Ashurst, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 1807) to provide for the exchange of Indian and privately owned lands, Fort Mojave Indian Reservation, Ariz., reported it without amendment and submitted a report (No. 112) thereon.

Mr. Capper, by unanimous consent, submitted the views of the minority of the Committee on the District of Columbia on the bill (S. 1403) to authorize the merger of the Georgetown Gas Light Co. with and into Washington Gaslight Co., and for other purposes; which was ordered to be printed as part 2 of Report No. 102.

CHANGE OF REFERENCE

On motion by Mr. Fletcher, and by unanimous consent,

Ordered, That the Committee on Agriculture and Forestry be discharged from the further consideration of the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes, and that it be referred to the Committee on Banking and Currency.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Nye:

A bill (S. 1822) for the relief of Harold Sorenson; to the Committee on Claims.

By Mr. Erickson:

A bill (S. 1823) for the relief of Leola Snyder (with accompanying papers); to the Committee on Claims.

A bill (S. 1824) for the relief of William F. Brockschmidt (with accompanying papers); and

A bill (S. 1825) authorizing the Secretary of the Interior to issue patents to the numbered school sections in place, granted to the States by the act approved February 22, 1889, by the act approved January 25, 1927 (44 Stat. 1026), and by any other act of Congress; to the Committee on Public Lands and Surveys.

By Mr. Wheeler:

A bill (S. 1826) for expenditure of funds for cooperation with the public-school board at Poplar, Mont., in the construction or improvement of public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont.; and

A bill (S. 1827) for expenditure of funds for cooperation with the public-school board at Wolf Point, Mont., in the construction or improvement of public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. Ashurst:

A bill (S. 1828) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. Walcott:

A bill (S. 1829) for the relief of the Reading Iron Co.; to the Committee on Claims.

By Mr. Byrd:

A bill (S. 1830) to authorize the grant of a right of way to the York River Bridge Corporation over certain Government lands within the Colonial National Monument, Va.; to the Committee on Public Lands and Surveys.

By Mr. Schall:

A bill (S. 1831) to repeal the Economy Act approved March 20, 1933, and for other purposes; to the Committee on Finance.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the amendment of the Senate to the bill (H.R. 5329) creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.

The Speaker of the House having signed an enrolled bill, viz, S. 1581, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 1581) to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, and so forth.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

UNIFORM VALUE OF COINS AND CURRENCIES

The Senate resumed the consideration of the joint resolution (H.J.Res. 192) to assure uniform value to the coins and currencies of the United States.

Pending debate,

On motion by Mr. Reed to amend the said joint resolution by striking out, on page 2, line 10, the words "heretofore or",

Pending debate,

Mr. Johnson raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Neely in the Chair) directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. Kean raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Thomas of Utah in the chair) directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Brattan, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Seventy-five Senators answered to their names, as follows:

Adams, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norris, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to Mr. Reed's amendment, viz, on page 2, line 10, strike out the words " heretofore or ",

It was determined in the negative, | Yeas 21 | Nays 48

On motion by Mr. McNary,

The years and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bailey, Barbour, Carey, Dickinson, Fess, Goldsborough, Gore, Hatfield, Hebert, Johnson, Kean, Keyes, McNary, Metcalf, Patterson, Reed, Schall, Steiwer, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Adams, Bachman, Bankhead, Barkley, Black, Bone, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Harrison, Hayden, Kendrick, La Follette, Lewis, Lonergan, McCarran, McGill, Murphy, Neely, Norris, Overton, Pope, Reynolds, Robinson of Arkansas, Russell, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammell, Van Nuys, Wagner, and Wheeler.

So Mr. Reed's amendment was not agreed to.

On motion by Mr. Walcott to amend the joint resolution by striking out on page 2, line 22, the following: ", excepting currency" and inserting in lieu thereof the following: *incurred on or after the date this resolution takes effect, excepting currency, but not including any such obligation incurred prior to such date which by its terms is payable in gold or gold coin,*

Pending debate,

Mr. Walcott raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Sixty-eight Senators answered to their names:

Adams, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Carey, Clark, Connally, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Goldsborough, Gore, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, Lewis, Logan, Lonergan, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norris, Overton, Patterson, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammel, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

After debate,

On the question of agreeing to Mr. Walcott's amendment,

It was determined in the negative, | Yeas 26 | Nays 38

On motion by Mr. McNary,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bailey, Barbour, Bulkley, Byrd, Carey, Dickinson, Fess, Goldsborough, Gore, Hatfield, Hebert, Johnson, Kean, Keyes, Lonergan, McCarran, McNary, Metcalf, Murphy, Overton, Patterson, Reed, Steiwer, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Adams, Bachman, Bankhead, Barkley, Black, Bratton, Brown, Bulow, Byrnes, Clark, Connally, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Harrison, Hayden, Kendrick, Lewis, McGill, Neely, Norris, Pope, Robinson of Arkansas, Russell, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammell, Van Nuys, Wagner, and Wheeler.

So Mr. Walcott's amendment was not agreed to.

No further amendment being proposed,

Ordered, That the joint resolution pass to a third reading.

The said joint resolution was read the third time.

On the question, Shall the joint resolution pass?

It was determined in the affirmative, | Yeas 48 | Nays 20

On motion by Mr. McNary,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Bachman, Bailey, Bankhead, Barkley, Black, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Clark, Connally, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Harrison, Hayden, Kendrick, La Follette, Lewis, Logan, Lonergan, McCarran, McGill, McKellar, Murphy, Neely, Norris, Overton, Pope, Robinson of Arkansas, Russell, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammell, Van Nuys, Wagner, and Wheeler.

Senators who voted in the negative are—

Barbour, Bulkley, Carey, Dickinson, Fess, Goldsborough, Gore, Hatfield, Hebert, Johnson, Kean, Keyes, McNary, Metcalf, Patterson, Reed, Steiwer, Vandenberg, Walcott, and White.

So it was

Resolved, That the joint resolution pass.

The preamble was agreed to.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Fletcher,

Ordered, That the joint resolution, S.J.Res. 56, of an identical title be postponed indefinitely.

BRIDGE ACROSS THE OHIO RIVER AT OWENSBORO, KY.

On motion by Mr. Barkley, and by unanimous consent,

Ordered, That the Committee on Commerce be discharged from the further consideration of the bill (S. 1815) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Ky.

The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

GOVERNMENT LOANS TO HOME OWNERS

On motion by Mr. Bulkley,

The Senate proceeded to consider the bill (H.R. 5240) to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes.

RECEIPT AND REFERENCE OF NOMINATIONS AFTER RECESS TODAY

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, as in executive session, that if nominations shall be transmitted to the Senate by the President before the hour of 7 o'clock p.m. today, and the Senate is not in session, the Secretary may receive the said nominations, and the Vice President may refer same to the appropriate committees.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 17 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. on Monday next.

AT 12 O'CLOCK M. (CALENDAR DAY, MONDAY, JUNE 5, 1933)

The Vice President called the Senate to order.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Friday, June 2, and Saturday, June 3, 1933, was approved.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Thirty-two Senators answered to their names, as follows:

Ashurst, Austin, Bachman, Barbour, Black, Borah, Bratton, Bulkley, Caraway, Clark, Duffy, Erickson, Frazier, Hebert, Johnson, Kendrick, Long, McCarran, McNary, Murphy, Overton, Patterson, Pope, Robinson of Arkansas, Sheppard, Thomas of Oklahoma, Thompson, Townsend, Trammell, Vandenberg, Van Nuys, and White.

The number of Senators present not constituting a quorum;

The Vice President directed the names of the absentees to be called;

When

Thirty-seven Senators answered to their names, as follows:

Adams, Bankhead, Bone, Brown, Bulow, Byrnes, Capper, Carey, Coolidge, Costigan, Cutting, Dale, Dickinson, Dieterich, Dill, Fess, Glass, Goldsborough, Gore, Hatfield, Hayden, Kean, Logan, McGill, Neely, Norris, Nye, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Steiwer, Stephens, Thomas of Utah, Tydings, and Wheeler.

A quorum being present,

COMMITTEE SERVICE

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That Mr. Logan be assigned to service on the Committee on the Judiciary; that Mr. McKellar and Mr. McAdoo be assigned to service on the Committee on Territories and Insular Affairs; and that Mr. Long be assigned to service on the Committee on Interoceanic Canals.

REPEAL OF THE EIGHTEENTH AMENDMENT TO THE CONSTITUTION

The Vice President laid before the Senate a communication from the secretary of state of New Jersey, transmitting a certificate of the result of the vote of the State convention to consider the ratification of the repeal of the eighteenth amendment to the Constitution, approving and ratifying the proposed amendment; which, with the accompanying papers, was ordered to lie on the table.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following joint resolutions of the Legislature of the State of California, which were referred as indicated:

A joint resolution memorializing Congress to enact legislation providing for the suspension of payments due from Federal reclamation project settlers to the United States and providing for a loan to the reclamation fund to replace the income thereto thus suspended; to the Committee on Irrigation and Reclamation.

A joint resolution memorializing Congress to propose an amendment to the Constitution providing for economic planning and regulation; to the Committee on the Judiciary.

Mr. Johnson presented identical joint resolutions, which were referred as indicated above.

The Vice President laid before the Senate the following petitions, etc., which were referred as indicated:

A resolution of the Senate of the State of Texas, favoring the appointment of Dr. Thomas P. Martin, of Texas, as archivist of the United States; to the Committee on the Library.

A concurrent resolution of the Legislature of the Territory of Hawaii, favoring the enactment of legislation providing for the punishment of stowaways on vessels from the United States;

A concurrent resolution of said legislature remonstrating against the enactment of legislation removing the requirement of 3 years' residence in the Territory of Hawaii for appointment as Governor of the Territory;

A concurrent resolution of said legislature expressing confidence in the President to decide upon the man best suited for the office of Governor of Hawaii; and

A resolution adopted by the Democratic County Committee of the City and County of Honolulu, remonstrating against the appointment of a nonresident as Governor of the Territory of Hawaii; to the Committee on Territories and Insular Affairs.

A resolution adopted at Cambridge, Mass., by the American Society of Ichthyologists and Herpetologists, favoring the maintenance of scientific, educational, and conservational activities of Federal agencies consistent with governmental financial conditions; to the Committee on Appropriations.

A resolution adopted at a national youth day demonstration in Ironwood, Mich., remonstrating against huge appropriations for armaments or the creation of military forced labor camps among the youth, and demanding Federal unemployment insurance and immediate cash relief for the unemployed; to the Committee on Military Affairs.

A resolution adopted by the United Ukrainian Organizations of Cleveland, Ohio, remonstrating against the recognition by the United States Government of Soviet Russia, and favoring the exclusion and deportation of all alien Communists; to the Committee on Foreign Relations.

A resolution adopted by the board of directors of the Pennsylvania State Association of Master Plumbers, favoring the enactment of legislation making untrue, deceptive, or misleading advertising a crime; to the Committee on Interstate Commerce.

A joint resolution of the Legislature of the State of California, memorializing Congress to set aside February 15 as a national holiday in commemoration of the birthday of Susan B. Anthony;

A petition of citizens of the State of Louisiana, praying an investigation of acts and conduct of Senator Huey P. Long; and

A memorial of S. P. Gagnet, Sr., of New Orleans, La., remonstrating against such investigation of Senator Long; to the Committee on the Judiciary.

The Vice President laid before the Senate the following petitions:

A petition of citizens of the State of California, praying the restoration of former benefits to veterans who were actually disabled in the military or naval service.

A joint resolution of the Legislature of the State of California, favoring an extension of time by institutions receiving Federal aid or assistance for the payment of certain debts secured by mortgages or deeds of trust on homes and farm properties.

Ordered, That they lie on the table.

Mr. Johnson presented an identical joint resolution of the Legislature of the State of California.

Ordered, That it lie on the table.

Mr. Johnson presented the following joint resolutions of the Legislature of the State of California, which were referred as indicated:

A joint resolution favoring an increase of duty on certain fish products and treaties with nations adjoining the United States leading to the conservation and protection of fish; to the Committee on Finance.

A joint resolution favoring the use of granite in Federal construction projects; to the Committee on Public Buildings and Grounds.

Mr. Barbour presented a joint resolution of the Legislature of the State of New Jersey, favoring the construction of a ship canal across the State of New Jersey from Raritan Bay to the Delaware River; which was referred to the Committee on Commerce.

Mr. Copeland presented the following petition and communication, which were referred as indicated:

A resolution adopted by Bay Ridge Council, No. 16, of Brooklyn, N.Y., favoring the passage of House bill 4114, fixing a quota for the admission of alien immigrants; to the Committee on Immigration.

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A communication from Dr. Linsly R. Williams, of New York City, suggesting certain amendments to the income and other tax laws; to the Committee on Finance.

Mr. Copeland presented a resolution adopted by the Randall Manor Residents Association, Inc., of Staten Island, N.Y., favoring a reduction in interest rates on first mortgages on homes.

Ordered, That it lie on the table.

"WHEN WAR CAME TO THE INDIAN"—ARTICLE BY P. E. BYRNE

Mr. Frazier presented an article by P. E. Byrne, of Bismarck, N.Dak., published in the April 1932, issue of the North Dakota Historical Quarterly, entitled "When War Came to the Indian—a Chapter of Neglect in American History", together with a letter from the Commissioner of Indian Affairs commendatory thereof; and

Ordered, by unanimous consent, That the said article, together with the letter of the Commissioner of Indian Affairs as a preface thereto, be printed.

REPORTS OF COMMITTEES

Mr. Ashurst, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (H.R. 5208) to amend the probation law, reported it with an amendment and submitted a report (No. 113) thereon.

Mr. Walsh, by unanimous consent, from the Committee on Printing, to whom was referred the concurrent resolution (S.Con. 2) providing for the printing, with an index, of the Constitution of the United States, as amended to April 1, 1933, together with the Declaration of Independence, reported it without amendment and submitted a report (No. 115) thereon.

Mr. Harrison, by unanimous consent, from the Committee on Finance, to whom was referred the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes, reported it with amendments and submitted a report (No. 114) thereon.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Bratton:

A bill (S. 1832) granting a pension to Elizabeth Jane Catron Mills Young; to the Committee on Pensions.

By Mr. Logan:

A bill (S. 1833) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death; to the Committee on Claims.

A bill (S. 1834) to establish uniform requirements affecting Government contracts, and for other purposes; and

A bill (S. 1835) to establish a United States court of administrative justice and to expedite the hearing and determination of controversies with the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. Reed:

A bill (S. 1836) for the relief of John W. Schell; to the Committee on Military Affairs.

A bill (S. 1837) granting a pension to Harriet S. Nicholson; to the Committee on Pensions.

By Mr. Frazier:

A bill (S. 1838) to enroll on the citizenship rolls certain persons of the Choctaw and Chickasaw Nations or Tribes; to the Committee on Indian Affairs.

By Mr. Robinson of Arkansas:

A bill (S. 1839) to transfer the Botanic Garden to the Department of Agriculture; to the Committee on the Library.

By Mr. McCarran:

A bill (S. 1840) making appropriation for the mint and assay office at Carson City, Nev.; to the Committee on Appropriations.

By Mr. Copeland:

A joint resolution (S.J.Res. 59) to provide for the expenses of delegates of the United States to the Ninth Pan American Sanitary Conference (with accompanying papers); to the Committee on Foreign Relations.

PROTECTION OF GOVERNMENT RECORDS

Mr. Pittman, at the request of Mr. Robinson of Arkansas, was excused from further service as a member of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4220) for the protection of Government records.

The Vice President thereupon appointed Mr. Connally to fill the vacancy.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, viz, H.R. 5329, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H.R. 5329) creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

GOVERNMENT LOANS TO HOME OWNERS

The Senate resumed the consideration of the bill (H.R. 5240) to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes.

The question being on agreeing to the reported amendment striking out all after the enacting clause and inserting in lieu thereof certain words,

Pending debate,

Mr. Fess raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Russell in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh Wheeler, and White.

A quorum being present,

Pending further debate,

The part proposed to be inserted was amended on the motion of Mr. Bulkley, and the motion of Mr. Gore.

On motion by Mr. Trammell to further amend the part proposed to be inserted by inserting on page 25, line 14, after the word "section", a provision for direct loans in cash to home owners,

Pending debate,

Mr. Trammell raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Murphy in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

Mr. Trammell's amendment was not agreed to.

The part proposed to be inserted was further amended on the motion of Mr. Trammell, the motion of Mr. Hebert, the motion of Mr. Bratton, and the motion of Mr. Wagner.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5012) to amend existing law in order to obviate the payment of one year's sea pay to surplus graduates of the Naval Academy.

The Speaker of the House having signed an enrolled bill, viz, S. 510, and an enrolled joint resolution, viz, H.J.Res. 192, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bill and joint resolution:

S. 510. An act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes; and

H.J.Res. 192. Joint resolution to assure uniform value to the coins and currencies of the United States.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

GOVERNMENT LOANS TO HOME OWNERS

The Senate resumed the consideration of the bill (H.R. 5240) to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes.

The question being on agreeing to the reported amendment, as amended, striking out all after the enacting clause and inserting in lieu thereof certain words.

On motion by Mr. Frazier to further amend the reported amendment by striking out on page 25, beginning in line 10, the words "same rate as the mortgage or other obligation taken up" and inserting in lieu thereof *rate of 5 percent per annum*.

Pending debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Tydings in the Chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The amendment proposed by Mr. Frazier was not agreed to.

The part proposed to be inserted was further amended on the motion of Mr. Dill, the motion of Mr. Bone, the motion of Mr. Long, and the motion of Mr. Trammell.

No further amendment being proposed,

The reported amendment, as amended, was agreed to.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

On motion by Mr. Bulkley,

Resolved, That the Senate insist upon its amendment to the said bill, and ask a conference with the House of Representatives thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer (Mr. Bratton in the chair) appointed Mr. Bulkley, Mr. Wagner, and Mr. Townsend.

Ordered, That the Secretary notify the House of Representatives thereof.

ENROLLED BILL PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on June 3, 1933, they presented to the President of the United States the enrolled bill (S. 1581) to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, etc.

RETURN OF HOTEL FAIRMONT PAPERS

Ordered, by unanimous consent, That the Secretary of the Senate be, and he is hereby, authorized and directed to return to the Fairmont Hotel, San Francisco, Calif., certain records of the hotel offered in evidence in the proceedings of the Senate sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, as follows:

Registration card of Sam Leake, dated September 21, 1929 (U.S.S. Exhibit 42);

Records of the said hotel covering room 26 from September 1929 to April 1933 (U.S.S. Exhibit 43);

Record of room 679, occupied by Mr. and Mrs. W. S. Leake, and by W. S. Leake, from January 1928 to April 1933 (U.S.S. Exhibit 44);

Original telephone sheets of daily calls from said hotel on March 11 and March 13, respectively, 1930 (U.S.S. Exhibit 45); and

A pencil memorandum of the hotel auditor covering payments for room 26 from October 1929 to April 1933 (U.S.S. Exhibit 46).

ADJOURNMENT

On motion by Mr. Robinson of Arkansas, at 5 o'clock and 15 minutes p.m.,

The Senate adjourned.

TUESDAY, JUNE 6, 1933

The Vice President called the Senate to order, and the Chaplain offered prayer.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar day of yesterday was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed, each without amendment, the following bills of the Senate:

S. 604. An act amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454);

S. 687. An act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla.;

S. 1278. An act to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co.; and

S. 1815. An act to extend the times for commencing and competing the construction of a bridge across the Ohio River at or near Owensboro, Ky.

The House has passed the bill (S. 1562) granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct a bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del., with amendments, in which it requests the concurrence of the Senate.

The House has passed the bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended, with an amendment, in which it requests the concurrence of the Senate.

The House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3511. An act to authorize the creation of a game refuge in the Ouachita National Forest in the State of Arkansas;

H.R. 3659. An act to extend the mining laws of the United States to the Death Valley National Monument in California;

H.R. 4872. An act authorizing Farris Engineering Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near California, Pa.;

H.R. 5394. An act authorizing Charles V. Bossert, his heirs and assigns, to construct, maintain, and operate a bridge across the East River between Bronx and Whitestone Landing;

H.R. 5495. An act to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge;

H.R. 5589. An act granting the consent of Congress to the city of Washington, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Mo.;

H.R. 5645. An act to amend the National Defense Act of June 3, 1916, as amended;

H.R. 5793. An act to revive and reenact the act entitled "An act authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from East Alburg, Vt., to West Swanton, Vt.", approved March 2, 1929; and

H.R. 5884. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Forty-one Senators answered to their names, as follows:

Bachman, Borah, Bratton, Brown, Byrd, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Dale, Davis, Dieterich, Erickson, Frazier, George, Hale, Harrison, Hebert, Johnson, Kendrick, King, Lonergan, Long, McAdoo, McCarran, McGill, McNary, Murphy, Norris, Nye, Patterson, Pope, Robinson of Arkansas, Thomas of Utah, Trammell, Tydings, Vandenberg, Van Nuys, and White.

The number of Senators present not constituting a quorum;

The Vice President directed the names of the absentees to be called;

When

Fifty-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bailey, Bankhead, Barkley, Barbour, Black, Bone, Bulkley, Bulow, Carey, Costigan, Cutting, Dickinson, Dill, Duffy, Fess, Fletcher, Glass, Goldsborough, Gore, Hastings, Hatfield, Hayden, Kean, Keyes, La Follette, Lewis, Logan, McKellar, Metcalf, Neely, Overton, Reed, Reynolds, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thompson, Townsend, Wagner, Walcott, Walsh, and Wheeler.

A quorum being present,

EMERGENCY RAILROAD RELIEF

The Vice President laid before the Senate the amendment this day received from the House of Representatives for concurrence to the bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended.

On motion by Mr. Dill,

Resolved, That the Senate disagree to the amendment of the House of Representatives to the said bill, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Dill, Mr. Smith, Mr. Wheeler, Mr. Fess, and Mr. Metcalf.

Ordered, That the Secretary notify the House of Representatives thereof.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions, which were referred as indicated:

A joint resolution of the State of California, favoring the enactment of legislation providing for the suspension of the requirement of work on mining claims; to the Committee on Mines and Mining.

A joint resolution of the said legislature, favoring an adequate tax or tariff to enable the domestic oil industry to meet foreign competition; to the Committee on Finance.

A joint memorial of the Legislature of the Territory of Alaska, favoring the construction of a highway for automobile travel between Seattle, Wash., and Fairbanks, Alaska, passing through British Columbia and Yukon Territory, Canada; to the Committee on Post Offices and Post Roads.

A concurrent resolution of the Legislature of the Territory of Hawaii, memorializing Congress to enact legislation extending to the Territory of Hawaii the provisions of law in effect in the United States requiring the payment of the prevailing rate of wages in private employment to employees engaged on Government construction; to the Committee on Public Buildings and Grounds.

Resolutions adopted at Rock Hill, S.C., by the South Carolina Textile Workers Convention, as follows:

A resolution favoring the enactment of legislation to abolish the so-called "stretch-out system" in industrial employment;

A resolution favoring a minimum wage for unskilled workers and percentage increases for semiskilled and skilled workers; and

A resolution favoring a senatorial investigation of discriminations against employees in the textile industry in the State of South Carolina; to the Committee on Education and Labor.

Mr. Copeland presented the following petitions and memorial, which were referred as indicated:

A telegram embodying a resolution adopted at a mass meeting held at New York City by The Crusaders, favoring action by public officials and the citizens of the country against all forms of racketeering; and

An editorial from this day's issue of the New York American, urging the suppression of racketeering; to the Committee to Audit and Control the Contingent Expenses of the Senate.

A resolution adopted by the Men's Club of Kehilath Israel, of the Bronx, New York, remonstrating against the alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

Mr. Copeland presented the following petitions and memorials:

A resolution adopted by the National War Veterans' Association, Inc., of Jamaica, N.Y., favoring the enactment of legislation to prevent foreclosure of home mortgages and the payment of adjusted-service certificates;

A resolution adopted by the Middle Village Community Council, Inc., of New York State, favoring the inclusion in proposed legislation for home-owners' mortgage relief of a provision requiring the acceptance of bonds in exchange for mortgages;

A memorial of citizens of the State of New York, remonstrating against the taxation of incomes of the lower salaried class and suggesting a sales tax in lieu; and

A resolution adopted by Veterans' Colony Camp No. 128, of Pismo Beach, Calif., remonstrating against the curtailment of benefits heretofore accorded to war veterans.

Ordered, That they lie on the table.

ENROLLED BILL PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on yesterday they presented to the President of the United States the enrolled bill (S. 510) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

REPORTS OF COMMITTEES

Mr. McCarran, from the Committee on the Judiciary, to whom was referred the bill (H.R. 5690) to legalize the manufacture, sale, or possession of 3.2 percent beer in the State of Oklahoma when and if the same is legalized by a majority vote of the people of Oklahoma or by act of the Legislature of the State of Oklahoma, reported it without amendment and submitted a report (No. 116) thereon.

Mr. Ashurst, from the Committee on Public Lands and Surveys, to whom was referred the bill (S. 1774) to provide for extension of time for making deferred payments on homestead entries in the abandoned Fort Lowell Military Reservation, Ariz., reported it without amendment and submitted a report (No. 117) thereon.

Mr. Sheppard, from the Committee on Commerce, to whom were referred the following bills, reported them each without amendment and submitted reports thereon, as follows:

S. 1745. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oreg. (Rept. No. 118);

S. 1746. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newport, Lincoln County, Oreg. (Rept. No. 119);

S. 1747. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport, Lincoln County, Oreg. (Rept. No. 120);

S. 1748. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near North Bend, Coos County, Oreg. (Rept. No. 121); and

S. 1749. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence, Lane County, Oreg. (Rept. No. 122).

Mr. Sheppard, from the Committee on Commerce, to whom was referred the bill (S. 1742) granting consent of Congress to Ernest N. Hutchinson, Otto A. Case, and A. C. Martin to construct, maintain, and operate a bridge across Deception Pass between Whidby Island and Fidalgo Island in the State of Washington, reported it with amendments and submitted a report (No. 123) thereon.

Mr. Byrnes, from the Committee on Banking and Currency, to whom was referred the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes, reported it with amendments and submitted a report (No. 124) thereon.

Mr. Norris, from the Committee on the Judiciary, to whom was referred the bill (S. 752) to amend section 24 of the Judicial Code, as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to orders of State administrative boards, reported it without amendment and submitted a report (No. 125) thereon.

Mr. Norris asked and obtained leave for Mr. Austin to submit, on behalf of Mr. Stephens and himself, their minority views on the foregoing bill; which were ordered to be printed as part 2 of Report No. 125.

Mr. Capper, from the Committee on the District of Columbia, to whom was referred the resolution (S.Res. 86) directing the Public Utilities Commission of the District of Columbia to investigate facts pertaining to housing in the District of Columbia, reported it with an amendment and submitted a report (No. 126) thereon.

Mr. Bankhead, from the Committee on Banking and Currency, to whom was referred the bill (S. 1808) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas, and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century, reported it without amendment.

INTRODUCTION OF BILLS

Bills were introduced, severally read the first and second times by unanimous consent, and referred as follows:

By Mr. Dill:

A bill (S. 1841) for the relief of Alta Melvin and Thomas Melvin; to the Committee on Claims.

By Mr. Hastings:

A bill (S. 1842) to amend sections 211, 245, and 312 of the Criminal Code, as amended; to the Committee on the Judiciary.

By Mr. Bulkley:

A bill (S. 1843) for the relief of Fred H. Buckman; and

A bill (S. 1844) for the relief of James Foy; to the Committee on Naval Affairs.

By Mr. Stephens:

A bill (S. 1845) to prohibit the export of certain goods except in vessels of the United States; to the Committee on Commerce.

By Mr. Walsh:

A bill (S. 1846) authorizing the appointment and retirement of Fred P. Brown as a lieutenant (junior grade), United States Navy; to the Committee on Naval Affairs.

By Mr. Vandenberg:

A bill (S. 1847) to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930; to the Committee on Commerce.

INVESTIGATION OF PETROLEUM INDUSTRY

Mr. McAdoo submitted the following resolution (S.Res. 92), which was referred to the Committee on the Judiciary:

Resolved, That a special committee consisting of five Senators, to be appointed by the President of the Senate, is authorized and directed to investigate the production, pur-

chase, storage, transportation, refining, and sale of petroleum and its products, with particular regard to monopolistic practices. The committee shall report to the Senate, as soon as practicable, the results of its investigation, together with its recommendations for legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $20,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

STOCK-EXCHANGE, BANKING, AND INVESTMENT PRACTICES

Mr. Costigan submitted the following resolution (S.Res. 93), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution No. 84, Seventy-second Congress, agreed to March 4, 1932, to investigate the practice of "short selling" of listed securities upon stock exchanges and its effect on actual values, as continued in force by Senate Resolution No. 239, Seventy-second Congress, agreed to June 21, 1932, and further continued in force by Senate Resolution No. 371, Seventy-second Congress, agreed to February 28, 1933, and as supplemented by Senate Resolution No. 56, Seventy-third Congress, agreed to April 4, 1933, is hereby increased by $100,000.

INVESTIGATION OF AIR AND OCEAN MAIL CONTRACTS—EXPENDITURES

Mr. Black submitted the following resolution (S.Res. 94), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution No. 349, Seventy-second Congress, second session, agreed to February 25, 1933, creating a special committee of the Senate to investigate air mail and ocean mail contracts, is hereby increased by $75,000.

PAY OF PAGES DURING MONTH OF JUNE

Mr. Robinson of Arkansas submitted the following resolution (S.Res. 95), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay the pages for the Senate Chamber, from the contingent fund of the Senate, at the rate allowed by law from and including the day following the adjournment of the present session of Congress to and including the 30th day of June 1933.

HOUSE BILLS REFERRED

The bills this day received from the House of Representatives for concurrence were severally read the first and second times by unanimous consent.

Ordered, That the bill H.R. 3511 be referred to the Committee on Agriculture and Forestry; that the bill H.R. 3659 be referred to the Committee on Public Lands and Surveys; that the bills H.R. 4872, H.R. 5394, H.R. 5495, H.R. 5589, and H.R. 5793 be referred to the Committee on Commerce; that the bill H.R. 5645 be referred to the Committee on Military Affairs; and that the bill H.R. 5884 be referred to the Committee on the Judiciary.

BRIDGE ACROSS DEEPS CREEK AT CHERRY TREE LANDING, DEL.

The Presiding Officer (Mr. George in the chair) laid before the Senate the amendments this day received from the House of Representatives for concurrence to the text of the bill (S. 1562) granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct a bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del., together with an amendment to the title of the said bill, providing that the same read as follows: "An act granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct, maintain, and operate a free highway bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del."

The Senate proceeded to consider the said amendments; and,

On motion by Mr. Townsend,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies.

The House has disagreed to the amendment of the Senate to the bill (H.R. 5240) to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Steagall, Mr. Goldsborough, and Mr. Luce managers at the same on its part.

The Speaker of the House having signed four enrolled bills, viz, S. 604, S. 687, S. 1278, and S. 1815, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 604. An act amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454);

S. 687. An act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla.;

S. 1278. An act to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co.; and

S. 1815. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Ky.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

ORDER FOR CONSIDERATION OF CALENDAR

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That after the disposition of the conference report on the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, if taken up, the Senate proceed to the consideration of unobjected bills on the Calendar under the 5-minute rule.

GASOLINE TAX AND POSTAGE RATES

On motion by Mr. Harrison,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes.

On the question of agreeing to the report,

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. George in the chair) directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

On motion by Mr. Bone to recommit the said report to the conference committee,

After debate,

It was determined in the affirmative, Yeas ---------- 41, Nays ---------- 31

On motion by Mr. Johnson,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bankhead, Black, Bone, Brown, Bulow, Byrd, Capper, Caraway, Costigan, Cutting, Dill, Duffy, Erickson, Frazier, Gore, Hayden, Johnson, La Follette, Long, McCarran, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Smith, Steiwer, Thomas of Utah, Townsend, Trammell, Vandenberg, Van Nuys, and Wheeler.

Senators who voted in the negative are—

Austin, Bailey, Barbour, Barkley, Bulkley, Byrnes, Carey, Connally, Coolidge, Dickinson, Dieterich, Fess, Fletcher, George, Goldsborough, Harrison, Hebert, Kean, Kendrick, King, Lonergan, McNary, Murphy, Patterson, Reed, Robinson of Arkansas, Sheppard, Thomas of Oklahoma, Tydings, Walsh, and White.

So Mr. Bone's motion to recommit the report was agreed to.

Ordered, That the Secretary notify the House of Representatives thereof.

CONSIDERATION OF CALENDAR

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the order providing for the consideration of unobjected bills on the calendar, entered into today, be rescinded.

PURCHASE OF OBLIGATIONS OF INSURANCE COMPANIES

On motion by Mr. Fletcher,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies; and,

After debate,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 2 minutes p.m.,

The Senate, as in legislative session, took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, WEDNESDAY, JUNE 7, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Forty-four Senators answered to their names, as follows:

Austin, Bachman, Barbour, Borah, Brown, Byrd, Byrnes, Caraway, Coolidge, Cutting, Davis, Dickinson, Duffy, Erickson, Fess, Frazier, Gore, Hale, Harrison, Johnson, Kendrick, King, Logan, Lonergan, Long, McGill, McNary, Metcalf, Murphy, Norris, Nye, Overton, Patterson, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Stephens, Thomas of Utah, Thompson, Townsend, Tydings, Wagner, and White.

The number of Senators present not constituting a quorum;

The Vice President directed the names of the absentees to be called;

When

Forty-nine Senators failed to answer to their names, as follows:

Adams, Ashurst, Bailey, Bankhead, Barkley, Black, Bone, Bratton, Bulkley, Bulow, Capper, Carey, Clark, Connally, Copeland, Costigan, Dale, Dieterich, Dill, Fletcher, George, Glass, Goldsborough, Hastings, Hatfield, Hayden, Hebert, Kean, Keyes, La Follette, Lewis, McAdoo, McCarran, McKellar, Neely, Pope, Reynolds, Schall, Sheppard, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Trammell, Vandenberg, Van Nuys, Walcott, Walsh, and Wheeler.

A quorum being present,

CONSIDERATION OF CALENDAR

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the Senate proceed to the consideration of unobjected bills on the calendar.

The following bills were thereupon considered, and the reported amendments were agreed to:

S. 815. A bill to provide for the survival of certain actions in favor of the United States;

S. 1780. A bill to provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes;

S. 1126. A bill for the relief of M. M. Twichel; and

S. 1742. A bill granting consent of Congress to Ernest N. Hutchinson, Otto A. Case, and A. C. Martin to construct, maintain, and operate a bridge across Deception Pass between Whidby Island and Fidalgo Island in the State of Washington.

Ordered, That the bills be engrossed and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the bill (S. 1561) providing for payment of $100 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States; and the reported amendments having been agreed to,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be amended so as to read: "A bill providing for payment of $50 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the following bills; and no amendment was made:

H.R. 1767. An act to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego;

H.R. 5239. An act to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes; and

H.R. 5690. An act to legalize the manufacture, sale, or possession of 3.2 percent beer in the State of Oklahoma when and if the same is legalized by a majority vote of the people of Oklahoma or by act of the Legislature of the State of Oklahoma.

Ordered, That they pass to a third reading.

The said bills were severally read the third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the bill (S. 723) to amend the act of March 13, 1924 (43 Stat.L. 21), so as to permit the Flathead, Kootenai, and Upper Pend d'Oreille Tribes or Nations of Indians to file suit thereunder; and having been amended on the motion of Mr. Reed,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the following bills; and no amendment was made:

S. 512. A bill for the relief of Peter Pierre;

S. 690. A bill for the relief of Charles L. Graves;

S. 1807. A bill to provide for the exchange of Indian and privately owned lands, Fort Mojave Indian Reservation, Ariz.;

S. 1774. A bill to provide for extension of time for making deferred payments on homestead entries in the abandoned Fort Lowell Military Reservation, Ariz.;

S. 1745. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oreg.;

S. 1746. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newport, Lincoln County, Oreg.;

S. 1747. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport, Lincoln County, Oreg.;

S. 1748. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near North Bend, Coos County, Oreg.;

S. 1749. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence, Lane County, Oreg.; and

S. 1808. A bill to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century.

Ordered, That they be engrossed and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the following bills; and the reported amendments were agreed to:

H.R. 4812. An act to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes; and

H.R. 5208. An act to amend the probation law.

Ordered, That the amendments be engrossed and the bills read a third time.

The said bills, as amended, were read the third time.

Resolved, That they pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate proceeded to consider the concurrent resolution (S.Con.Res. 2) providing for the printing, with an index, of the Constitution of the United States, as amended to April 1, 1933, together with the Declaration of Independence; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the resolution (S.Res. 86) directing the Public Utilities Commission of the District of Columbia to investigate facts pertaining to housing in the District of Columbia; and the reported amendment inserting after the word "Columbia" in line 4 the words *and to receive and adjust complaints in relation thereto*, having been agreed to,

The resolution, as amended, was agreed to.

PROTECTION OF GOVERNMENT RECORDS

Mr. Robinson of Arkansas submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4220) for the protection of Government records, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same.

JOE T. ROBINSON,
WM. E. BORAH,
TOM CONNALLY,
Managers on the part of the Senate.

TOM D. MCKEOWN,
J. BANKS KURTZ,
Managers on the part of the House.

The Senate proceeded to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives insists upon its amendment to the bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended, disagreed to by the Senate; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Rayburn, Mr. Huddleston, Mr. Lea of California, Mr. Parker of New York, and Mr. Cooper of Ohio managers at the same on its part.

The President of the United States has informed the House that he approved and signed acts and joint resolutions, as follows:

On May 27, 1933:

H.R. 5152. An act granting the consent of Congress to the State Highway Commission of Virginia to replace and maintain a bridge across Northwest River in Norfolk County, Va., on State Highway Route No. 27;

H.R. 5173. An act granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed to replace a weak structure in the same location, across the Staunton and Dan Rivers, in Mecklenburg County, Va., on United States Route No. 15;

H.R. 5476. An act to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.;

H.R. 5480. An act to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes; and

H.R. 5390. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes.

On May 29, 1933:

H.J.Res. 159. Joint resolution granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll bridge across the Missouri River from a point in Platte County, Mo., to a point at or near Kansas City, in Wyandotte County, Kans., and specifying the conditions thereof.

On May 31, 1933:

H.R. 4014. An act to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico, and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the act approved June 7, 1924, in certain respects.

On June 3, 1933:

H.R. 4494. An act authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States.

On June 5, 1933:

H.J.Res. 192. Joint resolution to assure uniform value to the coins and currencies of the United States.

PETITIONS

The Vice President laid before the Senate the following joint resolutions of the Legislature of the State of California, which were referred as indicated:

A joint resolution memorializing Congress to enact legislation which will facilitate the protection of sardines in the territorial waters of the State of California; to the Committee on Commerce.

A joint resolution urging the enactment of legislation limiting the hours of labor of persons employed on interstate railroads to 12 consecutive hours in any 24 consecutive hours; to the Committee on Interstate Commerce.

A joint resolution favoring the enactment of Senate bill 752, relative to limiting the jurisdiction of the Federal courts in suits brought to restrain State officers in the enforcement of public utility rate orders; to the Committee on the Judiciary.

A joint resolution relative to the construction of approach roads over certain rights of way leading to the Golden Gate Bridge in the Fort Baker Military Reservation and the retrocession of jurisdiction over said rights of way as relocated; to the Committee on Military Affairs.

Mr. Johnson presented identical joint resolutions as the foregoing, which were referred as indicated.

The Vice President laid before the Senate the following petitions and memorial, which were referred as indicated:

A petition of citizens of Covington, La., praying an investigation of acts and conduct of Senator Huey P. Long;

A memorial of G. W. Toler, of New Orleans, La., remonstrating against such investigation of Senator Long; to the Committee on the Judiciary.

A petition of Mrs. J. Louis Smith, of Covington, La., praying the continuance of the investigation of the senatorial election in Louisiana in 1932; to the Committee to Audit and Control the Contingent Expenses of the Senate.

A resolution adopted by Pride of Washington Council, No. 6, Sons and Daughters of Liberty, of Washington, D.C., urging the passage of House bill 4114 fixing a quota for the admission of alien immigrants into the United States; to the Committee on Immigration.

A resolution adopted by the City Council, of Oakland, Calif., favoring a manufacturers' sales tax in lieu of taxation of incomes; to the Committee on Finance.

Mr. Fletcher presented a concurrent resolution of the Legislature of the State of Florida, urging the allocation of funds for the immediate construction of a canal suitable for the operation of self-propelled barges on an inland waterway from New Orleans, La., to Columbus or Atlanta, Ga., which was referred to the Committee on Commerce.

Mr. Walsh presented a petition of citizens of the State of Massachusetts, praying the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

Mr. Kean presented a resolution adopted by the New Jersey branches of the Catholic Central Verein of America and the Catholic Women's Union of America, of Newark, N.J., favoring the enactment of legislation regulating the hours of labor and use of machinery, wages paid labor, and the amount of profit upon the manufacture, sale, or distribution of the products of industry, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES

Mr. Sheppard, by unanimous consent, from the Committee on Commerce, to whom were referred the following bills, reported them each without amendment and submitted reports thereon, as follows:

S. 1783. A bill granting the consent of Congress to the Overseas Road and Toll Bridge District, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Fla., from Lower Matecumbe Key to No Name Key (Rept. No. 127);

H.R. 5793. An act to revive and reenact the act entitled "An act authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from East Alburg, Vt., to West Swanton, Vt.", approved March 2, 1929 (Rept. No. 128).

H.R. 4872. An act authorizing Farris Engineering Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near California, Pa. (Rept. No. 132);

H.R. 5495. An act to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge (Rept. No. 133); and

H.R. 5589. An act granting the consent of Congress to the city of Washington, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Mo. (Rept. No. 134).

Mr. Wheeler, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 1772) for the relief of the Western Montana Clinic, Missoula, Mont., reported it without amendment and submitted a report (No. 129) thereon.

Mr. Kendrick, by unanimous consent, from the Committee on Public Lands and Surveys, to whom was referred the

bill (H.R. 3659) to extend the mining laws of the United States to the Death Valley National Monument in California, reported it without amendment and submitted a report (No. 130) thereon.

Mr. Stephens, by uanimous consent, from the Committee on Commerce, to whom was referred the bill (S. 1759) granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith, reported it with amendments and submitted a report (No. 131) thereon.

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom were referred the following resolutions, reported them each with an amendment:

S.Res. 79. Resolution authorizing an additional expenditure in connection with a general survey of Indian conditions in the United States; and

S.Res. 94. Resolution increasing the limits of expenditures of the investigation of air mail and ocean mail contracts.

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 87) to pay for certain services rendered to the United States district attorney for Nebraska in the case of the United States against Victor Seymour, reported it with amendments.

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom were referred the following resolutions, reported them each without amendment:

S.Res. 89. Resolution increasing the limit of expenditures under Senate Resolution 55 to investigate the delay in prosecuting alleged law violations by the Harriman National Bank, New York City; and

S.Res. 93. Resolution further increasing the limit of expenditures in the investigation of stock-exchange, banking, and investment practices.

EXECUTIVE REPORT

As in executive session, and by unanimous consent,

Mr. Harrison, from the Committee on Finance, to whom was referred the nomination of E. Barrett Prettyman to be General Counsel for the Bureau of Internal Revenue, reported it favorably.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. McNary:

A bill (S. 1848) for the relief of Josephine R. Briggs; to the Committee on Claims.

By Mr. Townsend:

A bill (S. 1849) to provide for the purchase by national banks of the assets of closed national banks and State banks and trust companies; to the Committee on Banking and Currency.

By Mr. Copeland:

A bill (S. 1850) to establish a national military park to commemorate the campaign and Battles of Saratoga in the State of New York; to the Committee on Military Affairs.

By Mr. Fletcher:

A bill (S. 1851) for the relief of K. W. Boring; to the Committee on Claims.

By Mr. Ashurst:

A bill (S. 1852) to permit Government use of forfeited property; to the Committee on the Judiciary.

By Mr. Harrison:

A bill (S. 1853) to authorize the Secretary of the Treasury to execute an agreement of indemnity to the First Granite National Bank, Augusta, Maine; to the Committee on Finance.

By Mr. Thompson:

A bill (S. 1854) granting an increase of pension to Mary S. Miller; to the Committee on Pensions.

By Mr. McCarran:

A bill (S. 1855) for the establishment, development, and administration of the Boulder Canyon National Reservation, and the development and administration of the Boulder Canyon Project Federal Reservation, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. King:

A joint resolution (S.J.Res. 60) making an appropriation for an investigation of housing conditions and rentals in the District of Columbia; to the Committee on the District of Columbia.

SPECIAL COMMITTEE ON CONSERVATION OF WILD LIFE RESOURCES

Mr. Robinson of Arkansas, by unanimous consent, submitted the following resolution (S.Res. 96), which was referred to the Committee on Rules:

Resolved, That the membership of the Special Committee on Conservation of Wild Life Resources shall be increased from five to seven members and that the President of the Senate on the passage of this resolution shall appoint the two additional members.

BANKING AND INVESTMENT SECURITIES AND PRACTICES

Mr. Fletcher (for himself and Mr. Steiwer), by unanimous consent, submitted the following resolution (S.Res. 97), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, in addition to and supplementing the authority granted under Senate Resolution 84, Seventy-second Congress, agreed to March 4, 1932, and continued and supplemented by Senate Resolution 239, Seventy-second Congress, agreed to June 21, 1932; Senate Resolution 371, Seventy-second Congress, agreed to February 28, 1933; and Senate Resolution 56, Seventy-third Congress, agreed to April 4, 1933, shall have authority to investigate any transactions or activities relating to any sale, exchange, purchase, acquisition, borrowing, lending, financing, issuing, distributing, or other disposition of, or dealing in, securities or credit by any person, firm, partnership, company, association, corporation, or other entity, and/or any other acts or operations of any one or more of them or of agents, affiliates, or subsidiaries of any one or more of them or of any entity (corporate or otherwise) directly or indirectly controlled or influenced by any one or more of them, which may affect or bear upon, either directly or indirectly, any of the foregoing transactions or activities. Such investigation shall be made with a view to recommending necessary legislation under the taxing power or other Federal powers.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, either in the District of Columbia or elsewhere, during the first session of the Seventy-third Congress or any recess thereof, and until the termination of the first regular session thereof, to employ such experts and clerical, stenographic, and other assistants, to require, by subpena or otherwise, the attendance of such witnesses and the production and impounding of such books, papers, and documents, to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the investigation authorized by this resolution shall be paid out of the sums heretofore or hereafter made available for the investigation authorized under Senate Resolution 84, Seventy-second Congress, as continued by the resolutions above specified and by this resolution. The authority conferred by Senate Resolution 84, Seventy-second Congress, as continued by such resolutions, shall extend until the termination of the first regular session of the Seventy-third Congress.

Mr. Byrnes, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses, to whom was referred the foregoing resolution, subsequently reported it without amendment.

WILLIE MAYES SHUEY

Mr. Glass, by unanimous consent, submitted the following resolution (S.Res. 98), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for expenses of inquiries and investigations, contingent fund of the Senate, fiscal year 1932, to Willie Mayes Shuey, widow of Theodore F. Shuey, late an Official Reporter of the Senate, a sum equal to 1 year's compensation at the rate he was receiving at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, his secretary:

Mr. President: The President of the United States approved and signed the following acts and joint resolution:

On May 29, 1933:

S. 73. An act to authorize the Comptroller General to allow claim of district no. 13, Choctaw County, Okla., for payment of tuition for Indian pupils.

On June 5, 1933:

S.J.Res. 48. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China.

On June 6, 1933:

S. 510. An act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

Ordered, That the Secretary notify the House of Representatives thereof.

MODIFICATION OF VETERANS' REGULATIONS

The Presiding Officer (Mr. Copeland in the chair) laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

Pursuant to the provisions of section 20, title I, of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, I am transmitting herewith a photostat copy of Executive Orders, No. 6156 (Veterans' Regulation 1 (a), No. 6157 (Veterans' Regulation 3 (a), No. 6158 (Veterans' Regulation 9 (a), and No. 6159 (Veterans' Regulation 10 (a), approved by me June 6, 1933, embodying amendments to veterans' regulations approved by me March 31, 1933, relating to veterans' relief. These veterans' regulations have been issued in accordance with the terms of title I of that law.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 7, 1933.*

Ordered, That the message, with the accompanying documents, lie on the table.

NATIONAL INDUSTRIAL RECOVERY

On motion by Mr. Harrison,

The Senate proceeded to consider the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

Pending debate,

The reported amendment on page 1, line 7, was agreed to.

Pending further debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Duffy in the Chair) directed the roll to be called;

When

Ninety-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

On motion by Mr. Harrison, and by unanimous consent,

Ordered, That when the Senate concludes its session today it take a recess until 10 o'clock a.m. tomorrow.

Pending debate,

INTERNATIONAL TRADE RESTRICTIONS ON FARM PRODUCTS

The Presideng Officer (Mr. Duffy in the chair) laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to Senate Resolution 280, agreed to July 16, 1932, a report pertaining to restrictions upon international trade in major agricultural products throughout the world, the measures taken by various countries in aid of agriculture, and the effect of these restrictions and measures upon American farmers; which, with the accompanying documents, was referred to the Committee on Agriculture and Forestry.

BRIDGE ACROSS LAKE CHAMPLAIN

On motion by Mr. Dale, and by unanimous consent,

The Senate proceeded to consider the bill (H.R. 5793) to revive and reenact the act entitled "An act authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from East Alburg, Vt., to West Swanton, Vt.", approved March 2, 1929; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The Presiding Officer (Mr. Murphy in the chair) referred to the appropriate committees certain nominations this day received from the President of the United States.

RECESS

On motion by Mr. Harrison, at 5 o'clock and 52 minutes p.m.,

The Senate, pursuant to its order of today, took a recess until 10 o'clock a.m. tomorrow.

AT 10 O'CLOCK A.M. (CALENDAR DAY, THURSDAY, JUNE 8, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Twenty-three Senators answered to their names, as follows:

Austin, Bachman, Bankhead, Bratton, Brown, Clark, Coolidge, Davis, Erickson, Fletcher, George, Hale, Harrison, Kendrick, Keyes, Logan, Lonergan, Long, McKellar, Robinson of Arkansas, Steiwer, Thompson, and Towsend.

The number of Senators present not constituting a quorum,

The Vice President directed the names of the absentees to be called;

When

Six Senators appeared and answered to their names, as follows:

Capper, Frazier, McCarran, McGill, Pope, and Stephens.

A quorum not being present,

On motion by Mr. Robinson of Arkansas,

Ordered, That the Sergeant at Arms be directed to request the attendance of the absent Senators.

Pending the execution of the order,

Twenty Senators appeared and answered to their names, as follows:

Borah, Bulkley, Connally, Copeland, Dickinson, Fess, Hastings, Hatfield, Hayden, Kean, McNary, Neely, Overton, Patterson, Russell, Sheppard, Thomas of Utah, Trammell, Wagner, and White.

A quorum being present,

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petition and memorials, which were referred as indicated:

A resolution adopted by the Pennsylvania Commandery of the Military Order of the Loyal Legion of the United States, of Philadelphia, Pa., favoring the building up and maintenance of the Navy to London Treaty strength; to the Committee on Appropriations.

Memorials of citizens of the State of Louisiana, remonstrating against an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

Mr. Copeland presented a resolution adopted by the Kalorama Citizens Association, of Washington, D.C., favoring the enactment of legislation favoring the continuation of the Women's Bureau of the police department of the District of Columbia, maintenance of its civil service standards, and an increase in its personnel; which was referred to the Committee on the District of Columbia.

Mr. Shipstead presented the following petitions, which were referred as indicated:

A resolution adopted by Freemond Madson Post, No. 447, Veterans of Foreign Wars, of Albert Lea, Minn., favoring the postponement of the construction of new post-office buildings in cities of less than 100,000 population and the transfer of the duties of the postmasters to the assistant postmasters as an economy measure; to the Committee on Post Offices and Post Roads.

A resolution adopted by Halvorson-Bowers Post, No. 187, Veterans of Foreign Wars, of Minneapolis, Minn., urging modifications in the provisions of the so-called Economy Act relating to benefits to war veterans and the regulations issued thereunder; to the Committee on Finance.

Mr. Dill presented petitions, numerously signed, of citizens of the State of Illinois, praying the enactment of legislation to remove the limitation on deposits in postal savings banks and to permit deposits and withdrawals by checks, which were referred to the Committee on Post Offices and Post Roads.

Mr. Tydings presented a memorial of citizens of Baltimore, Md., remonstrating against the imposition of additional taxes on lower incomes as a means of raising revenue for public works construction provided for in pending legislation; which was referred to the Committee on Finance.

Mr. Barbour presented a resolution adopted at Newark, N.J., by New Jersey branches of the Catholic Central Verein of America and the Catholic Women's Union of America, favoring the enactment of legislation to regulate hours of labor, the use of machinery, to provide a minimum wage scale, and to specify the amount of profit to be made upon the manufacture, sale, and distribution of the products of industry; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES

Mr. Copeland, by unanimous consent, from the Committee on Rules, to whom was referred the resolution (S.Res. 96) to increase the membership on the Special Committee for the Conservation of Wild Life Resources from five to seven members, reported it without amendment.

Mr. King, by unanimous consent, from the Committee on the District of Columbia, to whom was referred the joint resolution (S.J.Res. 60) making an appropriation for an investigation of housing conditions and rentals in the District of Columbia, reported it without amendment.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Neely:

A bill (S. 1856) granting an increase of pension to Margaret E. Gorrell; to the Committee on Pensions.

By Mr. Bailey:

A bill (S. 1857) for the relief of John L. Summers, disbursing clerk, Treasury Department, and for other purposes;

A bill (S. 1858) for the relief of the Washington Post Co. (with accompanying papers);

A bill (S. 1859) authorizing adjustment of the claim of the Rio Grande Southern Railroad Co. (with accompanying papers); and

A bill (S. 1860) authorizing adjustment of the claim of the Western Union Telegraph Co. (with accompanying papers); to the Committee on Claims.

By Mr. Johnson:

A bill (S. 1861) for the relief of John F. Considine; to the Committee on Claims.

A bill (S. 1862) for the relief of Edward C. Joslyn; to the Committee on Military Affairs.

A bill (S. 1863) granting a pension to Kate Thompson; to the Committee on Pensions.

By Mr. Fess:

A bill (S. 1864) granting a pension to Nettie Sonner (with accompanying papers); to the Committee on Pensions.

By Mr. Fletcher:

A bill (S. 1865) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

A bill (S. 1866) to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

By Mr. Van Nuys:

A bill (S. 1867) authorizing an appropriation to provide for the completion of the George Rogers Clark Memorial at Vincennes, Ind.; to the Committee on the Library.

By Mr. Ashurst:

A bill (S. 1868) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

STOCK EXCHANGE, BANKING, AND INVESTMENT PRACTICES

On motion by Mr. Fletcher, and by unanimous consent,

The Senate proceeded to consider the following resolutions:

S. Res. 93. Resolution further increasing the limit of expenditures in the investigation of stock exchange, banking, and investment practices; and

S. Res. 97. Resolution relative to the investigation by the Committee on Banking and Currency of transactions in securities or credit;

Resolved, That the Senate agree thereto.

LAW VIOLATIONS BY HARRIMAN NATIONAL BANK

On motion by Mr. Byrnes, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 89) increasing the limit of expenditures under S.Res. 55 to investigate the delay in prosecuting alleged law violations by the Harriman National Bank, New York City; and

Resolved, That the Senate agree thereto.

GENERAL SURVEY OF INDIAN CONDITIONS

On motion by Mr. Byrnes, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 79) authorizing an additional expenditure in connection with a general survey of Indian conditions in the United States; and the reported amendment striking out, on line 4, "$15,000" and inserting in lieu thereof *$10,000*, having been agreed to,

The resolution, as amended, was agreed to.

EXPENDITURES IN CASE AGAINST VICTOR SEYMOUR

On motion by Mr. Byrnes, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 87) to pay for certain services rendered to the United States district attorney for Nebraska in the case of the United States against Victor Seymour; and the reported amendments striking out, on line 12, "$200" and inserting in lieu thereof *$100*, and striking out, on line 13, "$750" and inserting in lieu thereof *$250*, having been agreed to,

The resolution, as amended, was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 5767) to authorize the appointment of the Governor of Hawaii without regard to his being a citizen or resident of Hawaii, in which it requests the concurrence of the Senate.

The Speaker of the House having signed four enrolled bills, viz, S. 1562, H.R. 1767, H.R. 5239, and H.R. 5690, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 1562. An act granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct, maintain, and operate a free highway bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del.;

H.R. 1767. An act to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego;

H.R. 5239. An act to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes; and

H.R. 5690. An act to legalize the manufacture, sale, or possession of 3.2 percent beer in the State of Oklahoma, when and if the same is legalized by a majority vote of the people of Oklahoma or by act of the Legislature of the State of Oklahoma.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on yesterday they presented to the President of the United States the following enrolled bills:

S. 604. An act amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. I, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454);

S. 687. An act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla.;

S. 1278. An act to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co.; and

S. 1815. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Ky.

NATIONAL INDUSTRIAL RECOVERY

The Senate resumed the consideration of the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

After debate,

The reported amendments in part were further agreed to, and the reported amendment on page 3, line 12, was amended on the motion of Mr. Trammell, and, as amended, agreed to.

The bill was further amended on the motion of Mr. Borah, by unanimous consent.

On motion by Mr. Harrison, and by unanimous consent,

Ordered, That individual amendments may be proposed to title I of the bill.

On motion by Mr. Harrison, and by unanimous consent,

The reported amendment on page 7, beginning in line 21, was reconsidered.

On motion by Mr. George to amend the said amendment by striking out, in line 23, the words "any geographical area or",

Mr. George raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. McKellar in the chair) directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. George modified his proposed amendment; and

Pending debate,

The further consideration of the amendment was temporarily postponed, by unanimous consent.

On motion by Mr. Harrison, and by unanimous consent,

The vote agreeing to the reported amendment on page 10, line 13, was reconsidered, and the further consideration of the said amendment was, by unanimous consent, temporarily postponed.

On motion by Mr. Ashurst to further amend the bill on page 5, line 14,

Pending debate,

The further consideration of the amendment was, by unanimous consent, temporarily postponed.

The Senate resumed the consideration of the amendment, as modified, proposed by Mr. George to the reported amendment on page 7, beginning in line 21; and

After debate,

Mr. George's amendment, as modified, was agreed to.

The reported amendment, as amended, was then agreed to.

On motion by Mr. Harrison, and by unanimous consent,

The vote agreeing to the reported amendment on page 8, lines 6 and 7, was reconsidered, and the reported amendment was then disagreed to.

On motion by Mr. Reed to strike out subdivision (b) of section 4, beginning on page 7, line 21, as amended,

Mr. Reed raised a question as to the presence of a quorum; Whereupon

The Presiding Officer (Mr. McKellar in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Coolidge, Copeland, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to the amendment proposed by Mr. Reed, viz, strike out subdivision (b) of section 4, as amended, on page 7, beginning in line 21, as follows:

"(b) Whenever the President shall find that destructive wage or price cutting or other activities contrary to the policy of this title are being practiced in any trade or industry or any subdivision thereof, and, after such public notice and hearing as he shall specify, shall find it essential to license business enterprises in order to make effective a code of fair competition or an agreement under this title or otherwise to effectuate the policy of this title, and shall publicly so announce, no person shall, after a date fixed in such announcement, engage in or carry on any business, in or affecting interstate or foreign commerce, specified in such announcement, unless he shall have first obtained a license issued pursuant to such regulations as the President shall prescribe. The President may suspend or revoke any such license, after due notice and opportunity for hearing, for violations of the terms or conditions thereof. Any order of the President suspending or revoking any such license shall be final if in accordance with law. Any person who, without such a license or in violation of any condition thereof, carries on any such business for which a license is so required, shall, upon conviction thereof, be fined not more than $500, or imprisoned not more than 6 months, or both, and each day such violation continues shall be deemed a separate offense. Notwithstanding the provisions of section 2 (c), this subsection shall cease to be in effect at the expiration of 1 year after the date of enactment of this act or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 has ended."

It was determined in the negative, | Yeas ---------- 31 | Nays ---------- 58

On motion by Mr. Reed,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Barbour, Borah, Bulkley, Byrd, Carey, Dickinson, Fess, Glass, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Kean, Keyes, Logan, Long, McNary, Metcalf, Overton, Patterson, Reed, Schall, Steiwer, Townsend, Tydings, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barkley Black, Bone, Bratton, Brown, Bulow, Byrnes, Capper, Caraway, Clark, Coolidge, Copeland, Costigan, Cutting, Davis, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Harrison, Hayden, Johnson, Kendrick, King, La Follette, Lewis, Lonergan, McGill, McKeller, Murphy, Neely, Norris, Nye, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammel, Van Nuys, Wagner, Walsh, and Wheeler.

So Mr. Reed's amendment was not agreed to.

The Senate resumed the consideration of the amendment proposed by Mr. Ashurst, on page 5, line 13, and having been subsequently modified by him,

The amendment, as modified, was agreed to.

GOVERNMENT LOANS TO HOME OWNERS

Mr. Bulkley submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5240), to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this act may be cited as the "Home Owners' Loan Act of 1933."

Definitions

Sec. 2. As used in this act—

(a) The term "Board" means the Federal Home Loan Bank Board created under the Federal Home Loan Bank Act.

(b) The term "Corporation" means the Home Owners' Loan Corporation created under section 4 of this act.

(c) The term "home mortgage" means a first mortgage on real estate in fee simple or on a leasehold under a renewable lease for not less than ninety-nine years, upon which there is located a dwelling for not more than four families, used by the owner as a home or held by him as his homestead, and having a value not exceeding $20,000; and the term "first mortgage" includes such classes of first liens as are commonly given to secure advances on real estate under the laws of the State in which the real estate is located, together with the credit instruments, if any, secured thereby.

(d) The term "association" means a Federal Savings and Loan Association chartered by the Board as provided in section 5 of this Act.

Repeal of direct loan provision of Federal Home Loan Bank Act

Sec. 3. Subsection (d) of section 4 of the Federal Home Loan Bank Act (providing for direct loans to home owners) is hereby repealed.

Creation of Home Owners' Loan Corporation

Sec. 4. (a) The Board is hereby authorized and directed to create a corporation to be known as "the Home Owners' Loan Corporation", which shall be an instrumentality of the United States, which shall have authority to sue and to be sued in any court of competent jurisdiction, Federal or State, and which shall be under the direction of the Board and operated by it under such bylaws, rules, and regulations as it may prescribe for the accomplishment of the purposes and intent of this section. The members of the Board shall constitute the board of directors of the Corporation and shall serve as such directors without additional compensation.

(b) The Board shall determine the minimum amount of capital stock of the Corporation and is authorized to increase such capital stock from time to time in such amounts as may be necessary, but not to exceed in the aggregate $200,000,000. Such stock shall be subscribed for by the Secretary of the Treasury on behalf of the United States, and payments for such subscriptions shall be subject to call in whole or in part by the Board and shall be made at such time or times as the Secretary of the Treasury deems advisable. The Corporation shall issue to the Secretary of the Treasury receipts for payments by him for or on account of such stock, and such receipts shall be evidence of the stock ownership of the United States. In order to enable the Secretary of the Treasury to make such payments when called, the Reconstruction Finance Corporation is authorized and directed to allocate and make available to the Secretary of the Treasury the sum of $200,000,000, or so much thereof as may be necessary, and for such purpose the amount of the notes, bonds, debentures, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time, is hereby increased by such amounts as may be necessary.

(c) The Corporation is authorized to issue bonds in an aggregate amount not to exceed $2,000,000,000, which may be sold by the Corporation to obtain funds for carrying out the purposes of this section, or exchanged as hereinafter provided. Such bonds shall be issued in such denominations as the Board shall prescribe, shall mature within a period of not more than eighteen years from the date of their issue, shall bear interest at a rate not to exceed 4 per centum per annum, and shall be fully and unconditionally guaranteed as to interest only by the United States, and such guaranty shall be expressed on the face thereof. In the event that the Corporation shall be unable to pay upon demand, when due, the interest on any such bonds, the Secretary of the Treasury shall pay to the Corporation the amount of such interest, which is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, and the Corporation shall pay the amount of such interest to the holders of the bonds. Upon the payment of such interest by the Secretary of the Treasury the amount so paid shall become an obligation to the United States of the Corporation and shall bear interest at the same rate as that borne by the bonds upon which the interest has been so paid. The bonds issued by the Corporation under this subsection shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States or any District, Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. The Corporation, including its franchise, its capital, reserves and surplus, and its loans and income, shall likewise be exempt from such taxation; except that any real property of the Corporation shall be subject to taxation to the same extent, according to its value, as other real property is taxed.

(d) The Corporation is authorized, for a period of three years after the date of enactment of this Act, (1) to acquire in exchange for bonds issued by it, home mortgages and other obligations and liens secured by real estate (including the interest of a vendor under a purchase-money mortgage or contract) recorded or filed in the proper office or executed prior to the date of the enactment of this Act, and (2) in connection with any such exchange, to make advances in cash to pay the taxes and assessments on the real estate, to provide for necessary maintenance and make necessary repairs, to meet the incidental expenses of the transaction, and to pay such amounts, not exceeding $50, to the holder of the mortgage, obligation, or lien acquired as may be the difference between the face value of the bonds exchanged, plus accrued interest thereon, and the purchase price of the mortgage, obligation, or lien. The face value of the bonds so exchanged plus accrued interest thereon and the cash so advanced shall not exceed in any case $14,000, or 80 per centum of the value of the real estate as determined by an appraisal made by the Corporation, whichever is the smaller. In any case in which the amount of the face value of the bonds exchanged plus accrued interest thereon and the cash advanced is less than the amount the home owner owes with respect to the home mortgage or other obligation or lien so acquired by the Corporation, the Corporation shall credit the difference between such amounts to the home owner and shall reduce the amount owed by the home owner to the Corporation to that extent. Each home mortgage or other obligation or lien so acquired shall be carried as a first lien or refinanced as a home mortgage by the Corporation on the basis of the price paid therefor by the Corporation, and shall be amortized by means of monthly payments sufficient to retire the interest and principal within a period of not to exceed fifteen years; but the amortization payments of any home owner may be made quarterly, semiannually, or annually, if in the judgment of the Corporation the situation of the home owner requires it. Interest on the unpaid balance of the obligation of the home owner to the Corporation shall be at a rate not exceeding 5 per centum per annum. The Corporation may at any time grant an extension of time to any home owner for the payment of any installment of principal or interest owed by him to the Corporation if, in the judgment of the Corporation, the circumstances of the home owner and the condition of the security justify such extension, and no payment of any installment of principal shall be required during the period of three years from the date this Act takes effect if the home owner shall not be in default with respect to any other condition or covenant of his mortgage. As used in this subsection, the term "real estate" includes only real estate held in fee simple or on a leasehold under a lease renewable for not less than ninety-nine years, upon which there is located a dwelling for not more than four families used by the owner as a home or held by him as a homestead and having a value not exceeding $20,000. No discrimination shall be made under this act against any home mortgage by reason of the fact that the real estate securing such mortgage is located in a municipality, county, or taxing district which is in default upon any of its obligations.

(e) The Corporation is further authorized, for a period of three years from the date of enactment of this act, to make loans in cash subject to the same limitations and for the same purposes for which cash advances may be made under subsection (d) of this section, in cases where the property is not otherwise encumbered; but no such loan shall exceed 50 per centum of the value of the property securing the same as determined upon an appraisal made by the Corporation. Each such loan shall be secured by a duly recorded home mortgage, and shall bear interest at the same rate and shall be subject to the same provisions with respect to amortization and extensions as are applicable in the case of obligations refinanced under subsection (d) of this section.

(f) The Corporation is further authorized, for a period of three years from the date of enactment of this act, in any case in which the holder of a home mortgage or other obligation or lien eligible for exchange under subsection (d) of this section does not accept the bonds of the Corporation in exchange as provided in such subsection and in which the Corporation finds that the home owner cannot obtain a loan from ordinary lending agencies, to make cash advances to such home owner in an amount not to exceed 40 per centum of the value of the property for the purposes specified in such subsection (d). Each such loan shall be secured by a duly recorded home mortgage and shall bear interest at a rate of interest which shall be uniform throughout the United States, but which in no event shall exceed a rate of 6 per centum per annum, and shall be subject to the same provisions with respect to amortization and extensions as are applicable in cases of obligations refinanced under subsection (d) of this section.

(g) The Corporation is further authorized, for a period of three years from the date of the enactment of this act, to exchange bonds and to advance cash, subject to the limita-

tions provided in subsection (d) of this section, to redeem or recover homes lost by the owners by foreclosure or forced sale by a trustee under a deed of trust or under power of attorney, or by voluntary surrender to the mortgagee within two years prior to such exchange or advance.

(h) The Board shall make rules for the appraisal of the property on which loans are made under this section so as to accomplish the purposes of this act.

(i) Any person indebted to the Corporation may make payment to it in part or in full by delivery to it of its bonds which shall be accepted for such purpose at face value.

(j) The Corporation shall have power to select, employ, and fix the compensation of such officers, employees, attorneys, or agents as shall be necessary for the performance of its duties under this act, without regard to the provisions of other laws applicable to the employment or compensation of officers, employees, attorneys, or agents of the United States. No such officer, employee, attorney, or agent shall be paid compensation at a rate in excess of the rate provided by law in the case of the members of the Board. The Corporation shall be entitled to the free use of the United States mails for its official business in the same manner as the executive departments of the Government, and shall determine its necessary expenditures upon this act and the manner in which they shall be incurred, allowed, and paid, without regard to the provisions of any other law governing the expenditure of public funds. The Corporation shall pay such proportion of the salary and expenses of the members of the Board and of its officers and employees as the Board may determine to be equitable, and may use the facilities of Federal Home Loan Banks, upon making reasonable compensation therefor as determined by the Board.

(k) The Board is authorized to make such bylaws, rules and regulations, not inconsistent with the provisions of this section, as may be necessary for the proper conduct of the affairs of the Corporation. The Corporation is further authorized and directed to retire and cancel the bonds and stock of the Corporation as rapidly as the resources of the Corporation will permit. Upon the retirement of such stock, the reasonable value thereof as determined by the Board shall be paid into the Treasury of the United States and the receipts issued therefor shall be canceled. The Board shall proceed to liquidate the Corporation when its purposes have been accomplished, and shall pay any surplus or accumulated funds into the Treasury of the United States. The Corporation may declare and pay such dividends to the United States as may be earned and as in the judgment of the Board it is proper for the Corporation to pay.

Federal Savings and Loan Associations

Sec. 5. (a) In order to provide local mutual thrift institutions in which people may invest their funds and in order to provide for the financing of homes, the Board is authorized, under such rules and regulations as it may prescribe, to provide for the organization, incorporation, examination, operation, and regulation of associations to be known as "Federal Savings and Loan Associations", and to issue charters therefor, giving primary consideration to the best practices of local mutual thrift and home-financing institutions in the United States.

(b) Such associations shall raise their capital only in the form of payments on such shares as are authorized in their charter, which shares may be retired as is therein provided. No deposits shall be accepted and no certificates of indebtedness shall be issued except for such borrowed money as may be authorized by regulations of the Board.

(c) Such associations shall lend their funds only on the security of their shares or on the security of first liens upon homes or combination of homes and business property within fifty miles of their home office: Provided, That not more than $20,000 shall be loaned on the security of a first lien upon any one such property; except that not exceeding 15 per centum of the assets of such association may be loaned on other improved real estate without regard to said $20,000 limitation, and without regard to said fifty-mile limit, but secured by first lien thereon: And provided further, That any portion of the assets of such associations may be invested in obligations of the United States or the stock or bonds of a Federal Home Loan Bank.

(d) The Board shall have full power to provide in the rules and regulations herein authorized for the reorganization, consolidation, merger, or liquidation of such associations, including the power to appoint a conservator or a receiver to take charge of the affairs of any such association, and to require an equitable readjustment of the capital structure of the same; and to release any such association from such control and permit its further operation.

(e) No charter shall be granted except to persons of good character and responsibility, nor unless in the judgment of the Board a necessity exists for such an institution in the community to be served, nor unless there is a reasonable probability of its usefulness and success, nor unless the same can be established without undue injury to properly conducted existing local thrift and home-financing institutions.

(f) Each such association, upon its incorporation, shall become automatically a member of the Federal Home Loan Bank of the district in which it is located, or if convenience shall require and the Board approve, shall become a member of a Federal Home Loan Bank of an adjoining district. Such associations shall qualify for such membership in the manner provided in the Federal Home Loan Bank Act with respect to other members.

(g) The Secretary of the Treasury is authorized on behalf of the United States to subscribe for preferred shares in such associations which shall be preferred as to the assets of the association and which shall be entitled to a dividend, if earned, after payment of expenses and provision for reasonable reserves, to the same extent as other shareholders. It shall be the duty of the Secretary of the Treasury to subscribe for such preferred shares upon the request of the Board; but the subscription by him to the shares of any one association shall not exceed $100,000, and no such subscription shall be called for unless in the judgment of the Board the funds are necessary for the encouragement of local home financing in the community to be served and for the reasonable financing of homes in such community. Payment on such shares may be called from time to time by the association, subject to the approval of the Board and the Secretary of the Treasury; but the amount paid in by the Secretary of the Treasury shall at no time exceed the amount paid in by all other shareholders, and the aggregate amount of shares held by the Secretary of the Treasury shall not exceed at any time the aggregate amount of shares held by all other shareholders. To enable the Secretary of the Treasury to make such subscriptions when called there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000,000, to be immediately available and to remain available until expended. Each such association shall issue receipts for such payments by the Secretary of the Treasury in such form as may be approved by the Board, and such receipts shall be evidence of the interest of the United States in such preferred shares to the extent of the amount so paid. Each such association shall make provision for the retirement of its preferred shares held by the Secretary of the Treasury, and beginning at the expiration of five years from the time of the investment in such shares, the association shall set aside one third of the receipts from its investing and borrowing shareholders to be used for the purpose of such retirement. In case of the liquidation of any such association the shares held by the Secretary of the Treasury shall be retired at par before any payments are made to other shareholders.

(h) Such associations, including their franchises, capital, reserves, and surplus, and their loans and income, shall be exempt from all taxation now or hereafter imposed by the United States, and all shares of such associations shall be exempt both as to their value and the income therefrom from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States; and no State, Territorial, county, municipal, or local taxing authority shall impose any tax on such associations or their franchise, capital, reserves, surplus, loans, or income greater than that imposed by such authority on other similar local mutual or cooperative thrift and home financing institutions.

(i) Any member of a Federal Home Loan Bank may convert itself into a Federal Savings and Loan Association under this Act upon a vote of its stockholders as provided by the law under which it operates; but such conversion shall be subject to such rules and regulations as the Board may prescribe, and thereafter the converted association shall be entitled to all the benefits of this section and shall be subject to examination and regulation to the same extent as other associations incorporated pursuant to this Act.

Encouragement of Saving and Home Financing

Sec. 6. To enable the Board to encourage local thrift and local home financing and to promote, organize, and develop the associations herein provided for or similar associations organized under local laws, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $150,000, to be immediately available and remain available until expended, subject to the call of the Board, which sum, or so much thereof as may be necessary, the Board is authorized to use in its discretion for the accomplishment of the purposes of this section without regard to the provisions of any other law governing the expenditure of public funds.

Sec. 7 (a) The provisions of this Act shall apply to the continental United States, to the Territories of Alaska and Hawaii, and to Puerto Rico and the Virgin Islands.

Penalties

Sec. 8. (a) Whoever makes any statement, knowing it to be false, or whoever willfully overvalues any security, for the purpose of influencing in any way the action of the Home Owners' Loan Corporation or the Board or an association upon any application, advance, discount, purchase, or repurchase agreement, or loan, under this Act, or any extension thereof by renewal deferment, or action or otherwise, or the acceptance release, or substitution of security therefor, shall be punished by a fine of not more than $5,000, or by imprisonment for not more than two years, or both.

(b) Whoever (1) falsely makes, forges, or counterfeits any note, debenture, bond, or other obligation or coupon, in imitation of or purporting to be a note, debenture, bond, or other obligation, or coupon, issued by the Home Owners' Loan Corporation or an association; or (2) passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited note, debenture, bond, or other obligation, or coupon, purporting to have been issued by the Home Owners' Loan Corporation or an association, knowing the same to be false, forged, or counterfeited; or (3) falsely alters any note, debenture, bond or other obligation, or coupon, issued or purporting to have been issued by the Home Owners' Loan Corporation or an association; or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true any falsely altered or spurious note, debenture, bond, or other obligation, or coupon, issued or purporting to have been issued by the Home Owners' Loan Corporation or an association, knowing the same to be falsely altered or spurious, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than five years, or both.

(c) Whoever, being connected in any capacity with the Board or the Home Owners' Loan Corporation or an association (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged or otherwise intrusted to it; or (2) with intent to defraud the Board or the Home Owners' Loan Corporation or an association, or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiners of the Board or the Home Owners' Loan Corporation or an association, makes any false entry in any book, report, or statement of or to the Board or the Home Owners' Loan Corporation or an association, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, mortgage, judgment, or decree thereof, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than five years, or both.

(d) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U.S.C., title 18, secs. 202 to 207, inclusive), insofar as applicable, are extended to apply to contracts or agreements of the Home Owners' Loan Corporation and an association under this act, which, for the purposes hereof, shall be held to include advances, loans, discounts, and purchase and repurchase agreements; extensions and renewals thereof; and acceptances, releases, and substitutions of security therefor.

(e) No person, partnership, association, or corporation shall make any charge in connection with a loan by the Corporation or an exchange of bonds or cash advance under this act, except ordinary charges, authorized and required by the Corporation for services actually rendered for examination and perfecting of title, appraisal, and like necessary services. Any person, partnership, association, or corporation violating the provisions of this subsection shall, upon conviction thereof, be fined not more than $10,000, or imprisoned not more than five years, or both.

Separability provision

Sec. 9. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

And the Senate agree to the same.

ROBERT J. BULKLEY,
ROBERT F. WAGNER,
J. G. TOWNSEND, JR.,
Managers on the part of the Senate.

HENRY B. STEAGALL,
T. ALAN GOLDSBOROUGH,
ROBERT LUCE,
Managers on the part of the House.

Ordered, That the report lie on the table and be printed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4220) for the protection of Government records.

The House has agreed to the amendments of the Senate to the bill (H.R. 4812) to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes.

The House has agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4589) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes; it has receded from its disagreement to the amendments of the Senate numbered 9, 15, and 28, to the said bill, and agreed to the same; and it has receded from its disagreement to the amendments of the Senate numbered 22, 32, and 34 to the said bill and agreed to each thereof with an amendment, in which it requests the concurrence of the Senate.

NATIONAL INDUSTRIAL RECOVERY

The Senate resumed the consideration of the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes, and it was further amended on the motion of Mr. Costigan,

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The consideration of the reported amendment beginning on page 10, line 13, was resumed.

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Johnson in the chair) directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Frazier, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The question being taken on agreeing to the reported amendment, viz, on page 10, line 13, after the word "protection", insert the following:

: Provided, That nothing in this title shall be construed to compel a change in existing satisfactory relationships between the employees and employers of any particular plant, firm, or corporation, except that the employees of any particular plant, firm, or corporation shall have the right to organize for the purpose of collective bargaining with their employer as to wages, hours of labor, and other conditions of employment.

It was determined in the negative, {Yeas ..... 31 / Nays ..... 46}

On motion by Mr. Norris,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bailey, Bankhead, Barbour, Barkley, Carey, Clark, Dickinson, Dieterich, Fess, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hebert, Kean, Keyes, King, Lewis, Logan, Metcalf, Patterson, Reed, Robinson of Arkansas, Sheppard, Steiwer, Stephens, Vandenberg, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Black, Bone, Bratton, Brown, Bulkley, Byrnes, Capper, Connally, Coolidge, Costigan, Cutting, Dill, Duffy, Erickson, Hatfield, Hayden, Johnson, La Follette, Lonergan, Long, McAdoo, McCarran, McGill, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Smith, Thomas of Utah, Thompson, Trammell, Tydings, Van Nuys, Wagner, Walsh, and Wheeler.

So the reported amendment was disagreed to.

On motion by Mr. Black to further amend the bill by inserting on page 10, after line 3, certain words,

Pending debate.

LAWS OF THE PHILIPPINE LEGISLATURE

The Vice President laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

As required by section 19 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands", I transmit herewith a set of the laws and resolutions passed by the Ninth Philippine Legislature during its second regular session, from July 16, 1932, to November 9, 1932, and its special session of 1932, from December 7 to 9, 1932.

With reference to Act No. 4053 (H.No. 2516) the following is quoted from an opinion of the Attorney General of the United States, rendered February 14, 1933, prior to the approval of this act by the President of the United States:

"4. Sections 6 and 7 are separable from the rest of the measure. If you approve the bill, sections 6 and 7 will be void and inoperative, but the other provisions of the bill will not be affected and will stand as valid legislation."

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 7, 1933.*

PRICE AND MARGINS OF CHAIN AND INDEPENDENT DISTRIBUTIONS, MEMPHIS—GROCERY

The Vice President laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting in further response to Senate Resolution 224, Seventieth Congress, a report of the Commission on chain-stores system of marketing and distribution, entitled "Prices and Margins of Chain and Independent Distributors, Memphis—Grocery"; which, with the accompanying report and appendix thereto, was referred to the Committee on the Judiciary and ordered to be printed under authority of Senate Resolution 228, Seventy-second Congress.

APPROPRIATIONS FOR DISTRICT OF COLUMBIA

Mr. Thomas of Oklahoma submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4589) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 6, 10, 11, 17, 20, 21, 23, 24, 25, 30, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 8, 12, 13, 14, 16, 18, 19, 26, and 27, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert *Director of the Bureau of the Budget*; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: *$1,300,000, to be immediately available*; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: *Director of the Bureau of the Budget*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 9, 15, 22, 28, 32, and 34.

ELMER THOMAS,
WILLIAM H. KING,
HENRY W. KEYES,
Managers on the part of the Senate.

CLARENCE CANNON,
THOMAS L. BLANTON,
J. P. BUCHANAN,
Managers on the part of the House.

The Senate proceeded to consider the said report.

Mr. Austin raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Neely in the chair) directed the roll to be called;

When

Seventy-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Keyes, King, La Follette, Lewis, Lonergan, Long, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Vandenberg, Wagner, Walsh, and White.

A quorum being present,

The report was agreed to.

The Presiding Officer (Mr. Neely in the chair) laid before the Senate the amendments this day received from the House of Representatives for concurrence to the amendments of the Senate numbered 22, 32, and 34 to the foregoing bill.

The Senate proceeded to consider the said amendments; and,

On motion by Mr. Thomas of Oklahoma,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

HOUSE BILL REFERRED

The bill H.R. 5767, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Territories and Insular Affairs.

NATIONAL INDUSTRIAL RECOVERY

The Senate resumed the consideration of the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

The question being on agreeing to the amendment proposed by Mr. Black, inserting on page 10, after line 3, the following:

(d) No trade or industrial association or group shall be eligible to receive the benefits of the provisions of this title unless such associations or groups give an equal voting strength to the industries, trades, and groups of each State, as State units, irrespective of the magnitude of trade, or business of the trades, industries, or associations of the different States.

Nor shall such industrial association or group be eligible to receive the benefits of the provisions of this title unless each individual business enterprise within the association or group is given an equal voting strength to each other business unit, irrespective of the magnitude of such business enterprise or its volume of business.

After debate,

It was determined in the negative, {Yeas ..... 25 / Nays ..... 41}

On motion by Mr. Black,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Bachman, Bankhead, Black, Bone, Bratton, Byrd, Capper, Clark, Dickinson, Dill, Erickson, George, McCarran, McGill, McKellar, Murphy, Neely, Overton, Robinson of Indiana, Russell, Schall, Stephens, Thomas of Oklahoma, and Trammell.

Senators who voted in the negative are—

Adams, Austin, Bailey, Barbour, Barkley, Brown, Bulkley, Byrnes, Carey, Coolidge, Copeland, Cutting, Dieterich, Duffy, Fess, Goldsborough, Gore, Hale, Harrison, Hasting, Hatfield, Hayden, Hebert, Kean, Keyes, King, La Follette, Lonergan, Long, McNary, Pope, Reed, Robinson of Arkansas, Sheppard, Steiwer, Thomas of Utah, Tydings, Vandenberg, Wagner, Walsh, and White.

So Mr. Black's amendment was not agreed to.

The bill was further amended on the motion of Mr. Long and the motion of Mr. Byrnes.

The reported amendment, beginning on page 6, line 4, was considered, and subsequently amended on the motion of Mr. Walsh.

On the question of agreeing to the reported amendment, as amended, viz, in lieu of the language proposed to be inserted by the reported amendment, as follows:

"(e) If any labor organization, or any trade or industrial organization, association, or group, which has complied with the provisions of this title, or any person, shall make complaint to the President that any commodities, articles, or materials are being imported into the United States, and that such importation is detrimental to the effectuation of the policy of this title in that the business of any industry, trade, or subdivision thereof, as to which a code of fair competition under this title is in effect, is adversely affected thereby and unfair methods of competition in the United States are resulting, the President may cause an investigation to be made of such complaint, and if after such public notice and hearing as he shall specify the existence of such unfair methods of competition shall be found he may, in order to effectuate the policy of this title, direct that the commodities, articles, or materials concerned in such unfair methods of competition shall be excluded from entry into the United States, and upon information of such action by the President, the Secretary of the Treasury shall, through the proper officers, refuse such entry. The decision of the President shall be conclusive. Any refusal of entry under this subsection shall continue in effect until the President shall find and instruct the Secretary of the Treasury that the conditions which led to such refusal of entry no longer exist."

Insert the following:

(e) On his own motion, or if any labor organization or any trade or industrial organization, association, or group which has complied with the provisions of this title shall make complaint to the President that any article or articles are being imported into the United States in substantial and increasing ratio to domestic production of any competitive article or articles and on such terms or under such conditions as to render ineffective or seriously to endanger the maintenance of any code or agreement under this title, the President shall cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investigations under this subsection, and if, after such investigation and such public notice and hearing as he shall specify, the President shall find the existence of such facts, he may, in order to effectuate the policy of this title, direct that the article or articles concerned shall be permitted entry into the United States only upon such terms and conditions and subject to the payment of such fees and to such limitations in the total quantity which may be imported (in the course of any specified period or periods) as he shall find it necessary to prescribe in order that the entry thereof shall not render or tend to render ineffective any code or agreement made under this title. In order to enforce any limitations imposed on the total quantity of imports in any specified period or periods of any article or articles under this subsection, the President may forbid the importation of such article or articles unless the importer shall have first obtained from the Secretary of the Treasury a license pursuant to such regulations as the President may prescribe. Upon information of any action by the President under this subsection, the Secretary of the Treasury shall, through the proper officers, permit entry of the article or articles specified only upon such terms and conditions and subject to such fees, to such limitations in the quantity which may be imported, and to such requirements of license as the President shall have directed. The decision of the President as to facts shall be conclusive. Any condition or limitation of entry under this subsection shall continue in effect until the Presi-

dent shall find and inform the Secretary of the Treasury that the conditions which led to the imposition of such condition or limitation upon entry no longer exist.

It was determined in the affirmative, { Yeas---------- 59 / Nays---------- 12

On motion by Mr. McNary,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bailey, Bankhead, Barbour, Barkley, Bratton, Brown, Bulkley, Byrnes, Capper, Carey, Connally, Coolidge, Copeland, Dickinson, Dieterich, Duffy, Erickson, Fess, Frazier, Goldsborough, Hale, Harrison, Hastings, Hatfield, Heyden, Hebert, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Lonergan, Long, McAdoo, McNary, Metcalf, Murphy, Neely, Nye, Patterson, Reed, Robinson of Arkansas, Russell, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Vandenberg, Wagner, Walsh, and White.

Senators who voted in the negative are—

Black, Byrd, Clark, Gore, King, McGill, McKellar, Norris, Pope, Smith, Thompson, and Tydings.

So the reported amendment, as amended, was agreed to.

The reported amendments in part were further agreed to.

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Frazier, George, Goldsborough, Gore, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Lonergan, Long, McAdoo, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

On motion by Mr. Clark to strike out title I, as amended, as follows:

"TITLE I—INDUSTRIAL RECOVERY

"DECLARATION OF POLICY

"SECTION 1. A national emergency productive of widespread unemployment and disorganization of industry, which burdens interstate and foreign commerce, affects the public welfare, and undermines the standards of living of the American people, is hereby declared to exist. It is hereby declared to be the policy of Congress to remove obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof; and to provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanction and supervision, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present productive capacity of industries in order to avoid undue restriction of production (for the purpose of providing a return upon idle invested capital in any industry, or otherwise) to low levels of production and consumption except to the extent that temporarily a policy of preventing overproduction beyond existing demand may be required to attain the purposes of this title, to increase the consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and to conserve natural resources.

"ADMINISTRATIVE AGENCIES

"SEC. 2. (a) To effectuate the policy of this title, the President is hereby authorized to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint, without regard to the provisions of the Civil Service laws, such officers and employees, and to utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed: *Provided*, That no officer or employee receiving a salary in excess of $5,000 per annum shall be appointed or designated under this title except with the advice and consent of the Senate; but the provisions of section 1761 of the Revised Statutes shall not apply to any person so appointed or designated, and the salaries of such officers or employees shall not be increased for a period of 6 months after confirmation.

"(b) The President may delegate any of his functions and powers under this title to such officers, agents, and employees as he may designate or appoint, and may establish an industrial planning and research agency to aid in carrying out his functions under this title.

"(c) This title shall cease to be in effect and any agencies established hereunder shall cease to exist at the expiration of 2 years after the date of enactment of this act, or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 has ended.

"CODES OF FAIR COMPETITION

"SEC. 3. (a) Upon the application to the President by one or more trade or industrial associations or groups, the President may approve a code or codes of fair competition for the trade or industry or subdivision thereof, represented by the applicant or applicants, if the President finds (1) that such associations or groups impose no inequitable restrictions on admission to membership therein and are truly representative of such trades or industries or subdivisions thereof, and (2) that such code or codes are not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them, and will tend to effectuate the policy of this title: *Provided*, That such code or codes shall not permit combinations in restraint of trade, price fixing, or other monopolistic practices: *Provided*, That where such code or codes affect the services and welfare of persons engaged in other steps of the economic process, nothing in this section shall deprive such persons of the right to be heard prior to approval by the President of such code or codes. The President may, as a condition of his approval of any such code, impose such conditions (including requirements for the making of reports and the keeping of accounts) for the protection of consumers, competitors, employees, and others, and in furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such code, as the President in his discretion deems necessary to effectuate the policy herein declared.

"(b) After the President shall have approved any such code, the provisions of such code shall be the standards of fair competition for such trade or industry or subdivision thereof. Any violation of such standards in any transaction in or affecting interstate or foreign commerce shall be deemed an unfair method of competition in commerce within the meaning of the Federal Trade Commission Act, as amended; but nothing in this title shall be construed to impair the powers of the Federal Trade Commission under such act, as amended.

"(c) The several district courts of the United States are hereby invested with jurisdiction to prevent and restrain violations of any code of fair competition approved under this title; and it shall be the duty of the Federal Trade Commission, and the several district attorneys of the United States in their respective districts under the direction of the Attorney General, upon request of the Federal Trade Commission or upon their own motion to institute proceedings in equity to prevent and restrain such violations.

"(d) Upon his own motion, or if complaint is made to the President that abuses inimical to the public interest and contrary to the policy herein declared are prevalent in

any trade or industry or subdivision thereof, and if no code of fair competition therefor has theretofore been approved by the President, the President, after such public notice and hearing as he shall specify, may prescribe and approve a code of fair competition for such trade or industry or subdivision thereof, which shall have the same effect as a code of fair competition approved by the President under subsection (a) of this section.

"(e) On his own motion, or if any labor organization, or any trade or industrial organization, association, or group, which has complied with the provisions of this title, shall make complaint to the President that any article or articles are being imported into the United States in substantial and increasing ratio to domestic production of any competitive article or articles and on such terms or under such conditions as to render ineffective or seriously to endanger the maintenance of any code or agreement under this title, the President shall cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investigations under this subsection, and if, after such investigation and such public notice and hearing as he shall specify, the President shall find the existence of such facts, he may, in order to effectuate the policy of this title, direct that the article or articles concerned shall be permitted entry into the United States only upon such terms and conditions and subject to the payment of such fees and to such limitations in the total quantity which may be imported (in the course of any specified period or periods) as he shall find it necessary to prescribe in order that the entry thereof shall not render or tend to render ineffective any code or agreement made under this title. In order to enforce any limitations imposed on the total quantity of imports, in any specified period or periods, of any article or articles under this subsection, the President may forbid the importation of such article or articles unless the importer shall have first obtained from the Secretary of the Treasury a license pursuant to such regulations as the President may prescribe. Upon information of any action by the President under this subsection the Secretary of the Treasury shall, through the proper officers, permit entry of the article or articles specified only upon such terms and conditions and subject to such fees, to such limitations in the quantity which may be imported, and to such requirements of license, as the President shall have directed. The decision of the President as to facts shall be conclusive. Any condition or limitation of entry under this subsection shall continue in effect until the President shall find and inform the Secretary of the Treasury that the conditions which led to the imposition of such condition or limitation upon entry no longer exist.

"(f) When a code of fair competition has been approved or prescribed by the President under this title, any violation of any provision thereof in any transaction in or affecting interstate or foreign commerce shall be a misdemeanor and upon conviction thereof an offender shall be fined not more than $500 for each offense, and each day such violation continues shall be deemed a separate offense.

"AGREEMENTS AND LICENSES

"SEC. 4. (a) The President is authorized to enter into agreements with, and to approve voluntary agreements between and among, persons engaged in a trade or industry, labor organizations, and trade or industrial organizations, associations, or groups, relating to any trade or industry, if in his judgment such agreements will aid in effectuating the policy of this title with respect to transactions in or affecting interstate or foreign commerce, and will be consistent with the requirements of clause (2) of subsection (a) of section 3 for a code of fair competition.

"(b) Whenever the President shall find that destructive wage or price cutting or other activities contrary to the policy of this title are being practiced in any trade or industry or any subdivision thereof, and after such public notice and hearing as he shall specify, shall find it essential to license business enterprises in order to make effective a code of fair competition or an agreement under this title or otherwise to effectuate the policy of this title, and shall publicly so announce, no person shall, after a date fixed in such announcement, engage in or carry on any business, in or affecting interstate or foreign commerce, specified in such announcement, unless he shall have first obtained a license issued pursuant to such regulations as the President shall prescribe. The President may suspend or revoke any such license, after due notice and opportunity for hearing, for violations of the terms or condition thereof. Any order of the President suspending or revoking any such license shall be final if in accordance with law. Any person who, without such a license or in violation of any condition thereof, carries on any such business for which a license is so required, shall, upon conviction thereof, be fined not more than $500, or imprisoned not more than 6 months, or both, and each day such violation continues shall be deemed a separate offense. Notwithstanding the provisions of section 2 (c), this subsection shall cease to be in effect at the expiration of 1 year after the date of enactment of this act or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 has ended.

"SEC. 5. While this title is in effect (or in the case of a license, while section 4(a) is in effect) and for 60 days thereafter, any code, agreement, or license approved, prescribed, or issued and in effect under this title, and any action complying with the provisions thereof taken during such period, shall be exempt from the provisions of the antitrust laws of the United States.

"(b) Nothing in this act, and no regulation thereunder, shall prevent an individual from pursuing the vocation of manual labor and selling or trading the products thereof; nor shall anything in this act, or regulation thereunder, prevent anyone from marketing or trading the produce of his farm.

"LIMITATIONS UPON APPLICATION OF TITLE

"SEC. 6. (a) No trade or industrial association or group shall be eligible to receive the benefit of the provisions of this title until it files with the President a statement containing such information relating to the activities of the association or group as the President shall by regulation prescribe.

"(b) The President is authorized to prescribe rules and regulations designed to insure that any organization availing itself of the benefits of this title shall be truly representative of the trade or industry or subdivision thereof represented by such organization. Any organization violating any such rule or regulation shall cease to be entitled to the benefits of this title.

"(c) Upon the request of the President, the Federal Trade Commission shall make such investigations as may be necessary to enable the President to carry out the provisions of this title, and for such purposes the Commission shall have all the powers vested in it with respect of investigations under the Federal Trade Commission Act, as amended.

"SEC. 7. (a) Every code of fair competition, agreement, and license approved, prescribed, or issued under this title shall contain the following conditions: (1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; (2) that no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and (3) that employers shall comply with the maximum hours of labor, minimum rates of pay, maximum machine-load of employees, and other conditions of employment, approved or prescribed by the President.

"(b) The President shall, so far as practicable, afford every opportunity to employers and employees in any trade or industry or subdivision thereof with respect to which the conditions referred to in clauses (1) and (2) of subsection (a) prevail, to establish by mutual agreement, the standards

as to the maximum hours of labor, minimum rates of pay, maximum machine-load of employees, and such other conditions of employment as may be necessary in such trade or industry or subdivision thereof to effectuate the policy of this title; and the standards established in such agreements, when approved by the President, shall have the same effect as a code of fair competition, approved by the President under subsection (a) of section 3.

"(c) Where no such mutual agreement has been approved by the President he may investigate the labor practices, policies, wages, hours of labor, and conditions of employment in such trade or industry or subdivision thereof; and upon the basis of such investigations, and after such hearings as the President finds advisable, he is authorized to prescribe a limited code of fair competition fixng such maximum hours of labor, minimum rates of pay, and other conditions of employment in the trade or industry or subdivision thereof investigated as he finds to be necessary to effectuate the policy of this title, which shall have the same effect as a code of fair competition approved by the President under subsection (a) of section 3. The President may differentiate according to experience and skill of the employees affected and according to the locality of employment; but no attempt shall be made to introduce any classification according to the nature of the work involved which might tend to set a maximum as well as a minimum wage.

"(d) As used in this title, the term 'person' includes any individual, partnership, association, trust, or corporation; and the terms 'interstate and foreign commerce' and 'interstate or foreign commerce' include, except where otherwise indicated, trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States.

"APPLICATION OF AGRICULTURAL ADJUSTMENT ACT

"SEC. 8. (a) This title shall not be construed to repeal or modify any of the provisions of title I of the act entitled 'An act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes', approved May 12, 1933; and such title I of said act approved May 12, 1933, may for all purposes be hereafter referred to as the 'Agricultural Adjustment Act.'

"(b) The President may, in his discretion, in order to avoid conflicts in the administration of the Agricultural Adjustment Act and this title, delegate any of his functions and powers under this title with respect to trades, industries, or subdivisions thereof which are engaged in the handling of any agricultural commodity or product thereof, or of any competing commodity or product thereof, to the Secretary of Agriculture.

"OIL REGULATION

"SEC. 9. (a) The President is further authorized to initiate before the Interstate Commerce Commission proceedings necessary to prescribe regulations to control the operations of oil pipe lines and to fix reasonable, compensatory rates for the transportation of petroleum and its products by pipe lines, and the Interstate Commerce Commission shall grant preference to the hearings and determination of such cases.

"(b) The President is authorized to institute proceedings to divorce from any holding company any pipe-line company controlled by such holding company which pipe-line company by unfair practices or by exorbitant rates in the transportation of petroleum or its products tends to create a monopoly.

"(c) The President is authorized to prohibit the transportation in interstate and foreign commerce of petroleum and the products thereof produced or withdrawn from storage in excess of the amount permitted to be produced or withdrawn from storage by any State law or valid regulation or order prescribed thereunder, by any board, commission, officer, or other duly authorized agency of a State. Any violation of any order of the President issued under the provisions of this subsection shall be punishable by fine of not to exceed $1,000, or imprisonment for not to exceed 6 months, or both.

"RULES AND REGULATIONS

"SEC. 10. (a) The President is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this title, and fees for licenses and for filing codes of fair competition and agreements, and any violation of any such rule or regulation shall be punishable by fine of not to exceed $500, or imprisonment for not to exceed 6 months, or both.

"(b) The President may from time to time cancel or modify any order, approval, license, rule, or regulation issued under this title; and each agreement, code of fair competition, or license approved, prescribed, or issued under this title shall contain an express provision to that effect."

After debate,

It was determined in the negative, Yeas 31, Nays 49

On motion by Mr. Clark,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bailey, Barbour, Black, Byrd, Carey, Clark, Connally, Dickinson, Dill, Fess, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Kean, Long, McGill, Metcalf, Overton, Patterson, Reed, Reynolds, Schall, Smith, Townsend, Tydings, Vandenberg, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bankhead, Barkley, Bone, Bratton, Brown, Bulkley, Bulow, Byrnes, Coolidge, Copeland, Costigan, Cutting, Dieterich, Duffy, Erickson, Frazier, George, Harrison, Hayden, Johnson, Kendrick, King, La Follette, Lewis, Lonergan, McCarran, McKellar, McNary, Murphy, Neely, Norris, Nye, Pope, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Steiwer, Thomas of Utah, Thompson, Trammell, Van Nuys, Wagner, Walsh, and Wheeler.

So Mr. Clark's amendment was not agreed to.

The reported amendments in part were further agreed to, and in part further amended, and, as amended, agreed to.

On the question of agreeing to the reported amendment on page 26, line 4, Mr. Hayden proposed an amendment thereto in line 4; when

The further consideration of the amendment was, by unanimous consent, temporarily postponed.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business, and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 10 o'clock and 55 minutes p.m.,

The Senate, as in legislative session, took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, FRIDAY, JUNE 9, 1933)

The Vice President called the Senate to order.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of June 6, June 7, and June 8, 1933, was approved.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Thirty-six Senators answered to their names, as follows:

Adams, Bachman, Barkley, Borah, Brown, Byrd, Clark, Coolidge, Cutting, Dickinson, Duffy, Erickson, Fess, Hale, Harrison, Hayden, Johnson, Kendrick, Logan, Lonergan, McGill, Murphy, Neely, Norris, Nye, Patterson, Pope, Robinson of Arkansas, Russell, Sheppard, Smith, Thomas of Utah, Thompson, Townsend, Vandenberg, and White.

The number of Senators present not constituting a quorum;

The Vice President directed the names of the absentees to be called;

When

Fifty-six Senators answered to their names, as follows:

Ashurst, Austin, Bailey, Bankhead, Barbour, Black, Bone, Bratton, Bulkley, Bulow, Byrnes, Capper, Caraway, Carey, Connally, Copeland, Costigan, Dale, Davis, Dieterich, Dill, Frazier, George, Glass, Goldsborough, Gore, Hastings, Hatfield, Hebert, Kean, Keyes, King, La Follette, Lewis, Long, McAdoo, McCarran, McKellar, McNary, Metcalf, Overton, Reed, Reynolds, Robinson of Indiana, Schall, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Trammell, Tydings, Van Nuys, Wagner, Walcott, Walsh, and Wheeler.

A quorum being present,

ENROLLED BILL PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on yesterday they presented to the President of the United States the enrolled bill (S. 1562) granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct, maintain, and operate a free highway bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following telegrams, which were referred as indicated:

A telegram from the Disabled American Veterans of the World War, Department of California, favoring the elimination of the causative factor requirement in regulations changing the disability allowances of war veterans; to the Committee on Finance.

A telegram from Walter Goldman, of New Orleans, La., remonstrating against an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

The Vice President laid before the Senate the following petitions:

A joint resolution of the Legislature of the State of Wisconsin, favoring the allotment to highways of a greater proportion of the funds for public works construction; and

Resolutions adopted by Carpenters & Joiners, Local Union, No. 393, and the United Association of Plumbers and Steamfitters Local Union, No. 322, of Camden, N.J., favoring the passage of the so-called national industrial recovery bill without amendment.

Ordered, That they lie on the table.

Mr. Barbour presented the following resolutions of the Board of Chosen Freeholders of Monmouth County, N.J.:

A resolution favoring an appropriation for the prevention of erosion of the beach front on the shore line of New Jersey from Sandy Hook to Cape May; and

A resolution favoring an appropriation for a free public bathing grounds and park in a portion of the Sandy Hook military reservation at Highland Beach not needed for military purposes.

Ordered, That they lie on the table.

Mr. Walsh presented memorials of citizens and organizations of the State of Massachusetts remonstrating against alleged mistreatment of Jews in Germany; which were referred to the Committee on Foreign Relations.

Mr. Copeland presented resolutions adopted by organizations of the State of New York relative to the passage of the so-called national industrial recovery bill; and

A resolution adopted by the New York Board of Trade, Inc., of New York City, favoring the postponement of action on the said bill until the next session of Congress.

Ordered, That they lie on the table.

Mr. Reynolds presented a communication from the Chamber of Commerce, of High Point, N.C., favoring relief to home owners against whom foreclosure of mortgages had been commenced prior to the passage of legislation providing for home-owners' mortgage relief.

Ordered, That it lie on the table.

REPORTS OF COMMITTEES

Mr. Sheppard, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (H.R. 5645) to amend the National Defense Act of June 3, 1916, as amended, reported it with amendments and submitted a report (No. 135) thereon.

Mr. Hebert, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 1650) amending section 74 of the Judicial Code, as amended (U.S.C., Annotated, title 28, sec. 147), reported it without amendment and submitted a report (No. 136) thereon.

Mr. Dickinson, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 1813) providing for the sale to Joe Graham Post, No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi, reported it with amendments and submitted a report (No. 137) thereon.

Mr. Patterson, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 1654) for the relief of George Yusko, reported it without amendment and submitted a report (No. 138) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Neely:

A bill (S. 1869) relating to the manner of appointment of certain officers of the United States; to the Committee on the Judiciary.

By Mr. La Follette:

A bill (S. 1870) to amend certain laws relating to American seamen, and for other purposes; to the Committee on Commerce.

By Mr. Erickson:

A bill (S. 1871) to amend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. McKellar:

A bill (S. 1872) to extend the times for commencing and completing the construction of a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.; to the Committee on Commerce.

By Mr. Johnson:

A bill (S. 1873) to provide revenue by increasing the taxes on certain vinous liquors and prescribing conditions and limitations on the manufacture, transportation, and sale thereof; to the Committee on Finance.

By Mr. Thomas of Oklahoma:

A bill (S. 1874) relative to leasing restricted lands of Indians of the Five Civilized Tribes of Oklahoma, and for other purposes; to the Committee on Indian Affairs.

INVESTIGATION OF PRICES OF DAIRY PRODUCTS

Mr. La Follette, by unanimous consent, submitted the following resolution (S.Res. 99), which was referred to the Committee on Agriculture and Forestry:

Resolved, That the Committee on Agriculture and Forestry, or a duly authorized subcommittee thereof, is authorized and directed to investigate the costs of marketing and processing milk and its products, including the salaries or other compensation received by officials or employees of companies marketing or processing dairy products and the profits and ownership of such companies, with the view of determining the extent to which such costs of marketing and processing and such salaries and profits are excessive in relation to the prices received by farmers in payment for milk or other dairy products.

For the purposes of this resolution such committee or subcommittee is authorized to hold hearings and to sit and act at such times and places as it deems advisable; to employ experts and clerical, stenographic, and other assistance; to require by subpena or otherwise the attendance of witnesses and the production of books, papers, and documents; to administer oaths and to take testimony and to make all necessary expenditures as it deems advisable.

The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of such committee or subcommittee, which shall not be in excess of $7,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

BRIDGES ACROSS NAVIGABLE WATERS IN MONROE COUNTY, FLA.

On motion by Mr. Trammell, and by unanimous consent,

The Senate proceeded to consider the bill (S. 1783) granting the consent of Congress to the Overseas Road and toll bridge district, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Fla., from Lower Matecumbe Key to No Name Key; and no amendment being made,

Ordered, That is be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

WILLIE MAYES SHUEY

On motion by Mr. Glass, and by unanimous consent,

Ordered, That the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from the further consideration of the resolution (S.Res. 98) to pay Willie Mayes Shuey a sum equal to 1 year's compensation of the late Theodore F. Shuey.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

Resolved, That the Senate agree thereto.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (S. 1129) to amend sections 361, 392, 406, 407, 408, 409, 410, 411, and 412, of title 46 of the United States Code relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof, with amendments, in which it requests the concurrence of the Senate.

The House has passed the bill (H.R. 5904) to validate collections of internal-revenue taxes stayed by requests or claims for credit, and for other purposes, in which it requests the concurrence of the Senate.

HOUSE BILL REFERRED

The bill H.R. 5904, this day received from the House of Representatives, for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Finance.

NATIONAL INDUSTRIAL RECOVERY

The Senate resumed the consideration of the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

The amendment yesterday proposed by Mr. Hayden to the reported amendment on page 26, line 4, was agreed to, and the reported amendment, as amended, was agreed to.

The reported amendment on page 27, line 18, was rejected.

The bill was further amended on the motion of Mr. Fess.

The reported amendments in part were further agreed to.

The vote agreeing to the reported amendment beginning on page 18, line 24, was reconsidered by unanimous consent; and having been amended on the motion of Mr. Murphy, and the motion of Mr. Trammell, the amendment, as amended, was agreed to.

On motion by Mr. Ashurst,

The vote agreeing to the reported amendment on page 28, striking out lines 11 to 18, inclusive, was reconsidered.

On the question of agreeing to the said amendment, viz, on page 28, strike out lines 11 to 18, inclusive, as follows:

"(b) No articles, materials, or supplies shall be acquired for public use or for use upon or in State, municipal, or private projects financed in whole or in part by Federal funds, under this or other acts of Congress, unless such articles, materials, or supplies have been manufactured in the United States of articles, materials, or supplies mined or produced in the United States, if available at a reasonable cost."

It was determined in the affirmative, {Yeas 48 / Nays 35}

On motion by Mr. Ashurst,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bailey, Bankhead, Barkley, Black, Bratton, Bulkley, Bulow, Byrnes, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dieterich, Dill, Fess, George, Goldsborough, Gore, Hale, Harrison, Hebert, Kean, Keyes, King, La Follette, Lewis, Logan, Lonergan, McAdoo, McKellar, Metcalf, Murphy, Norris, Pope, Reed, Robinson of Arkansas, Sheppard, Smith, Thomas of Oklahoma, Thomas of Utah, Townsend, Tydings, Wagner, Walcott, and Walsh.

Senators who voted in the negative are—

Adams, Ashurst, Austin, Bachman, Barbour, Bone, Borah, Brown, Capper, Caraway, Dale, Davis, Dickinson, Erickson, Frazier, Hatfield, Johnson, Kendrick, Long, McCarran, McGill, Neely, Nye, Overton, Patterson, Reynolds, Russell, Schall, Shipstead, Steiwer, Trammell, Vandenberg, Van Nuys, Wheeler, and White.

So the reported amendment was agreed to.

On the question of agreeing to the reported amendment on page 23, line 16, striking out the word "three-fourths",

Pending debate,

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Connally in the chair) directed the roll to be called;

When

Eighty-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Logan, Lonergan, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On motion by Mr. Bratton, and by unanimous consent,

Ordered, That the Senate proceed to vote on the foregoing amendment and the related amendment beginning in line 19, inserting after the word "supplemented" the following: (*which act is hereby further amended for the purposes of this title to include the District of Columbia*), and striking out, in lines 21 to 23, the following: "and one fourth in the ratio which the population of each State bears to the total population of the United States, according to the latest decennial census,".

The question being thereupon taken on agreeing to the said amendments,

It was determined in the affirmative, {Yeas 66 / Nays 20}

On motion by Mr. Bratton,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Costigan, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, George, Gore, Hale, Harrison, Hastings, Hayden, Kendrick, Keyes, King, La Follette, Logan, McCarran, McGill, McKellar, McNary, Murphy, Norris, Nye, Overton, Patterson, Pope, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Wheeler, and White.

Senators who voted in the negative are—

Barbour, Bulkley, Coolidge, Copeland, Davis, Fess, Goldsborough, Hatfield, Hebert, Johnson, Kean, Lonergan, Metcalf, Neely, Reed, Tydings, Vandenberg, Wagner, Walcott, and Walsh.

So the reported amendments were agreed to.

The reported amendments were in part further agreed to, and in part amended, and, as amended, agreed to.

On motion by Mr. Harrison, and by unanimous consent,

Ordered, That individual amendments may be proposed to title II, exclusive of the reported amendment relating to reemployment and relief taxes, beginning on page 30, line 1.

Title II was further amended on the motion of Mr. Black, and the motion of Mr. McKellar.

On motion by Mr. Austin, and by unanimous consent,

The vote agreeing to the reported amendment on page 18, line 13, was reconsidered; and having been amended on the motion of Mr. Austin, and the motion of Mr. Vandenberg, the reported amendment, as amended, was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5240) to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes.

NATIONAL INDUSTRIAL RECOVERY

The Senate resumed the consideration of the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

On motion by Mr. Reed, and by unanimous consent,

The vote agreeing to the amendment proposed by Mr. McKellar on page 21, line 22, inserting, after the word "apply", certain words was reconsidered; and

Mr. McKellar's amendment was then disagreed to.

Title II was further amended on the motion of Mr. Wheeler.

On motion by Mr. Metcalf, and by unanimous consent,

The vote disagreeing to the reported amendment beginning on page 27, line 18, was reconsidered; and

The reported amendment was then agreed to.

Title II was further amended on the motion of Mr. McCarran, the motion of Mr. Robinson of Arkansas, the motion of Mr. Nye, the motion of Mr. Russell, and the motion of Mr. Adams.

On motion by Mr. Overton to further amend title II by inserting on page 20, line 5, after the numerals "202", the following:

And to refinance or aid in refinancing outstanding obligations heretofore or hereafter issued in connection with local contributions made to aid in the construction of Federal flood-control works.

After debate,

It was determined in the negative, {Yeas 28 / Nays 48}

On motion by Mr. Long,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bachman, Bone, Borah, Capper, Caraway, Carey, Clark, Copeland, Cutting, Dill, Erickson, George, Hatfield, Johnson, La Follette, Logan, Long, McGill, Murphy, Nye, Overton, Patterson, Pope, Reynolds, Russell, Schall, Trammell, and Wheeler.

Senators who voted in the negative are—

Adams, Austin, Bailey, Bankhead, Barbour, Barkley, Black, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Connally, Coolidge, Davis, Dickinson, Dieterich, Duffy, Fess, Goldsborough, Gore, Hale, Harrison, Hastings, Hayden, Hebert, Kean, Kendrick, Keyes, King, Lonergan, McCarran, McKellar, Metcalf, Norris, Reed, Robinson of Arkansas, Sheppard, Smith, Steiwer, Thomas of Utah, Thompson, Townsend, Tydings, Wagner, Walcott, and Walsh.

So Mr. Overton's amendment was not agreed to.

Title II was further amended on the motion of Mr. Reed, the motion of Mr. Costigan, the motion of Mr. La Follette, the motion of Mr. Walsh, the motion of Mr. Coolidge, the motion of Mr. Robinson of Arkansas, the motion of Mr. Shipstead, the motion of Mr. Smith, and the motion of Mr. Harrison.

On motion by Mr. Wheeler to further amend the bill by striking out lines 11 to 26, inclusive, on page 29, and inserting in lieu thereof the following:

Issue of United States notes

Sec. 207. (a) The Secretary of the Treasury is authorized and directed to issue, from time to time, United States notes in such amounts as may be necessary to meet the expenditures authorized by this act, which shall be used for the purposes herein provided. Such notes shall be of such denominations, not less than $1, as the Secretary of the Treasury may prescribe, shall not bear interest, shall be payable to bearer, shall be in such form as the Secretary may deem best, and shall be lawful money and legal tender in payment of all debts, public and private, within the United States; and such notes, when held by any Federal Reserve bank or any member bank of the Federal Reserve System, may be counted as a part of its lawful reserve.

(b) The Secretary of the Treasury is further authorized and directed to increase annually the reserve fund held for the redemption of United States notes by an amount sufficient to retire annually the notes issued under the provisions of this act as follows: During the period of two years after the date of enactment of this act, at the rate of 4 per centum of the total amount of such notes issued and outstanding at the end of each year, and thereafter at the rate of 4 per centum of the total amount issued and outstanding at the end of such two-year period until all such notes shall have been retired.

After debate,

It was determined in the negative, {Yeas 29 / Nays 51}

On motion by Mr. Wheeler,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Black, Bone, Borah, Bulow, Caraway, Clark, Cutting, Erickson, Frazier, La Follette, Long, McCarran, McGill, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Russell, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammell, and Wheeler.

Senators who voted in the negative are—

Adams, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Carey, Connally, Coolidge, Copeland, Davis, Dickinson, Dieterich, Dill, Duffy, Fess, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kendrick, Keyes, King, Lonergan, McKellar, Metcalf, Pat-

terson, Reed, Robinson of Arkansas, Schall, Sheppard, Steiwer, Townsend, Tydings, Vandenberg, Wagner, Walsh, and White.

So Mr. Wheeler's amendment was not agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes; it has receded from its disagreement to the amendment of the Senate numbered 3 to the said bill and agreed to the same with an amendment, in which it requests the concurrence of the Senate.

The Speaker of the House having signed three enrolled bills, viz, S. 1094, H.R. 4812, and H.R. 5793, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 1094. An act to authorize the Reconstruction Finance Corporation to subscribe for preferred stock and purchase the capital notes of insurance companies, and for other purposes;

H.R. 4812. An act to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes; and

H.R. 5793. An act to revive and reenact the act entitled "An act authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from East Alburg, Vt., to West Swanton, Vt.", approved March 2, 1929.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

GASOLINE TAX AND POSTAGE RATES

Mr. Harrison submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

The committee of conference have come to no agreement on amendment numbered 3.

PAT HARRISON,
WILLIAM H. KING,
DAVID A. REED,
Managers on the part of the Senate.

R. L. DOUGHTON,
HEARTSILL RAGON,
SAM B. HILL,
ALLEN T. TREADWAY,
ISAAC BACHARACH,
Managers on the part of the House.

The Senate proceeded to consider the said report; and

Resolved, That the Senate agree thereto.

The Presiding Officer (Mr. Clark in the chair) laid before the Senate the amendment this day received from the House of Representatives for concurrence to the amendment of the Senate numbered 3 to the said bill.

The Senate proceeded to consider the said amendment; and,

On motion by Mr. Harrison,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

SEA PAY OF NAVAL ACADEMY GRADUATES

On motion by Mr. Trammell, and by unanimous consent,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5012) to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

EMERGENCY RAILROAD RELIEF

Mr. Dill submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this act may be cited as the "Emergency Railroad Transportation Act, 1933."

Title I—Emergency Powers

Section 1. As used in this title—

(a) The term "Commission" means the Interstate Commerce Commission.

(b) The term "Coordinator" means the Federal Coordinator of Transportation hereinafter provided for.

(c) The term "committee" means any one of the regional coordinating committees hereinafter provided for.

(d) The term "carrier" means any common carrier by railroad subject to the provisions of the Interstate Commerce Act, as amended, including any receiver or trustee thereof.

(e) The term "subsidiary" means any company which is directly or indirectly controlled by, or affiliated with, any carrier or carriers. For the purpose of the foregoing definition a company shall be deemed to be affiliated with a carrier if so affiliated within the meaning of paragraph (8) of section 5 of the Interstate Commerce Act, as amended by this act.

(f) The term "employee" includes every person in the service of a carrier (subject to its continuing authority to supervise and direct the manner of rendition of his service) who performs any work defined as that of an employee or subordinate official in accordance with the provisions of the Railway Labor Act.

(g) The term "State commission" means the commission, board, or official, by whatever name designated, exercising power to regulate the rates or service of common carriers by railroad under the laws of any State.

Sec. 2. In order to foster and protect interstate commerce in relation to railroad transportation by preventing and relieving obstructions and burdens thereon resulting from the present acute economic emergency, and in order to safeguard and maintain an adequate national system of transportation, there is hereby created the office of Federal Coordinator of Transportation, who shall be appointed by the President, by and with the advice and consent of the Senate, or be designated by the President from the membership of the Commission. If so designated, the Coordinator shall be relieved from other duties as Commissioner during his term of service to such extent as the President may direct; except that,

the Coordinator shall not sit as a member of the Commission in any proceedings for the review or suspension of any order issued by him as Coordinator. The Coordinator shall have such powers and duties as are hereinafter set forth and prescribed, and may, with the approval of the President, and without regard to the Civil Service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such assistants and agents, in addition to the assistance provided by the Commission, as may be necessary to the performance of his duties under this act. The office of the Coordinator shall be in Washington, District of Columbia, and the Commission shall provide such office space, facilities, and assistance as he may request and it is able to furnish. The Coordinator shall receive such compensation as the President shall fix, except that if designated from the Commission, he shall receive no compensation in addition to that which he receives as a member of the Commission.

Sec. 3. The Coordinator shall divide the lines of the carriers into three groups, to wit, an eastern group, a southern group, and a western group, and may from time to time make such changes or subdivisions in such groups as he may deem to be necessary or desirable. At the earliest practicable date after the Coordinator shall have initially designated such groups, three regional coordinating committees shall be created, one for each group, and each committee shall consist of five regular members and two special members. The carriers in each group, acting each through its board of directors or its receiver or receivers or trustee or trustees or through an officer or officers designated for the purpose by such board, shall select the regular members of the committee representing that group, and shall prescribe the rules under which such committee shall operate; but no railroad system shall have more than one representative on any such committee. In such selection each carrier shall have a vote in proportion to its mileage lying within the group. The two special members of each committee shall be selected in such manner as the Coordinator may approve, one to represent the steam railroads within the group which had in 1932 railway operating revenues of less than $1,000,000 and the other to represent electric railways within the group not owned by a steam railroad or operated as a part of a general steam railroad system of transportation. Each such special member shall have reasonable notice of all meetings of his committee at which any matter affecting any carrier which he represents is to be considered, and may participate in the consideration and disposition of such matter. Members of the committees may be removed from office and vacancies may be filled in like manner.

Sec. 4. The purposes of this title are (1) to encourage and promote or require action on the part of the carriers and of subsidiaries subject to the Interstate Commerce Act, as amended, which will (a) avoid unnecessary duplication of services and facilities of whatsoever nature and permit the joint use of terminals and trackage incident thereto or requisite to such joint use: Provided, That no routes now existing shall be eliminated except with the consent of all participating lines or upon order of the Coordinator, (b) control allowances, accessorial services and the charges therefor, and other practices affecting service or operation, to the end that undue impairment of net earnings may be prevented, and (c) avoid other wastes and preventable expense; (2) to promote financial reorganization of the carriers, with due regard to legal rights, so as to reduce fixed charges to the extent required by the public interest and improve carrier credit; and (3) to provide for the immediate study of other means of improving conditions surrounding transportation in all its forms and the preparation of plans therefor.

Sec. 5. It shall be the duty of the committees on their own initiative, severally within each group and jointly where more than one group is affected, to carry out the purposes set forth in subdivision (1) of section 4, so far as such action can be voluntarily accomplished by the carriers. In such instances as the committees are unable, for any reason, legal or otherwise, to carry out such purposes by such voluntary action, they shall recommend to the Coordinator that he give appropriate directions to the carriers or subsidiaries subject to the Interstate Commerce Act, as amended, by order; and the Coordinator is hereby authorized and directed to issue and enforce such orders if he finds them to be consistent with the public interest and in furtherance of the purposes of this title.

Sec. 6 (a) The Coordinator shall confer freely with the committees and give them the benefit of his advice and assistance. At his request, the committees, the carriers, the subsidiaries, and the Commission shall furnish him, or his assistants and agents, such information and reports as he may desire in investigating any matter within the scope of his duties under this title; and the Coordinator, his assistants, and agents, and the Commission, shall at all times have access to all accounts, records, and memoranda of the carriers and subsidiaries. If, in any instance, a committee has not acted with respect to any matter which the Coordinator has brought to its attention and upon which he is of the opinion that it should have acted, under the provisions of section 5, he is hereby authorized and directed to issue and enforce such order, giving appropriate directions to the carriers and subsidiaries subject to the Interstate Commerce Act, as amended, with respect to such matter, as he shall find to be consistent with the public interest.

(b) Insofar as may be necessary for the purposes of this title, the Commission and the members and examiners thereof shall have the same power to administer oaths and require by subpena the attendance and testimony of witnesses and the production of books, papers, tariffs, contracts, agreements, and documents, and to take testimony by deposition, relating to any matter under investigation, as though such matter arose under the Interstate Commerce Act, as amended and supplemented; and any person subpenaed or testifying in connection with any matter under investigation under this title shall have the same rights, privileges, and immunities and be subject to the same duties, liabilities, and penalties as are provided in the case of persons subpenaed or testifying in connection with any matter under investigation under the Interstate Commerce Act, as amended.

Sec. 7. (a) A labor committee for each regional group of carriers may be selected by those railroad labor organizations which, as representatives duly designated and authorized to act in accordance with the requirements of the Railway Labor Act, entered into the agreements of January 31, 1932, and December 21, 1932, with duly authorized representatives of the carriers, determining the wage payments of the employees of the carriers. A similar labor committee for each regional group of carriers may be selected by such other railroad labor organizations as may be duly designated and authorized to represent employees in accordance with the requirements of the Railway Labor Act. It shall be the duty of the regional coordinating committees and the Coordinator to give reasonable notice to, and to confer with, the appropriate regional labor committee or committees upon the subject matter prior to taking any action or issuing any order which will affect the interest of the employees, and to afford the said labor committee or committees reasonable opportunity to present views upon said contemplated action or order.

(b) The number of employees in the service of a carrier shall not be reduced by reason of any action taken pursuant to the authority of this title below the number as shown by the pay rolls of employees in service during the month of May 1933, after deducting the number who have been removed from the pay rolls after the effective date of this act by reason of death, normal retirements, or resignation, but not more in any one year than 5 per centum of said number in service during May 1933; nor shall any employee in such service be deprived of employment such as he had during said month of May or be in a worse position with respect to his compensation for such employment, by reason of any action taken pursuant to the authority conferred by this title.

(c) The Coordinator is authorized and directed to establish regional boards of adjustment whenever and wherever

action taken pursuant to the authority conferred by this title creates conditions that make necessary such boards of adjustment to settle controversies between carriers and employees. Carriers and their employees shall have equal representation on such boards of adjustment for settlement of such controversies, and said boards shall exercise the functions of boards of adjustment provided for by the Railway Labor Act.

(d) The Coordinator is authorized and directed to provide means for determining the amount of, and to require the carriers to make just compensation for, property losses and expenses imposed upon employees by reason of transfers of work from one locality to another in carrying out the purposes of this title.

(e) Carriers, whether under control of a judge, trustee, receiver, or private management, shall be required to comply with the provisions of the Railway Labor Act and with the provisions of section 77, paragraphs (o), (p), and (q), of the act approved March 3, 1933, entitled "An act to amend an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and acts amendatory thereof and supplementary thereto."

Sec. 8. Any order issued by the Coordinator pursuant to this title shall be made public in such reasonable manner as he may determine and shall become effective as of such date, not less than twenty days from the date of such publication, as the Coordinator shall prescribe in the order; and such order shall remain in effect until it is vacated by him or suspended or set aside by the Commission or other lawful authority, as hereinafter provided, and such order may include provision for the creation and administration of such just pooling arrangements or for such just compensation for the use of property or for carrier services as he may deem necessary or desirable and in furtherance of the purposes of this title.

Sec. 9. Any interested party, including, among others, any carrier, subsidiary, shipper, or employee, or any group of carriers, shippers, or employees, or any State commission, or the Governor of any State, or the official representative or representatives of any political subdivision thereof, dissatisfied with any order of the Coordinator may, at any time prior to the effective date of the order, file a petition with the Commission asking that such order be reviewed and suspended pending such review, and stating fully the reasons therefor. Such petitions shall be governed by such general rules as the Commission may establish. If the Commission, upon considering such petition and any answer or answers thereto, finds reason to believe that the order may be unjust to the petitioner or inconsistent with the public interest, the Commission is hereby authorized to grant such review and, in its discretion, the Commission may suspend the order if it finds immediate enforcement thereof would result in irreparable damage to the petitioner or work grave injury to the public interest, but if the Commission suspends an order, it shall expedite the hearing and decision on that order as much as possible. Thereupon the Commission shall, after due notice and a public hearing, review the order and take such action in accord with the purposes of this title as it finds to be just and consistent with the public interest, either confirming the order or setting it aside or reissuing it in modified form, and any order so confirmed or reissued shall thereafter remain in effect until vacated or modified by the Commission.

Sec. 10. (a) The carriers or subsidiaries subject to the Interstate Commerce Act, as amended, affected by any order of the Coordinator or Commission made pursuant to this title shall, so long as such order is in effect, be, and they are hereby, relieved from the operation of the antitrust laws, as designated in section 1 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, and of all other restraints or prohibitions by law, State or Federal, other than such as are for the protection of the public health or safety, insofar as may be necessary to enable them to do anything authorized or required by such order made pursuant to this title: Provided, however, That nothing herein shall be construed to repeal, amend, suspend, or modify any of the requirements of the Railway Labor Act or the duties and obligations imposed thereunder or through contracts entered into in accordance with the provisions of said act.

(b) The Coordinator shall issue no order which shall have the effect of relieving any carrier or subsidiary from the operation of the law of any State or of any order of any State commission until he has advised the State commission of said State, or the Governor of said State if there be no such commission, that such order is in contemplation, and shall afford the State commission or Governor so notified reasonable opportunity to present views and information bearing upon such contemplated order, nor unless such order is necessary, in his opinion, to prevent or remove an obstruction to or a burden upon interstate commerce.

Sec. 11. Nothing in this title shall be construed to relieve any carrier from any contractual obligation which it may have assumed, prior to the enactment of this act, with regard to the location or maintenance of offices, shops, or roundhouses at any point.

Sec. 12. The willful failure or refusal of any carrier or subsidiary or of any officer or employee of any carrier or subsidiary to comply with the terms of any order of the Coordinator or of the Commission made pursuant to this title shall be a misdemeanor, and upon conviction thereof the carrier, subsidiary, or person offending shall be subject to a fine of not less than $1,000 or more than $20,000 for each offense, and each day during which such carrier, subsidiary, or person shall willfully fail or refuse to comply with the terms of such order shall constitute a separate offense. It shall be the duty of any district attorney of the United States to whom the Coordinator or the Commission may apply to institute in the proper court and to prosecute under the direction of the Attorney General of the United States all necessary proceedings for the enforcement of the provisions of this title and for the punishment of all violations thereof, and the costs and expenses of such prosecution shall be paid out of the appropriation for the expense of the courts of the United States: Provided, That nothing in this title shall be construed to require any employee or officer of any carrier to render labor or service without his consent, or to authorize the issuance of any orders requiring such service, or to make illegal the failure or refusal of any employee individually, or any number of employees collectively, to render labor or services.

Sec. 13. It shall further be the duty of the Coordinator, and he is hereby authorized and directed, forthwith to investigate and consider means, not provided for in this title, of improving transportation conditions throughout the country, including cost finding in rail trasportation and the ability, fiancial or otherwise, of the carriers to improve their properties and furnish service and charge rates which will promote the commerce and industry of the country and including, also, the stability of railrad labor employment and other improvement of railroad labor conditions; and from time to time he shall submit to the Commission such recommendations calling for further legislation to these ends as he may deem necessary or desirable in the public interest. The Commission shall promptly transmit such recommendations, together with its comments thereon, to the President and to the Congress.

Sec. 14. The expenses of the Coordinator except so far as they are borne by the Commission in accordance with the provisions of section 2, but not including the expenses of the corodinating committees, shall be allowed and paid, on the presentation of itemized vouchers therefor approved by the Coordinator, out of a fund obtained from assessments on the carriers, and said fund is hereby appropriated for the payment of such expenses. It shall be the duty of each carrier, within thirty days after the date of enactment of this act, to pay into this fund, for the first year of the operation of this title, one and one half dollars for every mile of road operated by it on December 31, 1932, as reported to the Commission, and to pay into said fund within thirty days after the expiration of such year a proportional amount covering any period of extension of this title by proclamation of the President under section 17, and it shall be the duty of the Secretary of the Treasury to collect such assessments. Any amount remaining in the fund when this title ceases to have effect shall be returned by the Secretary of the Treasury to the carriers in proportion to their contributions. The carriers and the Pullman Company shall be permitted, anything in the Interstate Commerce Act, as amended, to the contrary notwithstanding, to provide free transportation and other carrier service to the Coordinator and his assistants and agents and to the employees of the Commission when engaged in the service of the Coordinator.

Sec. 15. The Commission shall not approve a loan to a carrier under the Reconstruction Finance Corporation Act, as amended, if it is of the opinion that such carrier is in need of financial reorganization in the public interest: Provided, however, That the term "carrier" as used in this section shall not include a receiver or trustee.

Sec. 16. Any final order made under this title shall be subject to the same right of relief in court by any party in interest as is now provided in respect to orders of the Commission made under the Interstate Commerce Act, as amended. The provisions of the Urgent Deficiencies Appropriation Act of October 22, 1913 (38 Stat.L. 219), shall be applicable to any proceeding in court brought to suspend or set aside any order of the Coordinator or of the Commission entered pursuant to the provisions of this title.

Sec. 17. This title shall cease to have effect at the end of one year after the effective date, unless extended by a proclamaton of the President for one year or any part thereof, but orders of the Coordinator or of the Commission made thereunder shall continue in effect until vacated by the Commission or set aside by other lawful authority, but notwithstanding the provisions of section 10 no such order shall operate to relieve any carrier from the effect of any State law or of any order of a State commission enacted or made after this title ceases to have effect.

Title II—Amendments to Interstate Commerce Act

Section 201. Section 5 of the Interstate Commerce Act, as amended (U.S.C., title 49, sec. 5), is amended by striking out paragraphs (2) and (3) and by renumbering paragraphs (4) and (5) as paragraphs (2) and (3), respectively, and by striking out the last sentence of the paragraph so renumbered as paragraph (3).

Sec. 202. Such section 5 is further amended by striking out paragraphs (6), (7), and (8), and by inserting in lieu thereof the following paragraphs:

"(4) (a) It shall be lawful, with the approval and authorization of the Commission, as provided in subdivision (b), for two or more carriers to consolidate or merge their properties, or any part thereof, into one corporation for the ownership, management, and operation of the properties theretofore in separate ownership; or for any carrier, or two or more carriers jointly, to purchase, lease, or contract to operate the properties, or any part thereof, of another; or for any carrier, or two or more carriers jointly, to acquire control of another through purchase of its stock; or for a corporation which is not a carrier to acquire control of two or more carriers through ownership of their stock; or for a corporation which is not a carrier and which has control of one or more carriers to acquire control of another carrier through ownership of its stock.

"(b) Whenever a consolidation, merger, purchase, lease, operating contract, or acquisition of control is proposed under subdivision (a), the carrier or carriers or corporation seeking authority therefor shall present an application to the Commission, and thereupon the Commission shall notify the Governor of each State in which any part of the properties of the carriers involved in the proposed transaction is situated, and also such carriers and the applicant or applicants, of the time and place for a public hearing. If after such hearing the Commission finds that, subject to such terms and conditions and such modifications as it shall find to be just and reasonable, the proposed consolidation, merger, purchase, lease, operating contract, or acquisition of control will be in harmony with and in furtherance of the plan for the consolidation of railway properties established pursuant to paragraph (3), and will promote the public interest, it may enter an order approving and authorizing such consolidation, merger, purchase, lease, operating contract, or acquisition of control, upon the terms and conditions and with the modifications so found to be just and reasonable.

"(5) Whenever a corporation which is not a carrier is authorized, by an order entered under paragraph (4), to acquire control of any carrier or of two or more carriers, such corporation thereafter shall, to the extent provided by the Commission, for the purposes of paragraphs (1) to (10), inclusive, of section 20 (relating to reports, accounts, and so forth, of carriers), including the penalties applicable in the case of violations of such paragraphs, be considered as a common carrier subject to the provisions of this act, and for the purposes of paragraphs (2) to (11), inclusive, of section 20a (relating to issues of securities and assumptions of liability of carriers), including the penalties applicable in the case of violations of such paragraphs, be considered as a 'carrier' as such term is defined in paragraph (1) of such section, and be treated as such by the Commission in the administration of the paragraphs specified. In the application of such provisions of section 20a in the case of any such corporation the Commission shall authorize the issue or assumption applied for only if it finds that such issue or assumption is consistent with the proper performance by each carrier which is under the control of such corporation of its service to the public as a common carrier, will not impair the ability of any such carrier to perform such service, and is otherwise compatible with the public interest.

"(6) It shall be unlawful for any person, except as provided in paragraph (4), to accomplish or effectuate, or to participate in accomplishing or effectuating, the control or management in a common interest of any two or more carriers, however such result is attained, whether directly or indirectly, by use of common directors, officers, or stockholders, a holding or investment company or companies, a voting trust or trusts, or in any other manner whatsoever. It shall be unlawful to continue to maintain control or management accomplished or effectuated after the enactment of this amendatory paragraph and in violation of its provisions. As used in this paragraph and paragraph (7), the words 'control or management' shall be construed to include the power to exercise control or management.

"(7) For the purposes of paragraphs (6) and (11), but not in anywise limiting the application thereof, any transaction shall be deemed to accomplish or effectuate the control or management in a common interest of two carriers—

"(a) If such transaction is by a carrier, and if the effect of such transaction is to place such carrier and persons affiliated with it, taken together, in control of another carrier.

"(b) If such transaction is by a person affiliated with a carrier, and if the effect of such transaction is to place such carrier and persons affiliated with it, taken together, in control of another carrier.

"(c) If such transaction is by two or more persons acting together, one of whom is a carrier or is affiliated with a carrier, and if the effect of such transaction is to place such persons and carriers and persons affiliated with any one of them and persons affiliated with any such affiliated carrier, taken together, in control of another carrier.

"(8) For the purposes of paragraph (7) a person shall be held to be affiliated with a carrier if, by reason of the relationship of such person to such carrier (whether by reason of the method of, or circumstances surrounding organization or operation, or whether established through common directors, officers, or stockholders, a voting trust or trusts, a holding or investment company or companies, or any other direct or indirect means), it is reasonable to believe that the affairs of any carrier of which control may be acquired by such person will be managed in the interest of such other carrier.

"(9) For the purposes of paragraphs (6), (7), (8), and (11), wherever reference is made to control it is immaterial whether such control is direct or indirect. As used in this paragraph and paragraphs (7), (8), and (11) the term 'control' shall be construed to include the power to exercise control.

"(10) The Commission is hereby authorized, upon complaint or upon its own initiative without complaint, but after notice and hearing, to investigate and determine whether any person is violating the provisions of paragraph (6). If the Commission finds after such investigation that such person is violating the provisions of such paragraph, it shall by order require such person to take such action as may be necessary, in the opinion of the Commission, to prevent continuance of such violation.

"(11) For the proper protection and in furtherance of the plan for the consolidation of railway properties established pursuant to paragraph (3) and the regulation of interstate commerce in accordance therewith, the Commission is hereby authorized, upon complaint or upon its own initiative without complaint, but after notice and hearing, to investigate and determine whether the holding by any person of stock or other share capital of any carrier (unless acquired with the approval of the Commission) has the effect (a) of subjecting such carrier to the control of another carrier or to common control with another carrier, and (b) of preventing or hindering the carrying out of any part of such plan or of impairing the independence, one of another, of the systems provided for in such plan. If the Commission finds after such investigation that such holding has the effects described, it shall by order provide for restricting the exercise of the voting power of such person with respect to such stock or other share capital (by requiring the deposit thereof with a trustee, or by other appropriate means) to the extent necessary to prevent such holding from continuing to have such effects.

"(12) If in the course of any proceeding under this section before the Commission, or of any proceeding before a court in enforcement of an order entered by the Commission under this section, it appears that since the beginning of such proceeding the plan for consolidation has been reopened under paragraph (3) for changes or modifications with respect to the allocation of the properties of any carrier involved in such proceeding, then such proceeding may be suspended.

"(13) The district courts of the United States shall have jurisdiction upon the application of the Commission, alleging a violation of any of the provisions of this section or disobedience of any order issued by the Commission thereunder by any person, to issue such writs of injunction or other proper process, mandatory or otherwise, as may be necessary to restrain such person from violation of such provision or to compel obedience to such order.

"(14) The Commission may from time to time, for good cause shown, make such orders, supplemental to any order made under paragraph (1), (4), (10), (11), as it may deem necessary or appropriate.

"(15) The carriers and any corporation affected by any order made under the foregoing provisions of this section shall be, and they are hereby, relieved from the operation of the antitrust laws as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914, and of all other restraints or prohibitions by or imposed under authority of law, State or Federal, insofar as may be necessary to enable them to do anything authorized or required by such order.

"(16) If any provision of the foregoing paragraphs of this section, or the application thereof to any person or circumstances, is held invalid, the other provisions of such paragraphs, and the application of such provision to any other person or circumstances, shall not be affected thereby.

"(17) As used in paragraphs (4) to (16), inclusive, the term 'person' includes an individual, partnership, association, joint-stock company, or corporation, and the term 'carrier' means a carrier by railroad subject to this act."

Sec. 203. Such section 5 is further amended by renumbering as paragraph (18) the paragraph added by the act entitled "An act to amend section 407 of the Transportation Act of 1920", approved June 10, 1921, and by renumbering the remaining three paragraphs as paragraphs (19), (20), and (21), respectively.

Sec. 204. The provisions of the Interstate Commerce Act, as amended, and of all other applicable Federal statutes, as in force prior to the enactment of this title, shall remain in force, as though this title had not been enacted, with respect to the acquisition by any carrier, prior to the enactment of this title, of the control of any other carrier or carriers.

Sec. 205. Section 15a of the Interstate Commerce Act, as amended (U.S.C., title 49, sec. 15a), is amended to read as follows:

"Sec. 15a. (1) When used in this section, the term 'rates' means rates, fares, and charges, and all classifications, regulations, and practices relating thereto.

"(2) In the exercise of its power to prescribe just and reasonable rates the Commission shall give due consideration, among other factors, to the effect of rates on the movement of traffic; to the need, in the public interest, of adequate and efficient railway transportation service at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable the carriers, under honest, economical, and efficient management, to provide such service."

Sec. 206. (a) All moneys which were recoverable by and payable to the Interstate Commerce Commission, under paragraph (6) of section 15a of the Interstate Commerce Act, as in force prior to the enactment of this title, shall cease to be so recoverable and payable; and all proceedings pending for the recovery of any such moneys shall be terminated. The general railroad contingent fund established under such section shall be liquidated and the Secretary of the Treasury shall distribute the moneys in such fund among the carriers which have made payments under such section, so that each such carrier shall receive an amount bearing the same ratio to the total amount in such fund that the total of amounts paid under such section by such carrier bears to the total of amounts paid under such section by all carriers; except that if the total amount in such fund exceeds the total of amounts paid under such section by all carriers such excess shall be distributed among such carriers upon the basis of the average rate of earnings (as determined by the Secretary of the Treasury) on the investment of the moneys in such fund and differences in dates of payments by such carriers.

(b) The income, war-profits, and excess-profits tax liabilities for any taxable period ending after February 28, 1920, of the carriers and corporations whose income, war-profits, or excess-profits tax liabilities were affected by section 15a of the Interstate Commerce Act, as in force prior to the enactment of this act, shall be computed as if such section had never been enacted, except that, in the case of carriers or corporations which have made payments under paragraph (6) of such section, an amount equal to such payments shall be excluded from gross income for the taxable periods with respect to which they were made. All distributions made to carriers in accordance with subdivision (a) of this section shall be included in the gross income of the carriers for the taxable period in which this act is enacted. The provisions of this subdivision shall not be held to affect (1) the statutes of limitations with respect to the assessment, collection, refund, or credit of income, war-profits, or excess-profits taxes or (2) the liabilities for such taxes of any carriers or corporations if such liabilities were determined prior to the enactment of this act in accordance with section 1106 (b) of the Revenue Act of 1926 or section 606 of the Revenue Act of 1928, or in accordance with a final judgment of a court, an order of the Board of Tax Appeals which had become final, or an offer in compromise duly accepted in accordance with law.

Sec. 207. Paragraph (a) of section 19a of the Interstate Commerce Act, as amended (U.S.C., title 49, sec. 19a (a)), is amended to read as follows:

"(a) That the Commission shall, as hereinafter provided, investigate, ascertain, and report the value of all the property owned or used by every common carrier subject to the provisions of this act, except any street, suburban, or interurban electric railway which is not operated as a part of a general steam railroad system of transportation; but the Commission may in its discretion investigate, ascertain, and report the value of the property owned or used by any such electric railway subject to the provisions of this act whenever in its judgment such action is desirable in the public interest. To enable the Commission to make such investigation and report, it is authorized to employ such experts and other assistants as may be necessary. The Commission may appoint examiners who shall have power to administer oaths, examine witnesses, and take testimony. The Commission shall, subject to the exception hereinbefore provided for in the case of electric railways, make an inventory which shall list the property of every common carrier subject to the provisions of this act in detail, and show the value thereof as hereinafter provided, and shall classify the physical property, as nearly as practicable, in conformity with the classification of expenditures for road and equipment, as prescribed by the Interstate Commerce Commission."

Sec. 208. Paragraphs (f) and (g) of such section 19a, as amended (U.S.C., title 49, sec. 19a (f), (g)), are amended to read as follows:

"(f) Upon completion of the original valuations herein provided for, the Commission shall thereafter keep itself informed of all new construction, extensions, improvements, retirements, or other changes in the condition, quantity, use, and classification of the property of all common carriers as to which original valuations have been made, and of the cost of all additions and betterments thereto and of all changes in the investment therein, and may keep itself informed of current changes in costs and values of railroad properties, in order that it may have available at all times the information deemed by it to be necessary to enable it to revise and correct its previous inventories, classifications, and values of the properties; and, when deemed necessary, may revise, correct, and supplement any of its inventories and valuations.

"(g) To enable the Commission to carry out the provisions of the preceding paragraph, every common carrier subject to the provisions of this act shall make such reports and furnish such information as the Commission may require."

Sec. 209. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the other provisions of this act or the application of such provision to any other person or circumstances shall not be affected thereby.

And the House agree to the same.

C. C. DILL,
E. D. SMITH,
B. WHEELER,
SIMEON D. FESS,
JESSE H. METCALF,
Managers on the part of the Senate.

SAM RAYBURN,
GEORGE HUDDLESTON,
CLARENCE LEA,
JAMES S. PARKER,
JOHN G. COOPER,
Managers on the part of the House.

The Senate proceeded to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

NATIONAL INDUSTRIAL RECOVERY

The Senate resumed the consideration of the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

On motion by Mr. La Follette to further amend the bill by inserting, on page 44, after line 12, the following:

Use of waters of Saint Lawrence River

Sec. . (a) It is hereby declared that the prior use of all the waters of the Saint Lawrence River within the boundaries of the United States is necessary for the proper regulation of commerce and the improvement of navigation.

(b) In the event of the ratification of the Great Lakes-Saint Lawrence Deep Waterway Treaty and the construction of the works provided therein, the Power Authority of the State of New York, as the accredited agency of the State and in accordance with the policy set forth in the act creating said Power Authority, shall be entitled to use for the generation of hydroelectric power all the United States' share of the flow of the water in the International Rapids section of the Saint Lawrence River, subject to the prior use of such water under the treaty for the purposes of navigation and the operation of reservoirs, canals, and locks, and shall have title to the power houses and works appurtenant thereto upon the United States side, together with the lands upon which they are situated, in consideration of the payment of its share of the cost as determined in the joint memorandum dated February 7, 1933, and embodying the recommendations of the United States engineers and said Power Authority: Provided, That no part of the United States' share of the water in the International Rapids section of the Saint Lawrence River shall be diverted for the benefit of any person or private corporation, nor shall the use of any part of said water or the rights pertaining to said water be sold, leased, or otherwise alienated to any person or private corporation for the generation of hydroelectric power.

Pending debate,

Mr. Long raised a question as to the presence of a quorum; Whereupon

The Presiding Officer (Mr. Bratton in the chair) directed the roll to be called;

When

Eighty Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hebert, Johnson, Kean, Kendrick, Keyes, La Follette, Lewis, Lonergan, Long, McCarran, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The question being taken on agreeing to Mr. La Follette's amendment,

It was determined in the negative, { Yeas---------- 20 / Nays---------- 59

On motion by Mr. La Follette,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Bone, Borah, Costigan, Cutting, Duffy, Erickson, Frazier, Johnson, Kendrick, La Follette, Norris, Nye, Pope, Robinson of Indiana, Schall, Shipstead, Steiwer, Thomas of Utah, Vandenberg, and Wheeler.

Senators who voted in the negative are—

Adams, Ashurst, Austin, Bailey, Bankhead, Barbour, Barkley, Black, Bratton, Brown, Bulkley, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Davis, Dickinson, Dieterich, Dill, Fess, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Keyes, Lewis, Lonergan, Long, McCarran, McGill, McKellar, Murphy, Neely, Overton, Patterson, Reed, Reynolds, Russell, Sheppard, Stephens, Thomas of Oklahoma, Thompson, Townsend, Trammell, Tydings, Van Nuys, Walsh, and White.

So Mr. La Follette's amendment was not agreed to.

The bill was further amended on the motion of Mr. Wheeler.

The reported amendment striking out lines 1, on page 30, down to and including line 16, on page 34, and inserting in lieu thereof certain words, was amended on the motion of Mr. Harrison.

On motion by Mr. Gore to further amend the reported amendment by striking out lines 18 to 21, inclusive, on page 34, as follows:

"(a) Effective as of the day following the date of the enactment of this act, section 617 (a) of the Revenue Act of 1932 is amended by striking out '1 cent' and inserting in lieu thereof '1½ cents.'"

Pending debate,

Mr. Borah raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. George in the chair) directed the roll to be called;

When

Eighty-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Byrnes, Capper, Carey, Clark, Connally, Coolidge, Copeland, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The question being taken on agreeing to Mr. Gore's amendment,

It was determined in the negative, {Yeas---------- 35 / Nays---------- 46}

On motion of Mr. Borah,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Barbour, Black, Borah, Bulow, Byrd, Capper, Carey, Connally, Cutting, Davis, Goldsborough, Gore, Hale, Hastings, Hatfield, Kean, Keyes, King, McGill, Metcalf, Nye, Patterson, Pope, Reed, Robinson of Indiana, Russell, Shipstead, Steiwer, Thomas of Oklahoma, Townsend, Trammell, Tydings, Vandenberg, Walcott, and White.

Senators who voted in the negative are—

Adams, Ashurst, Austin, Bachman, Bankhead, Barkley, Bone, Bratton, Brown, Bulkley, Byrnes, Clark, Coolidge, Copeland, Costigan, Dickinson, Dieterich, Dill, Duffy, Erickson, Frazier, George, Harrison, Hayden, Johnson, Kendrick, La Follette, Lonergan, Long, McCarran, McKellar, Murphy, Neely, Norris, Overton, Reynolds, Robinson of Arkansas, Schall, Sheppard, Stephens, Thomas of Utah, Thompson, Van Nuys, Wagner, Walsh, and Wheeler.

So Mr. Gore's amendment was not agreed to.

On motion by Mr. Walsh to amend the reported amendment by inserting on page 36, after line 7, the following:

(e) The taxes imposed by this section shall not apply to the dividends of any corporation enumerated in section 103 of the Revenue Act of 1932 nor to any insurance company subject to the tax imposed by sections 201 and 204 of such act.

After debate,

It was determined in the affirmative, {Yeas---------- 72 / Nays---------- 7}

On motion by Mr. Reed,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bachman, Barbour, Barkley, Borah, Bratton, Brown, Bulkley, Byrnes, Capper, Carey, Clark, Connally, Coolidge, Copeland, Cutting, Dickinson, Dieterich, Duffy, Erickson, Fess, Frazier, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, La Follette, Lewis, Lonergan, Long, McCarran, McGill, Metcalf, Murphy, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

Senators who voted in the negative are—

Bankhead, Bone, Bulow, Dill, McKellar, Neely, and Thomas of Oklahoma.

So Mr. Walsh's amendment was agreed to.

On motion by Mr. Reed to further amend the bill, as follows:

On page 34, line 18, strike out all after "section 210" down through "(b)" in line 22.

On page 34, line 23, strike out "such act" and insert in lieu thereof *the Revenue Act of 1932*.

On page 40, line 8, strike out the comma and all of lines 9, 10, and 11.

On page 42, after line 24, insert a new title, as follows:

Title III—General Manufacturers' Excise Tax

Sec. 251. Imposition.

(a) In addition to any other tax imposed by law, there is hereby imposed on every article sold in the United States by the manufacturer or producer thereof, if licensed or required to be licensed under this title, a tax equivalent to 1¾ per centum of the sale price, except in the case of—

(1) Sales by a licensed manufacturer to another licensed manufacturer of articles for further manufacture.

(2) Sales by a licensed manufacturer to a registered dealer of articles for tax-exempt resale.

(3) Sales by a licensed manufacturer to any person of articles for tax-exempt resale, but only if such articles are delivered by such licensed manufacturer to the person to whom his vendee so resells the article.

(4) Sales for exportation, if the articles are in due course exported.

(5) Sales to a State or political subdivision thereof of articles for use solely in the exercise of an essential governmental function.

(b) In addition to any other tax or duty imposed by law, there is hereby imposed a compensating tax of 1¼ per centum ad valorem on every imported article removed from customs custody or control, unless—

(1) The article is entered or withdrawn for consumption by a licensed manufacturer (or his agent) and the article is an article for further manufacture.

(2) The article is entered or withdrawn for consumption by a registered dealer (or his agent) and the article is an article for tax-exempt resale.

(3) The article is exported from continuous customs custody or control.

(4) The article is entered or withdrawn for consumption by a State or political subdivision thereof for use solely in the exercise of an essential governmental function.

(5) The article is free of customs duty (A) as an article returned after having been exported, (B) under paragraph 1607, 1632, 1717, 1739, 1747, or 1798 of the Tariff Act of 1930, or (C) as a temporary importation or an importation for exhibition; but in the event of any violation of the conditions of the free entry of such article, it shall be subject to tax under this subsection.

(c) The tax imposed under subsection (b) shall be collected and paid under regulations prescribed by the Secretary. The value on which such tax shall be based shall be the sum of the dutiable value (under section 503 of the Tariff Act of 1930) of the article plus (A) any duties imposed thereon under any provision of the customs laws and (B) any tax on importation under section 601 (c) (4) to (7), inclusive, of the Revenue Act of 1932, and (C) any tax under the act of May 12, 1933. Such tax shall not be imposed on any importation upon which the total of taxes and duties would be less than $1, provided that the articles are not so imported to evade payment of duties or taxes.

(d) No tax shall be imposed under this title upon any of the following articles:

(1) Farm products not processed otherwise than by or for the original producer thereof.

(2) Food, foodstuffs, coffee, tea, and feeds.

(3) Wearing apparel for any part of the body.

(4) Medicines (other than patent or proprietary medicines).

(e) Exemption from tax under this section shall be allowed or granted only upon compliance with the regulations.

Sec. 252. Tax on sales by registered dealers.

(a) There is hereby imposed on the sale or other disposition by a registered dealer of any article obtained by him free of tax by virtue of his regisration, other than tax-exempt resale, a tax of 1¼ per centum of the price at which such article was sold to such registered dealer, plus, in the case of an imported article, if not included in such price, (1) any duties imposed thereon under any provision of the customs laws, (2) any tax on importation under section 601 (c) (4) to (7), inclusive, of the Revenue Act of 1932, and (3) any tax under the act of May 12, 1933. If the Commissioner determines that the records of the registered dealer with respect to the disposition of any article are inadequate, such article shall be held to have been resold otherwise than in a tax-exempt resale.

(b) If the Commissioner determines that it is not necessary in the interests of the revenue to trace the identity of articles of any class in the hands of registered dealers, the regulations may provide a method of determining the proper tax liability of registered dealers with respect to articles of that class without requiring that the identity of the individual articles be traced.

(c) Articles of such classes as the Commissioner may prescribe may (in accordance with the regulations) be obtained by registered dealers free of tax notwithstanding that it is impracticable to determine whether or not they will be resold in a tax-exempt resale, and the tax provided for in subsection (a) shall be imposed with respect to such articles if disposed of otherwise than in a tax-exempt resale.

Sec. 253. Sale price.

(a) Generally.—In determining the sale price of an article there shall be included any charge for coverings and containers of whatever nature, and any charge incident to placing the article in condition packed ready for shipment, but there shall be excluded the amount of tax imposed by this title, and any other tax imposed upon such article, whether or not stated as a separate charge. A transportation, delivery, insurance, installation, or other charge (not required by the foregoing sentence to be included) shall be excluded from the sale price only if the amount thereof is established to the satisfaction of the Commissioner, in accordance with the regulations.

(b) Sales on consignment.—In the case of an article sold on consignment, the sale price shall be the fair manufacturer's price for the article.

(c) Retail sales by licensed manufacturer.—In the case of an article sold by the manufacturer or producer thereof at retail (or directly to the consumer or user), the tax shall be imposed upon the price at which so sold, except that in the case of any such article ordinarily sold at wholesale (or directly to the consumer or user at prices varying with the quantity or character of use) by manufacturers or producers, the tax shall be imposed upon the fair manufacturer's price for the article.

(d) Installment sales.—In the case of a contract for the sale by a licensed manufacturer of an article, wherein it is provided that the sale price shall be paid to the manufacturer by installments, and the title to the article sold does not pass to the purchaser thereof until a future date notwithstanding partial payment by installments, or in the case of a conditional sale, there shall be imposed upon each payment that part of the tax which is proportionate to the part of the sale price represented by such payment.

(e) Leases and royalties.—If a licensed manufacturer leases an article or transfers the right of using the article but not the title thereto, or imposes a royalty on the use of an article, each payment with respect to the article shall be treated as a sale and the tax shall be imposed upon the amount of such payment. Any such lease, transfer, or imposition of royalty on the use of any article by a registered dealer shall be treated as a sale.

(f) Manufacture under contract.—For the purposes of this title a person who manufactures or produces an article for another person who furnishes materials and retains title thereto, shall be regarded as the manufacturer or producer of the article, and the tax shall be imposed upon payment as if the article were sold by him, or, if there is more than one payment, the tax shall be imposed pro rata upon each payment; except that the person so furnishing materials shall be regarded as the manufacturer or producer of the article if the article is to be resold by him, and (1) the effect of the application of this provision is to require him to be licensed under this title, or (2) he is a licensed manufacturer.

(g) Use or transfer of article in special cases.—If a manufacturer or producer—

(1) uses, otherwise than as an article for further manufacture, an article manufactured or produced by him, or obtained by him free of tax by virtue of his license;

(2) transfers the title to an article by gift; or

(3) transfers the title to, or the right to use, an article to any person (otherwise than through an arm's-length transaction) at less than the fair market price; such use or transfer shall be considered a sale for the purposes of this title, and the sale price shall be the fair manufacturer's price for such article.

(h) For the purposes of this section the fair manufacturer's price for an article shall be a fair manufacturers' or producers' sale price for the article at the place of manufacture or production, as determined by the Commissioner, by reference to actual sales or to costs of manufacture or production, or otherwise.

Sec. 254. Overpayments, credits, and refunds.

(a) A credit against tax under this title, or a refund, may be allowed or made—

(1) To a licensed manufacturer, in the amount of any tax under this title which has been paid with respect to an article for further manufacture purchased by him.

(2) To a manufacturer or producer when he becomes licensed, in the amount of any tax paid under this title with respect to articles for further manufacture on hand, or theretofore used in the manufacture or production of articles on hand, when the license is granted.

(3) To the exporter, in the case of an article sold for exportation or exported for sale, in the amount of any tax paid under this title with respect to the article.

(4) To a licensed manufacturer or registered dealer who has paid tax under this title with respect to an article, when the sale price on which the tax was based is readjusted by reason of return or repossession of the article or a covering or container, or by a bona fide discount, rebate, or allowance, in the amount of that part of the tax proportionate to the part of the sale price which is refunded or credited.

(5) To a licensed manufacturer or registered dealer in the amount of tax paid by him under this title with respect to any article, if the licensed manufacturer or registered dealer has in his possession such evidence as the regulations may prescribe that (A) such article has been delivered by his vendee to a State or political subdivision thereof for use in the exercise of an essential governmental function and (B) the licensed manufacturer or registered dealer has repaid or agreed to repay the amount of such tax to his vendee or has obtained the consent of his vendee to the allowance of the credit or refund.

(b) Credit or refund under subsection (a) shall be allowed or made only upon compliance with the regulations.

(c) In no case shall interest be allowed with respect to any amount of tax under this title credited or refunded.

(d) Credit or refund of tax (except tax under section 251 (b)) paid under this title shall be made by the Commissioner. Credit or refund of tax paid under section 251 (b)

shall be made in such manner as shall be prescribed by the Secretary.

(e) No overpayment of tax under this title shall be credited or refunded (otherwise than under subsection (a)), in pursuance of a court decision or otherwise, unless the person who paid the tax establishes, in accordance with regulations, (1) that he has not included the tax in the price of the article with respect to which it was imposed, or collected the amount of tax from the vendee or (2) that he has repaid the amount of the tax to the last purchaser of the article, or (3) that he has obtained written consent of such last purchaser to the allowance of the credit or refund.

Sec. 255. Licensed manufacturers and registered dealers.

(a) Manufacturers and Producers.—Every manufacturer or producer (except as hereinafter provided) is hereby required to be licensed, in accordance with regulations, and shall pay a fee of $2 for such license. Licenses under this section shall expire upon June 30, 1934, and thereafter upon June 30 of each year.

(b) Exemptions.—No license shall be required (but a license may be granted upon application) in the case of a manufacturer or producer—

(1) if for the preceding year the total sale price of all articles (other than exempt articles) manufactured or produced by him was less than $20,000; or

(2) if, in the case of a manufacturer or producer not engaged during the whole of the preceding year in the sale of articles (other than exempt articles) manufactured or produced by him, such manufacturer or producer files with the Commissioner a statement under oath that to the best of his knowledge and belief the probable total sale price of all articles (other than exempt articles) manufactured or produced by him to be sold by him during the year for which the exemption is claimed will be less than $20,000;

but in the case of any manufacturer or producer exempted or claiming exemption under paragraph (1) or (2) of this subsection, if the Commissioner determines that the probable total sale price of all articles (other than exempt articles) manufactured or produced by such manufacturer or producer to be sold by him during the year for which the exemption was granted or is claimed will not be less than $20,000, or if the total sale price of all articles other than exempt articles) manufactured or produced by such manufacturer or producer and sold during such year by him reaches $20,000, such manufacturer or producer shall thereupon be required to be licensed.

(c) Dealers and Importers.—A dealer in or importer of articles for tax-exempt resale may be granted registration as a registered dealer by the Commissioner, upon application in accordance with regulations and payment of a fee of $100. Registrations under this subsection shall expire upon June 30, 1934, and thereafter upon June 30 of each year.

(d) Revocation or Cancellation of Dealer's Registration.—If the Commissioner finds that a registered dealer has violated any provision of law applicable with respect to the tax imposed by this title, he may revoke his registration. If the registration of any registered dealer is revoked, he shall not be entitled to registration within a period of one year after such revocation. The registration of any registered dealer may be canceled upon application by him.

(e) Tax on Revocation, Cancellation, or Expiration of Registration.—If a registered dealer's registration is revoked or canceled under subsection (d), or if a registered dealer's registration expires and is not renewed, he shall pay the tax imposed by this title (as if on a taxable sale by him at the time of revocation, cancellation, or expiration) on all articles obtained by him free of tax by virtue of his registration and not disposed of by him prior to such revocation, cancellation, or expiration.

(f) Tax on Expiration of Manufacturer's or Producer's License.—If a manufacturer or producer ceases to be licensed before the date on which the tax imposed by this title ceases to be in effect, he shall pay the tax which would be imposed on a sale by him, as of the date on which he ceases to be licensed, of all articles obtained by him free of tax by virtue of such license and not used as articles for further manufacture in the manufacture or production of articles sold prior to such date.

Sec. 256. Returns, records, and payment and collection of tax.

(a) Every licensed manufacturer or registered dealer and every person liable for any tax under this title (other than tax under section 251 (b)) shall make monthly returns under oath and pay the tax to the collector for the district in which is located his principal place of business, or if he has no principal place of business in the United States, to the collector at Baltimore, Maryland. Such returns shall be made on or before the last day of each month for the preceding month, and shall contain such information and be made in such manner as the regulations prescribe. Under regulations, returns and payment of tax may be made on the basis of the monthly periods used by the taxpayer in his accounting records.

(b) The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time for filing the return. If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 1 per centum a month from the time when the tax became due until paid.

(c) Every licensed manufacturer and registered dealer, and every person liable for any tax imposed by this title (except tax under section 251 (b)) shall keep such records, render under oath such statements, and comply with such regulations, as the Commissioner with the approval of the Secretary may from time to time prescribe. Whenever in the judgment of the Commissioner necessary, he may require any person, by notice served upon him, to make a return, render under oath such statements, or keep such records as the Commissioner deems sufficient to show whether or not such person is liable for tax under this title (except tax under section 251 (b)), and the amount of any such liability. All records required under authority of this section with respect to any sale shall be kept in such manner as to be readily accessible to the Commissioner or his agents for a period of four years from the last day of the month after the month in which such sale was made, unless the Commissioner authorizes the destruction of such records at an earlier date, or unless an agreement under section 259 determining the amount of liability under this title with respect to such sale is approved by the Secretary or Under Secretary.

Sec. 257. Tax in special cases.

(a) Tax on Sales to or Withdrawals by Licensed Manufacturers or Registered Dealers.—When the Commissioner deems such action to be in the interest of the revenue, he may require that the tax shall be imposed on the sale to, or the removal from customs custody or control by, any licensed manufacturer or registered dealer, or any class of licensed manufacturers or registered dealers, of any class of articles (even though articles for further manufacture or for tax-exempt resale). Credit or refund of tax so imposed may be allowed on proof by a licensed manufacturer that such articles have been used or resold as articles for further manufacture, or on proof by a registered dealer that such articles have been resold in a tax-exempt resale.

(b) Sale of Article Obtained as Article for Further Manufacture.—If a licensed manufacturer sells an article obtained free of tax by virtue of his license he shall be liable for tax under this title in the same manner as if such article were an article manufactured or produced by him.

(c) Tax on Others Than Licensed Manufacturers or Registered Dealers.—In case any other person acquires from a licensed manufacturer or registered dealer, by operation of law or as a result of any transaction not taxable under this title, the right to sell any article, the disposition of such article by such person shall be taxable as if made by such licensed manufacturer or registered dealer, and such person shall be liable for the tax.

Sec. 258. Existing contracts for sale—regulated rates.

(a) If any person (1) is subject to governmental regulation with respect to the sale price of an article with respect to which a tax is imposed under this title, or (2) has, prior to the date of the enactment of this act, made a contract for the sale, on or after the effective date of this title, of an article, with respect to which sale a tax is imposed by this title, or with respect to which article a tax is imposed by this section, and such contract does not permit the adding, to the amount to be paid thereunder, of the whole of such tax, and does not provide that the vendor shall pay such tax, then the vendee shall, in lieu of the vendor, pay so much of the tax as is not so permitted to be added to the contract price, or the price subject to regulation, as the case may be. If (A) any article has, under a contract of the character above described, been delivered prior to the date of the enactment of this act, to any person (other than a dealer) or (B) a contract of the character above described was made with the United States, no tax shall be collected under this title.

(b) The taxes payable by the vendee shall be paid to the vendor at the time the sale is consummated, and shall be collected, returned, and paid to the United States by such vendor in the same manner and shall be subject to the same provisions of law (including penalties) as the tax imposed by section 701 of the Revenue Act of 1932. In case of failure or refusal by the vendee to pay such taxes to the vendor, the vendor shall report the facts to the Commissioner, who shall cause collection of such taxes to be made from the vendee.

Sec. 259. Final agreements.

The Commissioner (or any officer or employee of the Bureau of Internal Revenue, including the field service, authorized in writing by the Commissioner) is authorized to enter into an agreement with any person relating to the liability of such person (or of the person for whom he acts) in respect of the tax imposed by this title (including the basis or method upon which such liability shall be determined or computed) for any period (past or future) specified in such agreement. If such agreement is approved by the Secretary or the Under Secretary, within such time as may be stated in such agreement, or later agreed to, such agreement shall be final and conclusive, and except upon a showing of fraud or malfeasance, or misrepresentation of a material fact, (1) the case shall not be reopened as to the matter agreed upon, or the agreement modified, by any officer, employee, or agent of the United States; and (2) in any suit, action, or proceeding such agreement or any determination, assessment, collection, payment, abatement, refund, or credit made in accordance therewith shall not be annulled, modified, set aside, or disregarded, except that in its application to sales made after the date on which it is approved or agreed to such agreement shall be held to be modified to the extent necessary to conform to any change in the law after such date.

Sec. 260. Effect of changes in administrative decisions.

If any regulation, ruling, or decision of the Commissioner or Secretary (or any official authorized by regulations to make rulings or decisions which shall be subject to this section) in force at the time of the sale of an article is amended or revoked, such amendment or revocation shall not have the effect of increasing the liability under this title of any person with respect to such sale beyond his liability determined in accordance with such regulation, ruling, or decision in force at the time of such sale.

Sec. 261. Applicability of administrative provisions.

All provisions of law (including penalties) applicable in respect of the taxes imposed by section 600 of the Revenue Act of 1926, shall, insofar as not inconsistent with this act, be applicable in respect of the tax imposed by this title.

Sec. 262. Penalties.

Any person willfully violating any provision of this title or any provision of law, in respect of the tax imposed by this title, shall (if no other criminal penalty is provided for therein) be fined an amount not more than $10,000, or imprisoned not more than one year, or both, together with the costs of prosecution.

Sec. 263. Regulations.

The Commissioner, with the approval of the Secretary, shall prescribe and publish such regulations as he may deem necessary for the enforcement of this title, except that the Secretary shall prescribe and publish such regulations as he may deem necessary for the enforcement of this title insofar as it relates to taxes under section 251 (b).

Sec. 264. Definitions.

(a) When used in this title—

(1) The term "article" means commodities of every description, including gases and electrical energy; but does not not include real property.

(2) The term "licensed manufacturer" means a manufacturer or producer licensed or required to be licensed under this title.

(3) The term "registered dealer" means a dealer or importer registered under this title.

(4) The term "manufacturer or producer" means any person (including a State, political subdivision thereof, or agency thereof) who manufactures or produces in the United States any article, and includes, in the case of electrical energy produced outside of the United States, the person making the first sale thereof within the United States. For the purposes of this title, such energy shall not be considered an imported article.

(5) The term "manufacture or produce" includes grow, mine, fabricates, assemble, cure, tan, dress, dye, bleach, blend, bottle, can, repackage, spin, weave, refine, and process or manipulate in any manner, but does not include laundering or repairing, nor the reconditioning of an article for reuse and not resale, nor the cleaning or ginning of cotton, nor the cleaning or threshing of grain, nor the preparation of beverages for consumption on the premises where prepared.

(6) The term "article for further manufacture" means only an article which is to be used by a licensed manufacturer (A) as material in the manufacture or production of, (B) as a component part of, (C) as a covering or container for, or (D) as an accessory to, another article.

(7) The term "tax-exempt resale" means resale (A) as an article for further manufacture to a licensed manufacturer or to a registered dealer; (B) to a State or political subdivision thereof for use solely in the exercise of an essential governmental function; (C) to any person for resale by him as described in clause (A) or (B) if the articles are delivered by his vendor to his vendee; or (D) for exportation, if the article is in due course exported.

(8) The term "exempt article" means an article enumerated in section 251 (d).

(9) The term "United States", when used in a geographical sense, includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

(10) The term "imported" means brought into the United States from any foreign country or any possession of the United States.

(11) The terms "exported" and "exportation" mean, respectively, shipped and shipment to any foreign country or any possession of the United States, or laden and lading as supplies, stores, or legitimate equipment on vessels of war of any foreign nation, vessels employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the Atlantic and Pacific ports of the United States or between the United States and any of its possessions.

(12) The term "obtained by" means sold to or removed from customs custody or control by.

(13) The term "regulations" means regulations prescribed under this title.

(14) The term "Secretary" means the Secretary of the Treasury.

(15) The term "Commissioner" means the Commissioner of Internal Revenue.

(16) The terem "collector" means collector of internal revenue.

(b) The terms "includes" and "including" when used in a definition contained in this act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

Sec. 265. Personnel.

The Secretary is authorized to appoint, in the office of the Assistant Secretary in Charge of Fiscal Offices, two officers at salaries of $9,000 per annum, and in the Bureau of Internal Revenue, one deputy commissioner at a salary of $9,000 per annum, and, subject to the Classification Act of 1923, as amended, such other officers and employees as are necessary to administer the provisions of this title.

Sec. 266. Effective date.

This title shall take effect on the thirtieth day after the date of the enactment of this act, except that sections 255, 259, 263, 265, and this section shall take effect on the date of the enactment of this act. No sale or removal from customs custody or control after June 30, 1935, shall be taxable under this title.

Sec. 267. Short title.

This title may be cited as the "Manufacturers' Excise Tax Act of 1933."

Sec. 268. Repeals.

The following sections of the Revenue Act of 1932 are repealed, effective as of the thirtieth day after the date of the enactment of this act: Sections 601 (c) (1), 603, 604, 605, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 725, 751, and 761.

Sections 602 and 606 (a) to (e), inclusive, of such act are repealed effective as of the sixtieth day after the date of the enactment of the act.

Section 606 (f) of such act is amended by striking out "August 1, 1934", and inserting "the thirtieth day after the date of the enactment of the National Industrial Recovery Act."

On page 43, line 1, strike out "title III" and insert in lieu thereof "title IV."

After debate,

The question being taken on agreeing to Mr. Reed's amendments,

It was determined in the negative, {Yeas 28 / Nays 57}

On motion by Mr. Hastings,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Bachman, Barbour, Carey, Coolidge, Copeland, Dickinson, Fess, Goldsborough, Hale, Hastings, Hebert, Kean, Kendrick, Keyes, Lewis, Lonergan, Metcalf, Patterson, Reed, Schall, Townsend, Tydings, Vandenberg, Wagner, Walcott, Walsh, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bailey, Bankhead, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Clark, Connally, Costigan, Cutting, Dieterich, Dill, Duffy, Erickson, Frazier, George, Gore, Harrison, Hatfield, Hayden, Johnson, King, La Follette, Long, McCarran, McGill, McKellar, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammell, Van Nuys, and Wheeler.

So Mr. Reed's amendments were not agreed to.

On motion by Mr. La Follette to further amend the reported amendment beginning on page 30, line 1, by inserting on page 42, after line 8, the following:

Section 55 of the Revenue Act of 1932 is amended by inserting before the period at the end thereof a semicolon and the following: "except that all returns made under this act after the date of enactment of the National Industrial Recovery Act shall constitute public records, and shall be open to examination and inspection".

After debate,

It was determined in the affirmative, {Yeas 56 / Nays 27}

On motion by Mr. La Follette,

The yeas and nays being desired by one-fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Costigan, Cutting, Dickinson, Dill, Duffy, Erickson, Frazier, George, Hatfield, Hayden, Johnson, Kendrick, King, La Follette, Long, McCarran, McGill, McKellar, Neely, Norris, Nye, Overton, Patterson, Pope, Reynolds, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Thomas of Oklahoma, Thomas of Utah, Thompson of Illinois, Trammell, Vandenberg, Van Nuys, Wagner, Walsh, and Wheeler.

Senators who voted in the negative are—

Austin, Bailey, Bankhead, Barbour, Carey, Copeland, Dieterich, Fess, Goldsborough, Hale, Harrison, Hastings, Hebert, Kean, Keyes, Lonergan, Metcalf, Murphy, Reed, Robinson of Arkansas, Schall, Steiwer, Stephens, Townsend, Tydings, Walcott, and White.

So Mr. La Follette's amendment was agreed to.

On motion of Mr. Clark to further amend the said reported amendment by inserting on page 42, after line 8, the following:

Effective as of January 1, 1933:

(1) Section 22 (a) of the Revenue Act of 1932 is amended by inserting before the period at the end of the first section thereof a comma and the following: "including obligations of the United States or its possessions, and of any State, Territory, or any political subdivision thereof, or the District of Columbia."

(2) Paragraph (4) of section 22 (b) of the Revenue Act of 1932 is amended to read as follows:

"(4) Tax-free interest: Interest upon securities issued under the provisions of the Federal Farm Loan Act, or under the provisions of such Act, as amended: Every person owning any or such securities shall in the return required by this title submit a statement showing the number and amount of such securities owned by him and the income received therefrom, in such form and with such information as the Commissioner may require."

After debate,

It was determined in the affirmative, {Yeas 45 / Nays 37}

On motion by Mr. Clark,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Ashurst, Bachman, Bankhead, Barbour, Black, Borah, Bratton, Brown, Bulow, Byrnes, Capper, Caraway, Clark, Coolidge, Costigan, Cutting, Dickinson, Dill, Duffy, Erickson, Frazier, Hayden, Kean, Kendrick, La Follette, Long, McGill, McKellar, Murphy, Neely, Norris, Nye, Pope, Reynolds, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Thomas of Utah, Trammell, Walsh, and Wheeler.

Senators who voted in the negative are—

Adams, Austin, Bailey, Barkley, Bulkley, Carey, Connally, Copeland, Dieterich, Fess, George, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hebert, Keyes, King, Lonergan, McCarran, Metcalf, Overton, Patterson, Reed, Robinson of Arkansas, Schall, Stephens, Thompson, Townsend, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, and White.

So Mr. Clark's amendment was agreed to.

The reported amendment, as amended, beginning on page 30, line 1, was then agreed to.

The bill was further amended on the motion of Mr. Clark, and the residue of the reported amendments were agreed to.

No further amendment being proposed,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, {Yeas 58 / Nays 24}

On motion by Mr. Reed,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrnes, Capper, Caraway, Coolidge, Copeland, Costigan, Cutting, Dieterich, Dill, Duffy, Erickson, Frazier, George, Harrison, Hayden, Johnson, Kendrick, La Follette, Lewis, Lonergan, Long, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Pope, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammell, Van Nuys, Wagner, Walsh, and Wheeler.

Senators who voted in the negative are—

Austin, Barbour, Borah, Carey, Clark, Connally, Dickinson, Fess, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Kean, Keyes, Metcalf, Patterson, Reed, Townsend, Tydings, Vandenberg, Walcott, and White.

So it was

Resolved, That the bill pass.

On motion by Mr. Harrison,

Ordered, That the bill be printed showing the amendments of the Senate numbered.

On motion by Mr. Harrison,

Resolved, That the Senate insist upon its amendments to the said bill, and ask a conference with the House of Representatives thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. Harrison, Mr. King, Mr. George, Mr. Reed, and Mr. Keyes.

Ordered, That the Secretary notify the House of Representatives thereof.

INSPECTION OF BOILERS AND UNFIRED PRESSURE VESSELS

The Vice President laid before the Senate the amendments yesterday received from the House of Representatives for concurrence to the text of the bill (S. 1129) to amend sections 361, 392, 406, 407, 408, 409, 410, 411, and 412, of title 46 of the United States Code relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof, together with an amendment to the title providing that the same read as follows: "An act to amend sections 4399, 4418, 4428, 4429, 4430, 4431, 4432, 4433, and 4434 of the Revised Statutes as amended, relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof."

The Senate proceeded to consider the said amendments; and

On motion by Mr. Stephens,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

GOVERNMENT LOANS TO HOME OWNERS

On motion by Mr. Bulkley,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5240) to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

FARM CREDIT CORPORATIONS

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to consider the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 11 o'clock and 3 minutes p.m.,

The Senate, as in legislative session, took a recess until 10 o'clock a.m. tomorrow.

AT 10 O'CLOCK A.M. (CALENDAR DAY, SATURDAY, JUNE 10, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Thirty-seven Senators answered to their names, as follows:

Austin, Bachman, Barkley, Black, Bratton, Brown, Bulow, Byrnes, Capper, Coolidge, Copeland, Cutting, Frazier, Hale, Hatfield, Hayden, Kendrick, Keyes, Logan, Long, McCarran, McGill, McKellar, McNary, Metcalf, Patterson, Pope, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Thomas of Oklahoma, Thompson, Trammell, Vanderberg, and Walsh.

The number of Senators present not constituting a quorum;

The Vice President directed the names of the absentees to be called;

When

Fifty-five Senators answered to their names, as follows:

Adams, Ashurst, Bailey, Bankhead, Barbour, Bone, Borah, Bulkley, Byrd, Caraway, Carey, Clark, Connally, Costigan, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, George, Glass, Goldsborough, Gore, Harrison, Hastings, Hebert, Johnson, Kean, King, La Follette, Lewis, Lonergan, McAdoo, Murphy, Neely, Norris, Nye, Overton, Reed, Reynolds, Schall, Shipstead, Steiwer, Stephens, Thomas of Utah, Townsend, Tydings, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

INTERNATIONAL TRADE RESTRICTIONS ON FARM PRODUCTS

On motion by Mr. Smith, and by unanimous consent,

Ordered, That the report of the Secretary of Agriculture pertaining to restrictions upon international trade in major agricultural products, transmitted to the Senate on the 7th instant in response to Senate Resolution 280, Seventy-second Congress, be printed with illustrations as a Senate document.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

Resolutions of veterans of Washington, D.C., and Beckley, W.Va., favoring the repeal of the Economy Act and the restoration of compensation and other benefits heretofore accorded to veterans; to the Committee on Finance.

A petition of Samuel Tilden Ansell, of Washington, D.C., praying an investigation of the misbehavior of Senator Huey P. Long and his qualifications to be a Senator of the United States; and

Memorials of citizens of the State of Louisiana, remonstrating against an investigation of acts and conduct of Senator Long; to the Committee on the Judiciary.

A resolution adopted by U. S. S. Jacob Jones Post, No. 2, American Legion, of Washington, D.C., remonstrating against any attempt to deprive honorably discharged veterans of the preference in retention in the classified service of the Government; to the Committee on Civil Service.

The Vice President laid before the Senate a resolution adopted by Camden County Central Labor Union of Camden County and Vic, N.J., favoring the passage of the so-called national industrial recovery bill without amendment.

Ordered, That it lie on the table.

Mr. Barbour presented a resolution adopted by Golden Rule Council, No. 148, Sons and Daughters of Liberty, of

Williamstown, N.J., favoring the enactment of legislation fixing a definite quota for the admission of alien immigrants into the United States; which was referred to the Committee on Immigration.

Mr. Copeland presented a resolution adopted by Sunnyside Branch, New York City Local of the Socialist Party, favoring the abrogation of the treaty of 1903 with Cuba and its replacement by another treaty which will accord to the Cuban people the independence which is their natural right; which was referred to the Committee on Foreign Relations.

Mr. Copeland presented the following petition and memorial:

A resolution adopted by the Community Councils of the City of New York, Inc., favoring the enactment of legislation to permit loans to municipalities for construction of school buildings and school equipment; and

A resolution adopted by the Albany Realty Board, Inc., of Albany, N.Y., remonstrating against the ratification of the Great Lakes-St. Lawrence Deep Waterway Treaty with Canada.

Ordered, That they lie on the table.

REPORTS OF COMMITTEES

Mr. Hayden, by unanimous consent, from the Committee on Printing, to whom was referred the resolution (S.Res. 71) authorizing the Committee on the Judiciary to have printed for its use additional copies of hearings on "Thirty-hour Work Week", reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

Resolved, That the Senate agree thereto.

Mr. Neely, by unanimous consent, from the Committee on the Judiciary, to whom was referred the resolution (S.Res. 92) creating a special committee to investigate certain phases of the petroleum industry, reported it without amendment; and

Ordered, That the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. Robinson of Arkansas, by unanimous consent, from the Committee on Foreign Relations, to whom was referred the joint resolution (S.J.Res. 59) to provide for the expenses of delegates of the United States to the Ninth Pan American Sanitary Conference, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said joint resolution; and no amendment being made.

Ordered, That it be engrossed and read a third time.

The said joint resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. BLACK, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (H.R. 5091) to amend section 289 of the Criminal Code, reported it with amendments.

The Senate proceeded, by unanimous consent, to consider the said bill; and the reported amendments having been agreed to,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Robinson of Arkansas (for Mr. Smith), by unanimous consent, from the Committee on Agriculture and Forestry, to whom was referred the bill (H.R. 3511) to authorize the creation of a game refuge in the Ouachita National Forest in the State of Arkansas, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Thomas of Oklahoma, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 554) providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury, reported it without amendment and submitted a report (No. 139) thereon.

The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Tydings, by unanimous consent, from the Committee on Territories and Insular Affairs, to whom was referred the bill (H.R. 5767) to authorize the appointment of the Governor of Hawaii without regard to his being a citizen or resident of Hawaii, reported it without amendment and submitted a report (No. 140) thereon.

Mr. Sheppard, by unanimous consent, from the Committee on Commerce, to whom was referred the bill (S. 1872) to extend the times for commencing and completing the construction of a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn., reported it without amendment and submitted a report (No. 141) thereon.

The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Barkley, by unanimous consent, from the Committee on the Library, to whom was referred the bill (S. 1867) authorizing an appropriation to provide for the completion of the George Rogers Clark Memorial at Vincennes, Ind., reported it without amendment.

The Senate, by unanimous consent, subsequently proceeded to consider the said bill; and no amendment being made,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. Hayden:

A bill (S. 1875) to stabilize the coal-mining industry; to provide for a coal operators' code and agreement; to provide for cooperative marketing of coal; to secure prices just to operators and consumers and fair living and working conditions for the miners concerned; to levy a tax on coal and provide for a drawback under certain conditions; to declare the production, distribution, and use of coal to be affected with a public interest; to provide for the general welfare; and for other purposes; to the Committee on Mines and Mining.

A bill (S. 1876) to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes; to the Committee on Indian Affairs.

By Mr. Dill:

A bill (S. 1877) for the relief of Leo Yates; to the Committee on Claims.

A bill (S. 1878) for the relief of Vincent Rutherford; to the Committee on Military Affairs.

A bill (S. 1879) extending the provisions of the pension laws relating to Indian war veterans to Capt. H. M. Hodgis' company, and for other purposes; and

A bill (S. 1880) granting a pension to Elmer K. Corbett (with accompanying papers); to the Committee on Pensions.

By Mr. Bone:

A bill (S. 1881) to authorize the creation of an Indian village within the Shoalwater Indian Reservation, Wash., and for other purposes; and

A bill (S. 1882) to authorize the Secretary of the Interior to issue patents for lots to Indians within the Indian village of Taholah, on the Quinaielt Indian Reservation, Wash.; to the Committee on Indian Affairs.

By Mr. Steiwer:

A bill (S. 1883) to amend the act of March 3, 1885, entitled "An act providing for allotment of lands in severalty to the Indians residing upon the Umatilla Reservation, in the State of Oregon, and granting patents therefor, and for other purposes"; to the Committee on Indian Affairs.

A bill (S. 1884) to prevent the use of Federal official patronage in elections and prevent Federal officeholders from official misuse of positions of public trust for private and partisan ends; to the Committee on the Judiciary.

By Mr. McAdoo:

A bill (S. 1885) for the relief of Wilson G. Bingham; to the Committee on Military Affairs.

By Mr. Sheppard:

A bill (S. 1886) for the relief of Amy McLaurin; to the Committee on Claims.

By Mr. Wheeler:

A bill (S. 1887) to authorize the change of homestead designations on allotted Indian lands;

A bill (S. 1888) to provide for the protection and conservation of the grazing resources of the undisposed of ceded Indian lands, the tribal title to which remains unextinguished;

A bill (S. 1889) to facilitate a more economical administration of forest and grazing lands on Indian reservations;

A bill (S. 1890) to authorize the Secretary of the Interior to grant concessions on reservoir sites and other lands in connection with Indian irrigation projects and to lease the lands in such reserves for agriculture, grazing, or other purposes; and

A bill (S. 1891) to authorize the Secretary of the Interior to cancel restricted fee patents and issue trust patents in lieu thereof; to the Committee on Indian Affairs.

By Mr. Lonergan:

A bill (S. 1892) making income from United States securities subject to the income-tax laws of the United States; to the Committee on Finance.

By Mr. Nye (for Mr. Norbeck):

A bill (S. 1893) providing old-age pensions for Indian citizens of the United States; to the Committee on Indian Affairs.

A bill (S. 1894) authorizing the Secretary of the Interior to erect a monument to commemorate the heroic sacrifices and the services of Martin Charger and 10 other Indians in the rescue of white women and children held as captives by an unfriendly Indian tribe; to the Committee on the Library.

A bill (S. 1895) for the relief of C. B. Dickinson;

A bill (S. 1896) for the relief of Sam H. Allen;

A bill (S. 1897) conferring upon the Court of Claims jurisdiction of the claims against the United States of Peter D. Mettel and A. B. Fraser;

A bill (S. 1898) for the relief of Sarah Hay;

A bill (S. 1899) for the relief of Hannah Nielson Larsen;

A bill (S. 1900) for the relief of Fred N. Dunham;

A bill (S. 1901) for the relief of William A. Delaney;

A bill (S. 1902) for the relief of George C. Widlon;

A bill (S. 1903) for the relief of Lillie Anderson (with accompanying papers); and

A bill (S. 1904) for the relief of Axel J. Beck (with accompanying papers); to the Committee on Claims.

A bill (S. 1905) granting a pension to Running Grouse;

A bill (S. 1906) granting an increase of pension to Mary C. Booth;

A bill (S. 1907) granting a pension to Daniel Webster;

A bill (S. 1908) granting a pension to William F. Simpkins;

A bill (S. 1909) granting a pension to Jennie Claymore;

A bill (S. 1910) granting a pension to Mattie Gilbertson;

A bill (S. 1911) granting a pension to Lightning;

A bill (S. 1912) granting a pension to Martin Erikson;

A bill (S. 1913) granting a pension to Anthony Penson;

A bill (S. 1914) granting a pension to Emily S. Marlett;

A bill (S. 1915) granting a pension to Richard Payne;

A bill (S. 1916) granting an increase of pension to Louisa J. Rubendall;

A bill (S. 1917) granting a pension to James E. Rush;

A bill (S. 1918) granting a pension to Daniel R. McKay;

A bill (S. 1919) granting a pension to Harriett Warne;

A bill (S. 1920) granting a pension to Amos O. Cox;

A bill (S. 1921) granting a pension to Howard J. Sheehan;

A bill (S. 1922) granting an increase of pension to Anna Olson;

A bill (S. 1923) granting an increase of pension to Lovina Kenyon; and

A bill (S. 1924) granting an increase of pension to Amos Red Owl (with accompanying papers); to the Committee on Pensions.

By Mr. Copeland:

A bill (S. 1925) for the relief of the William Wrigley, Jr., Co., Inc., of New York City, N.Y.; to the Committee on Claims.

By Mr. Bulkley:

A bill (S. 1926) granting an annuity to Samuel R. Stone; to the Committee on Finance.

By Mr. Capper:

A bill (S. 1927) granting a pension to Lydia C. Wark (with accompanying papers); to the Committee on Pensions.

By Mr. Cutting:

A bill (S. 1928) to enable the United States to enter the International Copyright Union; to the Committee on Foreign Relations.

By Mr. Lonergan:

A joint resolution (S.J.Res. 61) proposing an amendment to the Constitution of the United States relative to taxation of income derived from securities; to the Committee on the Judiciary.

FARM CREDIT ORGANIZATIONS

The Senate resumed the consideration of the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes.

The reported amendments in part were agreed to, and the reported amendment beginning on page 33, line 19, was amended on the motion of Mr. Byrnes, from the Committee on Banking and Currency, and, as amended, agreed to.

On motion by Mr. Connally, and by unanimous consent,

The vote agreeing to the reported amendment, as amended, beginning on page 33, line 19, was reconsidered.

Mr. Connally raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds,

Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On motion by Mr. Connally to further amend the said reported amendment by striking out a part thereof,

After debate,

It was determined in the negative.

The reported amendment, as previously amended, was agreed to.

The residue of the reported amendments were agreed to, and the bill further amended on the motion of Mr. Clark, the motion of Mr. Smith, the motion of Mr. Frazier, and the motion of Mr. Bratton.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed each without amendment the following bills of the Senate:

S. 804. An act to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co.;

S. 1514. An act authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss.;

S. 1536. An act giving credit for water charges paid on damaged land;

S. 1561. An act providing for payment of $50 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States;

S. 1745. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oreg.;

S. 1746. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newport, Lincoln County, Oreg.;

S. 1747. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport, Lincoln County, Oreg.;

S. 1748. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near North Bend, Coos County, Oreg.;

S. 1749. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence, Lane County, Oreg.;

S. 1783. An act granting the consent of Congress to the Overseas Road and Toll Bridge District, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Fla., from Lower Matecumbe Key to No Name Key; and

S. 1808. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas, and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century.

The House has passed the bill (S. 1513) to amend Public Act No. 435 of the Seventy-second Congress, relating to sales of timber on Indian land, with an amendment, in which it requests the concurrence of the Senate.

The House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 5950. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and

H.J.Res. 183. Joint resolution extending for 1 year the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission.

The Speaker of the House having signed four enrolled bills, viz, H.R. 4220, H.R. 4589, H.R. 5012, and H.R. 5040, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

H.R. 4220. An act for the protection of Government records;

H.R. 4589. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes;

H.R. 5012. An act to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy; and

H.R. 5040. An act to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The bill H.R. 5950 and the joint resolution H.J.Res. 183, this day received from the House of Representatives, for concurrence, were read the first and second times by unanimous consent.

Ordered, That the bill H.R. 5950 be referred to the Committee on the Judiciary, and that the joint resolution H.J. Res. 183 be referred to the Committee on Finance.

INVESTIGATION OF AIR MAIL AND OCEAN MAIL CONTRACTS

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 94) increasing the limit of expenditures of the investigation of air mail and ocean mail contracts; and the reported amendment on line 5, striking out "$75,000" and inserting in lieu thereof *$25,000*, having been agreed to,

The resolution, as amended, was agreed to.

SALES OF TIMBER ON INDIAN LANDS

The Vice President laid before the Senate the amendment this day received from the House of Representatives for concurrence to the bill (S. 1513) to amend Public Act numbered 435 of the Seventy-second Congress, relating to sales of timber on Indian land.

The Senate proceeded to consider the said amendment; and,

On motion by Mr. Steiwer (for Mr. McNary),

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

CONSIDERATION OF CALENDAR

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the Senate proceed to the consideration of unobjected bills on the calendar.

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Johnson in the chair) directed the roll to be called;

When

Ninety-one Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and Wheeler.

A quorum being present,

The following bills and joint resolution were considered; and no amendment was made:

S. 1286. A bill to increase the efficiency of the Veterinary Corps of the Regular Army;

S. 1772. A bill for the relief of the Western Montana Clinic, Missoula, Mont.;

S. 1650. A bill amending section 74 of the Judicial Code, as amended (U.S.C., Annotated, title 28, sec. 147);

S. 1654. A bill for the relief of George Yusko; and

S.J.Res. 60. Joint resolution making an appropriation for an investigation of housing conditions and rentals in the District of Columbia.

Ordered, That the bills and joint resolution be engrossed and read a third time.

The said bills and joint resolution were severally read the third time.

Resolved, That they pass, and that the respective titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the following bills; and no amendment was made:

H.R. 3659. An act to extend the mining laws of the United States to the Death Valley National Monument in California;

H.R. 4872. An act authorizing Farris Engineering Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near California, Pa.,; and

H.R. 5589. An act granting the consent of Congress to the city of Washington, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Mo.

Ordered, That they pass to a third reading.

The said bills were severally read the third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the folowing bill and joint resolution; and the reported amendments were agreed to:

S. 1813. A bill providing for the sale to Joe Grahem Post No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi; and

S.J.Res. 15. Joint resolution extending to the whaling industry certain benefits granted under section 11 of the Merchant Marine Act, 1920.

Ordered, That they be engrossed and read a third time.

The said bill and joint resolution were read the third time.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the bill (S. 1759) granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith; and the reported amendments having been agreed to,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be amended so as to read: "A bill to extend the time for the construction of dams and dikes in Lincoln County, Oreg., to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the bill (H.R. 5495) to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge; and having been amended on the motion of Mr. Vandenberg,

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded to consider the resolution (S.Res. 96) to increase the membership on the Special Committee for the Conservation of Wild Life Resources from five to seven members; and

Resolved, That the Senate agree thereto.

The Senate proceeded to consider the bill (H.R. 5645) to amend the National Defense Act of June 3, 1916, as amended; and the reported amendments having been agreed to,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

GOVERNMENT LOANS TO HOME OWNERS

Mr. Trammell entered a motion to reconsider the vote agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5240) to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes; and

On motion by Mr. Trammell that the House of Representatives be requested to return the bill, with the accompanying papers, to the Senate,

It was determined in the negative.

COMPETITIVE CONDITIONS IN CEMENT INDUSTRY

The Presiding Officer (Mr. McGill in the chair) laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting, in response to Senate Resolution 448, Seventy-first Congress, third session, a report relative to competitive conditions in the cement industry.

On motion by Mr. Norris, and by unanimous consent,

Ordered, That the communication and accompanying report, with illustrations, be printed as a Senate document.

PRINTING OF LOUDERBACK IMPEACHMENT PROCEEDINGS

Mr. Ashurst submitted the following order, which was referred to the Committee on Printing:

Ordered, That the proceedings in the Senate in connection with the trial of Harold Louderback, United States district judge for the northern district of California, upon articles of impeachment exhibited against him by the House of Representatives, be printed as a Senate document.

Mr. Hayden, by unanimous consent, from the Committee on Printing, to whom was referred the foregoing order, subsequently reported it without amendment, and it was considered by unanimous consent and agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has disagreed to the amendments of the Senate to the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Doughton, Mr. Ragon, Mr. Samuel B. Hill, Mr. Treadway, and Mr. Bacharach managers at the same on its part.

The House has agreed to the amendment of the Senate to the bill (H.R. 5208) to amend the probation law.

The Speaker of the House having signed six enrolled bills, viz, S. 1129, S. 1514, S. 1561, S. 1580, H.R. 5208, and H.R. 5240, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 1129. An act to amend sections 4399, 4418, 4428, 4429, 4430, 4431, 4432, 4433, and 4434 of the Revised Statutes, as amended, relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof;

S. 1514. An act authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss.;

S. 1561. An act providing for the payment of $50 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States;

S. 1580. An act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended;

H.R. 5208. An act to amend the probation law; and

H.R. 5240. An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes.

The Vice President thereupon signed the same and they were delivered to the Committee to be presented to the President of the United States.

QUESTION OF QUORUM

Mr. La Follette raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Overton in the chair) directed the roll to be called;

When

Ninety-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Stelwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

EXECUTIVE SESSION

The hour of 2 o'clock p.m. having arrived,

The Senate, pursuant to an order agreed to on yesterday in executive session, proceeded to the consideration of executive business; and

After the consideration of executive business,

The Senate resumed the consideration of legislative business.

SPECIAL COMMITTEE ON CONSERVATION OF WILD LIFE RESOURCES

The Vice President, under authority of Senate resolution 96, this day agreed to, appointed Mr. Bailey and Mr. Byrd as additional members of the Special Committee on Conservation of Wild Life Resources.

PAYMENTS OF AWARDS OF CERTAIN CLAIMS COMMISSIONS

Mr. La Follette, by unanimous consent, from the Committee on Finance, to whom was referred the joint resolution (H.J.Res. 183) extending for one year the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said joint resolution; and no amendment being made,

Ordered, That it pass to a third reading.

The said joint resolution was read the third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

FARM CREDIT ORGANIZATIONS

On motion by Mr. Bratton,

Resolved, That the Senate insist upon its amendments to the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes, and ask a conference with the House of Representatives thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer (Mr. Copeland in the chair) appointed Mr. Byrnes, Mr. Adams, and Mr. Goldsborough.

Ordered, That the Secretary notify the House of Representatives thereof.

COMMITTEE SERVICE

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That Mr. Bratton be excused from further service as a member of the Special Committee on Investigation of Senatorial Campaign Expenditures;

That Mr. Adams be assigned to service on the Committee on Public Lands and Surveys; and

That Mr. Bulkley be excused from further service as a member of the Committee on Commerce, and that he be assigned to service on the Committee on Foreign Relations.

INTEREST RATES ON GOVERNMENT BONDS

On motion by Mr. Bone, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 85) favoring the refunding of United States Government bonds at a lower rate of interest.

Mr. La Follette raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Thomas of Oklahoma in the chair) directed the roll to be called;

When

Ninety-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mrs. Caraway in the chair) directed the roll to be called;

When

Ninety-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 6034) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, in which it requests the concurrence of the Senate.

HOUSE BILL REFERRED

The bill H.R. 6034, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on Appropriations.

Mr. Bratton, by unanimous consent, from the Committee on Appropriations, to whom was referred the foregoing bill, subsequently reported it with amendments and submitted a report (No. 142) thereon.

AMENDED VETERANS' REGULATIONS

Mr. Walsh presented a communication addressed to him by the Solicitor of the Veterans' Administration, submitting a detailed explanation of the provisions of certain veterans' regulations, showing the changes in and amendments to prior regulations made by the President of the United States June 6, 1933, under the authority of Public Act No. 2, Seventy-third Congress, to maintain the credit of the United States Government; which, with the accompanying papers, was ordered to be printed as a Senate document.

REORGANIZATION OF EXECUTIVE DEPARTMENTS

The Presiding Officer laid before the Senate the following message from the President of the United States, which was read:

To the Congress:

Pursuant to the provisions of section 1, title III, of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, I am transmitting herewith an Executive order for certain regroupings, consolidations, transfers, and abolitions of executive agencies and functions thereof.

Please let me tell you very simply and frankly that in transmitting this Executive order at this late hour in the special session, I have had no thought of taking what might be considered an advantage of the Congress. The very urgent demands of the public business, both legislative and administrative, during the past few weeks have made it literally impossible to complete the study of consolidation.

Many other changes are in contemplation and I have selected only those which I believe should be put into effect as quickly as possible. These additional changes I do not feel it right to submit until the next regular session of the Congress.

May I suggest that if the changes proposed in the present Executive order are not concurred in by the Congress they can be restored or otherwise changed at the beginning of the next regular session a few months hence.

The justification for sending this Executive order up, even at this late hour, is that it will effect a saving of more than $25,000,000. This is well worth while.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 10, 1933.*

Ordered, That the message lie on the table and be printed.

EXECUTIVE SESSION

On motion by Mr. Ashurst,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

The Senate resumed its legislative session.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has disagreed to the amendments of the Senate to the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Jones, Mr. Fulmer, Mr. Doxey, Mr. Clarke of New York, and Mr. Hope.

The Speaker of the House having signed 13 enrolled bills, viz, S. 804, S. 1536, S. 1745, S. 1746, S. 1747, S. 1748, S. 1749, S. 1783, S. 1808, H.R. 3511, H.R. 3659, H.R. 4872, and H.R. 5589, and an enrolled joint resolution, viz, H.J.Res. 183, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills and joint resolution:

S. 804. An act to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co.;

S. 1536. An act giving credit for water charges paid on damaged land;

S. 1745. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oreg.;

S. 1746. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newsport, Lincoln, County, Oreg.;

S. 1747. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport, Lincoln County, Oreg.;

S. 1748. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near North Bend, Coos County, Oreg.;

S. 1749. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence County, Oreg.;

S. 1783. An act granting the consent of Congress to the Overseas Road and Toll Bridge District, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Fla., from Lower Matecumbe Key to No Name Key;

S. 1808. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas, and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century;

H.R. 3511. An act to authorize the creation of a game refuge in the Ouachita National Forest in the State of Arkansas;

H.R. 3659. An act to extend the mining laws of the United States to the Death Valley National Monument in California;

H.R. 4872. An act authorizing Farris Engineering Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near California, Pa.;

H.R. 5589. An act granting the consent of Congress to the city of Washington, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Mo.; and

H.J.Res. 183. Joint resolution extending for 1 year the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission.

The Vice President thereupon signed the same, and they were delivered to the committee to be presented to the President of the United States.

APPOINTMENT OF GOVERNOR OF HAWAII

Mr. Tydings submitted a request for unanimous consent for the immediate consideration of the bill (H.R. 5767) to authorize the appointment of the Governor of Hawaii without regard to his being a citizen or resident of Hawaii, to which an objection was made by Mr. La Follette.

On motion by Mr. Tydings to suspend the rules for the purpose of considering the said bill,

Mr. La Follette raised a question of order, viz, that the motion should be submitted in writing one day in advance.

The Presiding Officer (Mr. Murphy in the chair) sustained the question of order.

INTEREST RATES ON GOVERNMENT BONDS

The Senate resumed the consideration of the resolution (S.Res. 85) favoring the refunding of United States Government bonds at a lower rate of interest.

Pending debate,

Mr. Bone raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has disagreed to the amendments of the Senate numbered 1 to 46, inclusive, and 48 to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes; it has agreed to the amendment of the Senate numbered 47 to the said bill with an amendment, in which it requests the concurrence of the Senate; it asks a conference with the Senate on the amendments of the Senate numbered 1 to 46, inclusive, and 48 to the said bill and has appointed Mr. Woodrum, Mr. Boylan, Mr. Hastings, Mr. Buchanan, Mr. Taber, and Mr. Thurston managers at the same on its part.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes.

The House has agreed to the amendments of the Senate to the bill (H.R. 5645) to amend the National Defense Act of June 3, 1916, as amended.

FARM-CREDIT ORGANIZATIONS

Mr. Byrnes submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, and 56.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54, and agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: On page 7, line 19, of the Senate engrossed amendments, strike out " and representing the public interest " and insert in lieu thereof the following: *of whom two shall represent the public interest and one shall represent national farm-loan associations and borrowers through agencies and such director shall be a borrower from a Federal land bank*; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows:

Sec. 86. Subdivision (a) of section 10 of the act entitled "An act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes," approved May 12, 1933, is amended by inserting before the period at the end of the first sentence a colon and the following: "And provided further, That the State administrator appointed to administer this act in each State shall be appointed by the President by and with the advice and consent of the Senate."

And the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *87*; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *88*; and the Senate agree to the same.

JAMES F. BYRNES,
ALVA B. ADAMS,
P. L. GOLDSBOROUGH,
Managers on the part of the Senate.
MARVIN JONES,
H. P. FULMER,
WALL DOXEY,
JOHN D. CLARKE,
CLIFFORD R. HOPE,
Managers on the part of the House.

The Senate proceeded to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives therefor.

INTEREST RATES ON GOVERNMENT BONDS

The Senate resumed the consideration of the resolution (S.Res. 85) favoring the refunding of United States Government bonds at a lower rate of interest; and

The question being taken on agreeing to the said resolution,

It was determined in the affirmative, {Yeas---------- 69 / Nays---------- 1}

On motion by Mr. Reed,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bailey, Barbour, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Capper, Caraway, Clark, Connally, Copeland, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Fletcher, Frazier, George, Goldsborough, Gore, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Lonergan, McCarran, McGill, McKellar, McNary, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Wagner, Walcott, Walsh, and White.

Mr. Logan voted in the negative.

So it was

Resolved, That the Senate agree to the said resolution.

The preamble was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

The House has passed without amendment the bill (S. 1634) to provide for the redemption of national bank notes, Federal Reserve bank notes, and Federal Reserve notes which cannot be identified as to the bank of issue.

The House has passed the following bills of the Senate, each with an amendment, in which it requests the concurrence of the Senate:

S. 1425. An act to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933; and

S. 1648. An act to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations.

The House has disagreed to the amendments of the Senate to the bill (H.R. 5091) to amend section 289 of the Criminal Code; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Sumners, Mr. McKeown, and Mr. Kurtz managers at the same on its part.

AMENDMENT OF SECTION 289 OF THE CRIMINAL CODE

The Vice President laid before the Senate the message this day received from the House of Representatives, announcing its disagreement to the amendments of the Senate to the bill (H.R. 5091) to amend section 289 of the Criminal Code, and asking a conference with the Senate thereon.

On motion by Mr. Ashurst,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President; and

The Vice President appointed Mr. King, Mr. Stephens, and Mr. Borah.

Ordered, That the Secretary notify the House of Representatives thereof.

NATIONAL INDUSTRIAL RECOVERY

Mr. Harrison submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, 21, 23, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 47, 49, 54, 69, 76, 79, 80, 88, 89, 90, 92, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 70, 71, 72, 73, 74, 75, 77, 81, 82, 83, 84, 85, 87, 91, 94, and 95, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *to promote the fullest possible utilization of the present productive capacity of industries, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial and agricultural products by increasing purchasing power,* ; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert: *: Provided, That such code or codes shall not permit monopolies or monopolistic practices*; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with the following amendments: On page 3 of the Senate engrossed amendments, line 11, strike out " and " and insert *quantities or*; on page 3 of the Senate engrossed amendments, line 16, strike out " shall " and insert *may*; and on page 3 of the Senate engrossed amendments, line 21, strike out " may " and insert *shall*; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate

amendment insert a comma and the following: *and also the construction of any river or drainage improvement required to perform or satisfy any obligation incurred by the United States through a treaty with a foreign government heretofore ratified and to restore or develop for the use of any State or its citizens water taken from or denied to them by performance on the part of the United States of treaty obligations heretofore assumed: Provided, That no river or harbor improvements shall be carried out unless they shall have heretofore or hereafter been adopted by the Congress or are recommended by the Chief of Engineers of the United States Army*; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and *reconstruction, alteration, or repair*; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and the following: *and paragraph (3) of such subsection (a) shall for such purposes be held to include loans for the construction or completion of hospitals the operation of which is partly financed from public funds, and of reservoirs and pumping plants and for the construction of dry docks*; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *heavier-than-air aircraft and technical construction for the Army Air Corps and*; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *and bridge*; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert *seven eighths*; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert *and one eighth in the ratio which the population of each State bears to the total population of the United States, according to the latest decennial census*; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert *citizens of the United States and aliens who have declared their intention of becoming citizens, who are*; and the Senate agree to the same.

Amendment numbered 79½: That the House recede from its disagreement to the amendment of the Senate numbered 79½, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert *citizens of the United States and aliens who have declared their intention of becoming citizens, who are*; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with amendments as follows: On page 21 of the Senate engrossed amendments, line 15, strike out all after the figures "1932" down to and including the word "act" in line 17;

On page 25 of the Senate engrossed amendments, line 14, strike out "214" and insert *215*;

On page 26 of the Senate engrossed amendments, line 12, strike out "the date of";

On page 26 of the Senate engrossed amendments, line 19, strike out "212" and insert *213*;

On page 27 of the Senate engrossed amendments, line 15, strike out all after the colon down to and including line 20, and insert the following: *No part of any loss disallowed to a partnership as a deduction by section 23 (r) shall be allowed as a deduction to a member of such partnership in computing net income.*;

On page 28 of the Senate engrossed amendments, line 2, strike out "taxable year 1932" and insert *taxable years 1932 and 1933*;

On page 28 of the Senate engrossed amendments, line 5, strike out "1933, 1934, and 1935" and insert *1934 and 1935*;

On page 28 of the Senate engrossed amendments, line 7, strike out the period and insert a period at the end of the line;

On page 28 of the Senate engrossed amendments, strike out lines 19 to 25, both inclusive, and lines 1 to 11, both inclusive, on page 29;

On page 29 of the Senate engrossed amendments, line 12, strike out "(i)" and insert (*h*);

On page 29 of the Senate engrossed amendments, line 14, strike out all after the colon down to and including line 17 and insert the following: *and all returns made under this act after the date of enactment of the National Industrial Recovery Act shall constitute public records and shall be open to public examination and inspection to such extent as shall be authorized in rules and regulations promulgated by the President* and a period;

On page 30 of the Senate engrossed amendments strike out lines 4 to 24, both inclusive, and lines 1 to 19, both inclusive, on page 31; and

On page 26 of the House bill, at the end of line 18, insert the following: *The President is authorized to allocate so much of said sum, not in excess of $100,000,000, as he may determine to be necessary for expenditures in carrying out the Agricultural Adjustment Act and the purposes, powers, and functions heretofore and hereafter conferred upon the Farm Credit Administration.*; and

On page 26 of the House bill, after line 18, insert the following:

Sec. 221. Section 7 of the Agricultural Adjustment Act, approved May 12, 1933, is amended by striking out all of its present terms and provisions and substituting therefor the following:

"Sec. 7. The Secretary shall sell the cotton held by him at his discretion, but subject to the foregoing provisions: Provided, That he shall dispose of all cotton held by him by March 1, 1936: Provided further, That, notwithstanding the provisions of section 6, the Secretary shall have authority to enter into option contracts with producers of cotton to sell to the producers such cotton held by him, in such amounts and at such prices and upon such terms and conditions as the Secretary may deem advisable, in combination with rental or benefit payments provided for in part 2 of this title.

"Notwithstanding any provisions of existing law, the Secretary of Agriculture may in the administration of the Agricultural Adjustment Act make public such information as he deems necessary in order to effectuate the purposes of such act."

And the Senate agree to the same.

PAT HARRISON,
WILLIAM H. KING,
WALTER F. GEORGE,
Managers on the part of the Senate.

ROBERT L. DOUGHTON,
HEARTSILL RAGON,
SAM. B. HILL,
ALLEN T. TREADWAY,
ISAAC BACHARACH,
Managers on the part of the House.

On motion by Mr. Harrison,

Ordered, That the report lie on the table and be printed.

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills reported that they had presented to the President of the United States the following enrolled bills:

On June 9, 1933:

S. 1094. An act to authorize the Reconstruction Finance Corporation to subscribe for preferred stock and purchase the capital notes of insurance companies, and for other purposes.

On June 10, 1933:

S. 1129. An act to amend sections 4399, 4418, 4429, 4430, 4431, 4432, 4433, and 4434 of the Revised Statutes, as amended, relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof;

S. 1514. An act authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss.;

S. 1561. An act providing for the payment of $50 to each of the enrolled Chippewa Indians of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States; and

S. 1580. An act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended.

LOANS TO CLOSED BUILDING AND LOAN ASSOCIATIONS

The Vice President laid before the Senate the amendment this day received from the House of Representatives for concurrence to the bill (S. 1648) to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations.

On motion by Mr. Bulkley that the Senate agree to the said amendment,

Mr. Long, who had previously obtained the floor, declined to yield for the presentation of the motion.

RECESS

On motion by Mr. Robinson of Arkansas, at 11 o'clock and 3 minutes p.m.,

The Senate took a recess until 11 o'clock a.m. on Monday next.

AT 11 O'CLOCK A.M. (CALENDAR DAY, MONDAY, JUNE 12, 1933)

The Vice President called the Senate to order.

THE JOURNAL

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

The Journal of the proceedings of the calendar days of Friday, June 9, and Saturday, June 10, 1933, was approved.

QUESTION OF QUORUM

Mr. Johnson raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

MEMBER OF SPECIAL COMMITTEE ON INVESTIGATION OF CAMPAIGN EXPENDITURES

The Vice President appointed Mr. Thomas of Utah as a member of the Special Committee on Investigation of Campaign Expenditures, created by Senate Resolution 174, Seventy-second Congress, first session, to fill the vacancy caused by the resignation of Mr. Bratton.

REPEAL OF THE NATIONAL PROHIBITION AMENDMENT

The Vice President laid before the Senate a certified copy of the proceedings and minutes of the constitutional convention held at Casper, Wyo., on May 25, 1933, ratifying the proposed amendment to the Constitution relating to the repeal of the eighteenth (national prohibition) amendment.

Ordered, That it lie on the table .

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petitions and memorials, which were referred as indicated:

A telegram from the Honest Election League, of New Orleans, La., favoring the continuation of the investigation of the senatorial election in the State of Louisiana in 1932; to the Committee to Audit and Control the Contingent Expenses of the Senate.

Memorials of F. C. Bayler, of Sandy, Miss., and John Filostrat, of New Orleans, La., remonstrating against an investigation of acts and conduct of Senator Huey P. Long; and

A petition of the Chicago branch of the National Association for the Advancement of Colored People, praying the enactment of legislation providing for the enforcement of the thirteenth, fourteenth, and fifteenth amendments to the Constitution, and appropriations for investigations of discriminations against the colored race, and for other purposes; to the Committee on the Judiciary.

A memorial of the Daughters of the American Revolution of Valley Center, Kans., remonstrating against the recognition by the United States Government of Soviet Russia; to the Committee on Foreign Relations.

The Vice President laid before the Senate the following petitions:

A resolution of the City Council of Chicago, Ill., favoring the allocation of Federal funds for the construction of great trunk highways radiating from the Loop district of the city of Chicago; and

A resolution adopted by the Chefs' de Cuisine Club, of San Francisco, Calif., favoring the enactment of legislation to legalize the manufacture and sale of wines.

Ordered, That they lie on the table.

Mr. Cutting presented a petition of Hon. Robert Underwood Johnson, former Ambassador to Italy, of New York City, praying the acceptance by the United States of the International Copyright Convention signed at Rome, June 2, 1928; which was referred to the Committee on Foreign Relations.

Mr. Shipstead presented a resolution adopted at Rochester, Minn., by the Minnesota League of Building, Loan, and Savings Associations, favoring the confirmation of the nomination of Walter H. Newton as a member of the Federal Home Loan Bank Board; which was referred to the Committee on Banking and Currency.

Mr. Copeland presented a resolution adopted at Hornell, N.Y., by the Steuben County American Legion, Department of New York, urging a repeal or modification of the provisions of the so-called Economy Act curtailing benefits accorded to war veterans; which was referred to the Committee on Finance.

HOME OWNERS' LOAN ACT OF 1933

Mr. Hayden presented a statement by W. F. Stevenson, chairman of the Federal Home Loan Board, containing an explanation of the operations of the provisions of the Home Owners' Loan Act of 1933; which was ordered to be printed as a Senate document.

REPORTS OF COMMITTEES

Mr. Copeland (for Mr. Byrnes), by unanimous consent, from the Committee to Audit and Control the Contingent

Expenses of the Senate, reported the following resolution (S.Res. 100), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of the Senate is authorized and directed to pay from the contingent fund of the Senate to Muriel Crichton $1,200 in full settlement of all claims for hospitalization, medical care, and all other expenses as a result of injuries suffered in the Senate wing of the Capitol Building; and Senate Resolution No. 60, Seventy-third Congress, first session, agreed to April 15, 1933, is hereby rescinded.

Mr. Copeland (for Mr. Byrnes), by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 74) authorizing an investigation of the matter of so-called "rackets" with a view to their suppression, reported it with an amendment to the amendment of the Committee on Commerce to the text of the resolution.

The Senate proceeded, by unanimous consent, to consider the said resolution; and the amendment to the amendment having been agreed to, the amendment, as amended, was agreed to.

The resolution, as amended, was then agreed to.

The reported amendment to the preamble was agreed to, and the preamble, as amended, was agreed to.

The resolution, with the preamble, as agreed to, is as follows:

Whereas there have grown up in this country numbers of so-called "rackets", and newspapers carry numerous accounts of "beer rackets", "poultry rackets", "milk rackets", "food rackets", "laundry rackets", "drug rackets", and other similar schemes for the exploitation, deception, and terrorizing of our citizens; and

Whereas the legitimate trade and commerce of the country, as well as the general welfare of our people, demand that the Federal Government take any steps within its power to suppress such practices: Therefore be it

Resolved, That the Committee on Commerce, or any duly authorized subcommittee thereof, is authorized and directed to investigate so-called "rackets" and "racketeering" practiced in the United States and to report to the Senate as soon as practicable the results of its investigations, together with its recommendations, if any, for necessary remedial legislation through the exercise of the postal power, the power over interstate and foreign commerce, or otherwise.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third Congress until the final report is submitted, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman, or by the chairman of the subcommittee, if one shall be appointed.

Mr. Tydings, by unanimous consent, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution (S.Res. 78) authorizing the appointment of a special committee to investigate the administration of bankruptcy and receivership proceedings in United States courts, reported it with amendments.

Mr. Carey, by unanimous consent, from the Committee on Military Affairs, to whom was referred the bill (S. 308) to authorize the award of a decoration for distinguished service to Harry H. Horton, reported it without amendment and submitted a report (No. 143) thereon.

Mr. Sheppard, by unanimous consent, from the Committee on Military Affairs, submitted a report (No. 144), pursuant to Senate Resolution 88, to investigate alleged irregularities in connection with purchases of materials or equipment for the use of the Civilian Conservation Corps.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Capper:

A bill (S. 1929) granting an increase of pension to Mary E. Cramer (with accompanying papers); to the Committee on Pensions.

By Mr. Austin:

A bill (S. 1930) to amend the Legislative Appropriation Act, fiscal year 1933, as amended, so as to limit the authority of the President to abolish the functions of executive agencies; to the Committee on Expenditures in the Executive Departments.

By Mr. Costigan:

A bill (S. 1931) to amend the laws relating to the Postal Savings Depository System; to the Committee on Banking and Currency.

By Mr. Gore (by request):

A bill (S. 1932) for the relief of Alfred Hohenlohe, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe by removing cloud on title; to the Committee on the District of Columbia.

By Mr. White:

A bill (S. 1933) for the relief of Frank L. Weed; to the Committee on Military Affairs.

A bill (S. 1934) conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the 4-masted auxiliary bark *Quevilly* against the United States, and for other purposes; and

A bill (S. 1935) to amend the act of March 2, 1929, conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the steamship *W. I. Radcliffe* against the United States, and for other purposes; to the Committee on Claims.

A bill (S. 1936) for the relief of Joseph J. Fortin; to the Committee on Finance.

A bill (S. 1937) granting a pension to Emily A. Bailey;

A bill (S. 1938) granting a pension to George N. Butler;

A bill (S. 1939) granting a pension to Benjamin F. Howatt;

A bill (S. 1940) granting a pension to Isidore H. Smith;

A bill (S. 1941) granting an increase of pension to Edward L. Hayes; and

A bill (S. 1942) granting an increase of pension to Achsah E. Purinton; to the Committee on Pensions.

By Mr. Wagner:

A bill (S. 1943) to create an unemployment reserve fund in the District of Columbia, to provide for its administration, and for other purposes; to the Committee on the District of Columbia.

By Mr. Copeland:

A bill (S. 1944) to prevent the manufacture, shipment, and sale of adulterated or misbranded food, drugs, and cosmetics, and to regulate traffic therein, to prevent the false advertisement of food, drugs, and cosmetics, and for other purposes; to the Committee on Commerce.

Joint resolutions were introduced by unanimous consent, severally read the first and second times, and ordered to lie on the table, as follows:

By Mr. Borah:

A joint resolution (S.J.Res. 62) temporarily suspending the portion of the Executive order of the President relating to payments for agricultural experiment stations, cooperative agricultural extension work, and agricultural colleges.

By Mr. McNary:

A joint resolution (S.J.Res. 63) disapproving section 18 of the Executive order of June 10, 1933, relating to the organization of executive agencies.

By Mr. Reed:

A joint resolution (S.J.Res. 64) disapproving sections 1 and 2 of the Executive order of June 10, 1933, relating to procurement and to national parks, buildings, and reservations.

EMERGENCY RAILROAD RELIEF BILL

Mr. Dill, by unanimous consent, submitted the following concurrent resolution (S.Con.Res. 5), which was considered by unanimous consent and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 1580) to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended.

Resolved further, That in the event the said bill is returned by the President, the action of the Speaker of the House of Representatives and of the Vice President of the United States in signing the said enrolled bill be rescinded, and that the Secretary of the Senate be, and he is hereby, authorized and directed to reenroll the said bill with the following amendment, namely: In section 13, after the word "conditions", insert the words "and relations."

FEDERAL SCIENTIFIC RESEARCH OR EXPERIMENTATION ACTIVITIES

Mr. McCarran, by unanimous consent, submitted the following resolution (S.Res. 101), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce are requested to furnish the Senate at once all available information as to any reductions in personnel, cuts in compensation, or curtailment of activities within the past year in connection with Federal scientific research or experimentation carried on or conducted by said departments or any bureau or agency thereunder.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the amendment of the Senate to the bill (H.R. 5495) to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge.

The Speaker of the House having signed four enrolled bills, S. 1513, S. 1634, H.R. 5495, and H.R. 5645, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 1513. An act to amend Public Act Numbered 435 of the Seventy-second Congress, relating to sales of timber on Indian land;

S. 1634. An act to provide for the redemption of national-bank notes, Federal Reserve bank notes, and Federal Reserve notes which cannot be identified as to the bank of issue;

H.R. 5495. An act to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge; and

H.R. 5645. An act to amend the National Defense Act of June 3, 1916, as amended.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

AMENDMENT OF BANKRUPTCY LAWS

On motion by Mr. Vandenberg that the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 5950) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto,

After debate,

It was determined in the negative.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Vice President laid before the Senate the message heretofore received from the House of Representatives, announcing its action on the amendments of the Senate to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

On motion by Mr. Byrnes that the Senate insist upon its amendments numbered 1 to 46, inclusive, and 48, to the said bill; that it disagree to the amendment of the House of Representatives to the amendment of the Senate numbered 47, and insist upon the said amendment; that it agree to the conference asked by the House on the disagreeing votes of the two Houses on the amendments of the Senate, and that the Chair appoint the conferees on the part of the Senate,

Pending debate,

Mr. Vandenberg raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. George in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

After debate,

The motion of Mr. Byrnes was agreed to.

On motion by Mr. Steiwer that the conferees on the part of the Senate be instructed to insist upon the following amendment as a substitute for the amendment of the House of Representatives to the amendment of the Senate numbered 47 to the said bill, namely:

In lieu of the language inserted by the House amendment, insert the following:

The President is hereby authorized, under the provisions of Public Law Numbered 2, Seventy-third Congress, to establish such number of special boards (the majority of the members of which were not in the employ of the Veterans' Administration at the date of enactment of this act), as he may deem necessary to review all claims (where the veteran entered service prior to November 11, 1918, and whose disability is not the result of his own misconduct), in which presumptive service connection has heretofore been granted under the World War Veterans' Act, 1924, as amended, wherein payments were being made on March 20, 1933, and which are heretofore or hereafter held not service connected under the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress. Members of such boards may be appointed without regard to the Civil Service laws and regulations, and their compensation fixed without regard to the Classification Act of 1923, as amended. Such special boards shall determine, on all available evidence, whether service connection shall be found in such cases, and shall in their decisions resolve all reasonable doubts in favor of the

veteran. For the purposes of this section the granting of service connection in such cases shall not be based upon the requirements of regulation numbered 1, part I, subparagraph (a), or instruction numbered 2, regulation numbered 1, issued under Public Law Numbered 2, Seventy-third Congress, it being the intent of this section to preserve service connections as granted by section 200, World War Veterans' Act of 1924, as amended, title 38 of the Code (other than disability resulting from the claimant's own misconduct), unless affirmative evidence clearly discloses that the disease or disability had its inception before or after the period of military or naval service, and not aggravated thereby.

Notwithstanding the provisions of Public Law Numbered 2, Seventy-third Congress, the decisions of such special boards shall be final in such cases, subject to such appellate procedure as the President may prescribe, and, except in those cases where the special boards shall find that the award was based upon fraud, misrepresentation of a material fact, or unmistakable error not less than 75 per centum of the payments being made on March 20, 1933, therein shall continue to October 31, 1933, or the date of special board decision, whichever is the earlier date: Provided, That where any case is pending before any one of the special boards on October 31, 1933, the President may provide for extending the time of payment until decision can be rendered. The President shall prescribe such rules governing reviews and hearings as may be deemed advisable. Payment of salaries and expenses of such boards and personnel assigned thereto shall be paid out of and in accordance with appropriations for the Veterans' Administration. In all cases where service connection shall be preserved under the review herein provided, not less than 75 per centum of the payments being made on March 20, 1933, shall continue, and the determination of service connection in such review shall be final in all cases: Provided, however, That in the event of a change in the degree of disability of any such veteran the amount of compensation payable shall be determined pursuant to the provisions of the World War Veterans' Act, 1924, as amended, and the rating schedule in effect prior to March 20, 1933, and such amount shall not be reduced by more than 25 per centum.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, in no event shall the compensation being paid for directly service-connected disabilities to those veterans who entered the active military or naval service prior to November 11, 1918, and whose disabilities are not the result of their own misconduct, where they were, except by fraud, misrepresentation of a material fact, or unmistakable error, in receipt of compensation on March 20, 1933, be reduced more than 25 per centum: Provided, however, That in the event of a change in the degree of disability of any such veteran the amount of compensation payable shall be determined pursuant to the provisions of the World War Veterans' Act, 1924, as amended, and the rating schedule in effect prior to March 20, 1933, and such amount shall not be reduced by more than 25 per centum; and in no event shall death compensation, except by fraud, misrepresentation of a material fact, or unmistakable error, being paid to widows, children, and dependent parents of deceased World War veterans under the World War Veterans' Act of 1924, as amended, on March 20, 1933, be reduced or discontinued, whether the death of the veteran on whose account compensation is being paid was directly or presumptively connected with service, except that the provisions of this paragraph shall not apply with respect to veterans residing outside the limits of the continental United States or its territorial possessions, or with respect to any veteran who is being furnished hospital treatment, institutional, or domiciliary care by the United States or any political subdivision thereof, if such veteran has neither wife, child, nor dependent mother or father.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, the pension paid to veterans of any war prior to the World War, or to any widow and/or dependent of such veterans, shall not be reduced more than 25 per centum of the amount being paid prior to March 20, 1933.

Pending debate,

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Pope in the chair) directed the roll to be called;

When

Eighty-eight Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonegran, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

On motion by Mr. Steiwer,

The yeas and nays, being desired by one fifth of the Senators present, were ordered on the question of agreeing to the motion.

Pending further debate,

Mr. Steiwer, by unanimous consent, withdrew his motion and the order for the yeas and nays was rescinded.

The Vice President appointed Mr. Glass, Mr. Byrnes, Mr. Russell, Mr. Hale, and Mr. Steiwer as the conferees on the part of the Senate on the said bill.

EMERGENCY BANKING RELIEF

The Vice President laid before the Senate the amendment heretofore received from the House of Representatives for concurrence to the bill (S. 1425) to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes."

The Senate proceeded to consider the said amendment; and,

On motion by Mr. Fletcher,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

LOANS TO CLOSED BUILDING AND LOAN ASSOCIATIONS

The Vice President laid before the Senate the amendment heretofore received from the House of Representatives for concurrence to the bill (S. 1648) to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations.

The Senate proceeded to consider the said amendment; and,

On motion by Mr. Bulkley,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Megill, one of its clerks:

Mr. President: The House of Representatives has agreed to the concurrent resolution (S.Con.Res. 5) requesting the President to return to the Senate the enrolled bill S. 1580, the Emergency Railroad Transportation Act, 1933, and authorizing its reenrollment with an amendment.

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they presented to the President of the United States the following enrolled bills:

On June 10, 1933:

S. 804. An act to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co.;

S. 1536. An act giving credit for water charges paid on damaged land;

S. 1745. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oreg.;

S. 1746. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newport, Lincoln County, Oreg.;

S. 1747. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport, Lincoln County, Oreg.;

S. 1748. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near the North Bend, Coos County, Oreg.;

S. 1749. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence County, Oreg.;

S. 1783. An act granting the consent of Congress to the Overseas Road and Toll Bridge District, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Fla., from Lower Matecumbe Key to No Name Key; and

S. 1808. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas, and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century.

On June 12, 1933:

S. 1513. An act to amend Public Act No. 435 of the Seventy-second Congress relating to sales of timber on Indian land; and

S. 1634. An act to provide for the redemption of national-bank notes, Federal Reserve bank notes, and Federal Reserve notes which cannot be identified as to the bank of issue.

NATIONAL INDUSTRIAL RECOVERY

On motion by Mr. Harrison,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

On the question of agreeing to the report,

Pending debate,

Mr. La Follette raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Murphy in the chair) directed the roll to be called;

When

Eighty-nine Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That on tomorrow, at not later than 4 o'clock p.m., the Senate proceed to vote without further debate on the question of agreeing to the pending conference report, and immediately thereafter it proceed to the consideration of the bill (H.R. 6034) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes; and that any measure or motion that may be pending be temporarily laid aside for the presentation and consideration of conference reports, and that at the conclusion of its business today the Senate take a recess until 11 o'clock a.m. tomorrow.

CONFIRMATION OF WEST POINT CADETS

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, as in executive session, That the Secretary notify the President of the United States of the confirmation on the 10th instant of certain nominations of West Point cadets to be second lieutenants.

BANKING REFORMS

Mr. Bulkley (for Mr. Glass) asked and obtained unanimous consent to file at not later than 12 o'clock tonight the conference report on the bill (H.R. 5661) to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes; and

Ordered, That the report lie on the table.

The report was subsequently presented, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5661) to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert:

That the short title of this act shall be the "Banking Act of 1933."

Sec. 2. As used in this act and in any provision of law amended by this act—

(a) The terms "banks", "national bank", "national banking association", "member bank", "board", "district", and "reserve bank" shall have the meanings assigned to them in section 1 of the Federal Reserve Act, as amended.

(b) Except where otherwise specifically provided, the term "affiliate" shall include any corporation, business trust, association, or other similar organization—

(1) Of which a member bank, directly or indirectly, owns or controls either a majority of the voting shares or more than 50 per centum of the number of shares voted for the election of its directors, trustees, or other persons exercising similar functions at the preceding election, or controls in any manner the election of a majority of its directors, trustees, or other persons exercising similar functions; or

(2) Of which control is held, directly or indirectly, through stock ownership or in any other manner, by the shareholders of a member bank who own or control either a majority of the shares of such bank or more than 50 per centum of the number of shares voted for the election of directors of such bank at the preceding election, or by trustees for the benefit of the shareholders of any such bank; or

(3) Of which a majority of its directors, trustees, or other persons exercising similar functions are directors of any one member bank.

(c) The term "holding company affiliate" shall include any corporation, business trust, association, or other similar organization—

(1) Which owns or controls, directly or indirectly, either a majority of the shares of capital stock of a member bank or more than 50 percentum of the number of shares voted for the election of directors of any one bank at the preceding election, or controls in any manner the election of a majority of the directors of any one bank; or

(2) For the benefit of whose shareholders or members all or substantially all the capital stock of a member bank is held by trustees.

Sec. 3. (a) The fourth paragraph after paragraph "Eighth" of section 4 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 301), is amended to read as follows:

"Said board of directors shall administer the affairs of said bank fairly and impartially and without discrimination in favor of or against any member bank or banks and may, subject to the provisions of law and the orders of the Federal Reserve Board, extend to each member bank such discounts, advancements, and accommodations as may be safely and reasonably made with due regard for the claims and demands of other member banks, the maintenance of sound credit conditions, and the accommodation of commerce, industry, and agriculture. The Federal Reserve Board may prescribe regulations further defining within the limitations of this act the conditions under which discounts, advancements, and the accommodations may be extended to member banks. Each Federal Reserve bank shall keep itself informed of the general character and amount of the loans and investments of its member banks with a view to ascertaining whether undue use is being made of bank credit for the speculative carrying of or trading in securities, real estate, or commodities, or for any other purpose inconsistent with the maintenance of sound credit conditions; and, in determining whether to grant or refuse advances, rediscounts or other credit accommodations, the Federal Reserve bank shall give consideration to such information. The chairman of the Federal Reserve bank shall report to the Federal Reserve Board any such undue use of bank credit by any member bank, together with his recommendation. Whenever, in the judgment of the Federal Reserve Board, any member bank is making such undue use of bank credit, the Board may, in its discretion, after reasonable notice and an opportunity for a hearing, suspend such bank from the use of the credit facilities of the Federal Reserve System and may terminate such suspension or may renew it from time to time."

(b) The paragraph of section 4 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 304), which commences with the words "The Federal Reserve Board shall classify" is amended by inserting before the period at the end thereof a colon and the following: "Provided, That whenever any two or more member banks within the same Federal Reserve district are affiliated with the same holding company affiliate, participation by such member banks in any such nomination or election shall be confined to one of such banks, which may be designated for the purpose by such holding company affiliate."

Sec. 4. The first paragraph of section 7 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 289), is amended, effective July 1, 1932, to read as follows:

"After all necessary expenses of a Federal Reserve bank shall have been paid or provided for, the stockholders shall be entitled to receive an annual dividend of 6 per centum on the paid-in capital stock, which dividend shall be cumulative. After the aforesaid dividend claims have been fully met, the net earnings shall be paid into the surplus fund of the Federal Reserve bank."

Sec. 5. (a) The first paragraph of section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 321; supp. VI, title 12, sec. 321), is amended by inserting immediately after the words "United States" a comma and the following: "including Morris Plan banks and other incorporated banking institutions engaged in similar business."

(b) The second paragraph of section 9 of the Federal Reserve Act, as amended, is amended by adding at the end thereof the following: "Provided, however, That nothing herein contained shall prevent any State member bank from establishing and operating branches in the United States or any dependency or insular possession thereof or in any foreign country, on the same terms and conditions and subject to the same limitations and restrictions as are applicable to the establishment of branches by national banks."

(c) Section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 321–331; supp. VI, title 12, secs. 321–332), is further amended by adding at the end thereof the following new paragraphs:

"Any mutual savings bank having no capital stock (including any other banking institution the capital of which consists of weekly or other time deposits which are segregated from all other deposits and are regarded as capital stock for the purposes of taxation and the declaration of dividends), but having surplus and undivided profits not less than the amount of capital required for the organization of a national bank in the same place, may apply for and be admitted to membership in the Federal Reserve System in the same manner and subject to the same provisions of law as State banks and trust companies, except that any such savings bank shall subscribe for capital stock of the Federal Reserve bank in an amount equal to six tenths of 1 per centum of its total deposit liabilities as shown by the most recent report of examination of such savings bank preceding its admission to membership. Thereafter such subscription shall be adjusted semiannually on the same percentage basis in accordance with rules and regulations prescribed by the Federal Reserve Board. If any such mutual savings bank applying for membership is not permitted by the laws under which it was organized to purchase stock in a Federal Reserve bank, it shall, upon admission to the system, deposit with the Federal Reserve bank an amount equal to the amount which it would have been required to pay in on account of a subscription to capital stock. Thereafter such deposit shall be adjusted semiannually in the same manner as subscriptions for stock. Such deposit shall be subject to the same conditions with respect to repayment as amounts paid upon subscriptions to capital stock by other member banks and the Federal Reserve bank shall pay interest thereon at the same rate as dividends are actually paid on outstanding shares of stock of such Federal Reserve bank. If the laws under which any such savings bank was organized be amended so as to authorize mutual savings banks to subscribe for Federal Reserve bank stock, such savings bank shall thereupon subscribe for the appropriate amount of stock in the Federal Reserve bank, and the deposit hereinbefore provided for in lieu of payment upon capital stock shall be applied upon such subscription. If the laws under which any such savings bank was organized be not amended at the next session of the legislature following the admission of such savings bank to membership so as to authorize mutual savings banks to purchase Federal Reserve bank stock, or if such laws be so amended and such bank fail within six months thereafter to purchase such stock, all of its rights and privileges as a member bank shall be forfeited and its membership in the Federal Reserve System shall be terminated in the manner prescribed elsewhere in this section with respect to State member banks and trust companies. Each such mutual savings bank shall comply with all the provisions of law applicable to State member banks and trust companies, with the regulations of the Federal Reserve Board and with the conditions of membership prescribed for such savings bank at the time of admission to membership, except as otherwise hereinbefore provided with respect to capital stock.

"Each bank admitted to membership under this section shall obtain from each of its affiliates other than member banks and furnish to the Federal Reserve bank of its district and to the Federal Reserve Board not less than three reports during each year. Such reports shall be in such form as the Federal Reserve Board may prescribe, shall be verified by the oath or affirmation of the president or such other officer as may be designated by the board of directors of such affiliate to verify such reports, and shall disclose the information hereinafter provided for as of dates identical with those fixed by the Federal Reserve Board for reports of the condition of the affiliated member bank. Each such report of an affiliate shall be transmitted as herein provided at the same time as the corresponding report of the affiliated member bank, except that the Federal Reserve Board may, in its discretion, extend such times for good cause shown. Each such report shall contain such information as in the judgment of the Federal Reserve Board shall be necessary to disclose fully the relations between such affiliate and such bank and to enable the Board to inform itself as to the effect of such relations upon the affairs of such bank. The reports of such affiliates shall be published by the bank under the same conditions as govern its own condition reports.

"Any such affiliated member bank may be required to obtain from any such affiliate such additional reports as in the opinion of its Federal Reserve bank or the Federal Reserve Board may be necessary in order to obtain a full and complete knowledge of the conditions of the affiliated member bank. Such additional reports shall be transmitted to the Federal Reserve bank and the Federal Reserve Board and shall be in such form as the Federal Reserve Board may prescribe.

"Any such affiliated member bank which fails to obtain from any of its affiliates and furnish any report provided for by the two preceding paragraphs of this section shall be subject to a penalty of $100 for each day during which such failure continues, which, by direction of the Federal Reserve Board, may be collected, by suit or otherwise, by the Federal Reserve bank of the district in which such member bank is located. For the purposes of this paragraph and the two preceding paragraphs of this section, the term 'affiliate' shall include holding company affiliates as well as other affiliates.

"State member banks shall be subject to the same limitations and conditions with respect to the purchasing, selling, underwriting, and holding of investment securities and stock as are applicable in the case of national banks under paragraph 'seventh' of section 5136 of the Revised Statutes, as amended.

"After one year from the date of the enactment of the Banking Act of 1933 no certificate representing the stock of any State member bank shall represent the stock of any other corporation, except a member bank or a corporation existing on the date this paragraph takes effect, engaged solely in holding the bank premises of such State member bank, nor shall the ownership, sale, or transfer of any certificate representing the stock of any such bank be conditioned in any manner whatsoever upon the ownership, sale, or transfer of a certificate representing the stock of any other corporation, except a member bank.

"Each State member bank affiliated with a holding company affiliate shall obtain from such holding company affiliate, within such time as the Federal Reserve Board shall prescribe, an agreement that such holding company affiliate shall be subject to the same conditions and limitations as are applicable under section 5144 of the Revised Statutes, as amended, in the case of holding company affiliates of national banks. A copy of each such agreement shall be filed with the Federal Reserve Board. Upon the failure of a State member bank affiliated with a holding company affiliate to obtain such an agreement within the time so prescribed, the Federal Reserve Board shall require such bank to surrender its stock in the Federal Reserve bank and to forfeit all rights and privileges of membership in the Federal Reserve System as provided in this section. Whenever the Federal Reserve Board shall have revoked the voting permit of any such holding company affiliate, the Federal Reserve Board may, in its discretion, require any or all State member banks affiliated with such holding company affiliate to surrender their stock in the Federal Reserve bank and to forfeit all rights and privileges of membership in the Federal Reserve System as provided in this section.

"In connection with examinations of State member banks, examiners selected or approved by the Federal Reserve Board shall make such examinations of the affairs of all affiliates of such banks as shall be necessary to disclose fully the relations between such banks and their affiliates and the effect of such relations upon the affairs of such banks. The expense of examination of affiliates of any State member bank may, in the discretion of the Federal Reserve Board, be assessed against such bank and, when so assessed, shall be paid by such bank. In the event of the refusal to give any information requested in the course of the examination of any such affiliate, or in the event of the refusal to permit such examination, or in the event of the refusal to pay any expense so assessed, the Federal Reserve Board may, in its discretion, require any or all State member banks affiliated with such affiliate to surrender their stock in the Federal Reserve bank and to forfeit all rights and privileges of membership in the Federal Reserve System, as provided in this section."

Sec. 6. (a) The second paragraph of section 10 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 242), is amended to read as follows:

"The Secretary of the Treasury and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The appointive members of the Federal Reserve Board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank, except that this restriction shall not apply to a member who has served the full term for which he was appointed. Upon the expiration of the term of any appointive member of the Federal Reserve Board in office when this paragraph as amended takes effect, the President shall fix the term of the successor to such member at not to exceed twelve years, as designated by the President at the time of nomination, but in such manner as to provide for the expiration of the term of not more than one appointive member in any two-year period, and thereafter each appointive member shall hold office for a term of twelve years from the expiration of the term of his predecessor. Of the six persons thus appointed, one shall be designated by the President as Governor and one as Vice Governor of the Federal Reserve Board. The Governor of the Federal Reserve Board, subject to its supervision, shall be its active executive officer. Each member of the Federal Reserve Board shall within fifteen days after notice of appointment make and subscribe to the oath of office."

(b) The fourth paragraph of section 10 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 244), is amended to read as follows:

"The principal offices of the Board shall be in the District of Columbia. At meetings of the Board the Secretary of the Treasury shall preside as chairman, and, in his absence, the governor shall preside. In the absence of both the Secretary of the Treasury and the governor the vice governor shall preside. In the absence of the Secretary of the Treasury, the governor, and the vice governor the Board shall elect a member to act as chairman pro tempore. The Board shall determine and prescribe the manner in which its obligations shall be incurred and its disbursements and expenses allowed and paid, and may leave on deposit in the Federal Reserve banks the proceeds of assessments levied upon them to defray its estimated expenses and the salaries of its members and employees, whose employment, compensation, leave, and expenses shall be governed solely by the provisions of this act, specific amendments thereof, and rules and regulations of the Board not inconsistent therewith; and funds derived from such assessments shall not be construed to be Government funds or appropriated moneys. No member of the Federal Reserve Board shall be an officer or director of any bank, banking institution, trust company, or Federal Reserve bank or hold stock in any bank, banking institution, or trust company; and before entering upon his duties as a member of the Federal Reserve Board he shall certify under oath

that he has complied with this requirement, and such certification shall be filed with the secretary of the Board. Whenever a vacancy shall occur, other than by expiration of term, among the six members of the Federal Reserve Board appointed by the President as above provided, a successor shall be appointed by the President, by and with the advice and consent of the Senate, to fill such vacancy, and when appointed he shall hold office for the unexpired term of his predecessor."

Sec. 7. Paragraph (m) of section 11 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 248), is amended to read as follows:

"(m) Upon the affirmative vote of not less than six of its members the Federal Reserve Board shall have power to fix from time to time for each Federal Reserve district the percentage of individual bank capital and surplus which may be represented by loans secured by stock or bond collateral made by member banks within such district, but no such loan shall be made by any such bank to any person in an amount in excess of 10 per centum of the unimpaired capital and surplus of such bank. Any percentage so fixed by the Federal Reserve Board shall be subject to change from time to time upon ten days' notice, and it shall be the duty of the Board to establish such percentages with a view to preventing the undue use of bank loans for the speculative carrying of securities. The Federal Reserve Board shall have power to direct any member bank to refrain from further increase of its loans secured by stock or bond collateral for any period up to one year under penalty of suspension of all rediscount privileges at Federal Reserve banks."

Sec. 8. The Federal Reserve Act, as amended, is amended by inserting between sections 12 and 13 (U.S.C., title 12, secs. 261, 262, and 342), thereof the following new sections:

"Sec. 12A. (a) There is hereby created a Federal Open Market Committee (hereinafter referred to as the 'committee'), which shall consist of as many members as there are Federal Reserve districts. Each Federal Reserve bank by its board of directors shall annually select one member of said committee. The meetings of said committee shall be held at Washington, District of Columbia, at least four times each year, upon the call of the Governor of the Federal Reserve Board or at the request of any three members of the committee, and, in the discretion of the Board, may be attended by the members of the Board.

"(b) No Federal Reserve bank shall engage in open-market operations under section 14 of this act except in accordance with regulations adopted by the Federal Reserve Board. The Board shall consider, adopt, and transmit to the committee and to the several Federal Reserve banks regulations relating to the open-market transactions of such banks and the relations of the Federal Reserve System with foreign central or other foreign banks.

"(c) The time, character, and volume of all purchases and sales of paper described in section 14 of this act as eligible for open-market operations shall be governed with a view to accommodating commerce and business and with regard to their bearing upon the general credit situation of the country.

"(d) If any Federal Reserve bank shall decide not to participate in open-market operations recommended and approved as provided in paragraph (b) hereof, it shall file with the chairman of the committee within thirty days a notice of its decision, and transmit a copy thereof to the Federal Reserve Board.

"Sec. 12B. (a) There is hereby created a Federal Deposit Insurance Corporation (hereinafter referred to as the 'Corporation'), whose duty it shall be to purchase, hold, and liquidate, as hereinafter provided, the assets of national banks which have been closed by action of the Comptroller of the Currency, or by vote of their directors, and the assets of State member banks which have been closed by action of the appropriate State authorities, or by vote of their directors; and to insure, as hereinafter provided, the deposits of all banks which are entitled to the benefits of insurance under this section.

"(b) The management of the Corporation shall be vested in a board of directors consisting of three members, one of whom shall be the Comptroller of the Currency, and two of whom shall be citizens of the United States to be appointed by the President, by and with the advice and consent of the Senate. One of the appointive members shall be the chairman of the board of directors of the Corporation and not more than two of the members of such board of directors shall be members of the same political party. Each such appointive member shall hold office for a term of six years and shall receive compensation at the rate of $10,000 per annum, payable monthly out of the funds of the Corporation, but the Comptroller of the Currency shall not receive additional compensation for his services as such member.

(c) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $150,000,000, which shall be available for payment by the Secretary of the Treasury for capital stock of the Corporation in an equal amount, which shall be subscribed for by him on behalf of the United States. Payments upon such subscription shall be subject to call in whole or in part by the board of directors of the Corporation. Such stock shall be in addition to the amount of capital stock required to be subscribed for by Federal Reserve banks and member and nonmember banks as hereinafter provided, and the United States shall be entitled to the payment of dividends on such stock to the same extent as member and nonmember banks are entitled to such payment on the class A stock of the Corporation held by them. Receipts for payments by the United States for or on account of such stock shall be issued by the Corporation to the Secretary of the Treasury and shall be evidence of the stock ownership of the United States.

"(d) The capital stock of the Corporation shall be divided into shares of $100 each. Certificates of stock of the Corporation shall be of two classes—class A and class B. Class A stock shall be held by member and nonmember banks as hereinafter provided, and they shall be entitled to payment of dividends out of net earnings at the rate of 6 per centum per annum, on the capital stock paid in by them, which dividends shall be cumulative, or to the extent of 30 per centum of such net earnings in any one year, whichever amount shall be the greater, but such stock shall have no vote at meetings of stockholders. Class B stock shall be held by Federal Reserve banks only and shall not be entitled to the payment of dividends. Every Federal Reserve bank shall subscribe to shares of class B stock in the Corporation to an amount equal to one half of the surplus of such bank on January 1, 1933, and its subscriptions shall be accompanied by a certified check payable to the Corporation in an amount equal to one half of such subscription. The remainder of such subscription shall be subject to call from time to time by the board of directors upon ninety days' notice.

"(e) Every bank which is or which becomes a member of the Federal Reserve System on or before July 1, 1934, shall take all steps necessary to enable it to become a class A stockholder of the Corporation on or before July 1, 1934; and thereafter no State bank or trust company or mutual savings bank shall be admitted to membership in the Federal Reserve System until it becomes a class A stockholder of the Corporation, no national bank in the continental United States shall be granted a certificate by the Comptroller of the Currency authorizing it to commence the business of banking until it becomes a member of the Federal Reserve System and a class A stockholder of the Corporation, and no national bank in the continental United States for which a receiver or conservator has been appointed shall be permitted to resume the transaction of its banking business until it becomes a class A stockholder of the Corporation. Every member bank shall apply to the Corporation for class A stock of the Corporation in an amount equal to one half of 1 per centum of its total deposit liabilities as computed in accordance with regulations prescribed by the Federal Reserve Board; except that in the case of a member bank organized after the date this section takes effect, the amount of such class A stock applied for by such member bank during the first twelve months after its organization shall equal 5 per centum of its paid-up capital and surplus, and beginning after the expiration of such twelve months' period the amount of such class A stock of such member bank shall be adjusted annually in the same manner as in the case of other member banks. Upon receipt of such application the Corporation shall request the Federal Reserve Board, in the case of a State member bank, or the Comptroller of the Currency, in the case of a National bank, to certify upon the basis of a thorough examination of such bank whether or not the assets of the applying bank are adequate to enable it to meet all of its liabilities to depositors and other creditors as shown by the books of the bank; and the Federal Reserve Board or the Comptroller of the Currency shall make such certification as soon as practicable. If such certification be in the affirmative, the Corporation shall grant such application and the applying bank shall pay one half of its subscription in full and shall thereupon become a class A stockholder of the Corporation: Provided, That no member bank shall be required to make such payment or become a class A stockholder of the Corporation before July 1, 1934. The remainder of such subscription shall be subject to call from time to time by the board of directors of the Corporation. If such certification be in the negative, the Corporation shall deny such application. If any national bank shall not have become a class A stockholder of the Corporation on or before July 1, 1934, the Comptroller of the Currency shall appoint a receiver or conservator therefor in accordance with the provisions of existing law. Except as provided in subsection (g) of this section, if any State member bank shall not have become a class A stockholder of the Corporation on or before July 1, 1934, the Federal Reserve Board shall terminate its membership in the Federal Reserve System in accordance with the provisions of section 9 of this act.

"(f) Any State bank or trust company or mutual savings bank which applies for membership in the Federal Reserve System or for conversion into a national banking association on or after July 1, 1936, may, with the consent of the Corporation, obtain the benefits of this section, pending action on such application, by subscribing and paying for the same amount of stock of the Corporation as it would be required to subscribe and pay for upon becoming a member bank. Thereupon the provisions of this section applicable to member banks shall be applicable to such State bank or trust company or mutual savings bank to the same extent as if it were already a member bank: Provided, That if the application of such State bank or trust company or mutual savings bank for membership in the Federal Reserve System or for conversion into a national banking association be approved and it shall not complete its membership in the Federal Reserve System or its conversion into a national banking association within a reasonable time, or if such application shall be disapproved, then the amount paid by such State bank or trust company or mutual savings bank on account of its subscription to the capital stock of the Corporation shall be repaid to it and it shall no longer be subject to the provisions or entitled to the privileges of this section.

"(g) If any State bank or trust company or mutual savings bank (referred to in this subsection as 'State bank') which is or which becomes a member of the Federal Reserve System is not permitted by the laws under which it was organized to purchase stock in the Corporation, it shall apply to the Corporation for admission to the benefits of this section and, if such application be granted after appropriate certification in accordance with this section, it shall deposit with the Corporation an amount equal to the amount which it would have been required to pay in on account of a subscription to capital stock of the Corporation. Thereafter such deposit shall be adjusted in the same manner as subscriptions for stock by class A stockholders. Such deposit shall be subject to the same conditions with respect to repayment as amounts paid on subscriptions to class A stock by other member banks, and the Corporation shall pay interest thereon at the same rate as dividends are actually paid on outstanding shares of class A stock. As long as such deposit is maintained with the Corporation, such State bank shall, for the purposes of this section, be deemed to be a class A stockholder of the Corporation. If the laws under which such State bank was organized be amended so as to authorize State banks to subscribe for class A stock of the Corporation, such State bank shall within six months thereafter subscribe for an appropriate amount of such class A stock, and the deposit hereinafter provided for in lieu of payment upon class A stock shall be applied upon such subscription. If the law under which such State bank was organized be not amended at the next session of the State legislature following the admission of such State bank to the benefits of this section so as to authorize State banks to purchase such class A stock, or, if the law be so amended and such State bank shall fail within six months thereafter to purchase such class A stock, the deposit previously made with the Corporation shall be returned to such State bank and it shall no longer be entitled to the benefits of this section, unless it shall have been closed in the meantime on account of inability to meet the demands of its depositors.

"(h) The amount of the outstanding class A stock of the Corporation held by member banks shall be annually adjusted as hereinafter provided as of the last preceding call date as member banks increase their time and demand deposits or as additional banks become members or subscribe to the stock of the Corporation, and such stock may be decreased in amount as member banks reduce their time and demand deposits or cease to be members. Shares of the capital stock of the Corporation owned by member banks shall not be transferred or hypothecated. When a member bank increases its time and demand deposits it shall, at the beginning of each calendar year, subscribe for an additional amount of capital stock of the Corporation equal to one half of 1 percentum of such increase in deposits. One half of the amount of such additional stock shall be paid for at the time of the subscription therefor, and the balance shall be subject to call by the board of directors of the Corporation. A bank organized on or before the date this section takes effect and admitted to membership in the Federal Reserve System at any time after the organization of the Corporation shall be required to subscribe for an amount of class A capital stock equal to one half of 1 percentum of the time and demand deposits of the applicant bank as of the date of such admission, paying therefor its par value plus one half of 1 percentum a month from the period of the last dividend on the class A stock of the Corporation. When a member bank reduces its time and demand deposits it shall surrender, not later than the 1st day of January thereafter, a proportionate amount of its holdings in the capital stock of the Corporation, and when a member bank voluntarily liquidates it shall surrender all its holdings of the capital stock of the Corporation and be released from its stock subscription not previously called. The shares so surrendered shall be canceled and the member bank shall receive in payment therefor, under regulations to be prescribed by the Corporation, a sum equal to its cash-paid subscriptions on the shares surrendered and its proportionate share of dividends not to exceed one half of 1 percentum a month, from the period of the last dividend on such stock, less any liability of such member bank to the Corporation.

(i) If any member or nonmember bank shall be declared insolvent, or shall cease to be a member bank (or in the case of a nonmember bank, shall cease to be entitled to the benefits of insurance under this section), the stock held by it in the Corporation shall be canceled, without impairment of the liability of such bank, and all cash-paid subscriptions on such stock, with its proportionate share of dividends not to exceed one half of 1 per centum per month from the period of last dividend on such stock shall be first applied to all debts of the insolvent bank or the receiver thereof to the Corporation, and the balance, if any, shall be paid to the receiver of the insolvent bank.

"(j) Upon the date of enactment of the Banking Act of 1933, the Corporation shall become a body corporate and as such shall have power—

"First. To adopt and use a corporate seal.

"Second. To have succession until dissolved by an Act of Congress.

"Third. To make contracts.

"Fourth. To sue and be sued, complain and defend, in any court of law or equity, State or Federal.

"Fifth. To appoint by its board of directors such officers and employees as are not otherwise provided for in this section, to define their duties, fix their compensation, require bonds of them and fix the penalty thereof, and to dismiss at pleasure such officers or employees. Nothing in this or any other Act shall be construed to prevent the appointment and compensation as an officer or employee of the Corporation of any officer or employee of the United States in any board, commission, independent establishment, or executive department thereof.

"Sixth. To prescribe by its board of directors, bylaws not inconsistent with law, regulating the manner in which its general business may be conducted, and the privileges granted to it by law may be exercised and enjoyed.

"Seventh. To exercise by its board of directors, or duly authorized officers or agents, all powers specifically granted by the provisions of this section and such incidental powers as shall be necessary to carry out the powers so granted.

"(k) The board of directors shall administer the affairs of the Corporation fairly and impartially and without discrimination. The board of directors of the Corporation shall determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid. The Corporation shall be entitled to the free use of the United States mails in the same manner as the executive departments of the Government. The Corporation with the consent of any Federal Reserve bank or of any board, commission, independent establishment, or executive department of the Government, including any field service thereof, may avail itself of the use of information, services, and facilities thereof in carrying out the provisions of this section.

"(l) Elective on and after July 1, 1934 (thus affording ample time for examination and preparation), unless the President shall by proclamation fix an earlier date, the Corporation shall insure as hereinafter provided the deposits of all member banks, and on and after such date and until July 1, 1936, of all nonmember banks, which are class A stockholders of the Corporation. Notwithstanding any other provision of law, whenever any national bank which is a class A stockholder of the Corporation shall have been closed by action of its board of directors or by the Comptroller of the Currency, as the case may be, on account of inability to meet the demands of its depositors, the Comptroller of the Currency shall appoint the Corporation receiver for such bank. As soon as possible thereafter the Corporation shall organize a new national bank to assume the insured deposit liabilities of such closed bank, to receive new deposits and otherwise to perform temporarily the functions provided for it in this paragraph. For the purposes of this subsection, the term 'insured deposit liability' shall mean with respect to the owner of any claim arising out of a deposit liability of such closed bank the following percentages of the net amount due to such owner by such closed bank on account of deposit liabilities: 100 per centum of such net amount not exceeding $10,000; and 75 per centum of the amount, if any, by which such net amount exceeds $10,000 but does not exceed $50,000; and 50 per centum of the amount, if any, by which such net amount exceeds $50,000: Provided, That, in determining the amount due to such owner for the purpose of fixing such percentage, there shall be added together all net amounts due to such owner in the same capacity or the same right, on account of deposits, regardless of whether such deposits be maintained in his name or in the names of others for his benefit. For the purposes of this subsection, the term 'insured deposit liabilities' shall mean the aggregate amount of all such insured deposit liabilities of such closed banks. The Corporation shall determine as expeditiously as possible the net amounts due to depositors of the closed bank and shall make available to the new bank an amount equal to the insured deposit liabilities of such closed bank, whereupon such new bank shall assume the insured deposit liability of such closed bank to each of its depositors, and the Corporation shall be subrogated to all rights against the closed bank of the owners of such deposits and shall be entitled to receive the same dividends from the proceeds of the assets of such closed banks as would have been payable to each such depositor until such dividends shall equal the insured deposit liability to such depositor assumed by the new bank, whereupon all further dividends shall be payable to such depositor. Of the amount thus made available by the Corporation to the new bank, such portion shall be paid to it in cash as may be necessary to enable it to meet immediate cash demands and the remainder shall be credited to it on the books of the Corporation subject to withdrawal on demand and shall bear interest at the rate of 3 per centum per annum until withdrawn. The new bank may, with the approval of the Corporation, accept new deposits, which, together with all amounts made available to the new bank by the Corporation, shall be kept on hand in cash, invested in direct obligations of the United States, or deposited with the Corporation or with a Federal Reserve bank. Such new bank shall maintain on deposit with the Federal Reserve bank of its district the reserves required by law of member banks but shall not be required to subscribe for stock of the Federal Reserve bank until its own capital stock has been subscribed and paid for in the manner hereinafter provided. The articles of association and organization certificate of such new bank may be executed by such representatives of the Corporation as it may designate; the new bank shall not be required to have any directors at the time of its organization, but shall be managed by an executive officer to be designated by the Corporation; and no capital stock need be paid in by the Corporation; but in other respects such bank shall be organized in accordance with the existing provisions of law relating to the organization of national banks; and, until the requisite amount of capital stock for such bank has been subscribed and paid for in the manner hereinafter provided, such bank shall transact no business except that authorized by this subsection and such business as may be incidental to its organization. When in the judgment of the Corporation it is desirable to do so, the Corporation shall offer capital stock of the new bank for sale on such terms and conditions as the Corporation shall deem advisable, in an amount sufficient in the opinion of the Corporation to make possible the conduct of the business of the new bank on a sound basis, but in no event less than that required by section 5138 of the Revised Statutes, as amended (U.S.C., title 12, sec. 51), for the organization of a national bank in the place where such new bank is located, giving the stockholders of the closed bank the first opportunity to purchase such stock. Upon proof that an adequate amount of capital stock of the new bank has been subscribed and paid for in cash by subscribers satisfactory to the Comptroller of the Currency, he shall issue to such bank a certificate of authority to commence business and thereafter it shall be managed by directors elected by its own shareholders and may exercise all of the powers granted by law to national banking associations. If an adequate amount of capital for such new bank is not subscribed and paid in, the Corporation may offer to transfer its business to any other banking institution in the same place which will take over its assets, assume its liabilities, and pay to the Corporation for such business such amount as the Corporation may deem adequate. Unless the capital stock of the new bank is sold or its assets acquired and its liabilities assumed by another banking institution, in the manner herein prescribed, within two years from the date of its organization, the Corporation shall place the new bank in voluntary liquidation and wind up its affairs. The Corporation shall open on its books a deposit insurance account and, as soon as possible after taking possession of any closed national bank, the Corporation shall make an estimate of

the amount which will be available from all sources for application in satisfaction of the portion of the claims of depositors to which it has been subrogated and shall debit to such deposit insurance account the excess, if any, of the amount made available by the Corporation to the new bank for depositors over and above the amount of such estimate. It shall be the duty of the Corporation to realize upon the assets of such closed bank, having due regard to the condition of credit in the district in which such closed bank is located; to enforce the individual liability of the stockholders and directors thereof; and to wind up the affairs of such closed bank in conformity with the provisions of law relating to the liquidation of closed national banks, except as herein otherwise provided, retaining for its own account such portion of the amount realized from such liquidation as it shall be entitled to receive on account of its subrogation to the claims of depositors and paying to depositors and other creditors the amount available for distribution to them, after deducting therefrom their share of the costs of the liquidation of the closed bank. If the total amount realized by the Corporation on account of its subrogation to the claims of depositors be less than the amount of the estimate hereinabove provided for, the deposit insurance account shall be charged with the deficiency and, if the total amount so realized shall exceed the amount of such estimate, such account shall be credited with such excess. With respect to such closed national banks, the Corporation shall have all the rights, powers, and privileges now possessed by or hereafter given receivers of insolvent national banks and shall be subject to the obligations and penalties not inconsistent with the provisions of this paragraph to which sum receivers are now or may hereafter become subject.

"Whenever any State member bank which is a class A stockholder of the Corporation shall have been closed by action of its board of directors or by the appropriate State authority, as the case may be, on account of inability to meet the demands of its depositors, the Corporation shall accept appointment as receiver thereof, if such appointment be tendered by the appropriate State authority and be authorized or permitted by State law. Thereupon the Corporation shall organize a new national bank, in accordance with the provisions of this subsection, to assume the insured deposit liabilities of such closed State member bank, to receive new deposits and otherwise to perform temporarily the functions provided for in this subsection. Upon satisfactory recognition of the right of the Corporation to receive dividends on the same basis as in the case of a closed national bank under this subsection, such recognition being accorded by State law, by allowance of claims by the appropriate State authority, by assignment of claims by depositors, or by any other effective method, the Corporation shall make available to such new national bank, in the manner prescribed by this subsection, an amount equal to the insured deposit liabilities of such closed State member bank; and the Corporation and such new national bank shall perform all of the functions and duties and shall have all the rights and privileges with respect to such State member bank and the depositors thereof which are prescribed by this subsection with respect to closed national banks holding class A stock in the Corporation: Provided, That the rights of depositors and other creditors of such State member bank shall be determined in accordance with the applicable provisions of State law: And provided further, That with respect to such State member bank, the Corporation shall possess the powers and privileges provided by State law with respect to a receiver of such State member bank, except insofar as the same are in conflict with the provisions of this subsection.

"Whenever any State member bank which is a class A stockholder of the Corporation shall have been closed by action of its board of directors or by the appropriate State authority, as the case may be, on account of inability to meet the demands of its depositors, and the applicable State law does not permit the appointment of the Corporation as receiver of such bank, the Corporation shall organize a new national bank, in accordance with the provisions of this subsection, to assume the insured deposit liabilities of such closed State member bank, to receive new deposits, and otherwise to perform temporarily the functions provided for in this subsection. Upon satisfactory recognition of the right of the Corporation to receive dividends on the same basis as in the case of a closed national bank under this subsection, such recognition being accorded by State law, by allowance of claims by the appropriate State authority, by assignment of claims by depositors, or by any other effective method, the Corporation shall make available to such new bank, in accordance with the provisions of this subsection, the amount of insured deposit liabilities as to which such recognition has been accorded; and such new bank shall assume such insured deposit liabilities and shall in other respects comply with the provisions of this subsection respecting new banks organized to assume insured deposit liabilities of closed national banks. Insofar as possible in view of the applicable provisions of State law, the Corporation shall proceed with respect to the receiver of such closed bank and with respect to the new bank organized to assume its insured deposit liabilities in the manner prescribed by this subsection with respect to closed national banks and new banks organized to assume their insured deposit liabilities; except that the Corporation shall have none of the powers, duties, or responsibilities of a receiver with respect to the winding up of the affairs of such closed State member bank. The Corporation, in its discretion, however, may purchase and liquidate any or all of the assets of such bank.

"Whenever the net debit balance of the deposit insurance account of the Corporation shall equal or exceed one fourth of 1 per centum of the total deposit liabilities of all class A stockholders as of the date of the last preceding call report, the Corporation shall levy upon such stockholders an assessment equal to one fourth of 1 per centum of their total deposit liabilities and shall credit the amount collected from such assessment to such deposit insurance account. No bank which is a holder of class A stock shall pay any dividends until all assessments levied upon it by the Corporation shall have been paid in full; and any director or officer of any such bank who participates in the declaration or payment of any such dividend may, upon conviction, be fined not more than $1,000, or imprisoned for not more than one year, or both.

"The term 'receiver' as used in this section shall mean a receiver, liquidating agent, or conservator of a national bank, and a receiver, liquidating agent, conservator, commission, person, or other agency charged by State law with the responsibility and the duty of winding up the affairs of an insolvent State member bank.

"For the purposes of this section only, the term 'national bank' shall include all national banking associations and all banks, banking associations, trust companies, savings banks, and other banking institutions located in the District of Columbia which are members of the Federal Reserve System; and the term 'State member bank' shall include all State banks, banking associations, trust companies, savings banks, and other banking institutions organized under the laws of any State, which are members of the Federal Reserve System.

"In any determination of the insured deposit liabilities of any closed bank or of the total deposit liabilities of any bank which is a holder of class A stock of the Corporation, for the purposes of this section, there shall be excluded the amounts of all deposits of such bank which are payable only at an office thereof located in a foreign country.

"The Corporation may make such rules, regulations, and contracts as it may deem necessary in order to carry out the provisions of this section.

"Money of the Corporation not otherwise employed shall be invested in securities of the Government of the United States, except that for temporary periods, in the discretion of the board of directors, funds of the Corporation may be deposited in any Federal Reserve bank or with the Treasurer of the United States. When designated for that purpose by the Secretary of the Treasury, the Corporation shall be a depositary of public moneys, except receipts from customs, under such regulations as may be prescribed by

the said Secretary, and may also be employed as a financial agent of the Government. It shall perform all such reasonable duties as depositary of public moneys and financial agent of the Government as may be required of it.

"(m) Nothing herein contained shall be construed to prevent the Corporation from making loans to national banks closed by action of the Comptroller of the Currency, or by vote of their directors, or to State member banks closed by action of the appropriate State authorities, or by vote of their directors, or from entering into negotiations to secure the reopening of such banks.

"(n) Receivers or liquidators of member banks which are now or may hereafter become insolvent or suspended shall be entitled to offer the assets of such banks for sale to the Corporation or as security for loans from the Corporation, upon receiving permission from the appropriate State authority in accordance with express provisions of State law in the case of State member banks, or from the Comptroller of the Currency in the case of national banks. The proceeds of every such sale or loan shall be utilized for the same purposes and in the same manner as other funds realized from the liquidation of the assets of such banks. The Comptroller of the Currency may, in his discretion, pay dividends on proved claims at any time after the expiration of the period of advertisement made pursuant to section 5235 of the Revised Statutes (U.S.C., title 12, sec. 193), and no liability shall attach to the Comptroller of the Currency or to the receiver of any national bank by reason of any such payment for failure to pay dividends to a claimant whose claim is not proved at the time of any such payment.

"(o) The Corporation is authorized and empowered to issue and to have outstanding at any one time in an amount aggregating not more than three times the amount of its capital, its notes, debentures, bonds, or other such obligations, to be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations, and to bear such rate or rates of interest, and to mature at such time or times as may be determined by the Corporation: Provided, That the Corporation may sell on a discount basis short-term obligations payable at maturity without interest. The notes, debentures, bonds, and other such obligations of the Corporation may be secured by assets of the Corporation in such manner as shall be prescribed by its board of directors. Such obligations may be offered for sale at such price or prices as the Corporation may determine.

"(p) All notes, debentures, bonds, or other such obligations issued by the Corporation shall be exempt, both as to principal and interest, from all taxation (except estate and inheritance taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. The Corporation, including its franchise, its capital, reserves, and surplus, and its income, shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.

"(q) In order that the Corporation may be supplied with such forms of notes, debentures, bonds, or other such obligations as it may need for issuance under this act, the Secretary of the Treasury is authorized to prepare such forms as shall be suitable and approved by the Corporation, to be held in the Treasury subject to delivery, upon order of the Corporation. The engraved plates, dies, bed pieces, and other material executed in connection therewith shall remain in the custody of the Secretary of the Treasury. The Corporation shall reimburse the Secretary of the Treasury for any expenses incurred in the preparation, custody, and delivery of such notes, debentures, bonds, or other such obligations.

"(r) The Corporation shall annually make a report of its operations to the Congress as soon as practicable after the 1st day of January in each year.

"(s) Whoever, for the purpose of obtaining any loan from the Corporation, or any extension or renewal thereof, or the acceptance, release, or substitution of security therefor, or for the purpose of inducing the Corporation to purchase any assets, or for the purpose of influencing in any way the action of the Corporation under this section, makes any statement, knowing it to be false, or willfully overvalues any security, shall be punished by a fine of not more than $5,000, or by imprisonment for not more than two years, or both.

"(t) Whoever (1) falsely makes, forges, or counterfeits any obligation or coupon, in imitation of or purporting to be an obligation or coupon issued by the Corporation, or (2) passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited obligation or coupon purporting to have been issued by the Corporation, knowing the same to be false, forged, or counterfeited, or (3) falsely alters any obligation or coupon issued or purporting to have been issued by the Corporation, or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true, any falsely altered or spurious obligation or coupon, issued or purporting to have been issued by the Corporation, knowing the same to be falsely altered or spurious, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than five years, or both.

"(u) Whoever, being connected in any capacity with the Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged, or otherwise intrusted to it, or (2) with intent to defraud the Corporation or any other body, politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of or to the Corporation, or without being duly authorized draws any order or issues, puts forth, or assigns any note, debenture, bond, or other such obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than five years, or both.

"(v) No individual, association, partnership, or corporation shall use the words 'Federal Deposit Insurance Corporation', or a combination or any three of these four words, as the name or a part thereof under which he or it shall do business. No individual, association, partnership, or corporation shall advertise or otherwise represent falsely by any device whatsoever that his or its deposit liabilities are insured or in anywise guaranteed by the Federal Deposit Insurance Corporation, or by the Government of the United States, or by any instrumentality thereof; and no class A stockholder of the Federal Deposit Insurance Corporation shall advertise or otherwise represent falsely by any device whatsoever the extent to which or the manner in which its deposit liabilities are insured by the Federal Deposit Insurance Corporation. Every individual, partnership, association, or corporation violating this subsection shall be punished by a fine of not exceeding $1,000, or by imprisonment not exceeding one year, or both.

"(w) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U.S.C., title 18, ch. 5, secs. 202 to 207, inclusive), insofar as applicable, are extended to apply to contracts or agreements with the Corporation under this section, which for the purposes hereof shall be held to include loans, advances, extensions, and renewals thereof, and acceptances, releases, and substitutions of security therefor, purchases or sales of assets, and all contracts and agreements pertaining to the same.

"(x) The Secret Service Division of the Treasury Department is authorized to detect, arrest, and deliver into the custody of the United States marshal having jurisdiction any person committing any of the offenses punishable under this section.

"(y) The Corporation shall open on its books a Temporary Federal Deposit Insurance Fund (hereafter referred to as the 'fund'), which shall become operative on January 1, 1934, unless the President shall by proclamation fix an earlier date, and it shall be the duty of the Corporation to insure deposits as hereinafter provided until July 1, 1934.

"Each member bank licensed before January 1, 1934, by the Secretary of the Treasury pursuant to the authority vested in him by the Executive order of the President issued March 10, 1933, shall, on or before January 1, 1934, become a member of the fund; each member bank so licensed after such date, and each State bank, trust company, or mutual savings bank (referred to in this subsection as 'State bank') which becomes a member of the Federal Reserve System on or after such date, shall, upon being so licensed or so admitted to membership, become a member of the fund; and any State bank which is not a member of the Federal Reserve System, with the approval of the State authority having supervision of such State bank and certification to the Corporation by such authority that such State bank is in solvent condition, shall, after examination by, and with the approval of, the Corporation, be entitled to become a member of the fund and to the privileges of this subsection upon agreeing to comply with the requirements thereof and upon paying to the Corporation an amount equal to the amount that would be required of it under this subsection if it were a member bank. The Corporation is authorized to prescribe rules and regulations for the further examination of such State bank, and to fix the compensation of examiners employed to make examinations of State banks.

"Each member of the fund shall file with the Corporation on or before the date of its admission a certified statement under oath showing, as of the fifteenth day of the month preceding the month in which it was so admitted, the number of its depositors and the total amount of its deposits which are eligible for insurance under this subsection, and shall pay to the Corporation an amount equal to one half of 1 per centum of the total amount of the deposits so certified. One half of such payment shall be paid in full at the time of the admission of such member to the fund, and the remainder of such payment shall be subject to call from time to time by the board of directors of the Corporation. Within a reasonable time fixed by the Corporation each such member shall file a similar statement showing, as of June 15, 1934, the number of its depositors and the total amount of its deposits which are eligible for such insurance and shall pay to the Corporation in the same manner an amount equal to one half of 1 per centum of the increase, if any, in the total amount of such deposits since the date covered by the statement filed upon its admission to membership in the fund.

"If at any time prior to July 1, 1934, the Corporation requires additional funds with which to meet its obligations under this subdivision, each member of the fund shall be subject to one additional assessment only in an amount not exceeding the total amount theretofore paid to the Corporation by such member.

"If any member of the fund shall be closed on or before June 30, 1934, on account of inability to meet its deposit liabilities, the Corporation shall proceed in accordance with the provisions of subsection (l) of this section to pay the insured deposit liabilities of such member; except that the Corporation shall pay not more than $2,500 on account of the net approved claim of the owner of any deposit. The provisions of such subsection (l) relating to State member banks shall be extended for the purposes of this subsection to members of the fund which are not members of the Federal Reserve System; and the provisions of this subsection shall apply only to deposits of members of the fund which have been made available since March 10, 1933, for withdrawal in the usual course of the banking business.

"Before July 1, 1934, the Corporation shall make an estimate of the balance, if any, which will remain in the fund after providing for all liabilities of the fund, including expenses of operation thereof under this subsection and allowing for anticipated recoveries. The Corporation shall refund such estimated balance, on such basis as the Corporation shall find to be equitable, to the members of the fund other than those which have been closed prior to July 1, 1934.

"Each State bank which is a member of the fund, in order to obtain the benefits of this section after July 1, 1934, shall, on or before such date, subscribe and pay for the same amount of class A stock of the Corporation as it would be required to subscribe and pay for upon becoming a member bank, or if such State bank is not permitted by the laws under which it was organized to purchase such stock, it shall deposit with the Corporation an amount equal to the amount it would have been required to pay in on account of a subscription to such stock; and thereafter such State bank shall be entitled to such benefits until July 1, 1936.

"It is not the purpose of this section to discriminate, in any manner, against State nonmember, and in favor of, national or member banks; but the purpose is to provide all banks with the same opportunity to obtain and enjoy the benefits of this title. No bank shall be discriminated against because its capital stock is less than the amount required for eligibility for admission into the Federal Reserve System."

Sec. 9. The eighth paragraph of section 13 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 347; Supp. VI, title 12, sec. 347), is amended to read as follows:

"Any Federal Reserve bank may make advances for periods not exceeding fifteen days to its member banks on their promissory notes secured by the deposit or pledge of bonds, notes, certificates of indebtedness, or Treasury bills of the United States, or by the deposit or pledge of debentures or other such obligations of Federal intermediate credit banks which are eligible for purchase by Federal Reserve banks under section 13 (a) of this act; and any Federal Reserve bank may make advances for periods not exceeding ninety days to its member banks on their promissory notes secured by such notes, drafts, bills of exchange, or bankers' acceptances as are eligible for rediscount or for purchase by Federal Reserve banks under the provisions of this act. All such advances shall be made at rates to be established by such Federal Reserve banks, such rates to be subject to the review and determination of the Federal Reserve Board. If any member bank to which any such advance has been made shall, during the life or continuance of such advance, and despite an official warning of the Reserve bank of the district or of the Federal Reserve Board to the contrary, increase its outstanding loans secured by collateral in the form of stocks, bonds, debentures, or other such obligations, or loans made to members of any organized stock exchange, investment house, or dealer in securities, upon any obligation, note, or bill, secured or unsecured, for the purpose of purchasing and/or carrying stocks, bonds, or other investment securities (except obligations of the United States) such advance shall be deemed immediately due and payable, and such member bank shall be ineligible as a borrower at the Reserve bank of the district under the provisions of this paragraph for such period as the Federal Reserve Board shall determine: Provided, That no temporary carrying or clearance loans made solely for the purpose of facilitating the purchase or delivery of securities offered for public subscription shall be included in the loans referred to in this paragraph."

Sec. 10. Section 14 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 353–358), is amended by adding at the end thereof the following new paragraph:

"(g) The Federal Reserve Board shall exercise special supervision over all relationships and transactions of any kind entered into by any Federal Reserve bank with any foreign bank or banker, or with any group of foreign banks or bankers, and all such relationships and transactions shall be subject to such regulations, conditions, and limitations as the Board may prescribe. No officer or other representative of any Federal Reserve bank shall conduct negotiations of any kind with the officers or representatives of any foreign bank or banker without first obtaining the permission of the Federal Reserve Board. The Federal Reserve Board shall have the right, in its discretion, to be represented in any conference or negotiations by such representative or representa-

tives as the Board may designate. A full report of all conferences or negotiations, and all understandings or agreements arrived at or transactions agreed upon, and all other material facts appertaining to such conferences or negotiations, shall be filed with the Federal Reserve Board in writing by a duly authorized officer of each Federal Reserve bank which shall have participated in such conferences or negotiations."

Sec. 11. (a) Section 19 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 142, 374, 461–466; supp. VI, title 12, sec. 462a), is amended by inserting after the sixth paragraph thereof the following new paragraph:

"No member bank shall act as the medium or agent of any nonbanking corporation, partnership, association, business trust, or individual in making loans on the security of stocks, bonds, and other investment securities to brokers or dealers in stocks, bonds, and other investment securities. Every violation of this provision by any member bank shall be punishable by a fine of not more than $100 per day during the continuance of such violation; and such fine may be collected, by suit or otherwise, by the Federal Reserve bank of the district in which such member bank is located."

(b) Such section 19 of the Federal Reserve Act, as amended is further amended by adding at the end thereof the following new paragraphs:

"No member bank shall, directly or indirectly by any device whatsoever, pay any interest on any deposit which is payable on demand: Provided, That nothing herein contained shall be construed as prohibiting the payment of interest in accordance with the terms of any certificate of deposit or other contract heretofore entered into in good faith which is in force on the date of the enactment of this paragraph; but no such certificate of deposit or other contract shall be renewed or extended unless it shall be modified to conform to this paragraph, and every member bank shall take such action as may be necessary to conform to this paragraph as soon as possible consistently with its contractual obligations: Provided, however, That this paragraph shall not apply to any deposit of such bank which is payable only at an office thereof located in a foreign country, and shall not apply to any deposit made by a mutual savings bank, nor to any deposit of public funds made by or on behalf of any State, county, school district, or other subdivision or municipality, with respect to which payment of interest is required under State law.

"The Federal Reserve Board shall from time to time limit by regulation the rate of interest which may be paid by member banks on time deposits, and may prescribe different rates for such payment on time and savings deposits having different maturities or subject to different conditions respecting withdrawals or repayment or subject to different conditions by reason of different locations. No member bank shall pay any time deposit before its maturity, or waive any requirement of notice before payment of any savings deposit except as to all savings deposits having the same requirement."

(c) Section 8 of the act entitled "An act to establish Postal Savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes", approved June 25, 1910, as amended (U.S.C., title 39, sec. 758), is amended by striking out the first sentence thereof and inserting in lieu thereof the following: Any depositor may withdraw the whole or any part of the funds deposited to his or her credit with the accrued interest only on notice given sixty days in advance and under such regulations as the Postmaster General may prescribe; but withdrawal of any part of such funds may be made upon demand, but no interest shall be paid on any funds so withdrawn except interest accrued to the date of enactment of the Banking Act of 1933: Provided, That Postal Savings depositories may deposit funds in member banks on time under regulations to be prescribed by the Postmaster General."

(d) The second sentence of section 9 of the act entitled "An act to establish Postal Savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes", approved June 25, 1910, as amended (U.S.C., title 39, sec. 759), is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "Provided, That no such security shall be required in case of such part of the deposits as are insured under section 12B of the Federal Reserve Act, as amended."

Sec. 12. Section 22 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 375, 376, 503, 593–595; supp. VI, title 12, sec. 593), is further amended by adding at the end thereof the following new paragraph:

"(g) No executive officer of any member bank shall borrow from or otherwise become indebted to any member bank of which he is an executive officer, and no member bank shall make any loan or extend credit in any other manner to any of its own executive officers: Provided, That loans heretofore made to any such officer may be renewed or extended not more than two years from the date this paragraph takes effect, if in accord with sound banking practice. If any executive officer of any member bank borrow from or if he be or become indebted to any bank other than a member bank of which he is an executive officer, he shall make a written report to the chairman of the board of directors of the member bank of which he is an executive officer, stating the date and amount of such loan or indebtedness, the security therefor, and the purpose for which the proceeds have been or are to be used. Any executive officer of any member bank violating the provisions of this paragraph shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year, or fined not more than $5,000 or both; and any member bank violating the provisions of this paragraph shall be fined not more than $10,000 and may be fined a further sum equal to the amount so loaned or credit so extended."

Sec. 13. The Federal Reserve Act, as amended, is amended by inserting between sections 23 and 24 thereof (U.S.C., title 12, secs. 64 and 371; supp. VI, title 12, sec. 371) the following new section:

"Sec. 23A. No member bank shall (1) make any loan or any extension of credit to, or purchase securities under repurchase agreement from, any of its affiliates, or (2) invest any of its funds in the capital stock, bonds, debentures, or other such obligations of any such affiliate, or (3) accept the capital stock, bonds, debentures, or other such obligations of any such affiliate as collateral security for advances made to any person, partnership, association, or corporation, if, in the case of any such affiliate, the aggregate amount of such loans, extensions of credit, repurchase agreements, investments, and advances against such collateral security will exceed 10 per centum of the capital stock and surplus of such member bank, or if, in the case of all such affiliates, the aggregate amount of such loans, extensions of credits, repurchase agreements, investments, and advances against such collateral security will exceed 20 per centum of the capital stock and surplus of such member bank.

"Within the foregoing limitations, each loan or extension of credit of any kind or character to an affiliate shall be secured by collateral in the form of stocks, bonds, debentures, or other such obligations having a market value at the time of making the loan or extension of credit of at least 20 per centum more than the amount of the loan or extension of credit, or of at least 10 per centum more than the amount of the loan or extension of credit if it is secured by obligations of any State, or of any political subdivision or agency thereof: Provided, That the provisions of this paragraph shall not apply to loans or extensions of credit secured by obligations of the United States Government, the Federal intermediate credit banks, the Federal land banks, the Federal home loan banks, of the Home Owners' Loan Corporation, or by such notes, drafts, bills of exchange, or bankers' acceptances as are eligible for rediscount or for purchase by Federal Reserve banks. A loan or extension of credit to a director officer, clerk, or other employee or any representative of any such affiliate shall be deemed a loan to the affiliate to the extent that the proceeds of such loan are used for the benefit of, or transferred to, the affiliate.

"For the purposes of this section the term 'affiliate' shall include holding company affiliates as well as other affiliates, and the provisions of this section shall not apply to any affiliate (1) engaged solely in holding the bank premises of the member bank with which it is affiliated, (2) engaged solely in conducting a safe-deposit business or the business of an agricultural credit corporation or livestock loan company, (3) in the capital stock of which a national banking association is authorized to invest pursuant to section 25 of the Federal Reserve Act, as amended, (4) organized under section 25 (a) of the Federal Reserve Act, as amended, or (5) engaged solely in holding obligations of the United States Government, the Federal intermediate credit banks, the Federal land banks, the Federal home loan banks, or the Home Owners' Loan Corporation; but as to any such affiliate, member banks shall continue to be subject to other provisions of law applicable to loans by such banks and investments by such banks in stocks, bonds, debentures, or other such obligations."

Sec. 14. The Federal Reserve Act, as amended, is amended by inserting between section 24 and section 25 thereof (U.S.C., title 12, secs. 371 and 601–605; supp. VI, title 12, sec. 371) the following new section:

"Sec. 24A. Hereafter no national bank, without the approval of the Comptroller of the Currency, and no State member bank, without the approval of the Federal Reserve Board, shall (1) invest in bank premises, or in the stock, bonds, debentures, or other such obligations of any corporation holding the premises of such bank or (2) make loans to or upon the security of the stock of any such corporation, if the aggregate of all such investments and loans will exceed the amount of the capital stock of such bank."

Sec. 15. The Federal Reserve Act, as amended, is further amended by inserting after section 25 (a) thereof (U.S.C., title 12, sec. 611–631) the following new section:

"Sec. 25. (b) Notwithstanding any other provision of law all suits of a civil nature at common law or in equity to which any corporation under the laws of the United States shall be a party, arising out of transactions involving international or foreign banking, or banking in a dependency or insular possession of the United States, or out of other international or foreign financial operations, either directly or through the agency, ownership, or control of branches or local institutions in dependencies or insular possessions of the United States or in foreign countries, shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of all such suits; and any defendant in any such suit may, at any time before the trial thereof, remove such suits from a State court into the district court of the United States for the proper district by following the procedure for the removal of causes otherwise provided by law. Such removal shall not cause undue delay in the trial of such case, and a case so removed shall have a place on the calendar of the United States court to which it is removed relative to that which it held on the State court from which it was removed.

"Notwithstanding any other provision of law, all suits of a civil nature at common law or in equity to which any Federal Reserve bank shall be a party shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of all such suits; and any Federal Reserve bank which is a defendant in any such suit may, at any time before the trial thereof, remove such suit from a State court into the district court of the United States for the proper district by following the procedure for the removal of causes otherwise provided by law. No attachment or execution shall be issued against any Federal Reserve bank or its property before final judgment in any suit, action, or proceeding in any State, county, municipal, or United States court."

Sec. 16. Paragraph "Seventh" of section 5136 of the Revised Statutes, as amended (U.S.C., title 12, sec. 24; supp. VI, title 12, sec. 24), is amended to read as follows:

"Seventh. To exercise by its board of directors or duly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry on the business of banking; by discounting and negotiating promissory notes, drafts, bills of exchange, and other evidences of debt; by receiving deposits; by buying and selling exchange, coin, and bullion; by loaning money on personal security; and by obtaining, issuing, and circulating notes according to the provisions of this title. The business of dealing in investment securities by the association shall be limited to purchasing and selling such securities without recourse, solely upon the order, and for the account of, customers, and in no case for its own account, and the association shall not underwrite any issue of securities: Provided, That the association may purchase for its own account investment securities under such limitations and restrictions as the Comptroller of the Currency may by regulation prescribe, but in no event (1) shall the total amount of any issue of investment securities of any one obligor or maker purchased after this section as amended takes effect and held by the association for its own account exceed at any time 10 per centum of the total amount of such issue outstanding, but this limitation shall not apply to any such issue the total amount of which does not exceed $100,000 and does not exceed 50 per centum of the capital of the association, nor (2) shall the total amount of the investment securities of any one obligor or maker purchased after this section as amended takes effect and held by the association for its own account exceed at any time 15 per centum of the amount of the capital stock of the association actually paid in and unimpaired and 25 per centum of its unimpaired surplus fund. As used in this section the term 'investment securities' shall mean marketable obligations evidencing indebtedness of any person, copartnership, association, or corporation in the form of bonds, notes, and/or debentures commonly known as investment securities under such further definition of the term 'investment securities' as may by regulation be prescribed by the Comptroller of the Currency. Except as hereinafter provided or otherwise permitted by law, nothing herein contained shall authorize the purchase by the association of any shares of stock of any corporation. The limitations and restrictions herein contained as to dealing in, underwriting, and purchasing for its own account, investment securities shall not apply to obligations of the United States, or general obligations of any State or of any political subdivision thereof, or obligations issued under authority of the Federal Farm Loan Act, as amended, or issued by the Federal Home Loan Banks or the Home Owners' Loan Corporation: Provided, That in carrying on the business commonly known as the safe-deposit business the association shall not invest in the capital stock of a corporation organized under the law of any State to conduct a safe-deposit business in an amount in excess of 15 per centum of the capital stock of the association actually paid in and unimpaired and 15 per centum of its unimpaired surplus."

The restrictions of this section as to dealing in investment securities shall take effect one year after the date of the approval of this act.

Sec. 17. (a) Section 5138 of the Revised Statutes, as amended (U.S.C., title 12, sec. 51; supp. VI, title 12, sec. 51), is amended to read as follows:

"Sec. 5138. After this section as amended takes effect, no national banking association shall be organized with a less capital than $100,000, except that such associations with a capital of not less than $50,000 may be organized in any place the population of which does not exceed six thousand inhabitants. No such association shall be organized in a city the population of which exceeds fifty thousand persons with a capital of less than $200,000, except that in the outlying districts of such a city where the State laws permit the organization of State banks with a capital of $100,000 or less, national banking associations now organized or hereafter organized may, with the approval of the Comptroller of the Currency, have a capital of not less than $100,000."

(b) The tenth paragraph of section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 329), is amended to read as follows:

"No applying bank shall be admitted to membership in a Federal Reserve bank unless it possesses a paid-up unimpaired capital sufficient to entitle it to become a national banking association in the place where it is situated under the provisions of the National Bank Act, as amended: Provided, That this paragraph shall not apply to State banks and trust companies organized prior to the date this paragraph as amended takes effect and situated in a place the population of which does not exceed three thousand inhabitants and having a capital of not less than $25,000, nor to any State bank or trust company which is so situated and which, while it is entitled to the benefits of insurance under section 12B of this Act, increases its capital to not less than $25,000."

Sec. 18. Section 5139 of the Revised Statutes, as amended (U.S.C., title 12, sec. 52; Supp. VI, title 12, sec. 52), is amended by adding at the end thereof the following new paragraph:

"After one year from the date of the enactment of the Banking Act of 1933, no certificate representing the stock of any such association shall represent the stock of any other corporation, except a member bank or a corporation existing on the date this paragraph takes effect engaged solely in holding the bank premises of such association, nor shall the ownership, sale, or transfer of any certificate representing the stock of any such association be conditioned in any manner whatsoever upon the ownership, sale, or transfer of a certificate representing the stock of any other corporation, except a member bank."

Sec. 19. Section 5144 of the Revised Statutes, as amended (U.S.C., title 12, sec. 61), is amended to read as follows:

"Sec. 5144. In all elections of directors, each shareholder shall have the right to vote the number of shares owned by him for as many persons as there are directors to be elected, or to cumulate such shares and give one candidate as many votes as the number of directors multiplied by the number of his shares shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and in deciding all other questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; except (1) that shares of its own stock held by a national bank as sole trustee shall not be voted, and shares of its own stock held by a national bank and one or more persons as trustees may be voted by such other person or persons, as trustees, in the same manner as if he or they were the sole trustee, and (2) shares controlled by any holding company affiliate of a national bank shall not be voted unless such holding company affiliate shall have first obtained a voting permit as hereinafter provided, which permit is in force at the time such shares are voted. Shareholders may vote by proxies duly authorized in writing; but no officer, clerk, teller, or bookkeeper of such bank shall act as proxy; and no shareholder whose liability is past due and unpaid shall be allowed to vote.

"For the purposes of this section shares shall be deemed to be controlled by a holding company affiliate if they are owned or controlled directly or indirectly by such holding company affiliate, or held by any trustee for the benefit of the shareholders or members thereof.

"Any such holding company affiliate may make application to the Federal Reserve Board for a voting permit entitling it to cast one vote at all elections of directors and in deciding all questions at meetings of shareholders of such bank on each share of stock controlled by it or authorizing the trustee or trustees holding the stock for its benefit or for the benefit of its shareholders so to vote the same. The Federal Reserve Board may, in its discretion, grant or withhold such permit as the public interest may require. In acting upon such application, the Board shall consider the financial condition of the applicant, the general character of its management, and the probable effect of the granting of such permit upon the affairs of such bank, but no such permit shall be granted except upon the following conditions:

"(a) Every such holding company affiliate shall, in making the application for such permit, agree (1) to receive, on dates identical with those fixed for the examination of banks with which it is affiliated, examiners duly authorized to examine such banks, who shall make such examinations of such holding company affiliate as shall be necessary to disclose fully the relations between such banks and such holding company affiliate and the effect of such relations upon the affairs of such banks, such examinations to be at the expense of the holding company affiliate so examined; (2) that the reports of such examiners shall contain such information as shall be necessary to disclose fully the relations between such affiliate and such banks and the effect of such relations upon the affairs of such banks; (3) that such examiners may examine each bank owned or controlled by the holding company affiliate, both individually and in conjunction with other banks owned or controlled by such holding company affiliate; and (4) that publication of individual or consolidated statements of conditions of such banks may be required;

"(b) After five years after the enactment of the Banking Act of 1933, every such holding company affiliate (1) shall possess, and shall continue to possess during the life of such permit, free and clear of any lien, pledge, or hypothecation of any nature, readily marketable assets other than bank stock in an amount not less than 12 per cenum of the aggregate par value of all bank stocks controlled by such holding company affiliate, which amount shall be increased by not less than 2 per centum per annum of such aggregate par value until such assets shall amount to 25 percentum of the aggregate par value of such bank stocks; and (2) shall reinvest in readily marketable assets other than bank stock all net earnings over and above 6 per centum per annum on the book value of its own shares outstanding until such assets shall amount to such 25 per centum of the aggregate par value of all bank stocks controlled by it;

"(c) Notwithstanding the foregoing provisions of this section, after five years after the enactment of the Banking Act of 1933, (1) any such holding company affiliate the shareholders or members of which shall be individually and severally liable in proportion to the number of shares of such holding company affiliate held by them respectively, in addition to amounts invested therein, for all statutory liability imposed on such holding company affiliate by reason of its control of shares of stock of banks, shall be required only to establish and maintain out of net earnings over and above 6 percentum per annum on the book value of its own shares outstanding a reserve of readily marketable assets in an amount of not less than 12 per centum of the aggregate par value of bank stocks controlled by it, and (2) the assets required by this section to be possessed by such holding company affiliate may be used by it for replacement of capital in banks affiliated with it and for losses incurred in such banks, but any deficiency in such assets resulting from such use shall be made up within such period as the Federal Reserve Board may by regulation prescribe;

"(d) Every officer, director, agent, and employee of every such holding company affiliate shall be subject to the same penalties for false entries in any book, report, or statement of such holding company affiliate as are applicable to officers, directors, agents, and employees of member banks under section 5209 of the Revised Statutes, as amended (U.S.C., title 12, sec. 592); and

"(e) Every such holding company affiliate shall, in its application for such voting permit, (1) show that it does not own, control, or have any interest in, and is not participating in the management or direction of, any corporation, business trust, association, or other similar organization formed for the purpose of, or engaged principally in, the issue, flotation, underwriting, public sale, or distribution, at wholesale or retail or through syndicate participation, of stocks, bonds, debentures, notes, or other securities of any sort (hereinafter referred to as 'securities company'); (2) agree that during the period that the permit remains in force it will not acquire any ownership, control, or interest in any

such securities company or participate in the management or direction thereof; (3) agree that if, at the time of filing the application for such permit, it owns, controls, or has an interest in, or is participating in the management or direction of, any such securities company, it will, within five years after the filing of such application, divest itself of its ownership, control, and interest in such securities company and will cease participating in the management or direction thereof, and will not thereafter, during the period that the permit remains in force, acquire any further ownership, control, or interest in any such securities company or participate in the management or direction thereof; and (4) agree that thenceforth it will declare dividends only out of actual net earnings.

"If at any time it shall appear to the Federal Reserve Board that any holding company affiliate has violated any of the provisions of the Banking Act of 1933 or of any agreement made pursuant to this section, the Federal Reserve Board may, in its discretion, revoke any such voting permit after giving sixty days' notice by registered mail of its intention to the holding company affiliate and affording it an opoprtunity to be heard. Whenever the Federal Reserve Board shall have revoked any such voting permit, no national bank whose stock is controlled by the holding company affiliate whose permit is so revoked shall receive deposits of public moneys of the United States, nor shall any such national bank pay any further dividend to such holding company affiliate upon any shares of such bank controlled by such holding company affiliate.

"Whenever the Federal Reserve Board shall have revoked any voting permit as hereinbefore provided, the rights, privileges, and franchises of any or all national banks the stock of which is controlled by such holding company affiliate shall, in the discretion of the Federal Reserve Board, be subject to forfeiture in accordance with section 2 of the Federal Reserve Act, as amended."

Sec. 20. After one year from the date of the enactment of this act no member bank shall be affiliated in any manner described in section 2 (b) hereof with any corporation, association, business trust, or other similar organization engaged principally in the issue, flotation, underwriting, public sale, or distribution at wholesale or retail or through syndicate participation of stocks, bonds, debentures, notes, or other securities.

For every violation of this section the member bank involved shall be subject to a penalty not exceeding $1,000 per day for each day during which such violation continues. Such penalty may be assessed by the Federal Reserve Board, in its discretion, and, when so assessed, may be collected by the Federal Reserve bank by suit or otherwise.

If any such violation shall continue for six calendar months after the member bank shall have been warned by the Federal Reserve Board to discontinue the same, (a) in the case of a national bank, all the rights, privileges, and franchises granted to it under the National Bank Act may be forfeited in the manner prescribed in section 2 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 141, 222-225, 281-286, and 502), or, (b) in the case of a State member bank, all of its rights and privileges of membership in the Federal Reserve System may be forfeited in the manner prescribed in section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 321-332).

Sec. 21. (a) After the expiration of one year after the date of enactment of this act it shall be unlawful—

(1) For any person, firm, corporation, association, business trust, or other similar organization, engaged in the business of issuing, underwriting, selling, or distributing, at wholesale or retail, or through syndicate participation, stocks, bonds, debentures, notes, or other securities, to engage at the same time to any extent whatever in the business of receiving deposits subject to check or to repayment upon presentation of a passbook certificate of deposit, or other evidence of debt, or upon request of the depositor; or

(2) For any person, firm, corporation, association, business trust, or other similar organization, other than a financial institution or private banker subject to examination and regulation under State or Federal law, to engage to any extent whatever in the business of receiving deposits subject to check or to repayment upon presentation of a passbook, certificate of deposit, or other evidence of debt, or upon request of the depositor, unless such person, firm, corporation, association, business trust, or other similar organization shall submit to periodic examination by the Comptroller of the Currency or by the Federal Reserve bank of the district and shall make and publish periodic reports of its condition, exhibiting in detail its resources and liabilities, such examination and reports to be made and published at the same times and in the same manner and with like effect and penalties as are now provided by law in respect of national banking associations transacting business in the same locality.

(b) Whoever shall willfully violate any of the provisions of this section shall upon conviction be fined not more than $5,000 or imprisoned not more than five years, or both, and any officer, director, employee, or agent of any person, firm, corporation, association, business trust, or other similar organization who knowingly participates in any such violation shall be punished by a like fine or imprisonment, or both.

Sec. 22. The additional liability imposed upon shareholders in the national banking associations by the provisions of section 5151 of the Revised Statutes, as amended, and section 23 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 63 and 64), shall not apply with respect to shares in any such association issued after the date of enactment of this act.

Sec. 23. Paragraph (c) of section 5155 of the Revised Statutes, as amended (U.S.C., title 12, sec. 36), is amended to read as follows:

"(c) A national banking association may, with the approval of the Comptroller of the Currency, establish and operate new branches: (1) Within the limits of the city, town, or village in which said association is situated, if such establishment and operation are at the time expressly authorized to State banks by the law of the State in question; and (2) at any point within the State in which said association is situated, if such establishment and operation are at the time authorized to State banks by the statute law of the State in question by language specifically granting such authority affirmatively and not merely by implication or recognition, and subject to the restrictions as to location imposed by the law of the State on State banks. No such association shall establish a branch outside of the city, town, or village in which it is situated unless it has a paid-in and unimpaired capital stock of not less than $500,000: Provided, That in States with a population of less than one million, and which have no cities located therein with a population exceeding one hundred thousand, the capital shall be not less than $250,000: Provided, That in States with a population of less than one half million, and which have no cities located therein with a population exceeding fifty thousand, the capital shall not be less than $100,000."

Paragraph (d) of section 5155 of the Revised Statutes, as amended (U.S.C., title 12, sec. 36), is amended to read as follows:

"(d) The aggregate capital of every national banking association and its branches shall at no time be less than the aggregate minimum capital required by law for the establishment of an equal number of national banking associations situated in the various places where such association and its branches are situated."

Sec. 24. (a) Sections 1 and 3 of the act entitled "An act to provide for the consolidation of national banking associations", approved November 7, 1918, as amended (U.S.C., title 12, secs. 33, 34, and 34a), are amended by striking out the words "county, city, town, or village" wherever they occur in each such section, and inserting in lieu thereof the words "State, county, city, town, or village."

(b) Section 3 of such act of November 7, 1918, as amended, is further amended by striking out the second sentence

thereof and inserting in lieu thereof the following: "The capital stock of such consolidated association shall not be less than that required under existing law for the organization of a national banking association in the place in which such consolidated association is located. Upon such a consolidation, or upon a consolidation of two or more national banking associations under section 1 of this act, the corporate existence of each of the constituent banks and national banking associations participating in such consolidation shall be merged into and continued in the consolidated national banking association and the consolidated association shall be deemed to be the same corporation as each of the constituent institutions. All the rights, franchises, and interests of each of such constituent banks and national banking associations in and to every species of property, real, personal, and mixed, and chooses in action thereto belonging, shall be deemed to be transferred to and vested in such consolidated national banking association without any deed or other transfer; and such consolidated national banking association, by virtue of such consolidation and without any order or other action on the part of any court or otherwise, shall hold and enjoy the same and all rights of property, franchises, and interests, including appointments, designations, and nominations and all other rights and interests as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics and in every other fiduciary capacity, in the same manner and to the same extent as such rights, franchises, and interests were held or enjoyed by any such constituent institution at the time of such consolidation: Provided, however, That where any such constituent institution at the time of such consolidation was acting under appointment of any court as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics or in any other fiduciary capacity, the consolidated national banking association shall be subject to removal by a court of competent jurisdiction in the same manner and to the same extent as was such constituent corporation prior to the consolidation and nothing herein contained shall be construed to impair in any manner the right of any court to remove such a consolidated national banking association and to appoint in lieu thereof a substitute trustee, executor, or other fiduciary, except that such right shall not be exercised in such a manner as to discriminate against national banking associations, nor shall any such consolidated association be removed solely because of the fact that it is a national banking association."

Sec. 25. The first two sentences of section 5197 of the Revised Statutes (U.S.C., title 12, sec. 85) are amended to read as follows:

"Any association may take, receive, reserve, and charge on any loan or discount made, or upon any notes, bills of exchange, or other evidences of debt, interest at the rate allowed by the laws of the State, Territory, or District where the bank is located, or at a rate of 1 per centum in excess of the discount rate on ninety-day commercial paper in effect at the Federal Reserve bank in the Federal Reserve district where the bank is located, whichever may be the greater, and no more, except that where by the laws of any State a different rate is limited for banks organized under State laws, the rate so limited shall be allowed for associations organized or existing in any such State under this title. When no rate is fixed by the laws of the State, or Territory, or District, the bank may take, receive, reserve, or charge a rate not exceeding 7 per centum, or 1 per centum in excess of the discount rate on ninety-day commercial paper in effect at the Federal Reserve bank in the Federal Reserve district where the bank is located, whichever may be the greater, and such interest may be taken in advance, reckoning the days for which the note, bill, or other evidence of debt has to run."

Sec. 26. (a) The second sentence of the first paragraph of section 5200 of the Revised Statutes, as amended (U.S.C., title 12, sec. 84; supp. VI, title 12, sec. 84), is amended by inserting before the period at the end thereof the following: "and shall include in the case of obligations of a corporation all obligations of all subsidiaries thereof in which such corporation owns or controls a majority interest."

(b) The amendment made by this section shall not apply to such obligations of subsidiaries held by such association on the date this section takes effect.

Sec. 27. Section 5211 of the Revised Statutes, as amended (U.S.C., title 12, sec. 161; supp. VI, title 12, sec. 161), is amended by adding at the end thereof the following new paragraph:

"Each national banking association shall obtain from each of its affiliates other than member banks and furnish to the Comptroller of the Currency not less than three reports during each year, in such form as the Comptroller may prescribe, verified by the oath or affirmation of the president or such other officer as may be designated by the board of directors of such affiliate to verify such reports, disclosing the information hereinafter provided for as of dates identical with those for which the Comptroller shall during such year require the reports of the condition of the association. For the purpose of this section the term 'affiliate' shall include holding company affiliates as well as other affiliates. Each such report of an affiliate shall be transmitted to the Comptroller at the same time as the corresponding report of the association, except that the Comptroller may, in his discretion, extend such time for good cause shown. Each such report shall contain such information as in the judgment of the Comptroller of the Currency shall be necessary to disclose fully the relations between such affiliate and such bank and to enable the Comptroller to inform himself as to the effect of such relations upon the affairs of such bank. The reports of such affiliates shall be published by the association under the same conditions as govern its own condition reports. The Comptroller shall also have power to call for additional reports with respect to any such affiliate whenever in his judgment the same are necessary in order to obtain a full and complete knowledge of the conditions of the association with which it is affiliated. Such additional reports shall be transmitted to the Comptroller of the Currency in such form as he may prescribe. Any such affiliated bank which fails to obtain and furnish any report required under this section shall be subject to a penalty of $100 for each day during which such failure continues."

Sec. 28. (a) The first paragraph of section 5240 of the Revised Statutes, as amended (U.S.C., title 12, sec. 481), is amended by inserting before the period at the end thereof a colon and the following proviso: "Provided, That in making the examination of any national bank the examiners shall include such an examination of the affairs of all its affiliates other than member banks as shall be necessary to disclose fully the relations between such bank and such affiliates and the effect of such relations upon the affairs of such bank; and in the event of the refusal to give any information required in the course of the examination of any such affiliate, or in the event of the refusal to permit such examination, all the rights, privileges, and franchises of the bank shall be subject to forfeiture in accordance with section 2 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 141, 222–225, 281–286, and 502). The Comptroller of the Currency shall have power, and he is hereby authorized, to publish the report of his examination of any national banking association or affiliate which shall not within one hundred and twenty days after notification of the recommendations or suggestions of the Comptroller, based on said examination, have complied with the same to his satisfaction. Ninety days' notice prior to such publicity shall be given to the bank or affiliate."

(b) Section 5240 of the Revised Statutes, as amended (U.S.C., title 12, sec. 481), is further amended by adding after the first paragraph thereof the following new paragraph:

"The examiner making the examination of any affiliate of a national bank shall have power to make a thorough examination of all the affairs of the affiliate, and in doing so he shall have power to administer oaths and to examine any of the officers, directors, employees, and agents thereof under oath and to make a report of his findings to the Comptroller of the Currency. The expense of examinations of such affiliates may be assessed by the Comptroller of the Currency upon the affiliates examined in proportion to assets or resources held by the affiliates upon the dates of examination of the various affiliates. If any such affiliate shall refuse to pay such expenses or shall fail to do so within sixty days after the date of such assessment, then such expenses may be assessed against the affiliated national bank and, when so assessed, shall be paid by such national bank: Provided, however, That, if the affiliation is with two or more national banks, such expenses may be assessed against, and collected from, any or all of such national banks in such proportions as the Comptroller of the Currency may prescribe. The examiners and assistant examiners making the examinations of national banking associations and affiliates thereof herein provided for and the chief examiners, reviewing examiners and other persons whose services may be required in connection with such examinations or the reports thereof, shall be employed by the Comptroller of the Currency with the approval of the Secretary of the Treasury; the employment and compensation of examiners, chief examiners, reviewing examiners, assistant examiners, and of the other employees of the office of the Comptroller of the Currency whose compensation is paid from assessments on banks or affiliates thereof shall be without regard to the provisions of other laws applicable to officers or employees of the United States. The funds derived from such assessments may be deposited by the Comptroller of the Currency in accordance with the provisions of section 5234 of the Revised Statutes (U.S.C., title 12, sec. 192) and shall not be construed to be Government funds or appropriated moneys; and the Comptroller of the Currency is authorized and empowered to prescribe regulations governing the computation and assessment of the expenses of examinations herein provided for and the collection of such assessments from the banks and/or affiliates examined. If any affiliate of a national bank shall refuse to permit an examiner to make an examination of the affiliate or shall refuse to give any information required in the course of any such examination, the national bank with which it is affiliated shall be subject to a penalty of not more than $100 for each day that any such refusal shall continue. Such penalty may be assessed by the Comptroller of the Currency and collected in the same manner as expenses of examinations."

Sec. 29. In any case in which, in the opinion of the Comptroller of the Currency, it would be to the advantage of the depositors and unsecured creditors of any national banking association whose business has been closed, for such association to resume business upon the retention by the association, for a reasonable period to be prescribed by the Comptroller, of all or any part of its deposits, the Comptroller is authorized, in his discretion, to permit the association to resume business if depositors and unsecured creditors of the association representing at least 75 per centum of its total deposit and unsecured credit liabilities consent in writing to such retention of deposits. Nothing in this section shall be construed to affect in any manner any powers of the Comptroller under the provisions of law in force on the date of enactment of this act with respect to the reorganization of national banking associations.

Sec. 30. Whenever, in the opinion of the Comptroller of the Currency, any director or officer of a national bank, or of a bank or trust company doing business in the District of Columbia, or whenever, in the opinion of a Federal Reserve agent, any director or officer of a State member bank in his district shall have continued to violate any law relating to such bank or trust company or shall have continued unsafe or unsound practices in conducting the business of such bank or trust company, after having been warned by the Comptroller of the Currency or the Federal Reserve agent, as the case may be, to discontinue such violations of law or such unsafe or unsound practices, the Comptroller of the Currency or the Federal Reserve agent, as the case may be, may certify the facts to the Federal Reserve Board. In any such case the Federal Reserve Board may cause notice to be served upon such director or officer to appear before such Board to show cause why he should not be removed from office. A copy of such order shall be sent to each director of the bank affected, by registered mail. If after granting the accused director or officer a reasonable opportunity to be heard the Federal Reserve Board finds that he has continued to violate any law relating to such bank or trust company or has continued unsafe or unsound practices in conducting the business of such bank or trust company after having been warned by the Comptroller of the Currency or the Federal Reserve agent to discontinue such violation of law or such unsafe or unsound practices, the Federal Reserve Board, in its discretion, may order that such director or officer be removed from office. A copy of such order shall be served upon such director or officer. A copy of such order shall also be served upon the bank of which he is a director or officer, whereupon such director or officer shall cease to be a director or officer of such bank: Provided, That such order and the findings of fact upon which it is based shall not be made public or disclosed to anyone except the director or officer involved and the directors of the bank involved, otherwise than in connection with proceedings for a violation of this section. Any such director or officer removed from office as herein provided who thereafter participates in any manner in the management of such bank shall be fined not more than $5,000 or imprisoned for not more than five years, or both, in the discretion of the court.

Sec. 31. After one year from the date of enactment of this act, notwithstanding any other provision of law, the board of directors, board of trustees, or other similar governing body of every national banking association and of every State bank or trust company which is a member of the Federal Reserve System shall consist of not less than five nor more than twenty-five members; and every director, trustee, or other member of such governing body shall be the bona fide owner in his own right of shares of stock of such banking association, State bank or trust company having a par value in the aggregate of not less than $2,500, unless the capital of the bank shall not exceed $50,000, in which case he must own in his own right shares having a par value in the aggregate of not less than $1,500, or unless the capital of the bank shall not exceed $25,000, in which case he must own in his own right shares having a par value in the aggregate of not less than $1,000. If any national banking association violates the provisions of this section and continues such violation after thirty days' notice from the Comptroller of the Currency, the said Comptroller may appoint a receiver or conservator therefor, in accordance with the provisions of existing law. If any State bank or trust company which is a member of the Federal Reserve System violates the provisions of this section and continues such violation after thirty days' notice from the Federal Reserve Board, it shall be subject to the forfeiture of its membership in the Federal Reserve System in accordance with the provisions of section 9 of the Federal Reserve Act, as amended.

Sec. 32. From and after January 1, 1934, no officer or director of any member bank shall be an officer, director, or manager of any corporation, partnership, or unincorporated association engaged primarily in the business of purchasing, selling, or negotiating securities, and no member bank shall perform the functions of a correspondent bank on behalf of any such individual, partnership, corporation, or unincorporated association, and no such individual, partnership, corporation, or unincorporated association shall perform the functions of a correspondent for any member bank or hold on deposit any funds on behalf of any member bank, unless in any such case there is a permit therefor issued by the Federal Reserve Board; and the Board is authorized to issue such permit if in its judgment it is not incompatible with the public interest, and to revoke any such permit whenever

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it finds after reasonable notice and opportunity to be heard, that the public interest requires such revocation.

Sec. 33. The act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U.S.C., title 15, sec. 19), is hereby amended by adding after section 8 thereof the following new section:

"Sec. 8A. That from and after the 1st day of January 1934, no director, officer, or employee of any bank, banking association, or trust company, organized or operating under the laws of the United States shall be at the same time a director, officer, or employee of a corporation (other than a mutual savings bank) or a member of a partnership organized for any purpose whatsoever which shall make loans secured by stock or bond collateral to any individual, association, partnership, or corporation other than its own subsidiaries."

Sec. 34. The right to alter, amend, or repeal this act is hereby expressly reserved. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

And the Senate agree to the same.

CARTER GLASS,
ROBERT J. BULKLEY,
W. G. MCADOO,
Managers on the part of the Senate.
HENRY B. STEAGALL,
T. ALAN GOLDSBOROUGH,
ROBERT LUCE,
Managers on the part of the House.

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 30 minutes p.m.,

The Senate, as in legislative session, took a recess, pursuant to its order of today, until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, TUESDAY, JUNE 13, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Twenty-two Senators answered to their names, as follows:

Bachman, Borah, Brown, Clark, Davis, Hale, Harrison, Johnson, Kean, King, La Follette, Long, McNary, Nye, Robinson of Arkansas, Steiwer, Stephens, Thomas of Utah, Thompson, Townsend, Vandenberg, and Wagner.

The number of Senators present not constituting a quorum,

The Vice President directed the names of the absentees to be called;

When

Eleven Senators answered to their names, as follows:

Austin, Bulkley, Frazier, George, Kendrick, Metcalf, Pope, Sheppard, Smith, Walsh, and White.

A quorum not being present,

On motion by Mr. Robinson of Arkansas,

Ordered, That the Sergeant at Arms be directed to request the attendance of absent Senators.

Pending the execution of the order,

Sixteen Senators appeared and answered to their names, as follows:

Russell, Cutting, Lonergan, Capper, McGill, Van Nuys, McKellar, Caraway, Byrd, McCarran, Fletcher, Dickinson, Goldsborough, Connally, Thomas of Oklahoma, and Robinson of Indiana.

A quorum being present,

PETITIONS AND MEMORIALS

The Vice President laid before the Senate a communication from Eula Lee Hardy, of Natchitoches, La., relative to the conduct of Senator Huey P. Long; which was referred to the Committee on the Judiciary.

Mr. Walsh presented the following memorials, which were referred as indicated:

A memorial of citizens of the State of Massachusetts remonstrating against a general reduction of armaments or any alliance between the United States and other nations which would affect the right of the United States to arm according to its needs; to the Committee on Foreign Relations.

A memorial of citizens of Plymouth, Mass., remonstrating against injustices to Spanish-American and World War veterans and their dependents through the curtailment of compensation and other benefits previously accorded them; to the Committee on Finance.

Mr. Wheeler presented a communication from Fred Brenckman, Washington representative of the National Grange, commending him for proposing an amendment providing for non-interest-bearing Treasury notes in lieu of the issuance of Government bonds for the purpose of financing the public works provided in the so-called national industrial recovery bill; which was referred to the Committee on Finance.

Mr. Barbour presented a telegram from the Essex County Detachment Marine Corps League, of Newark, N.J., remonstrating against the expenses involved in the transportation of members of the Civilian Conservation Corps from their own States to camps in other States East to the West; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES

Mr. Neely, by unanimous consent, from the Committee on the Judiciary, to whom was referred the bill (S. 1869) relating to the manner of appointment of certain officers of the United States, reported it with amendments.

The Senate proceeded, by unanimous consent, to consider the said bill; and the reported amendments having been agreed to, and the bill further amended on the motion of Mr. Barkley,

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. McKellar, by unanimous consent, from the Committee on Civil Service, to whom was referred the bill (S. 583) relating to the classified civil service, reported it with an amendment.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, read the first and second times, and referred as follows:

By Mr. Dill:

A bill (S. 1945) for the relief of the Berg Shipbuilding Co.; to the Committee on Claims.

By Mr. Reed:

A bill (S. 1946) to amend section 165 of the Revenue Act of 1932; to the Committee on Finance.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed the bill (H.R. 5909) to transfer Bedford County from the Nashville division to the Winchester division of the middle Tennessee judicial district, in which it requests the concurrence of the Senate.

The Speaker of the House having signed an enrolled bill, viz, H.R. 5790, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes.

The Vice President thereupon signed the same and it was delivered to the committee to be presented to the President of the United States.

NATIONAL INDUSTRIAL RECOVERY

The Senate, under its order of yesterday, resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

The question being on agreeing to the report,

Pending debate,

Mr. Nye raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. McCarran in the chair) directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

On motion by Mr. La Follette to recommit the report to the conferees,

The Presiding Officer held that the motion was not in order, the House of Representatives having previously agreed to the report.

After debate, the hour of 4 o'clock having arrived,

The question, under the order of yesterday, was taken on agreeing to the report; and

It was determined in the affirmative, {Yeas---------- 46 / Nays---------- 39}

On motion by Mr. La Follette,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Barkley, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Davis, Dieterich, Dill, Duffy, Fletcher, George, Harrison, Hayden, Kendrick, Lewis, Logan, Lonergan, McAdoo, McGill, McKellar, McNary, Murphy, Overton, Robinson of Arkansas, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Trammell, Tydings, Van Nuys, Wagner, and Walsh.

Senators who voted in the negative are—

Austin, Black, Bone, Borah, Caraway, Carey, Clark, Connally, Costigan, Cutting, Dale, Dickinson, Erickson, Frazier, Glass, Goldsborough, Gore, Hale, Hastings, Hatfield, Hebert, Johnson, La Follette, Long, McCarran, Metcalf, Neely, Norris, Nye, Pope, Reed, Reynolds, Robinson of Indiana, Shipstead, Townsend, Vandenberg, Walcott, Wheeler, and White.

So the conference report was agreed to.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee one of its clerks:

Mr. President: The House of Representatives has agreed to the concurrent resolution (S.Con.Res. 2) providing for the printing, with an index, of the Constitution of the United States, as amended to April 1, 1933, together with the Declaration of Independence.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5661) to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes.

FOURTH DEFICIENCY APPROPRIATIONS

The Senate resumed the consideration of the bill (H.R. 6034) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes; when

AMENDMENT OF SECTION 289 OF CRIMINAL CODE

Mr. King submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5091) to amend section 289 of the Criminal Code, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2 and 3.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert *June 1, 1933, and remaining in force at the time of the doing or omitting the doing of such act or thing*; and on page 2 of the House bill, line 4, strike out all after the word "punishment", through the word "District", in line 8; and the Senate agree to the same.

WILLIAM H. KING,
H. D. STEPHENS,
WM. E. BORAH,
Managers on the part of the Senate.
HATTON W. SUMNERS,
TOM D. MCKEOWN,
J. BANKS KURTZ,
Managers on the part of the House.

The Senate proceeded to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

ADDRESS OF MORRIS A. BEALLE, EDITOR OF PLAIN TALK MAGAZINE

On motion by Mr. Reynolds, and by unanimous consent,

Ordered, That the address of Morris A. Bealle, editor of Plain Talk Magazine, delivered at High Point, N.C., on June 5, 1933, at the State convention of Veterans of Foreign Wars, which was presented by Mr. Reynolds and printed in the Congressional Record on June 12, 1933, be expunged from the permanent Record, and that the Public Printer be instructed to make no copies thereof.

BANKING REFORMS

On motion by Mr. Glass,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5661) to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes; and,

After debate,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

ENROLLED EMERGENCY RAILROAD RELIEF BILL

The Presiding Officer (Mr. McCarran in the chair) laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

In compliance with the request contained in Senate Concurrent Resolution 5, agreed to June 12, 1933, I return herewith the bill S. 1580, an act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 13, 1933.*

Ordered, That the message, with the accompanying bill, lie on the table.

APPOINTMENT OF RECEIVERS AND TRUSTEES IN BANKRUPTCY PROCEEDINGS

On motion by Mr. Ashurst, and by unanimous consent,

The Senate proceeded to consider the resolution (S.Res. 78) authorizing the appointment of a special committee to investigate the administration of bankruptcy and receivership proceedings in United States courts; and the reported amendments having been agreed to, and the resolution further amended on the motion of Mr. Ashurst,

The resolution, as amended, was agreed to, as follows:

Resolved, That a special committee of the Senate consisting of 5 Senators, to be appointed by the President of the Senate, 3 from the majority political party and 2 from the minority political party, is authorized and directed to make an investigation of the administration of receivership and bankruptcy proceedings in the courts of the United States, with particular reference to the appointment of receivers and trustees in bankruptcy in such proceedings, and the fees received in the course of such administration, and generally of all matters concerning which information would be desirable in order to correct by legislation such abuses as may be found. The committee shall report to the Senate, as soon as practicable, the results of its investigation, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee or member thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed four enrolled bills, viz, S. 1425, S. 1580, S. 1648, and H.R. 5755, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 1425. An act to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933;

S. 1580. An act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended;

S. 1648. An act to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations; and

H.R. 5755. An act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

FOURTH DEFICIENCY APPROPRIATIONS

The Senate resumed consideration of the bill (H.R. 6034) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes.

The reported amendments were agreed to, and the bill further amended on the motion of Mr. Bratton, from the Committee on Appropriations.

On motion by Mr. Bratton to further amend the bill by inserting on page 22, after line 26, the following:

Sec. 5. Section 8 of the act entitled "An act to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies", approved June —, 1933, is hereby amended to read as follows:

"Sec. 8. The seventh sentence of paragraph (6) of section 201 (a) of such act, as amended, is hereby amended to read as follows: 'The aggregate of loans made under clause (a) shall not exceed $8,000,000, and the aggregate of loans made under clause (b) shall not exceed $12,000,000.'"

Mr. King raised a question of order, viz, that the amendment proposed general legislation on a general appropriation bill and was not in order.

The Vice President sustained the point of order.

Mr. Bratton, by unanimous consent, subsequently proposed the foregoing amendment; and the same was agreed to.

The bill was further amended on the motion of Mr. Hatfield, and the motion of Mr. Barkley.

On motion by Mr. McCarran to further amend the bill by inserting on page 24, after line 22, the following:

The President is authorized to allocate not to exceed $20,000,000 of the amount made available by this section for the maintenance of existing scientific and research activities of the Government and experimental farms maintained by the Government on and in Federal reclamation projects.

Mr. Bratton raised a question of order, viz, that the amendment proposed general legislation on a general appropriation bill and was not in order.

The Presiding Officer (Mr. McKellar in the chair) sustained the point of order.

The bill was further amended on the motion of Mr. King, and the motion of Mr. Frazier, and no further amendment being proposed,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass.

On motion by Mr. Bratton,

Resolved, That the Senate insist upon its amendments to the said bill, and ask a conference with the House of Representatives thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer (Mr. McKellar in the chair) appointed Mr. Bratton, Mr. Glass, Mr. McKellar, Mr. Hale, and Mr. Keyes.

Ordered, That the Secretary notify the House of Representatives thereof.

APPROPRIATIONS FOR INDEPENDENT OFFICES

Mr. Byrnes submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1934,

and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 14, 15, 25, 26, and 32.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 12, 22, 23, 24, 27, 28, 29, 31, 35, 37, 38, 39, 40, 41, 42, and 48, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: *and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend during the fiscal year 1934 not to exceed $2,000 for actuarial services by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable*; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment strike out "$13,950" and insert in lieu thereof *$13,110*, and in the same line strike out "$1,800" and insert in lieu thereof *$1,530*; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Omit the matter stricken out and inserted by said amendment; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out amended to read as follows:

Sec. 10. The President is authorized, in his discretion, to suspend the extra pay or reduce the rate of extra pay allowed to commissioned officers, warrant officers, and enlisted men of the Army, Navy, Marine Corps, and Coast Guard while on flying duty, and to distinguish between degrees of hazard in various types of flying duty and make different rates of extra pay applicable thereto.

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 7, 10, 11, 13, 16, 17, 18, 19, 21, 30, 34, 43, 44, 45, 46, and 47.

CARTER GLASS,
JAMES F. BYRNES,
FREDERICK HALE,
FREDERICK STEIWER,
Managers on the part of the Senate.

C. A. WOODRUM,
JOHN J. BOYLAN,
W. W. HASTINGS,
J. P. BUCHANAN,
Managers on the part of the House.

The Senate proceeded to consider the said report.

Pending debate,

Mr. Long raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. McKellar in the chair) directed the roll to be called;

When

Eighty-six Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending further debate,

EXECUTIVE SESSION

On motion by Mr. Robinson of Arkansas,

The Senate proceeded to the consideration of executive business; and after the consideration of executive business,

The Senate resumed its legislative session.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the following concurrent resolution (H.Con.Res. 23), in which it requests the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives is authorized and directed, in the enrollment of the bill (H.R. 5661) entitled "An act to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes", to make the following necessary changes in the language of the bill:

In the first sentence of the second paragraph of subsection "(y)" of section 12B (added by the bill to the Federal Reserve Act, as amended), insert after "State bank" and before the parenthesis the word ", which term shall also include all banking institutions located in the District of Columbia"; and in the same sentence strike out "State authority" and insert "authority."

In the seventh paragraph of subsection "(l)" of such section 12B, after "Corporation", insert a comma and "or a member of the fund provided for in subsection (y)".

In the last paragraph of such subsection "(y)", strike out the word "title" and insert in lieu thereof the word "section."

APPROPRIATION FOR FEDERAL DEPOSIT INSURANCE CORPORATION

The Vice President laid before the Senate a communication from the President of the United States, together with an accompanying letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1933, in the sum of $150,000,000 for subscriptions to capital stock of the Federal Deposit Insurance Corporation, which was referred to the Committee on Appropriations.

HOUSE BILL REFERRED

The bill H.R. 5909, this day received from the House of Representatives for concurrence, was read the first and second times by unanimous consent and referred to the Committee on the Judiciary.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Senate resumed the consideration of the conference report on H.R. 5389, the independent offices appropriation bill.

On motion by Mr. Black to recommit the report to the committee of conference,

Pending debate,

On motion by Mr. Black,

The yeas and nays, being desired by one fifth of the Senators present, were ordered on the question of agreeing to the motion.

Mr. Fess raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. McKellar in the chair) directed the roll to be called;

When

Eighty-two Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Barkley, Black, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Costigan, Cutting, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Lonergan, Long, McAdoo,

McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The question was taken on agreeing to Mr. Black's motion,

It was determined in the affirmative, { Yeas---------- 48 / Nays---------- 31

The yeas and nays having heretofore been ordered.

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bachman, Black, Borah, Brown, Bulow, Capper, Caraway, Carey, Clark, Costigan, Cutting, Davis, Dickinson, Frazier, Goldsborough, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, La Follette, Lonergan, Long, McCarran, McKellar, McNary, Metcalf, Neely, Norris, Nye, Overton, Reed, Reynolds, Robinson of Indiana, Schall, Shipstead, Steiwer, Thomas of Oklahoma, Townsend, Trammell, Vandenberg, Walcott, Wheeler, and White.

Senators who voted in the negative are—

Bailey, Barkley, Bratton, Bulkley, Byrd, Byrnes, Connally, Dieterich, Dill, Duffy, Erickson, George, Glass, Gore, Hale, Harrison, Kendrick, King, Lewis, McGill, Murphy, Pope, Robinson of Arkansas, Russell, Sheppard, Smith, Thomas of Utah, Thompson, Tydings, Van Nuys, and Wagner.

So Mr. Black's motion to recommit the report was agreed to.

ENROLLMENT OF BANKING ACT OF 1933

The Vice President laid before the Senate the concurrent resolution (H.Con.Res. 23) authorizing the Clerk of the House of Representatives, in the enrollment of H.R. 5661, to make certain necessary changes, this day received from the House of Representatives for concurrence, which was read.

The Senate proceeded to consider the said concurrent resolution; and,

On motion by Mr. Bulkley,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

APPOINTMENT OF RECEIVERS AND TRUSTEES IN BANKRUPTCY PROCEEDINGS

The Vice President, under authority of Senate Resolution 78, this day agreed to, appointed Mr. Ashurst, Mr. McAdoo, Mr. Van Nuys, Mr. Hebert, and Mr. Austin as the members of the special committee to investigate the administration of bankruptcy and receivership proceedings in United States courts.

RECESS

On motion by Mr. Robinson of Arkansas, at 8 o'clock and 47 minutes p.m.,

The Senate took a recess until 11 o'clock a.m. tomorrow.

AT 11 O'CLOCK A.M. (CALENDAR DAY, WEDNESDAY, JUNE 14, 1933)

The Vice President called the Senate to order.

ADJOURNMENT

On motion by Mr. Robinson of Arkansas, at 11 o'clock and 1 minute a.m.,

The Senate adjourned until 11 o'clock and 30 minutes a.m. today.

WEDNESDAY, JUNE 14, 1933

The Vice President called the Senate to order, and the Chaplain offered prayer.

THE JOURNAL

The Journal of the proceedings of the calendar days of Monday, June 12, Tuesday, June 13, and a portion of Wednesday, June 14, 1933, was approved.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffey, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

BRANCH MANUFACTURING PLANTS ABROAD

The Vice President laid before the Senate a communication from the Secretary of Commerce, transmitting, in response to Senate Resolution 138, agreed to January 15, 1932, a report on American branch factories abroad, giving their location, character of the product, and investment and labor employment involved; which, with the accompanying documents, was referred to the Committee on Commerce.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, favoring the enactment of legislation guaranteeing to farmers their reasonable cost of production.

Ordered, That it lie on the table.

Mr. Copeland presented the following resolutions and memorials, which were referred as indicated:

A resolution adopted at Jamestown, N.Y., by District Lodge, No. 1, Scandinavian Fraternity of America, endorsing relief legislation and favoring international peace; and

A resolution adopted by Mount Neboh Men's Club, of New York City, and a memorial of citizens of the State of New York, remonstrating against the alleged mistreatment of Jews in Germany; to the Committee on Foreign Relations.

A resolution adopted at Silver Springs, N.Y., by the Wyoming County Committee, American Legion, Department of New York, favoring the repeal or modification of legislation curtailing benefits heretofore accorded to war veterans; to the Committee on Finance.

Mr. Wheeler presented a copy of an address delivered at Detroit, Mich., at the National Conference of Social Work, by Hon. John Collier, Commissioner of Indian Affairs; which was referred to the Committee on Indian Affairs.

REPORTS OF COMMITTEES

Mr. Walcott, from the Special Committee on Conservation of Wild Life Resources, to whom was referred the bill (S. 1658) to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas, for the protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes, reported it without amendment and submitted a report (No. 145) thereon.

Mr. Borah, from the Committee on the Judiciary, to whom was referred the bill (H.R. 5909) to transfer Bedford County from the Nashville division to the Winchester division of the middle Tennessee judicial district, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said bill; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on yesterday they presented to the President of the United States the following enrolled bills:

S. 1425. An act to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933;

S. 1580. An act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended; and

S. 1648. An act to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations.

INTRODUCTION OF BILLS

Bills were introduced, severally read the first and second times by unanimous consent, and referred as follows:

By Mr. White:

A bill (S. 1947) to provide for the creation of the St. Croix Island National Monument located near the mouth of the St. Croix River in the State of Maine, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. Thomas of Oklahoma:

A bill (S. 1948) amending the act entitled "An act authorizing the Court of Claims to hear, determine, and render judgment in the civilization fund claim of the Osage Nation of Indians against the United States", approved February 6, 1921 (41 Stat. 1097); to the Committee on Indian Affairs.

By Mr. Erickson:

A bill (S. 1949) for the relief of C. J. Mast; to the Committee on Claims.

By Mr. Reed (by request):

A bill (S. 1950) to permit any person doing business within the United States to obtain loans from the Reconstruction Finance Corporation for an amount not in excess of 60 percent of the value of the real-estate holdings of such person; to the Committee on Banking and Currency.

By Mr. Schall:

A bill (S. 1951) to amend the act of June 23, 1926, reserving Rice Lake and contiguous lands for the Chippewa Indians of Minnesota (with an accompanying paper); to the Committee on Indian Affairs.

PAPERS REFERRED

Papers in the cases hereinafter mentioned, to accompany bills heretofore introduced, were taken from the files and referred, under the rule, as follows:

Herbert J. Myers; the Washington Post Co.; Wells Fargo & Union Trust Co.; to the Committee on Claims.

Board of Engineers for Rivers and Harbors, retirement of present senior member of; to the Committee on Military Affairs.

William F. Brockschmidt; to the Committee on Public Lands and Surveys.

Ella A. Barker; Mary C. Booth; Jennie Claymore; Amos O. Cox; Martin Erikson; Mattie Gilbertson; Lovina Kenyon; Lightning; Emily S. Marlett; Daniel R. McKay; Anna Olson; Richard Payne; Anthony Penson; Louisa J. Rubendall; Running Grouse; James E. Rush; Howard J. Sheehan; William F. Simpkins; Harriet Warne; and Daniel Webster; to the Committee on Pensions.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has passed, each without amendment, the following bills of the Senate:

S. 554. An act providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury;

S. 1650. An act amending section 74 of the Judicial Code, as amended (U.S.C., Annotated, title 28, sec. 147);

S. 1813. An act providing for the sale to Joe Graham Post, No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi; and

S. 1872. An act to extend the times for commencing and completing the construction of a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5091) to amend section 289 of the Criminal Code.

APPOINTMENT OF GOVERNOR OF HAWAII

On motion by Mr. Tydings,

The Senate proceeded to consider the bill (H.R. 5767) to authorize the appointment of the Governor of Hawaii without regard to his being a citizen or resident of Hawaii.

Pending debate,

APPROPRIATIONS FOR INDEPENDENT OFFICES

Mr. Byrnes submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 25, 26, and 32.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 12, 22, 23, 24, 27, 28, 29, 31, 35, 37, 38, 39, 40, 41, 42, and 48, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: *and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend during the fiscal year 1934 not to exceed $2,000 for actuarial services by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable*; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment strike out "$13,950" and insert in lieu thereof *$13,110*, and in the same line strike out "$1,800" and insert in lieu thereof *$1,530*; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Omit the matter stricken out and inserted by said amendment; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out amended to read as follows:

Sec. 10. The President is authorized, in his discretion, to suspend the extra pay or reduce the rate of extra pay allowed to commissioned officers, warrant officers, and enlisted men of the Army, Navy, Marine Corps, and Coast Guard while on flying duty, and to distinguish between degrees of hazard in various types of flying duty and make different rates of extra pay applicable thereto.

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 7, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 30, 34, 43, 44, 45, 46, and 47.

CARTER GLASS,
JAMES F. BYRNES,
RICHARD B. RUSSELL, Jr.,
FREDERICK HALE,
FREDERICK STEIWER,
Managers on the part of the Senate.

C. A. WOODRUM,
JOHN J. BOYLAN,
W. W. HASTINGS,
J. P. BUCHANAN,
Managers on the part of the House.

Mr. Cutting raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Barkley in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Herbert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks;

Mr. President: The House of Representatives has disagreed to the amendments of the Senate to the bill (H.R. 6034) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and has appointed Mr. Buchanan, Mr. Taylor of Colorado, Mr. Ayres of Kansas, Mr. Oliver of Alabama, Mr. Taber, and Mr. Thurston managers at the same on its part.

EXECUTIVE MESSAGE REFERRED

As in executive session, and by unanimous consent,

The Presiding Officer (Mr. Barkley in the chair) referred to the Committee on Finance the nomination of J. Elliott Riddell to be collector of customs at Louisville, Ky.

Mr. Barkley, by unanimous consent, from the Committee on Finance, to whom was referred the foregoing nomination, subsequently reported it favorably.

The Senate proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent thereto.

Ordered, by unanimous consent, That the Secretary notify the President of the United States thereof.

HEBERT J. DRANE

On motion by Mr. Fletcher, and by unanimous consent,

Ordered, as in executive session, That the Secretary notify the President of the United States of the confirmation, on the 13th instant, of the nomination of Herbert J. Drane to be a Member of the Federal Power Commission.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, his secretary;

Mr. President: The President of the United States approved and signed the following acts:

On June 7, 1933:

S. 1581. An act to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, etc.

On June 9, 1933:

S. 604. An act amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454);

S. 1278. An act to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co.; and

S. 1815. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Ky.

On June 10, 1933:

S. 1094. An act to authorize the Reconstruction Finance Corporation to subscribe for preferred stock and purchase the capital notes of insurance companies, and for other purposes; and

S. 1562. An act granting the consent of Congress to the Levy Court of Sussex County, Del., to reconstruct, maintain, and operate a free highway bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Del.

On June 13, 1933:

S. 1129. An act to amend sections 4399, 4418, 4428, 4429, 4430, 4431, 4432, 4433, and 4434 of the Revised Statutes, as amended, relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof;

S. 1634. An act to provide for the redemption of national-bank notes, Federal Reserve bank notes, and Federal Reserve notes which cannot be identified as to the bank of issue;

S. 1745. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oreg.;

S. 1746. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newport, Lincoln County, Oreg.;

S. 1748. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near North Bend, Coos County, Oreg.;

S. 1749. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence, Lane County, Oreg.; and

S. 1783. An act granting the consent of Congress to the Overseas Road and Toll Bridge District, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Fla., from Lower Matecumbe Key to No Name Key.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Senate resumed the consideration of the conference report on the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes; and,

After debate,

The report was agreed to.

On motion by Mr. Byrnes,

Resolved, That the Senate further insist upon its amendments numbered 7, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 30, 34, 43, 44, 45, and 46, upon which the conferees did not agree.

The Senate proceeded to consider the amendment of the House of Representatives to the amendment of the Senate numbered 47 to the foregoing bill.

Pending debate,

The amendment of the House was amended on the motion of Mr. Byrnes,

On motion by Mr. Steiwer (for himself and Mr. Cutting) to further amend the said amendment of the House by striking out the language contained in the amendment, as amended, and inserting in lieu thereof certain words,

Pending debate,

Mr. Lewis raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Barkley in the chair) directed the roll to be called;

When

Ninety Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

The said amendment of the House was further amended on the motion of Mr. Dill.

Mr. Steiwer modified his proposed substitute.

On the question of agreeing to Mr. Steiwer's amendment, as modified, viz, in lieu of the language contained in the House amendment, as amended, as follows:

"SEC. 20. The President is hereby authorized, under the provisions of Public Law Numbered 2, Seventy-third Congress, to establish such number of special boards (the majority of the members of which were not in the employ of the Veterans' Administration at the date of enactment of this act) as he may deem necessary to review all claims (where the veteran entered service prior to November 11, 1918, and whose disability is not the result of his own misconduct) in which presumptive service connection has heretofore been granted under the World War Veterans' Act, 1924, as amended, wherein payments were being made on March 20, 1933, and which are held not service connected under the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress. Members of such boards may be appointed without regard to the Civil Service laws and regulations and their compensation fixed without regard to the Classification Act of 1923, as amended. Such special boards shall determine, on all available evidence, the question whether service connection shall be granted under the provisions of the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress (notwithstanding the evidence may not clearly demonstrate the existence of the disease or any specific clinical findings within the terms of or period prescribed by regulations 1, part 1, subparagraph (c), or instruction numbered 2, regulation numbered 1, issued under Public Law Numbered 2, Seventy-third Congress), and shall in their decisions resolve all reasonable doubts in favor of the veteran, the burden of proof in such cases being on the Government.

"Notwithstanding the provisions of section 17, title I, Public, Numbered 2, Seventy-third Congress, any claim for yearly renewable term insurance on which premiums were paid to the date of death of the insured and any claim for pension, compensation, allowance, or emergency officers' retirement pay under the provisions of laws repealed by said section 17, wherein claim was duly filed prior to March 20, 1933, may be adjudicated by the Veterans' Administration on the proofs and evidence received by the Veterans' Administration prior to March 20, 1933, and any person found entitled to the benefits claimed shall be paid such benefits in accordance with and in the amounts provided by such prior laws, provided that the payments hereby authorized to be made shall continue only to include June 30, 1933, and only one original adjudicatory action and one appeal may be had in such cases. Where a veteran died prior to March 20, 1933, under conditions which warrant the payment of, or reimbursement for, burial expenses, such payments or reimbursement may be made in accordance with the laws in effect prior to March 20, 1933, provided that claim for such payment or reimbursement must be filed within three months from the date of passage of this act.

"Notwithstanding the provisions of Public Law Numbered 2, Seventy-third Congress, the decisions of such special boards shall be final in such cases, subject to such appellate procedure as the President may prescribe, and, except for fraud, mistake, or misrepresentations, 75 per centum of the payments being made on March 20, 1933, therein shall continue to October 31, 1933, or the date of special board decision, whichever is the earlier date: *Provided*, That where any case is pending before any one of the special boards on October 31, 1933, the President may provide for extending the time of payment until decision can be rendered. The President shall prescribe such rules governing reviews and hearings as may be deemed advisable. Payment of salaries and expenses of such boards and personnel assigned thereto shall be paid out of and in accordance with appropriations for the Veterans' Administration.

"Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, in no event shall the rates of compensation payable for directly service-connected disabilities to those veterans who entered the active military or naval service prior to November 11, 1918, and whose disabilities are not the result of their own misconduct, where they were, except by fraud, mistake, or misrepresentation, in receipt of compensation on March 20, 1933, be reduced more than 25 per centum, except in accordance with the regulations issued under Public Law Numbered 2, Seventy-third Congress, pertaining to Federal employees, hospitalized cases, and cases of beneficiaries residing outside of the continental limits of the United States; and in no event shall death compensation, except by fraud, mistake, or misrepresentation, being paid to widows, children, and dependent parents of deceased World War veterans under the World War Veterans' Act of 1924, as amended on March 20, 1933, be reduced or discontinued, whether the death of the veteran on whose account compensation is being paid was directly or presumptively connected with service.

"Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, any veteran of the Spanish-American War, including the Boxer rebellion and the Philippine insurrection, who served ninety days or more, was honorably discharged from the service, is fifty-five years of age or over, is 50 per centum disabled, and in need as defined by the President, shall be paid a pension of not less than $15 per month.

"Notwithstanding any of the provisions of the Public Law Numbered 2, Seventy-third Congress, no pension of any veteran of the Spanish-American War, the Boxer rebellion, and the Philippine insurrection who is past the age of sixty-two years and was entitled to a pension and being paid under the laws existing prior to March 20, 1933, shall be reduced more than 25 per centum."

Insert the following:

The President is hereby authorized under the provisions of Public Law Numbered 2, Seventy-third Congress, to establish such number of special boards (the majority of the members of which were not in the employ of the Veterans' Administration at the date of enactment of this act), as he may deem necessary to review all claims (where the veteran entered service prior to November 11, 1918, and whose disability is not the result of his own misconduct), in which presumptive service connection has heretofore been granted under the World War Veterans' Act, 1924, as amended, wherein payments were being made on March 20, 1933, and which are heretofore or hereafter held not service connected under the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress. Members of such boards may be appointed without regard to the Civil Service laws and regulations, and their compensation fixed without regard to the Classification Act of 1923, as amended. Such special boards shall determine, on all available evidence, whether service connection shall be found in such cases, and shall in their decisions resolve all reasonable doubts in favor of the veteran. For the purposes of this section the granting of service connection in such cases shall not be based upon the requirements of regulation numbered 1, part I, subparagraph (a), or instruction numbered 2, regulation numbered 1, issued under Public Law Numbered 2, Seventy-third Congress, it being the intent of this section to preserve service connections as granted by section 200, World War Veterans' Act of 1924, as amended, title 38 of the Code (other than disability resulting from the claimant's own misconduct), unless the evidence clearly discloses that the disease or disability had its inception before or after the period of military or naval service and was not aggravated thereby.

Notwithstanding the provisions of Public Law Numbered 2, Seventy-third Congress, the decisions of such special boards shall be final in such cases, subject to such appellate procedure as the President may prescribe, and, except in those cases where the special boards shall find that the award was based upon fraud, misrepresentation of a material fact, or unmistakable error not less than 75 per centum of the payments being made on March 20, 1933, therein shall continue to October 31, 1933, or the date of special board decision whichever is the earlier date: Provided, That where any case is pending before any one of the special boards on October 31, 1933, the President may provide for extending the time of payment until decision can be rendered. The President shall prescribe such rules governing reviews and hearings as may be deemed advisable. Payment of salaries and expenses of such boards and personnel assigned thereto shall be paid out of and in accordance with appropriations for the Veterans' Administration. In all cases where service connection shall be preserved under the review herein provided, not less than 75 per centum of the payments being made on March 20, 1933, shall continue, and the determination of service connection in such review shall be final in all cases: Provided, however, That in the event of a change in the degree of disability of any such veteran the amount of compensation payable shall be determined pursuant to the provisions of the World War Veterans' Act, 1924, as amended, and the rating schedule in effect prior to March 20, 1933, and such amount shall not be reduced by more than 25 per centum.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, in no event shall the compensation being paid for directly service-connected disabilities to those veterans who entered the active military or naval service prior to November 11, 1918, and whose disabilities are not the result of their own misconduct, where they were, except by fraud, misrepresentation of a material fact, or unmistakable error, in receipt of compensation on March 20, 1933, be reduced more than 25 per centum: Provided, however, That in the event of a change in the degree of disability of any such veteran the amount of compensation payable shall be determined pursuant to the provisions of the World War Veterans' Act, 1924, as amended, and the rating schedule in effect prior to March 20, 1933, and such amount shall not be reduced by more than 25 per centum; and in no event shall death compensation, except by fraud, misrepresentation of a material fact, or unmistakable error, being paid to widows, children, and dependent parents of deceased World War veterans under the World War Veterans' Act of 1924, as amended, on March 20, 1933, be reduced or discontinued, whether the death of the veteran on whose account compensation is being paid was directly or presumptively connected with service; except that the provisions of this paragraph shall not apply with respect to veterans residing outside the limits of the continental United States and its Territories and possessions, or with respect to any veteran who is being furnished hospital treatment, institutional, or domiciliary care by the United States, or any political subdivision thereof, if such veteran has neither wife, child, nor dependent mother or father.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, the pension paid to veterans of any war prior to the World War, or to any widow and/or dependent of such veterans shall not be reduced more than 25 percent of the amount being paid prior to March 20, 1933.

Notwithstanding the provisions of section 17, title I, Public Law Numbered 2, Seventy-third Congress, any claim for yearly renewable term insurance on which premiums were paid to the date of death of the insured and any claim for pension, compensation allowance, or emergency officers' retired pay under the provisions of law repealed by said section 17 wherein claims were duly filed prior to March 20, 1933, may be adjudicated by the Veterans' Administration on the proof and evidence received by the Veterans' Administration prior to March 20, 1933, and any person found entitled to the benefits claimed shall be paid such benefits in accordance with and in the amounts provided by such prior law: Provided, That the payments hereby authorized to be made shall continue only to include June 30, 1933, and only one original adjudicatory action and one appeal may be made in such cases. Where a veteran died prior to March 20, 1933, under conditions which warrant payment of or reimbursement for burial expenses, such payments or reimbursements may be made in accordance with the laws in effect prior to March 20, 1933: Provided, That such claim for payment or reimbursement must be filed within three months from the date of the passage of this act.

It was determined in the affirmative, | Yeas---------- 51 | Nays---------- 39

On motion by Mr. Steiwer,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Austin, Barbour, Black, Bone, Borah, Brown, Bulkley, Capper, Caraway, Carey, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Fess, Frazier, Goldsborough, Hale, Hastings, Hatfield, Hayden, Hebert, Johnson, Kean, La Follette, Lonergan, Long, McAdoo, McCarran, McNary, Metcalf, Neely, Norris, Nye, Overton, Reed, Reynolds, Robinson of Indiana, Schall, Shipstead, Steiwer, Thomas of Oklahoma, Townsend, Trammell, Vandenberg, Walcott, Walsh, Wheeler, and White.

Senators who voted in the negative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barkley, Bratton, Bulow, Byrd, Byrnes, Clark, Connally, Dieterich, Dill, Duffy, Erickson, Fletcher, George, Glass, Gore, Harrison, Kendrick, King, Lewis, Logan, McGill, McKellar, Murphy, Pope, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Thomas of Utah, Thompson, Tydings, Van Nuys, and Wagner.

So Mr. Steiwer's amendment, as modified, was agreed to.

The House amendment, as amended, was agreed to.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6034) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes; it has receded from its disagreement to the amendments of the Senate numbered 5, 6, 7, 13, and 14 to the said bill, and agreed to the same; and it has receded from its disagreement to the amendment of the Senate numbered 2 to the said bill and agreed to the same with an amendment, in which it requests the concurrence of the Senate.

The House has passed the bill (H.R. 3344) to amend section 14, subdivision 3, of the Federal Farm Loan Act, in which it requests the concurrence of the Senate.

ORDER FOR PRINTING OF NATIONAL INDUSTRIAL RECOVERY ACT

On motion by Mr. Harrison, and by unanimous consent,

Ordered, That the bill (H.R. 5755) to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes, as agreed to in conference, be printed as a Senate document.

FOURTH DEFICIENCY APPROPRIATIONS

Mr. Bratton submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6034) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 11, and 12.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, and 10, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: *$1,460*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 5, 6, 7, 13, and 14.

SAM G. BRATTON,
CARTER GLASS,
KENNETH MCKELLAR,
FREDERICK HALE,
Managers on the part of the Senate.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
W. B. OLIVER,
W. A. AYRES,
Managers on the part of the House.

Ordered, That the report lie on the table.

WRECKING OF THE U.S.S. "AKRON"

Mr. Walsh, from the joint committee to investigate the wreck of the U.S.S. *Akron*, created by House Concurrent Resolution 15, submitted a report, which was referred to the Committee on Naval Affairs and ordered to be printed.

RECESS

On motion by Mr. Robinson of Arkansas, at 7 o'clock and 47 minutes p.m.,

The Senate took a recess until 12 o'clock m. tomorrow.

AT 12 O'CLOCK M. (CALENDAR DAY, THURSDAY, JUNE 15, 1933)

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Thirty-three Senators answered to their names, as follows:

Ashurst, Austin, Bachman, Barbour, Borah, Bratton, Caraway, Clark, Costigan, Davis, Duffy, Fletcher, Frazier, Glass, Hale, Johnson, Kean, Kendrick, King, La Follette, Long, McCarran, Nye, Overton, Pope, Robinson of Arkansas, Sheppard, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Vandenberg, and Walsh.

The number of Senators present not constituting a quorum;

The Vice President directed the roll to be called;

When

Fifty-four Senators answered to their names, as follows:

Adams, Bailey, Bankhead, Barkley, Black, Bone, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Carey, Connally, Copeland, Cutting, Dale, Dickinson, Dieterich, Dill, Erickson, Goldsborough, Gore, Harrison, Hatfield, Hayden, Hebert, Lewis, Logan, Lonergan, McAdoo, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Patterson, Reed, Reynolds, Robinson of Indiana, Russell, Schall, Shipstead, Smith, Steiwer, Stephens, Trammell, Tydings, Van Nuys, Wagner, Wheeler, and White.

A quorum being present,

FINDINGS OF FACT IN CASE OF UNION IRON WORKS

The Vice President laid before the Senate a communication from the Asistant Clerk of the Court of Claims, transmitting, pursuant to law, a certified copy of the special findings of fact, conclusion of law, and opinion of the Court in the case of Union Iron Works against the United States; which, with the accompanying papers, was referred to the Committee on Claims and ordered to be printed.

CHILD-LABOR AMENDMENT TO THE CONSTITUTION

The Vice President laid before the Senate a concurrent resolution of the Legislature of the State of New Jersey, ratifying the proposed child-labor amendment to the Constitution.

Ordered, That it lie on the table.

FEDERAL SCIENTIFIC RESEARCH OR EXPERIMENTATION ACTIVITIES

The Vice President laid before the Senate a communication from the Secretary of Commerce, transmitting, in response to Senate Resolution 101, a report relative to personnel reductions and curtailed activities in connection with scientific research and experimentation; which, with the accompanying report, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following petition and memorial, which were referred as indicated:

A petition of citizens of the State of Louisiana praying an investigation of acts and conduct of Senator Huey P. Long; to the Committee on the Judiciary.

A resolution of the American Museum of Natural History, of New York City, remonstrating against the proposed abolition of the Alaska Game Commission; to the Committee on Territories.

The Vice President laid before the Senate a resolution of veterans of Camden, N.J., favoring the passage of the national industrial recovery bill.

Ordered, That it lie on the table.

Mr. Barbour presented a resolution of citizens of South River, N.J., remonstrating against the cancellation or further reduction of foreign war debts; which was referred to the Committee on Finance.

Mr. Costigan presented a memorial of citizens of Colorado remonstrating against the reductions in compensation and the curtailment of other benefits of war veterans; which was referred to the Committee on Finance.

REPORT OF COMMITTEE ON INDIAN AFFAIRS

Mr. Frazier, by unanimous consent, from the Committee on Indian Affairs, to whom was referred the bill (S. 326) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement, reported it without amendment and submitted a report (No. 146) thereon.

INTRODUCTION OF BILLS

Bills were introduced by unanimous consent, severally read the first and second times, and referred as follows:

By Mr. Johnson:

A bill (S. 1952) to provide for the selection of certain lands in the State of California for the use of the California State park system;

A bill (S. 1953) to amend Public Law No. 425, Seventy-second Congress, providing for the selection of certain lands in the State of California for the use of the California State park system, approved March 3, 1933; and

A bill (S. 1954) to provide for the selection of certain islands, rocks, and pinnacles situated in the Pacific Ocean, south of the mouth of Carmel River, State of California, for the use of the California State park system; to the Committee on Public Lands and Surveys.

By Mr. Fletcher:

A bill (S. 1955) to exempt securities issued by banking institutions organized under the laws of the District of Columbia from the application of the Securities Act of 1933; to the Committee on Banking and Currency.

FOURTH DEFICIENCY APPROPRIATIONS

On motion by Mr. Bratton, and by unanimous consent,

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6034) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes.

On the question of agreeing to the report,

Pending debate,

On motion by Mr. Frazier to recommit the report to the committee of conference,

The Presiding Officer (Mr. Copeland in the chair) held that the motion was not in order, inasmuch as the House of Representatives had previously agreed to the report.

Mr. Frazier raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The conference report was agreed to.

The Presiding Officer laid before the Senate the amendment yesterday received from the House of Representatives for concurrence to the amendment of the Senate numbered 2 to the foregoing bill.

On motion by Mr. Bratton,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

APPOINTMENT OF GOVERNOR OF HAWAII

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 5767) to authorize the appointment of the Governor of Hawaii without regard to his being a citizen or resident of Hawaii.

Pending debate,

Mr. King raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Pending debate,

AMENDMENT OF FARM LOAN ACT

The bill (H.R. 3344) to amend section 14, subdivision 3, of the Federal Farm Loan Act, yesterday received from the House of Representatives for concurrence, was read the first and second times by unanimous consent, and considered; and no amendment being made,

Ordered, That it pass to a third reading.

The said bill was read the third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

REORGANIZATION OF EXECUTIVE DEPARTMENTS

On motion by Mr. McNary, and by unanimous consent,

The Senate proceeded to consider the joint resolution (S.J.Res. 63) disapproving section 18 of the Executive order of June 10, 1933, relating to the organization of executive agencies; and having been amended on the motion of Mr. McNary, the motion of Mr. Connally, and the motion of Mr. Robinson of Arkansas,

Ordered, That the joint resolution be engrossed and read a third time.

The said joint resolution was read the third time.

Resolved, That it pass, and that the title thereof be amended so as to read: "Joint resolution temporarily suspending section 18 and portions of section 2 of the Executive order of June 10, 1933, relating to the organization of executive agencies."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed six enrolled bills, viz, S. 554, S. 1650, S. 1813, S. 1872, H.R. 5091, and H.R 5661, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 554. An act providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury;

S. 1650. An act amending section 74 of the Judicial Code, as amended (U.S.C., Annotated, title 28, sec. 147);

S. 1813. An act providing for the sale to Joe Graham Post, No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi;

S. 1872. An act to extend the times for commencing and completing the construction of a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.;

H.R. 5091. An act to amend section 289 of the Criminal Code; and

H.R. 5661. An act to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

APPOINTMENT OF GOVERNOR OF HAWAII

The Senate resumed the consideration of its unfinished business, viz, the bill (H.R. 5767) to authorize the appointment of the Governor of Hawaii without regard to his being a citizen or resident of Hawaii.

Pending debate,

Mr. La Follette raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Pope in the chair) directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they this day presented to the President of the United States the following enrolled bills:

S. 554. An act providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury;

S. 1650. An act amending section 74 of the Judicial Code as amended (U.S.C., Annotated, title 28, sec. 147);

S. 1813. An act providing for the sale to Joe Graham Post, No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi; and

S. 1872. An act to extend the times for commencing and completing the construction of a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, viz, H.R. 5909 and H.R. 6034, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

H.R. 5909. An act to transfer Bedford County from the Nashville division to the Winchester division of the middle Tennessee judicial district; and

H.R. 6034. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

APPOINTMENT OF GOVERNOR OF HAWAII

The Senate resumed the consideration of the bill (H.R. 5767) to authorize the appointment of the Governor of Hawaii without regard to his being a citizen or resident of Hawaii.

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed without amendment the bill (S. 813) to remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit.

The House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1934, and for other purposes; it has receded from its disagreement to the amendments of the Senate numbered 19 and 43 to the said bill and agreed to the same; it has receded from its disagreement to the amendments of the Senate numbered 7, 10, 16, 30, 34, 44, 45, and 46 to the said bill and agreed to each thereof with an amendment, in which it requests the concurrence of the Senate; it insists upon its disagreement to the amendments of the Senate numbered 11, 13, 14, 15, 17, 18, and 21 to the said bill; it has disagreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 47 to the said bill; it asks a further conference with the Senate on the disagreeing votes of the two Houses on the amendments in disagreement and has appointed Mr. Woodrum, Mr. Boylan, Mr. Hastings, Mr. Buchanan, Mr. Taber, and Mr. Thurston managers at the same on its part.

The Speaker of the House having signed an enrolled bill, viz, H.R. 3344, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILL SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H.R. 3344) to amend section 14, subdivision 3, of the Federal Farm Loan Act.

The Vice President thereupon signed the same, and it was delivered to the committee to be presented to the President of the United States.

APPROPRIATIONS FOR INDEPENDENT OFFICES

The Presiding Officer (Mr. Duffy in the chair) laid before the Senate the message this day received from the House of Representatives, announcing its action on certain amendments of the Senate to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

On motion by Mr. Byrnes,

Resolved, That the Senate agree to the amendments of the House of Representatives to the amendments of the Senate numbered 7, 10, 16, 30, 34, 44, 45, and 46 to the said bill; that it insist upon its amendments numbered 11, 13, 14, 15, 17, 18, and 21 to the said bill; that it insist upon its amendment to the amendment of the House of Representatives to the amendment of the Senate numbered 47, disagreed to by the House of Representatives; and that it agree to the conference asked by the House on the disagreeing votes of the two Houses on the amendments still in disagreement.

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer; and

The Presiding Officer appointed Mr. Glass, Mr. Byrnes, Mr. Russell, Mr. Hale, and Mr. Steiwer.

Ordered, That the Secretary notify the House of Representatives thereof.

RECESS

On motion by Mr. Robinson of Arkansas, at 5 o'clock p.m.

The Senate took a recess until 6 o'clock and 30 minutes p.m.

AT 6 O'CLOCK AND 30 MINUTES P.M.

The Vice President called the Senate to order.

QUESTION OF QUORUM

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Copeland, Costigan, Cutting, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Erickson, Fletcher, Frazier, Glass, Goldsborough, Gore, Hale, Harrison, Hatfield, Hayden, Hebert, Johnson, Kean, Kendrick, King, La Follette, Lewis, Logan, Lonergan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Overton, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith,

Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

SIGNING OF ENROLLED BILLS

Mr. Robinson of Arkansas, by unanimous consent, submitted the following resolution (S.Res. 102), which was considered by unanimous consent and agreed to:

Resolved, That the President of the Senate be, and he is hereby, authorized to sign, after the adjournment sine die of the present session of Congress, enrolled bills and joint resolutions not presented to him for his signature prior to such adjournment; and that the Committee on Enrolled Bills be, and it is hereby, authorized and directed to present same to the President of the United States.

RECESS

On motion by Mr. Robinson of Arkansas, at 6 o'clock and 40 minutes p.m.,

The Senate took a recess until 7 o'clock p.m.

AT 7 O'CLOCK P.M.

The Vice President called the Senate to order.

PERSECUTION OF JEWISH PEOPLE OF GERMANY

Mr. Neely, by unanimous consent, submitted the following resolution (S.Res. 103):

Whereas the United States Senate has learned with deep regret that the Jewish people of Germany have been, and still are, being persecuted by the so-called "Nazi" administration; that as a part of such persecution the German Jews have been deprived of their citizenship, of their right to hold office, to own or control newspapers, to practice law or act as jurors; Jewish doctors have been outlawed; boycotts against Jewish druggists, opticians, and dentists have been organized; universities have been closed to Jewish students; and Jews are prohibited by decree from leaving the fatherland whose present government is subjecting them to hitherto unheard-of oppression; and

Whereas the people of the United States hold sacred the assertion of the Declaration of Independence that all men are endowed with the inalienable rights of life, liberty, and the pursuit of happiness; and

Whereas the Jewish people of Germany have been notoriously and cruelly deprived of the exercise of such rights by the Nazi administration: Therefore, in the name of humanity and in behalf of justice, be it

Resolved, That the Senate of the United States views with alarm and regret the persecution of the Jews of Germany by the Nazi administration, and solemnly expresses its sincerest sympathy for these afflicted people and hopes that they will be promptly restored to the enjoyment of all the rights of citizenship which they as members of one of the world's oldest, greatest, and most righteous races richly deserve.

Ordered, That the resolution lie on the table.

APPOINTMENT OF GOVERNOR OF HAWAII

The Senate resumed the consideration of the bill (H.R. 5767) to authorize the appointment of the Governor of Hawaii without regard to his being a citizen or resident of Hawaii.

Pending debate,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed without amendment the bill (S. 815) to provide for the survival of certain actions in favor of the United States.

The House has passed the joint resolution (H.J.Res. 207) requiring agricultural products to be shipped in vessels of the United States where the Reconstruction Finance Corporation finances the exporting of such products, in which it requests the concurrence of the Senate.

APPROPRIATIONS FOR INDEPENDENT OFFICES

Mr. Byrnes submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1934, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14 and 15.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert *$319,230,000*; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum inserted by such amendment insert *$581,988,000*; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum inserted by such amendment insert *$602,838,000*; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum inserted by such amendment insert *$631,802,546*; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate to the amendment of the House to Senate amendment numbered 47, and agree to the same with an amendment as follows: In lieu of matter inserted by the Senate amendment to the amendment of the House to Senate amendment numbered 47 insert the following:

Sec. 20. The President is hereby authorized under the provisions of Public Law Numbered 2, Seventy-third Congress, to establish such number of special boards (the majority of the members of which were not in the employ of the Veterans' Administration at the date of enactment of this act) as he may deem necessary to review all claims (where the veteran entered service prior to November 11, 1918, and whose disability is not the result of his own misconduct), in which presumptive service connection has heretofore been granted under the World War Veterans' Act, 1924, as amended, wherein payments were being made on March 20, 1933, and which are held not service-connected under the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress. Members of such boards may be appointed without regard to the Civil Service laws and regulations, and their compensation fixed without regard to the Classification Act of 1923, as amended. Such special boards shall determine, on all available evidence, the question whether service connection shall be granted under the provisions of the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress (notwithstanding the evidence may not clearly demonstrate the existence of the disease or any specific clinical findings within the terms of or period prescribed by regulation 1, part 1, subparagraph (c), or instruction numbered 2, regulation numbered 1, issued under Public Law Numbered 2, Seventy-third Congress), and shall in their decisions resolve all reasonable doubts in favor of the veteran, the burden of proof in such cases being on the Government.

Notwithstanding the provisions of section 17, title I, Public, Numbered 2, Seventy-third Congress, any claim for yearly renewable term insurance on which premiums were paid to the date of death of the insured and any claim for pension, compensation allowance, or emergency officers' retirement pay under the provisions of laws repealed by said section 17 wherein claim was duly filed prior to March 20, 1933, may be adjudicated by the Veterans' Administration on the proofs and evidence received by the Veterans' Administration prior to March 20, 1933, and any person found entitled to the benefits claimed shall be paid such benefits in accordance with and in the amounts provided by such prior laws, provided that the payments hereby authorized to be made shall continue only to include June 30, 1933, and only one original adjudicatory action and one appeal may be had in such cases. Where a veteran died prior to March 20, 1933, under conditions which warrant the payment of, or reimbursement for, burial expenses, such payment or reimbursement may be made in accordance with the laws in effect prior to March 20, 1933, provided that claim for such payment or reimbursement must be filed within three months from the date of passage of this act.

Notwithstanding the provisions of Public Law Numbered 2, Seventy-third Congress, the decisions of such special boards shall be final in such cases, subject to such appellate procedure as the President may prescribe, and, except for fraud, mistake, or misrepresentation, 75 per centum of the payments being made on March 20, 1933, therein shall continue to October 31, 1933, or the date of special board decision, whichever is the earlier date: Provided, That where any case is pending before any one of the special boards on October 31, 1933, the President may provide for extending the time of payment until decision can be rendered. The President shall prescribe such rules governing reviews and hearings as may be deemed advisable. Payment of salaries and expenses of such boards and personnel assigned thereto shall be paid out of and in accordance with appropriations for the Veterans' Administration.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, in no event shall the rates of compensation payable for directly service-connected disabilities to those veterans who entered the active military or naval service prior to November 11, 1918, and whose disabilities are not the result of their own misconduct, where they were, except by fraud, mistake, or misrepresentation, in receipt of compensation on March 20, 1933, be reduced more than 25 percent, except in accordance with the regulations issued under Public Law Numbered 2, Seventy-third Congress, pertaining to Federal employees, hospitalized cases, and cases of beneficiaries residing outside of the continental limits of the United States; and in no event shall death compensation, except by fraud, mistake, or misrepresentation, being paid to widows, children, and dependent parents of deceased World War veterans under the World War Veterans' Act of 1924, as amended, on March 20, 1933, be reduced or discontinued, whether the death of the veteran on whose account compensation is being paid was directly or presumptively connected with service.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, any veteran of the Spanish-American War, including the Boxer rebellion and the Philippine insurrection, who served 90 days or more, was honorably discharged from the service, is 55 years of age or over, is 50 percent disabled, and in need as defined by the President, shall be paid a pension of not less than $15 per month.

And the Senate agree to the same.

CARTER GLASS,
JAMES F. BYRNES,
RICHARD B. RUSSELL, Jr.,
Managers on the part of the Senate.

C. A. WOODRUM,
JOHN J. BOYLAN,
J. P. BUCHANAN,
Managers on the part of the House.

The Senate proceeded to consider the said report.

On the question of agreeing thereto,

After debate,

It was determined in the affirmative, {Yeas---------- 45 / Nays---------- 36}

On motion by Mr. McNary,

The yeas and nays being desired by one fifth of the Senators present,

Senators who voted in the affirmative are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barkley, Black, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Caraway, Clark, Connally, Dieterich, Dill, Duffy, Erickson, Glass, Gore, Harrison, Kendrick, King, Logan, Lonergan, McAdoo, McGill, McKellar, Murphy, Pope, Reynolds, Robinson of Arkansas, Russell, Sheppard, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Thompson, Tydings, Van Nuys, Wagner, and Walsh.

Senators who voted in the negative are—

Austin, Barbour, Bone, Borah, Capper, Carey, Copeland, Cutting, Dale, Davis, Dickinson, Frazier, Goldsborough, Hale, Hatfield, Hayden, Hebert, Johnson, Kean, La Follette, Long, McNary, Metcalf, Neely, Nye, Overton, Reed, Robinson of Indiana, Schall, Shipstead, Steiwer, Townsend, Trammell, Vandenberg, Wheeler, and White.

So the conference report was agreed to.

Ordered, That the Secretary notify the House of Representatives thereof.

(AT 12 O'CLOCK AND 50 MINUTES A.M., CALENDAR DAY, FRIDAY, JUNE 16, 1933)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

The Speaker of the House having signed three enrolled bills, viz, S. 813, S. 815, and H.R. 5389, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS SIGNED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills:

S. 813. An act to remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit;

S. 815. An act to provide for the survival of certain actions in favor of the United States; and

H.R. 5389. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

The Vice President thereupon signed the same and they were delivered to the committee to be presented to the President of the United States.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J.Res. 207) received from the House of Representatives on the 15th instant for concurrence was read the first and second times by unanimous consent and referred to the Committee on Commerce.

SALARIES OF RAILROAD OFFICIALS

Mr. Dill presented a statement prepared by Joseph B. Eastman, Interstate Commerce Commissioner, showing the salaries of railroad officials for the years 1932 and 1933; which was ordered to be printed as a Senate document.

ENROLLED BILLS PRESENTED

Mrs. Caraway, from the Committee on Enrolled Bills, reported that on this day (June 16, 1933) they presented to the President of the United States the following enrolled bills:

S. 813. An act to remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit; and

S. 815. An act to provide for the survival of certain actions in favor of the United States.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the following concurrent resolution (H.Con.Res. 24), in which it requests the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Friday, the 16th day of June 1933, and that when they adjourn on said day they stand adjourned sine die.

The President of the United States has informed the House of Representatives that he approved acts and a joint resolution, as follows:

On June 9, 1933:

H.R. 1767. An act to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego.

On June 10, 1933:

H.R. 4220. An act for the protection of Government records;

H.R. 4812. An act to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes; and

H.R. 5012. An act to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy.

On June 12, 1933:

H.J.Res. 183. Joint resolution extending for one year the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission.

On June 13, 1933:

H.R. 3511. An act to authorize the creation of a game refuge in the Ouachita National Forest in the State of Arkansas;

H.R. 3659. An act to extend the mining laws of the United States to the Death Valley National Monument in California;

H.R. 5240. An act to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes; and

H.R. 5495. An act to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge.

On June 14, 1933:

H.R. 5329. An act creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.

On June 15, 1933:

H.R. 4872. An act authorizing Farris Engineering Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near California, Pa.;

H.R. 5091. An act to amend section 289 of the Criminal Code;

H.R. 5589. An act granting the consent of Congress to the city of Washington, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Mo.;

H.R. 5645. An act to amend the National Defense Act of June 3, 1916, as amended; and

H.R. 5793. An act to revive and reenact the act entitled "An act authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from East Alburg, Vt., to West Swanton, Vt.", approved March 2, 1929.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, his secretary:

Mr. President: The President of the United States approved and signed acts, as follows:

On June 14, 1933:

S. 1514. An act authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss.;

S. 1536. An act giving credit for water charges paid on damaged land; and

S. 1648. An act to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations.

On June 15, 1933:

S. 554. An act providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury;

S. 687. An act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla.;

S. 804. An act to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co.;

S. 1425. An act to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933;

S. 1650. An act amending section 74 of the Judicial Code, as amended (U.S.C., Annotated, title 28, sec. 147);

S. 1747. An act granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport, Lincoln County, Oreg.;

S. 1808. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas, and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century; and

S. 1813. An act providing for the sale to Joe Graham Post, No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi.

Ordered, That the Secretary notify the House of Representatives thereof.

EXPRESSION OF APPRECIATION FROM THE PRESIDENT

Mr. Robinson of Arkansas announced that, in view of the lateness of the hour, the President of the United States had waived the customary appointment of a special committee of the two Houses to ascertain whether he had any further communication to make to the Congress, and had authorized the statement that he had no further communication save one that had been transmitted to the President of the Senate.

The Vice President thereupon laid before the Senate the following communication from the President, which was read, and ordered to lie on the table:

THE WHITE HOUSE,
Washington, June 15, 1933.

Hon. JOHN N. GARNER,
United States Senate, Washington, D.C.

MY DEAR MR. PRESIDENT: Before the adjournment of the special session I want to convey to you and to the Members of the Senate an expression of my thanks for making possible, on the broad average, a more sincere and more wholehearted cooperation between the legislative and the executive branches of the United States Government than has been witnessed by the American people in many a long year.

This spirit of teamwork has in most cases transcended party lines. It has taken cognizance of a crisis in the affairs of our Nation and of the world. It has grasped the need for a new approach to problems both new and old.

It has proved that our form of government can rise to an emergency and can carry through a broad program in record time.

I am certain that the American people are appreciative of the work of this special session of the Seventy-third Congress.

Please let me add that the past few months have given to me very special pleasure in the renewal of old friendships and the forming of new friendships among the Members of the Senate. To each and every one of you I send my best wishes for a well-deserved and happy holiday during the coming months.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

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FINAL ADJOURNMENT

The Vice President laid before the Senate the concurrent resolution (H.Con.Res. 24) providing for the final adjournment of the two Houses of Congress on this day, which was read.

The Senate proceeded to consider the said concurrent resolution; and,

On motion by Mr. Robinson of Arkansas,

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Robinson of Arkansas, at 1 o'clock and 12 minutes a.m.,

The Senate adjourned sine die.

PROCEEDINGS OF THE SENATE SITTING FOR THE TRIAL OF HAROLD LOUDERBACK, UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, UPON ARTICLES OF IMPEACHMENT EXHIBITED AGAINST HIM BY THE HOUSE OF REPRESENTATIVES.

THURSDAY, MARCH 9, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The hour of 2 o'clock p.m. of the first day of the first session of the Seventy-third Congress having arrived, the Senate, pursuant to its order of the 3d instant, proceeded to the consideration of the articles of impeachment heretofore exhibited by the House of Representatives against Harold Louderback, United States district judge for the northern district of California.

On motion by Mr. Norris,

Ordered, That William E. Borah, a Senator from the State of Idaho, be designated to administer to the President of the Senate the oath required by the Constitution, as contained in the Rules for Impeachment Trials.

Mr. Borah then administered the following oath to Hon. Jno. N. Garner, Vice President of the United States and President of the Senate:

"You do solemnly swear that in all things appertaining to the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, now pending, you will do impartial justice according to the Constitution and laws. So help you God."

Mr. Norris raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Sixty-nine Senators answered to their names, as follows:

Ashurst, Bachman, Bailey, Barbour, Barkley, Black, Bone, Borah, Bratton, Brown, Bulow, Byrd, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Couzens, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Fess, George, Goldsborough, Hale, Harrison, Hebert, Johnson, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Walcott, Walsh, and White.

A quorum being present,

Mr. Johnson and Mr. Borah, for reasons assigned by them, were, by unanimous consent, excused from participation in the proceedings of the Senate sitting for the trial of the impeachment of said Harold Louderback.

On motion by Mr. Robinson of Arkansas, and by unanimous consent,

Ordered, That the oath prescribed by law be administered to the Senators present en bloc.

The Vice President then administered the oath to the following-named Senators:

Ashurst, Bachman, Bailey, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulow, Byrd, Capper, Caraway, Clark, Connally, Coolidge, Copeland, Couzens, Dale, Davis, Dickinson, Dieterich, Dill, Duffy, Fess, George, Goldsborough, Hale, Harrison, Hebert, Keyes, King, La Follette, Lewis, Logan, Lonergan, Long, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Overton, Patterson, Pittman, Pope, Reed, Robinson of Arkansas, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Walcott, Walsh, and White.

On motion by Mr. Norris, and by unanimous consent,

Ordered, That the Secretary notify the House of Representatives that the Senate is now organized for the trial of articles of impeachment against Harold Louderback, United States district judge for the northern district of California, and is ready to receive the managers on the part of the House at its bar.

On motion by Mr. Norris, at 2 o'clock and 18 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until 4 o'clock p.m. today.

AT 4 O'CLOCK P.M.

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

Mr. Bratton raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Fifty-two Senators answered to their names, as follows:

Ashurst, Bachman, Bailey, Barbour, Black, Bratton, Bulow, Capper, Caraway, Clark, Coolidge, Copeland, Dale, Davis, Dickinson, Duffy, Fess, George, Harrison, Hebert, Keyes, King, La Follette, Logan, Long, McCarran, McGill, McKellar, McNary, Murphy, Neely, Norris, Nye, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Tydings, Vandenberg, Van Nuys, Walsh, and White.

A quorum being present,

Mr. Overton and Mr. Lonergan, having stated that they were Members of the House of Representatives at the time the articles of impeachment were preferred against said Harold Louderback, were, upon their own request, excused from further participation in the proceedings of the Senate sitting for the trial of the impeachment of said Harold Louderback.

The President of the Senate administered the oath prescribed by law to Mr. Reynolds and Mr. Robinson of Indiana, who had not previously been sworn.

On motion by Mr. Norris, at 4 o'clock and 15 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, adjourned until 3 o'clock p.m. on Monday next.

MONDAY, MARCH 13, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The hour of 3 o'clock p.m. had arrived,

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of Thursday, March 9, 1933, was approved.

The following managers, appointed by the House of Representatives to conduct the trial, to wit, Mr. Hatton W. Sumners, Mr. Gordon Browning, and Mr. Malcolm C. Tarver, entered the Senate Chamber and were conducted to the seats assigned them.

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Seventy-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd,

Byrnes, Capper, Caraway, Clark, Connally, Copeland, Costigan, Couzens, Dale, Dickinson, Dill, Duffy, Fess, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hebert, Kean, Keyes, King, La Follette, Lewis, Logan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Murphy, Neely, Nye, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, and White.

A quorum being present,

The Vice President administered the oath prescribed by law to the following Senators, who had not previously been sworn, viz, Messrs. Adams, Austin, Bulkley, Byrnes, Costigan, Frazier, Glass, Gore, Hastings, and McAdoo.

The Vice President directed that proclamation be made; whereupon

Proclamation was made by the Sergeant at Arms, as follows:

"Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence on pain of imprisonment while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Harold Louderback, United States district judge for the northern district of California.

Mr. Ashurst submitted an order, which was considered; and having been modified by him,

The order, as modified, was agreed to, as follows:

Ordered, That a summons to the accused be issued as required by the rules of procedure and practice in the Senate, when sitting for the trial of the impeachment against Harold Louderback, United States district judge of the northern district of California, returnable on Tuesday, the 11th day of April 1933, at 12:30 o'clock in the afternoon.

Mr. Kean and Mr. Wagner, who had not been sworn, entered the Chamber, and the oath prescribed by law was administered to them by the Vice President.

On motion by Mr. Ashurst, at 3 o'clock and 13 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until Tuesday, April 11, 1933, at 12 o'clock and 30 minutes p.m.

THURSDAY, MARCH 23, 1933

The following message was received by the Senate, in legislative session, from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the following resolution (H.Res. 70), which I am directed to communicate to the Senate:

Whereas in the Seventy-second Congress, on the 27th day of February 1933, Hatton W. Sumners, Gordon Browning, Malcolm C. Tarver, Fiorello H. LaGuardia, and Charles I. Sparks, Members of the House of Representatives, were appointed managers on the part of the House of Representatives to conduct the impeachment against Harold Louderback, a United States district judge for the northern district of California; and

Whereas the said LaGuardia and Sparks are no longer Members of the House of Representatives: Therefore be it

Resolved, That Randolph Perkins and U. S. Guyer, Members of the House of Representatives, be, and they are hereby, appointed in lieu of the said LaGuardia and Sparks to serve with the said Hatton W. Sumners, Gordon Browning, and Malcolm C. Tarver as the managers on the part of the House of Representatives to conduct the impeachment pending in the United States Senate against Harold Louderback, a United States district judge for the northern district of California.

TUESDAY, APRIL 4, 1933

The following message was received by the Senate, in legislative session, from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has passed the following resolution (H.Res. 93), which I am directed to communicate to the Senate:

Whereas Malcolm C. Tarver, on the 27th day of March 1933 submitted to the House of Representatives his resignation as a manager on the part of the House in the pending impeachment against Harold Louderback, a district judge of the United States for the northern district of California, which resignation on said date was accepted by the House of Representatives.

Resolved, That J. Earl Major and Lawrence Lewis, Members of the House of Representatives, be, and they are hereby, appointed managers on the part of the House of Representatives, with the managers on the part of the House heretofore appointed and acting, to conduct the impeachment pending in the United States Senate against Harold Louderback, a district judge of the United States for the northern district of California.

TUESDAY, APRIL 11, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The hour of 12 o'clock and 30 minutes p.m. having arrived,

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers appointed by the House of Representatives to conduct the trial, namely, Mr. Hatton W. Sumners, Mr. Gordon Browning, Mr. Randolph Perkins, Mr. U. S. Guyer, Mr. J. Earl Major, and Mr. Lawrence Lewis, had previously entered the Senate Chamber and had been conducted to the seats assigned them.

The Vice President directed that proclamation be made; whereupon

The Sergeant at Arms made proclamation, as follows:

"Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence on pain of imprisonment while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Harold Louderback, United States district judge for the northern district of California."

The Vice President administered the oath prescribed in the Rules for Impeachment Trials to the following Senators, not previously sworn, viz, Mr. Bankhead, Mr. Carey, Mr. Cutting, Mr. Erickson, Mr. Fletcher, Mr. Hatfield, Mr. Kendrick, Mr. Metcalf, Mr. Norbeck, and Mr. Shipstead.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of Monday, March 13, 1933, was approved.

The Vice President directed the Sergeant at Arms to notify the counsel for the respondent; whereupon

The respondent, Harold Louderback, and Walter H. Linforth, Esq., and James M. Hanley, Esq., his counsel, entered the Senate Chamber and were conducted to seats provided for them.

Mr. Ashurst submitted the following order, which was considered and agreed to:

IN THE SENATE OF THE UNITED STATES,
SITTING AS A COURT OF IMPEACHMENT.

Whereas on March 13, 1933, John N. Garner, Vice President and President of the Senate, acting under authority of the Senate, sitting as a Court of Impeachment, and in accordance with the Rules for Impeachment Trials, issued a writ of summons to Harold Louderback, United States district judge for the northern district of California, commanding him to appear before the Senate of the United States of America at their Chamber in the city of Washington on the 11th day of April 1933, at 12:30 o'clock afternoon, to answer to articles of impeachment exhibited against him by the House of Representatives of the United States of America, and addressed to Chesley W. Jurney, Sergeant at Arms of the Senate, a precept commanding him to serve true and attested copies of said writ of summons and precept upon the said Harold Louderback personally or by leaving same at his usual place of abode or at his usual place of business; and

Whereas since the recess of the Senate, sitting as a Court of Impeachment, the said Chesley W. Jurney, as Sergeant at Arms, acting upon a suggestion of the Committee on the Judiciary of the Senate, with a view to securing a waiver of personal service of said writ of summons as required by the precept, communicated by telegraph with the said Harold Louderback, who consented to such waiver, and who subsequently forwarded to said Chesley W. Jurney, as Sergeant at Arms, a waiver, in writing, of personal service of said writ of summons, signed by him and witnessed on the 28th day of March 1933, agreeing voluntarily to appear in person before the Senate of the United States at the time and place specified in said writ of summons and acknowledging receipt of true and attested copies of said writ of summons and precept, transmitted to him by the said Chesley W. Jurney, Sergeant at Arms: Now, therefore, be it

Ordered, That the action of the said Chesley W. Jurney, Sergeant at Arms of the Senate, in securing waiver of personal service of said writ of summons upon the said Harold Louderback be, and the same is hereby, ratified and approved; that the delivery, by registered mail, of true and attested copies of the said writ of summons and precept to the said Harold Louderback, and his acceptance thereof, be deemed and taken to have been a satisfactory and sufficient compliance by the said Chesley W. Jurney, Sergeant at Arms, with the said precept, and that the said Chesley W. Jurney, as Sergeant at Arms, be, and he is hereby, authorized to make return of said writ of summons and precept accordingly.

The Vice President directed the Secretary to read the return of the Sergeant at Arms on the writ of summons directed by the Senate to be issued to Harold Louderback; and

The Secretary thereupon read the return, as follows:

SENATE OF THE UNITED STATES,
OFFICE OF THE SERGEANT AT ARMS.

The foregoing writ of summons, addressed to Harold Louderback, and the foregoing precept, addressed to me, were duly served upon the said Harold Louderback by the transmittal, by registered mail, to the said Harold Louderback of true and attested copies of the same, and by his receipt thereof, as shown in the attached waiver by the said Harold Louderback of personal service of summons, said waiver being made a part of this return.

CHESLEY W. JURNEY,
Sergeant at Arms, United States Senate.

IN THE SENATE OF THE UNITED STATES, SITTING AS A COURT OF IMPEACHMENT IN THE CASE OF HAROLD LOUDERBACK, UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

Waiver of personal service of Harold Louderback, United States district judge for the northern district of California.

I, Harold Louderback, United States district judge for the northern district of California, do hereby waive personal service of summons issued on the 13th day of March 1933, by Hon. John N. Garner, Vice President and President of the Senate, which commands me to appear before the Senate of the United States on April 11, 1933, at 12:30 p.m., to answer specific articles of impeachment exhibited to the Senate by the House of Representatives, and agree to voluntarily appear in person before the Senate of the United States at the aforesaid time.

I acknowledge receipt of a true and attested copy of the writ of summons issued in this case, together with a like copy of the precept.

Witness my signature this 28th day of March 1933 at the city of San Francisco, State of California.

HAROLD LOUDERBACK,
Respondent.

Signature of witness:
JAMES M. HANLEY.

Ordered, by unanimous consent, That, in view of the waiver by the respondent of personal service of summons, the administration of the oath to the Sergeant at Arms upon the return be dispensed with.

By direction of the Vice President, the Sergeant at Arms then made proclamation, as follows:

"Harold Louderback! Harold Louderback! Harold Louderback, United States district judge for the northern district of California: Appear and answer to the articles of impeachment exhibited by the House of Representatives against you."

The Vice President informed the counsel for the respondent that the Senate is now sitting for the trial of Harold Louderback, United States district judge for the northern district of California, upon articles of impeachment exhibited against him by the House of Representatives and would hear his answer thereto.

Mr. Linforth, on behalf of the respondent, Harold Louderback, thereupon made the following formal appearance:

IN THE SENATE OF THE UNITED STATES,
SITTING AS A COURT OF IMPEACHMENT.

THE UNITED STATES OF AMERICA *v.* HAROLD LOUDERBACK, APPEARANCE OF RESPONDENT

The respondent, Harold Louderback, having been served with a summons requiring him to appear before the Senate of the United States of America at their Chamber in the city of Washington, on the 11th day of April 1933 at 12:30 o'clock afternoon, to answer certain articles of impeachment presented against him by the House of Representatives of the United States, now appears in his proper person and also by his counsel, who are instructed by this respondent to inform the Senate that respondent is ready to file his answer to said articles of impeachment at this time.

Dated this 11th day of April 1933.

HAROLD LOUDERBACK.

WALTER H. LINFORTH,
JAMES M. HANLEY,
Counsel for Respondent.

The appearance was read by the Secretary and placed on file.

Mr. Linforth, of counsel on behalf of the respondent, presented the answer of the latter, which was read by the Secretary, as follows:

ANSWER OF RESPONDENT HAROLD LOUDERBACK—IN THE SENATE OF THE UNITED STATES, SITTING AS A COURT OF IMPEACHMENT, THE UNITED STATES OF AMERICA *v.* HAROLD LOUDERBACK, UPON ARTICLES OF IMPEACHMENT PRESENTED BY THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA

ANSWER OF RESPONDENT HAROLD LOUDERBACK TO THE ARTICLES OF IMPEACHMENT EXHIBITED AGAINST HIM BY THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES

ANSWER TO ARTICLE I

For answer to the first article the respondent says that this honorable court ought not to have or take further cognizance of the first of said articles of impeachment so exhibited and presented against him, because, he says, the facts set forth in said first article do not, if true, constitute an impeachable high crime and misdemeanor as defined in the Constitution of the United States, and that therefore the Senate, sitting as a Court of Impeachment, should not further entertain the charge contained in said first article.

And now, not waiving the foregoing plea to the jurisdiction of the honorable Senate of the United States, sitting as a Court of Impeachment, as to said first article, said respondent saving to himself all advantages of exception to said first article, for answer thereto saith:

I. Admits that he is now and was at all times mentioned in said article, a duly appointed, qualified, and acting judge of the United States District Court for the Northern District of California.

II. Further answering said article, the respondent admits, denies, and alleges as follows:

Admits that on the 11th day of March 1930, by an order duly made and entered in that certain action then pending in the United States District Court for the Northern District of California, in which Gardner M. Olmstead was plaintiff and Russell Colvin Co. was defendant, he appointed one Addison G. Strong as equity receiver.

Admits that on the 13th day of March 1930, by an order duly made and entered in said action, he revoked and set

aside the order appointing said Addison G. Strong as receiver in said action.

Alleges that the facts and circumstances surrounding and leading up to the making of the said order on the 13th day of March 1930 setting aside the appointment of the said Addison G. Strong were as follows, and not otherwise:

On the 10th day of March 1930 a bill of complaint was filed in the office of the clerk of said court wherein Gardner M. Olmstead was the plaintiff and Russell Colvin Co., a copartnership, and others were defendants. That in said complaint, among other things, the appointment of a receiver was prayed for. That in said action Thelen & Marrin were the attorneys for the plaintiff and Sanborn & Roehl, DeLancey C. Smith, and Francis C. Brown were the attorneys for certain defendants. Upon the filing of the said bill of complaint, application was made to this respondent, in chambers, for the appointment of a receiver. At the making of said application the plaintiff was represented by the attorneys aforesaid and the defendants were represented by the said Francis C. Brown. Two of the defendants, partners of said Russell Colvin Co., were also present in person at the making of said application. All of said attorneys and said parties so present consented to and requested the appointment of a receiver. At said time there was also present Lloyd W. Dinkelspiel, a member of or connected with the law firm of Heller, Ehrman, White & McAuliffe, who were at that time the regularly retained attorneys for the San Francisco Stock Exchange. That said defendant, Russell Colvin Co., was and had been engaged in a general stock brokerage and bond business in the city of San Francisco and was a member of said stock exchange, owning a seat therein. That the said Addison G. Strong was the auditor for said stock exchange and had at some time prior thereto audited the books of said Russell Colvin Co. At the request of all parties present this respondent made the said order appointing the said Addison G. Strong receiver, who at said time was not known personally by respondent, but was known to him by reputation. At said time, and for a long time prior thereto, there was in existence a rule of the District Court of the United States for the Northern District of California, which had been adopted by all the members or judges thereof, known as "general rule no. 53", which in part was and is as follows:

"Receivers shall employ counsel only after obtaining an order of the court therefor."

And said rule at and prior to said 13th day of March 1930 had always been construed by the judges of said court to mean that such counsel should be satisfactory to and acceptable to the judge of said court. Upon the appointment of the said Addison G. Strong as such receiver, he desired to appoint as his attorneys the law firm of Heller, Ehrman, White & McAuliffe, so as aforesaid the attorneys for said San Francisco Stock Exchange. For the reasons aforesaid, respondent was reluctant to confirm or accept the appointment of said firm of attorneys so representing said stock exchange as attorney for said receiver, having already appointed as receiver the auditor of said stock exchange, and suggested to said receiver the appointment by him of other counsel, suggesting to him the names of John Douglas Short of the firm or connected with the law firm of Keyes & Erskine, the law firm of Pillsbury, Madison & Sutro, the law firm of Sullivan, Sullivan and Theodore J. Roche, and the law firm of Cushing & Cushing, all of said firms, and the members thereof, being reputable practitioners of high standing and character, practicing their profession at the city of San Francisco, but said receiver, Addison G. Strong, in a defiant and arbitrary manner, declined and refused to have or employ any counsel to represent him as such receiver other than the said firm so representing the said stock exchange. Accordingly, your respondent deemed it advisable to make and did make the order referred to in said article I, removing from office the said Addison G. Strong as such receiver.

Respondent denies that in so discharging the said Addison G. Strong as such receiver he acted willfully, tyrannically, and/or oppressively, and respondent denies that he ever attempted to force and coerce, or force or coerce the said Addison G. Strong to appoint as his said attorney in said matter or proceeding the said John Douglas Short, or that he ever improperly or otherwise or at all did attempt to cause the said Addison G. Strong to appoint the said John Douglas Short as his attorney in said matter by any promise or promises of allowance of large fees, or by any threat or threats of reduced fees in the event of the refusal of the said Addison G. Strong to so appoint the said John Douglas Short.

III. Further answering said article I, this respondent states that upon the removal of the said Addison G. Strong as such receiver, he appointed in his place and stead one H. B. Hunter, who at that time was manager of the brokerage department of the prominent firm of William Cavalier & Co., said company doing a general stock brokerage and investment banking business in the city and county of San Francisco, State of California.

Subsequent to the appointment of the said H. B. Hunter as such receiver, after petition filed by him therefor, respondent authorized the appointment by him of attorneys so to represent him as such receiver, and ratified the appointment by him of John Douglas Short and the firm of Keyes & Erskine as such attorneys.

Respondent denies that the said John Douglas Short was so appointed attorney for said receiver at the instance, suggestion, or demand of W. S. Leake, referred to in said article I as Sam Leake, or that respondent improperly, otherwise, or at all used his office and power of district judge in his own personal interest by causing the appointment of the said John Douglas Short as attorney for the said receiver.

Respondent denies that the said John Douglas Short or the said Keyes & Erskine received large and exorbitant fees, or large or exorbitant fees for any service by them, or any of them, rendered said receiver in said action.

And respondent further denies that he ever knew that the said W. S. Leake did receive certain or any fees, gratuities, and/or loans, directly or indirectly, from the said John Douglas Short, amounting approximately to the sum of $1,200, or any other sum or amount whatever.

Respondent denies, upon and according to his information and belief, that the said W. S. Leake ever did receive certain or any fees, gratuities, and/or loans, directly or indirectly, from the said John Douglas Short, amounting approximately to the sum of $1,200, or any other sum or amount whatever.

And further answering said article I, respondent alleges with reference to the fees allowed for the services of the attorneys for said receiver, as follows:

That respondent granted and allowed to John Douglas Short and Messrs. Keyes and Erskine, as attorneys for said receiver, as compensation for the services rendered by them, the sum of $46,250, and made an order to such effect on or about the 17th day of March 1931 and thereafter, on or about the 14th day of November 1931 an additional amount of $5,000. That said allowance of $46,250 was made upon the following circumstances, and not otherwise, namely:

On or about the 7th day of March 1931 said attorneys for said receiver filed in the matter of said action a written application for an allowance, to compensate them for the services theretofore rendered by them. Notice of the hearing of said application was given to all parties in interest. Said application came on regularly for hearing before respondent, as such judge, in open court, and the hearing thereof was had on the 14th, 16th, and 17th days of March 1931. That on said hearing all of the parties to said proceeding and a large number of the creditors of said Russell Colvin Co. were represented by counsel. On said hearing evidence as to the value of said services was introduced. Mr. John L. McNab, upon examination under oath, testified that in his opinion the value of said services was somewhere between $50,000 and $75,000, and added that he thought $75,000 was a fair fee; Mr. Albert A. Rosenshine testified said services were of a value of $65,000; Mr. Henry A. Jacobs testified that the value of said services was the sum of $55,000; Mr. Sidney M. Ehrman, of the law firm heretofore mentioned, placed a value of $25,000 upon said services. All of the attorneys above mentioned were and are reputable practitioners of their profession in San Francisco, and no other evidence by attorneys as to the value of said services was introduced.

That on the third day of said hearing, namely, March 17, 1931, upon the hearing of said application being resumed, respondent was advised in open court by counsel participating in the hearing of the objections to said application that the parties in interest had agreed among themselves upon an allowance in the sum of $46,250 for the services so rendered by the attorneys for the receiver, subject to the approval of respondent as such judge, and subject to the right of said counsel to thereafter apply for compensation for such services as might thereafter be rendered. Thereupon, as shown by the notes of the phonographic reporter, the following proceedings took place insofar as the same referred to the amount that should be allowed to the attorneys for the receiver:

"The COURT. This arrangement is within the scope of what I think proper, although I will be frank with you gentlemen and say that while it is not what I would have made it, if this matter was pressed in this present form, I am satisfied with it if everybody else is, and apparently everybody else is satified—it being within the range of a proper fee—I think it is satisfactory to the court to accept that, and without proceeding further with the hearing, in view of the fact that everyone is apparently satisfied or has shown no objection to this matter, or no objection has been offered by anyone who has been participating in this hearing, I will allow the sums which have been mentioned. * * * I will allow $46,250 to the attorneys, John D. Short and Keyes & Erskine."

And said record shows that before the respondent, sitting as judge of said court, made said announcement, he inquired of those present:

"If there is anybody objecting to that [referring to the amount so placed as the amount to be allowed said attorneys and other matters then under consideration] representing creditors, they should say so now."

And the record shows that no one in response thereto offered any objection.

And respondent further shows that the said allowance was made under and in accordance with the foregoing stipulation or arrangement entered into between the said parties. No exception was taken to said order by any interested party, and, to the knowledge of affiant, thereafter no objection was ever made thereto, and no appeal was ever taken therefrom.

Respondent further shows that thereafter on the 14th day of November 1931 said attorneys for said receiver, upon petition filed by them and after a full hearing had thereon, at which no objections whatever were made or filed, the sum of $5,000 was allowed for services rendered by said attorneys to said receiver, since the making of the order so allowing the said sum of $46,250, and no appeal was ever taken from this later order.

Respondent further shows that the records on file in said action disclose that the appraised value of all securities belonging to said firm of Russell Colvin & Co. and to its customers, was the sum of $2,111,536.24, as of March 11, 1930, the date of the commencement of the said receivership; that the appraised value of the firm's securities, not including other assets, was over one half million dollars; that 679 claims were filed with said receiver for cash and securities totaling $1,722,402.51, and that the amount of bank loans and repurchase agreements liquidated in said receivership was $971,870.94; that the said receiver and his said counsel settled each of said claims without employing a special master or expert accountant; that the administration of said estate resulted in the payment to customers of $385,745.70 in cash and the delivery to customers of securities of the value of $505,977.39; that the creditors of said firm entitled to preference, and the customers of the said firm entitled to priority, each received 100 percent of their claims in cash and securities; that the ordinary margin customers of said firm, not entitled to priority, received about 56 percent of their claims in cash and securities; that said ordinary margin customers of said firm were relegated to the position of general customers for a portion of their claims; that the claims of general creditors of the firm including the claims of margin customers who were relegated to the position of general creditors for a portion of their claims, amounted to $505,277.44, of which amount $152,733.97 represented the claim of general creditors not customers, and $352,533.47 represented the claims of margin customers who were relegated to the position of general creditors; that the general creditors had received 28 percent of their claims with a prospect of additional dividends of about 12 percent; that the customers and creditors of said firm had received securities and cash to the amount of $828,000, an average of about 65 percent for all customers and creditors; that only 21 objections were filed to the receiver's report by customers and creditors, and these objections or exceptions were summarily settled at hearings before the court or referee, with the result that the administration of the estate was substantially completed without protracted litigation having been instituted by any dissatisfied customer; that there was completed in 18 months the work of tracing the moneys and securities of said estate and marshaling its assets and distributing to creditors the moneys and securities to which they were entitled, with the exception of certain dividends thereafter to be paid, and the administration of the estate was most expeditious for one of this character.

IV. Further answering said article I, this respondent admits and alleges as follows, to wit:

Admits that on or about the 21st day of September 1929 the said W. S. Leake, in the manner hereinafter set forth, and not otherwise, obtained a room for respondent at the Fairmont Hotel, in the city and county of San Francisco, State of California, and made arrangements for registering said room in his, W. S. Leake's, name.

Admits that under said arrangement said room was to be charged by the management of said hotel to and in the name of the said W. S. Leake and that respondent was to pay monthly to said hotel, through the said W. S. Leake, the amount of said hotel's charges for said room.

And in this behalf this respondent alleges that said arrangement was made under the following circumstances, and not otherwise, that is to say:

Said W. S. Leake was at the said time, and for many years prior thereto had been, a close friend of the respondent and was at said time residing, and for many years prior thereto had resided, at said hotel with his family, consisting of his wife; that on the date aforesaid, and for some time prior thereto, unhappy differences existed between this respondent and his wife, which, on the date last aforesaid, culminated in respondent separating from his said wife and in temporarily taking up his abode at the said Fairmont Hotel. That on the date aforesaid, upon going to said hotel, respondent consulted with his said friend, advising him of his said separation and confiding in him his desire to avoid, as far as possible, newspaper notoriety that might be caused by knowledge of said separation, and inquired of his said friend whether or not it was possible to obtain accommodations in said hotel without it being generally and publicly known that respondent was staying thereat separate and apart from his said wife. Thereupon the said W. S. Leake arranged with said hotel for accommodations of respondent thereat under an arrangement that the same should be furnished in the name of and charged to the said W. S. Leake. Respondent thereafter monthly furnished to the said W. S. Leake the amount of the bills so charged to the said W. S. Leake for the accommodation of said respondent and said amounts were promptly paid by the said W. S. Leake to said hotel management, and received by it with full knowledge of all of the foregoing facts and circumstances.

Respondent further shows that at the time of the making of the said arrangement with said hotel he then had no in-

tention whatever of acquiring any residence in the county of Contra Costa, and at no time prior to the month of April 1930 did respondent have any intention of so acquiring a residence in the county of Contra Costa, State of California.

Respondent further shows that in the month of April 1930, and for some years prior thereto, a brother of respondent had his home and resided with his wife at no. 107 Ardmore Road, Kensington district, Contra Costa County. Said home was and is in the Berkeley Hills, so-called, and just across the Alameda County line and within about 40 minutes traveling distance to and from the city and county of San Francisco. That in the month of April 1930 respondent, with the consent of his said brother and wife, determined to make his home at the place aforesaid and in carrying out his intention so to do, on or about the 17th day of April 1930 removed substantially all his personal effects, such as trunks, clothing, and the like to a room in the said home of his brother, assigned by the latter to him for his use and benefit, leaving in his said room at said Fairmont Hotel such few articles of clothing as he might need in temporarily stopping at said place. Evidencing such intention to so reside at said place and become a resident of said Contra Costa County, respondent on or about the 17th day of April 1930 canceled his voting registration in the city and county of San Francisco and thereafter, and on or about the 18th day of April 1930 registered as a resident and voter of said Contra Costa County, giving his residence as such at the home of his said brother, and at said time was actually living and residing at said place. That in removing to said Contra Costa County and registering therein as a voter as aforesaid, respondent acted with the then bona fide and existing intention of abandoning the city and county of San Francisco as his residence and of making said Contra Costa County his future residence.

And further answering said article I, respondent denies that at the time referred to in said article he was, or ever had been, or is now, under any personal obligation to the said W. S. Leake, and denies that he ever at any time entered into any conspiracy with the said W. S. Leake, with the objects or purposes, or any of them, in said article I set forth, and denies that he ever entered into any conspiracy of any kind or character whatever with the said W. S. Leake.

Respondent denies that he ever improperly and/or unlawfully established a fictitious residence in the county of Contra Costa for the purposes in said article I set forth, or for any other purpose, or at all. And further denies that at any time he ever entered into a conspiracy with the said W. S. Leake to violate the provisions, or any provision, of the Political Code, or of any other code, in establishing a residence in the county of Contra Costa, as in article I set forth, or otherwise, or at all, and denies that at the time respondent acquired said residence in Contra Costa County, he did not in fact reside in said county.

Respondent denies that his registration as a voter in the said county of Contra Costa was unlawful or made or done pursuant to any conspiracy with the said W. S. Leake. Respondent denies that said registration was for the purpose of falsely creating proof necessary to establish himself a resident of said county in anticipation of any action expected by him to be brought against him, or for the sole purpose of meeting the requirements, or any of them, of the Code of Civil Procedure of the State of California, providing that all causes of action must be tried in the county in which the defendant resides at the commencement of the action, and respondent further denies that any provision of the Code of Civil Procedure of the State of California so provides.

Respondent further denies that any act or acts done or performed by him in any of the matters referred to in said article I, constituted a felony, defined by section 42 of the Penal Code of the State of California, or any other code of the State of California, and denies that he was and/or is guilty of a course of conduct improper, oppressive, and/or unlawful and/or is guilty of misbehavior in office as such judge and was and/or is guilty of any misdemeanor in office.

Except as hereinbefore specifically admitted or explained, respondent denies each and every allegation in said article I contained.

ANSWER TO ARTICLE II

For answer to the second article the respondent says that this honorable court ought not to have or take further cognizance of the second of said articles of impeachment so exhibited and presented against him, because, he says, the facts set forth in said second article do not, if true, constitute an impeachable high crime and misdemeanor as defined by the Constitution of the United States, and that therefore the Senate, sitting as a court of impeachment, should not further entertain the charge contained in said second article.

And now, not waiving the foregoing plea to the jurisdiction of the honorable Senate of the United States, sitting as a court of impeachment, as to said second article, said respondent saving to himself all advantages of exception to said second article, for answer thereto saith:

Further answering said article, the respondent admits, denies, and alleges as follows: I. Admits that on or about the 29th day of July 1930 by an order duly made and entered in that certain action then pending in the United States District Court for the Northern District of California, in which Helen Lay was plaintiff and Lumbermen's Reciprocal Association was defendant, he appointed Samuel Shortridge, Jr., as receiver therein and ratified or approved the appointment of Marshall Woodworth as attorney for said receiver.

Respondent alleges that the facts and circumstances surrounding and leading up to the appointment of said receiver, and the ratifying of the appointment of said Marshall Woodworth as his attorney, were as follows and not otherwise:

On the 29th day of July 1930 a verified bill of complaint was filed in the office of the clerk of said court, wherein the said Helen Lay was plaintiff and the said Lumbermen's Reciprocal Association was defendant. In said complaint, among other things, the appointment of a receiver was prayed for. In said action Reisner & Deming were the attorneys for the plaintiff, and Bronson & Slaven were the attorneys for the defendant. Upon the filing of said complaint, application was made to this respondent for the appointment of a receiver. At the making of said application the plaintiff was represented by John G. Reisner, of the said firm of Reisner & Deming, and the defendant was represented by Thomas W. Slaven, of the law firm of Bronson, Bronson & Slaven. Counsel so representing both plaintiff and defendant requested the making of an order appointing a receiver. One or the other of said counsel requested the appointment of Samuel M. Shortridge, Jr., as such receiver, and both consented to such appointment, and each signed at said time a written request for the appointment of said Samuel M. Shortridge, Jr., as such receiver, which written request was thereafter, and on the 30th day of July 1930, filed in the office of the clerk of said court.

Respondent further alleges that subsequent to the appointment of the said Samuel M. Shortridge, Jr., as such receiver and on the 2d day of August 1930 he signed and there was thereafter filed in the office of the clerk of said court an order ratifying the appointment of the said Marshall Woodworth as attorney for said receiver.

Respondent further alleges that it appeared from said bill of complaint that plaintiff was a citizen and resident of the State of California, residing within the jurisdiction of said court. That defendant was a reciprocal insurance association organized under the laws of the State of Texas, with assets in a large amount situate in the city of San Francisco and within the jurisdiction of this court, and carrying on and conducting its said insurance business in the State of California, as well as in the State of Texas, and had been licensed to conduct and carry on its said business in the State of California by the insurance commissioner of said State, and that at the time of the granting of the said application so appointing the receiver aforesaid, respondent believed in good faith, and was of the opinion that the court

over which he then presided had jurisdiction to make said order, and that the facts set forth in said bill of complaint justified the court in making said order.

Respondent further alleges that thereafter, on the 6th day of August 1930 the defendant in said action, by its attorneys before mentioned, filed an answer therein wherein and whereby the defendant not only admitted each and all of the allegations contained in the said bill of complaint, but joined in the petition for the appointment of said receiver and prayed that such decree be made in the premises as was just and proper and for the full protection of the plaintiff, the defendant, and all of the creditors of the latter.

And respondent further alleges that in and by said answer no attack whatever was made upon the jurisdiction of the court so presided over by respondent, to entertain the bill of complaint of the plaintiff therein, or to grant in such action such relief as might be just and proper.

Respondent further alleges that at no time down to the rendering of the decision by the United States Circuit Court of Appeals referred to in said article II did he entertain any doubt of the jurisdiction of the court over which he presided to proceed with and pass upon the various and sundry matters arising in said action, and denies that in so proceeding he was guilty of a course of improper and/or unlawful conduct.

Respondent alleges that on the first day of December 1930 he made and there was thereafter filed in the office of the clerk of said court an order fixing and allowing as compensation of said receiver and his said counsel the sum of $3,000 each for services by them respectively rendered covering the period from the 29th day of July 1930 to the 30th day of November 1930. That the said allowance was made upon a detailed statement of the services rendered by said receiver and said attorney, filed in the office of the clerk of said court and upon the written stipulation of the said Reisner & Deming, the attorneys for said plaintiff, and of Bronson, Bronson & Slaven, the attorneys for said defendant, which said stipulation was filed in the office of the clerk of said court on the 1st day of December 1930. That in the said stipulation of said attorneys it is recited that "the compensation for the services of the receiver for the above period of time from July 29, 1930, to and including November 30, 1930, in the sum of $3,000 is a proper and reasonable sum for the services rendered, and that the compensation for the legal services of the attorney for the receiver for the above period of time in the sum of $3,000 is a proper and reasonable sum for the legal services rendered by such attorney."

Respondent further alleges that on or about the 23d day of April 1931, as such judge, he made a further order allowing to said receiver and to his said attorney the additional sum of $3,000 each as compensation for services rendered by them, respectively, covering the period from December 1, 1930, to and including the 31st day of March 1931. That said order was likewise based in part upon the written stipulation of said attorneys, stipulating to the reasonableness of said amount, and which said stipulation was also filed in the office of the clerk of said court.

Respondent further alleges that in the fourth and final account filed by said receiver in said matter, under the heading "Disbursements", and under date of April 23, 1931, appears the $3,000 so allowed to the said receiver on said date by said order, and the like amount so allowed to his said counsel.

Respondent further alleges that no objection whatever was ever made by any person interested in said action to the allowance of said amounts or any of them until the petition for an order of settlement of the fourth and final account of said receiver was filed. That after a hearing thereon the respondent, as judge of said court, on the 15th day of December 1931, made an order approving and settling said fourth and final account, which order was on the day following filed in the office of the clerk of said court, and in said order, among other things, it is provided as follows:

"It is now here further ordered, adjudged, and decreed that Samuel M. Shortridge, Jr., receiver of Lumbermen's Reciprocal Association, defendant herein, be, and he is hereby, instructed and directed, within 30 days from the date of the signing and filing of this order, to deliver to the receiver appointed by the Superior Court of the State of California in and for the city and county of San Francisco, to wit: E. Forrest Mitchell, State insurance commissioner of California, any and all moneys in bank or otherwise held in the possession and custody of said Samuel M. Shortridge, Jr., as receiver of said defendant, Lumbermen's Reciprocal Association, and also any and all other assets, properties, books, records, papers, documents, notes, and all other personal property now in the possession or custody of said Samuel M. Shortridge, Jr., as receiver of said defendant, Lumbermen's Reciprocal Association, upon his obtaining and receiving a proper receipt or receipts therefor and filing said receipt or receipts with the clerk of the above-entitled court: *Provided, however,* That if within 30 days from the signing and filing of this order the attorney for E. Forrest Mitchell, State insurance commissioner of California and receiver appointed by the State court of California as above stated, shall appeal from this order, then the further execution and performance by said receiver of this order shall be stayed until the final action by the Circuit Court of Appeals for the Ninth Circuit on said appeal, or until the other or further order of this court or of the Circuit Court of Appeals."

Respondent alleges that at no time was any application made to modify said order, and respondent further alleges that subsequent to the making thereof and upon further and more mature consideration, he became convinced he had erred in including the proviso in the said order above quoted, and then and there concluded and determined to modify said order by eliminating and striking therefrom the said proviso, and then and there would have made an order so modifying the order settling said fourth account except for the fact that an appeal had been taken from the whole of said order. Accordingly, and for the purpose of preserving and protecting the rights of all parties interested therein, all parties interested in said proceeding, including Mr. Frank L. Guerena, the attorney for E. Forrest Mitchell, State insurance commissioner of California, at the request of respondent, entered into a stipulation, in effect, consenting to the modification of said order, by striking therefrom the said proviso, said stipulation being in the words and figures following, to wit:

"STIPULATION AND ORDER TURNING OVER ASSETS

"It is stipulated and agreed by and between all parties hereto that Samuel M. Shortridge, Jr., the receiver of the defendant, Lumbermen's Reciprocal Association, be, and he is hereby, authorized to turn over and deliver forthwith to E. Forrest Mitchell, insurance commissioner of the State of California, the receiver of the defendant, Lumbermen's Reciprocal Association, appointed by the Superior Court of the State of California in and for the city and county of San Francisco, all moneys in bank, assets, books, notes, papers, and all other property now in the custody or possession or under the control of said Samuel M. Shortridge, Jr., receiver appointed by this court of the defendant, Lumbermen's Reciprocal Association, upon obtaining proper receipts therefor; and it is further stipulated and agreed that that portion of the order approving fourth and final and supplemental accounts of receiver, denying petition for preferred claims, directing receiver to comply with order of United States Circuit Court of Appeals and thereupon discharging receiver and exonerating his bond, made and entered December 15, 1931, which provides that if an appeal be taken by said E. Forrest Mitchell, State insurance commissioner of California and receiver appointed by the State court of California, then the further execution and performance by said Samuel M. Shortridge, Jr., as receiver aforesaid, of the directions contained in said order shall be stayed until the final action by the Circuit Court of Appeals for the Ninth Circuit on said appeal or until the other or further order of the above-entitled court or the Circuit Court of Appeals be, and the same is hereby, set aside and vacated. This stipulation is made without prejudice to the

rights of any party hereto with respect to the appeal herein pending."

Respondent further alleges that thereupon, on the 11th day of January 1932, he made an order so modifying the said order so settling the said final account, in accordance with the terms and provisions of said stipulation, and caused said order to be filed in the office of the clerk of said court on said 11th day of January 1932.

Respondent further alleges that on the 11th day of January 1932, when said order was so modified by him as aforesaid, the record of the appeal from the making of said order had not been prepared and that the said insurance commissioner of the State of California was not put to any delay, labor, or expense in protecting the rights of any person or persons by reason of the said order so settling the said fourth account having contained therein the proviso hereinabove quoted in full, and that the further prosecution of said appeal was directed solely and entirely to the question as to whether or not the amounts so awarded as aforesaid to said receiver and his said counsel as compensation for services rendered by them and the expenses incurred in connection therewith were reasonable or unreasonable.

Respondent denies that said order so settling the said fourth and final account of said receiver was made by him as a judge of said court to favor and enrich, or to favor or enrich any friend, political or otherwise, and denies that said order was made to the detriment and/or loss of any litigant or litigants in his said court and/or for the purpose or with the intention of forcing or causing said State commissioner of insurance and/or any party in interest in the said action unnecessary delay, labor, and/or expense in protecting the rights of all or any parties against said order.

Denies that this respondent did improperly and/or unlawfully or at all seek to coerce said State commissioner of insurance, and/or any party or parties in interest in said action to accept and/or acquiesce in any fees or disbursements granted by him to the said receiver or his said attorney.

Respondent alleges at the times of the making of the respective orders as hereinbefore stated, allowing compensation to said receiver and said attorney, he honestly and conscientiously believed the services rendered by them, and each of them, as shown by the detailed statements on file of the services rendered by them were reasonable and proper, and in so making said allowances, and each thereof, respondent was guided and influenced by the stipulation of the parties hereinbefore referred to.

Respondent denies that he ever improperly and/or unlawfully forced and coerced, or forced or coerced, any of the parties to said proceeding to enter into the stipulation in said article II mentioned, but alleges that the making of said stipulation was brought about and made under the circumstances heretofore fully set forth and not otherwise.

Respondent denies that he did not give his fair, impartial, and/or judicial consideration to the objections of the said State commissioner of insurance against the fees allowed to the said receiver and his attorney, respectively, in the litigation referred to in said article II, and denies that in the making of said orders, or either thereof, he had any intention or purpose of favoring or enriching said receiver and his said attorney, or any friend or friends, at the expense of any person interested in said matter, or otherwise, or at all.

Respondent alleges that any error made or committed by him in the making of said orders, or either thereof, was not made or brought about as the result of friendship or prejudice, and was made by him in good faith and without any thought, purpose, or desire on his part of being partial, oppressive, excessive, or unreasonable.

Respondent denies that he was and/or is guilty of a course of conduct oppressive and/or unjudicial, and/or of misbehavior in office as such judge, and was and/or is guilty of a misdemeanor in office by reason of any matter or thing set forth in article II.

And except as hereinbefore specifically admitted or explained, respondent denies each and every allegation in said article II contained.

ANSWER TO ARTICLE III

For answer to the third article the respondent says that this honorable Court ought not to have or take further cognizance of the third of said articles of impeachment so exhibited and presented against him, because, he says, the facts set forth in said third article do not, if true, constitute an impeachable high crime and misdemeanor as defined in the Constitution of the United States, and that thereof, the Senate, sitting as a Court of Impeachment, should not further entertain the charge contained in said third article.

And now, not waiving the foregoing plea to the jurisdiction of the honorable Senate of the United States, sitting as a Court of Impeachment, as to said third article, said respondent, saving to himself all advantages of exception to said third article, for answer thereto saith:

Further answering said article, the respondent admits, denies, and alleges as follows:

I. Admits that on the 17th day of February 1932, by an order duly made and entered in that certain action then pending in the United States District Court for the Northern District of California, in which action Waukesha Motor Co. was complainant and Fageol Motors Co., a corporation, and others were defendants, he appointed Guy H. Gilbert as receiver of the said Fageol Motors Co. and respondent alleges the facts and circumstances surrounding and leading up to the appointment of said receiver were as follows, and not otherwise:

On the 17th day of February 1932 a verified bill of complaint was filed in the office of the clerk of said court in the action above mentioned. That in said complaint, among other things, the appointment of a receiver was prayed for. That in said action Weinmann & Licking were the attorneys for the plaintiff and Bronson. Bronson & Slaven were the attorneys for defendants. Upon the filing of said bill of complaint, application was made to this respondent for the appointment of a receiver. Upon the filing of the complaint an answer was also filed admitting all the allegations of the complaint and therein stating that the defendants consent to the relief prayed for. Said answer concludes as follows:

"Wherefore, the defendants pray that the relief prayed for in the bill of complaint be granted."

The said complaint, the said answer, and an order appointing receiver, with the name of the receiver left blank, was left with respondent 's secretary in chambers by counsel for the respective parties during respondent's absence in court, with a request then and there made to said secretary for the appointment of a receiver and a suggestion for the appointment of a person named by them, whose name at the present time respondent cannot recollect. Knowing nothing personally of the person so suggested, respondent granted said application, but appointed one G. H. Gilbert receiver, filling in the blank space in the order so left with the respondent's secretary the name of G. H. Gilbert, who, according to respondent's information and belief, is the same person referred to in said article III as Guy H. Gilbert.

That said order as so prepared by counsel above referred to contained the following clause:

"Decreed that the receiver be, and hereby is, directed within 30 days from the date of this decree to cause to be mailed to each and every creditor of the defendants known to such receiver a copy of this order and a notice of a motion to make the receivership herein permanent, such mailing to be in a securely sealed envelope, postage prepaid, and to be addressed to said creditor at the last post-office address known to the said receiver, and such service by mail is hereby decreed to be due, timely, sufficient, and complete service of this decree and this suit and of such notice and all proceedings had or to be had herein and upon all such creditors for all purposes."

Respondent alleges, upon and according to his information and belief, within 30 days after making of said order, to wit, on or about the 22d day of March 1932 said receiver, G. H. Gilbert, mailed to each creditor of said Fageol Motors Co., at the address given and as the name of said creditor appeared on the books of said Fageol Motors Co., a copy of said order so appointing said receiver, and a notice to the effect that on the 17th day of March 1932 said receiver would move the said court, so presided over by respondent, for an order making his appointment as temporary receiver permanent. In addition thereto, said receiver caused to be served, on the 29th day of February 1932 a like notice upon the attorneys for the complainant and also upon the attorneys for the defendants, as shown by their written admissions of service on the back of said notice, and which said notice was filed in the office of the clerk of said court on the 1st day of March 1932. Respondent further alleges that at the time so fixed for the hearing of said motion the same was continued from the 17th day of March 1932 to the 21st day of March 1932 at which time said motion came on regularly for hearing. No opposition was made at said time by anyone, to the making of the order requested and thereupon respondent, as such judge, on said 21st day of March 1932 granted said motion and apopinted the said G. H. Gilbert permanent receiver of said Fageol Motors Co., which said order reduced to writing and signed by respondent as judge of said court was filed in the office of the clerk of said court on the following day.

Respondent further alleges that no objection was ever made to him at any time to the appointment of the said G. H. Gilbert, either as temporary or permanent receiver.

Respondent denies that at the time of the appointment of said G. H. Gilbert as either temporary receiver or permanent receiver, he knew the said G. H. Gilbert to be incompetent, unfit, and/or inexperienced for his duties as such, and respondent denies that said Gilbert was incompetent or unfit and/or inexperienced for the duties of said office.

Respondent denies that he oppressively and/or in disregard of the rights and interests of litigants, or any litigant, in his court did appoint the said G. H. Gilbert as receiver for the said Fageol Motors Co.

Respondent denies that he ever refused to grant a hearing to the plaintiff, the defendant, or any creditors or creditor, or any party or parties in interest in the matter of the said Fageol Motor Co. of the appointment of said receiver and denies that anyone connected with said litigation ever requested him to grant to said plaintiff or defendant, or any creditor or creditors, or anyone interested in said proceedings, a hearing.

Respondent denies that he caused the said litigants, parties in interest in said matter, or any of them, to be misinformed of his action in regard to the appointment of said G. H. Gilbert as such receiver, either while said Gilbert took the steps necessary to qualify as such receiver or in any other manner or at all, and respondent denies that thereby or otherwise or at all he deprived said litigants and parties in interest, or any of them, of presenting the facts, circumstances, and conditions, or any of them, of said equity receivership or the nature of the business and the type of the person necessary to operate the same in order to protect creditors, litigants, and all parties in interest, or any of them, and thereby or otherwise, or at all deprived the said parties in interest, or any of them, of an opportunity of protesting against the appointment of the said G. H. Gilbert either as temporary or permanent receiver.

Respondent denies that in any matter or thing set forth or referred to in said article III he was guilty of misdemeanor in office resulting in expense, disadvantage, annoyance, and/or hindrance to litigants or any litigant in his court in the case in said article referred to, and further denies that he was and/or is guilty of a course of conduct constituting misbehavior as said judge and/or that he was guilty or is guilty of a misdemeanor in office.

And except as hereinbefore specifically admitted or explained, respondent denies each and every allegation in said article III contained.

ANSWER TO ARTICLE IV

For answer to the fourth article the respondent says that this honorable court ought not to have or take further cognizance of the fourth of said articles of impeachment so exhibited and presented against him, because, he says, the facts set forth in said fourth article do not, if true, constitute an impeachable high crime and misdemeanor as defined in the Constitution of the United States, and that, therefore, the Senate sitting as a court of impeachment should not further entertain the charge contained in said fourth article.

And now, not waiving the foregoing plea to the jurisdiction of the honorable Senate of the United States sitting as a court of impeachment as to said fourth article, said respondent saving to himself all advantages of exception to said fourth article, for answer thereto saith:

Further answering said article, the respondent admits, denies, and alleges as follows:

I. Admits that on or about the 15th day of August 1931, by an order duly filed and entered in that certain action then pending in the United States District Court for the Northern District of California, in which action Character Finance Co. of Santa Monica, a California corporation, was plaintiff, and Credential Holding Co. of Los Angeles, a Nevada corporation, was defendant, he appointed G. H. Gilbert as receiver of said defendant, and thereafter on the 18th day of August 1931 ratified and approved the appointment of Dinkelspiel & Dinkelspiel as attorneys for said receiver.

Respondent alleges that the facts and circumstances surrounding and leading up to the appointment of said receiver were as follows, and not otherwise.

On said 15th day of August 1931 a bill of complaint was filed in the office of the clerk of said court in the action last above referred to. That in said bill of complaint, among other things, the appointment of a receiver was prayed.

That in said action Gold, Quittner & Kearsley were attorneys for the plaintiff. Upon the filing of the said bill of complaint an application was made to this respondent for the appointment of a receiver. At the making of said application the plaintiff was represented by Brice Kearsley, Jr., of the said firm of Gold, Quittner & Kearsley, and the said defendant corporation was represented by its director and vice president, J. H. Stephens, who joined in the request of said attorney for plaintiff for the making of the order appointing a receiver. Thereupon respondent, as judge of said court, made the order so appointing the said G. H. Gilbert receiver as aforesaid.

That in said bill of complaint, among other things, it was alleged that the plaintiff corporation was organized under the laws of the State of California, with its principal place of business in the county of Los Angeles in that State, and was a citizen and resident of said State; it was further alleged that the defendant therein was incorporated under the laws of the State of Nevada, was a citizen and resident thereof, and having its principal place of business in the city of Oakland in the State aforesaid. That the said city of Los Angeles was and is within the jurisdiction of the District Court for the Southern Division of California. It was further alleged that the grounds upon which the jurisdiction depended were diversity of citizenship and the fact that the corporate defendant had property within the jurisdiction of the court so presided over by your respondent. Said complaint further alleged the amount involved was in excess of $3,000; that the plaintiff was the owner of 6,400 shares of class B preferred stock and 3,200 shares of common stock, all issued by defendant, and plaintiff had acquired this stock under an agreement entered into between the plaintiff and the defendant on the 12th day of September 1929, wherein and whereby it was agreed between said parties that plaintiff should transfer to defendant all its assets, alleged to be of the value of $96,000, in consideration of the defendant issuing to plaintiff the stock aforesaid and assuming and promising to pay certain outstanding indebtedness of plaintiff in the sum of $15,000. The complaint further alleged, in conformity with said agreement, the plaintiff had transferred all of its said assets to defendant, that defendant had issued said stock to plaintiff, had paid said indebtedness to the extent of $10,000, but refused and had failed and neglected to pay the balance thereof.

Said complaint further alleged the defendant was engaged in the business of buying, selling, and dealing in real property, both improved and unimproved, and of conducting numerous and divers finance and mortgage companies and thrift banks. It was further alleged that defendant's assets were of the fair, reasonable value of approximately $1,150,000 and that defendant's indebtedness to various creditors aggregated approximately the sum of $1,100,000. It was further alleged that on many of its real-estate holdings there existed liens in the form of mortgages or deeds of trust; that sales had already been made under certain of said mortgages or deeds of trust, due to mismanagement of the directors of defendant, and that further sales under other mortgages and deeds of trust were about to be had. It was further alleged that attachments had been levied against the property of the defendant in a suit brought to recover the sum of $60,000 by the First National Bank of Bakersfield in said State of California; that other attachment suits were threatened; that the defendant had neglected to pay and had permitted to become delinquent taxes on various of its properties and holdings and that the president of said company had improperly and without authority transferred certain of its assets consisting of accounts receivable to various parties for collection and adjustment and that various creditors of the said defendant were pressing their claims for payment and that defendant was without sufficient funds to meet its obligations, the majority of which were past due. It was further alleged in said complaint, in order to prevent a multiplicity of suits—the obtaining of preferences—and to obtain an equitable winding up of the business of said defendant and a just application of its assets amongst its creditors and its stockholders, and also for the prevention of irreparable injury and damage that would result to such creditors and the stockholders of defendant, the appointment of a receiver was advisable and necessary.

Respondent admits that on the 20th day of August 1931 a motion to dismiss the said action was filed on behalf of said defendant, appearing specially for the making of said motion upon the grounds that said bill of complaint was not properly verified and that plaintiff was a resident of the southern district of the State of California and the defendant a resident of the State of Nevada.

Respondent further admits that on the 29th day of August 1931 said motion to dismiss came on to be heard, and at which time plaintiff was granted permission to file a memorandum of authorities. Said motion to dismiss was finally submitted on the 19th day of September 1931 and granted by respondent, as judge of said court, on the 2d day of October 1931.

Respondent further admits that during the pendency of the said motion to dismiss and on the 5th day of September 1931 a petition in bankruptcy was filed against the said Prudential Holding Co., and in which latter proceeding on the 30th day of September 1931, as judge of said court, he made an order therein appointing the said G. H. Gilbert receiver in said bankruptcy proceeding, and thereafter approved the appointment of said Dinkelspiel & Dinkelspiel and others as attorneys for said receiver in bankruptcy.

Respondent denies that he willfully, improperly, and/or unlawfully took jurisdiction of the said cause in bankruptcy, and denies that he made the order so appointing the said receiver in said bankruptcy proceeding while sitting in a part of said court to which he had not been assigned at said time. In this behalf respondent alleges that said bankruptcy proceeding had been assigned to the department presided over by the Honorable A. F. St. Sure, one of the duly appointed, qualified, and acting judges of said court. That at the time of the filing of said bankruptcy proceedings Judge St. Sure was absent from the city and county of San Francisco, and respondent alleges that said judge had requested respondent to act for him in all such matters as might arise during his said absence, and for said reason and no other respondent acted for and on behalf of the said judge in the hearing of said application and the making of said order.

Respondent denies that the order made on the 15th day of August 1931 appointing the said G. H. Gilbert receiver in said equity proceeding was made without notice to the said Prudential Holding Co., and further admits that said order was made upon a complaint or petition verified not by plaintiff therein but by one of the attorneys for plaintiff, and alleges that said verification recited that said attorney had been duly authorized by the plaintiff to verify and file the same.

Respondent denies that the said G. H. Gilbert was appointed such receiver or that respondent ratified the selection by said receiver of Dinkelspiel & Dinkelspiel as his attorneys in an attempt or in any attempt on the part of respondent to benefit and/or enrich the said receiver and/or his said attorneys, or any of them.

Respondent denies that in the appointment of the said G. H. Gilbert as receiver, or in the ratification of the said Dinkelspiel & Dinkelspiel as attorneys for said receiver, said respondent failed to give his fair, impartial, and/or judicial consideration to the application of the said Prudential Holding Co. for a dismissal of said complaint or petition and/or a discharge of said receiver.

And respondent denies that said alleged failure to give such consideration to said application or petition was in an attempt to benefit and enrich or benefit or enrich the said receiver and his said attorneys, or any of them.

And respondent denies that said Prudential Holding Co. was at any time prior to the filing of said notice of motion to dismiss entitled in law to have said receiver discharged.

Respondent denies that in any matter or thing referred to in said article IV he acted oppressively or deliberately or wilfully, or that he misused the powers of his judicial office with the sole purpose, or for any purpose, of benefiting and enriching or benefiting or enriching the said receiver and his said attorneys, or any of them.

Respondent denies that he caused the said Prudential Holding Co. to be put to unnecessary delay, expense, and/or labor, or deprived it of a fair, impartial, and/or judicial consideration of its right or rights and/or the protection of its property.

Respondent denies that in any matter or thing sets forth or referred to in said article IV he was guilty of misbehavior in office or filled with partiality and/or favoritism, or made any order whatever referred to in said article for the sole or any purpose of benefiting and enriching or benefiting or enriching any personal friend or friends, or associate or associates.

Respondent further alleges that in said receivership in said equity proceeding no fees whatever were allowed or received by either said receiver or his said attorneys and in said bankruptcy proceeding no fees whatever were allowed by respondent, as judge of said court, to either said receiver or to any of his said attorneys.

And, except as hereinbefore specially admitted, respondent denies each and every allegation in said article IV contained.

ANSWER TO ARTICLE V

For answer to the fifth article the respondent says that this honorable court ought not to have or take further cognizance of the fifth of said articles of impeachment so exhibited and presented against him, because, he says, the facts set forth in said fifth article do not, if true, constitute an impeachable high crime and misdemeanor as defined in the Constitution of the United States, and that therefore the Senate, sitting as a Court of Impeachment, should not further entertain the charge contained in said fifth article.

And now, not waiving the foregoing plea to the jurisdiction of the honorable Senate of the United States, sitting as a Court of Impeachment, as to said fifth article, said respondent saving to himself all advantages of exception to said fifth article, for answer thereto saith:

I. That said article V is so uncertain and indefinite as to time, place, and proceedings that respondent cannot ascertain therefrom with reasonable or any certainty in what proceeding or proceedings, or at what time or times, or at what place or places, his conduct was, as set forth in said article V, and respondent cannot safely proceed to trial as to said fifth article, before this honorable Senate, sitting as a Court of Impeachment, at a distance of more than 3,000 miles from where respondent has presided as such judge, as aforesaid, without being apprised in advance in the particulars aforesaid, in order to procure the attendance of such witnesses as may be necessary to meet such charge or charges.

Wherefore respondent, upon the reading and filing of this answer will move the honorable Senate of the United States, sitting as a Court of Impeachment, to require the honorable House of Representatives of the United States, within a reasonable time, to be by it specified, to make said fifth article more definite and certain in the particulars aforesaid, and failing so to do, this honorable body dismiss said article V.

And without waiving but expressly reserving his right to make said motion and to have the same passed upon by the honorable Senate of the United States, sitting as a Court of Impeachment, respondent, answering said article V, admits and denies, as follows, to-wit:

I. Respondent admits that on the 17th day of April 1928 he was duly appointed United States district judge for the northern district of California, and has held such office to the present day.

II. Denies that at any time or times, or at any place or places, during his term of office, when acting as such judge, he conducted himself in his said court in his capacity as judge in the making of any decision or decisions, or order or orders in any action or actions pending in his court, and before him as such judge, so as to excite fear and/or distrust, and/or to inspire a wide-spread, or any belief, in and/or beyond said northern district of California, that any cause was or that any causes were not decided in said court according to their merits, but was or were decided with partiality and/or with prejudice and/or favoritism to certain or any individuals or individual, particularly, or at all, to receivers and attorneys for receivers by him appointed, or any of them.

III. Respondent denies that at any time in any matter referred to in said article V he displayed a high degree of indifference or any indifference to the litigants or any litigant in equity receiverships, or in any other proceedings, as to excite fear and distrust, or fear or distrust, and/or to inspire a wide-spread belief, or any belief in and/or beyond said northern district of California that any cause or causes were not decided in said court according to their merits but were decided with partiality and/or with prejudice and/or favoratism to certain or any individual or individuals, particularly, or otherwise, or at all, as to receivers and attorneys for receivers, or any of them by him so appointed.

IV. Respondent denies that at any time referred to in article V, or at any other time, he so conducted himself in said office and in his capacity as judge, as aforesaid, as to cause or bring about any scandal and/or disrepute of said court and/or the administration of justice therein, and further denies that any conduct on his part whether referred to in said article V or otherwise, ever was or has been or is prejudicial to the dignity of the judiciary.

V. Respondent further denies that he ever was or now is guilty of misbehavior as such judge and/or of a misdemeanor in office.

Except as hereinbefore specifically admitted, respondent denies each and every allegation in said article V contained.

And this respondent in submitting to this honorable court, this his answer to the articles of impeachment exhibited against him, respectfully insists that he is not guilty of any of the charges contained in any of the said five articles of impeachment, and respectfully reserves leave to amend and add to this his said answer from time to time as may become necessary or proper and when said necessity and propriety shall appear.

Dated, April 11, 1933.

HAROLD LOUDERBACK,
Respondent.
WALTER H. LINFORTH,
JAMES M. HANLEY,
Of Counsel for Respondent.

During the reading of the foregoing answer of respondent,

The Vice President administered the oath prescribed in the Rules for Impeachment Trials to the following Senators who had not been previously sworn, viz: Mr. Hayden, Mr. Schall, and Mr. Wheeler.

Mr. Linforth, of counsel for respondent, presented the following written notice of motion to make article V of the articles of impeachment more definite and certain in the particulars specified in the answer, which was read:

IN THE SENATE OF THE UNITED STATES,
SITTING AS A COURT OF IMPEACHMENT.

THE UNITED STATES OF AMERICA *v.* HAROLD LOUDERBACK—MOTION TO MAKE ARTICLE V OF THE ARTICLES OF IMPEACHMENT MORE DEFINITE AND CERTAIN

The respondent, Harold Louderback, moves the honorable Senate, sitting as a Court of Impeachment, for an order requiring the honorable House of Representatives of the United States, within a reasonable specified time, to make more definite and certain the charges contained in article V of the articles of impeachment herein in the following particular or particulars, that is to say:

To specify the time and times, and the place or places, and the name or title of the proceeding or proceedings, and the circumstance or circumstances wherein in said fifth article it is claimed the said respondent was guilty of the conduct referred to and set forth therein.

Said motion is made for the reason and on the ground that it is impossible for respondent to be prepared to meet said charges and to summon witnesses in regard thereto without first being advised of the time and times, and the place and places, and the name or title of the proceeding or proceedings, and the circumstance or circumstances wherein in said fifth article it is claimed the said respondent was guilty of the conduct referred to and set forth therein.

And, in the event of the failure of said House of Representatives within the time so fixed to amend said fifth article in the particulars as aforesaid, that this honorable body dismiss the charges contained in said fifth article.

Dated April 11, 1933.

WALTER H. LINFORTH,
JAMES M. HANLEY,
Counsel for Said Respondent.

Mr. Linforth, of counsel for respondent, in obedience to the notice, thereupon moved that the Senate require the House of Representatives to specify, in the particulars set forth, the fifth count of the articles, and failing to do so within a reasonable time, that that article be dismissed.

Mr. Sumners, on behalf of the managers on the part of the House, stated that they consented to attempt to make article V more specific, and to procure the indorsement of the House of Representatives, and that when the said article was amended the managers would furnish a copy thereof to counsel for respondent.

Mr. Ashurst submitted the following order:

Ordered, That the managers on the part of the House be allowed until the 15th day of May, 1933, at 1 o'clock in the afternoon, to present a replication, or other pleading, of the House of Representatives to the answer of the respondent. That any subsequent pleadings, either on the part of the managers or of the respondent, shall be filed with the Secretary of the Senate, of which notice shall be given to the House of Representatives and the respondent, respectively, so that all pleadings shall be closed on or before the 15th day of May 1933, and that the trial shall proceed on the said 15th day of May, 1933 at 1 o'clock p.m.

The Senate proceeded to consider the said order.

Pending which,

Mr. Dieterich, having stated that he was a member of the Committee on the Judiciary of the House of Representatives at the time the articles of impeachment were preferred against the respondent, was, upon his request, excused from further participation as a member of the Senate sitting for the trial of said impeachment, and relieved of the obligation of the oath taken by him.

Pending further consideration of the order,

Mr. Long proceeded to debate a question.

Mr. Bratton raised a question of order, viz, that under the rules governing impeachment trials Senators were not permitted to engage in colloquies.

The Vice President sustained the question of order.

The order, having been modified by Mr. Ashurst by striking out the words "15th day of May 1933," where they occur the first time, and inserting in lieu thereof *1st day of May, 1933*, was agreed to, as modified.

Mr. Black submitted the following order, which was considered and agreed to:

Ordered, That the answer of the respondent, Harold Louderback, to the articles of impeachment exhibited against him by the House of Representatives be printed for the use of the Senate sitting in the trial of said impeachment.

Mr. King submitted the following order, which was considered and agreed to:

Ordered, That lists of witnesses be furnished to the Sergeant at Arms by the managers and by the respondent, and said witnesses shall be subpenaed to appear on Monday, the 15th day of May 1933 at 1 o'clock p.m.

Mr. Bratton submitted the following order, which was considered and agreed to:

Ordered, That in addition to the rules of procedure and practice in the Senate when sitting on impeachment trials, heretofore adopted, and supplementary to such rules, the following rules shall be applicable in the trial of the impeachment of Harold Louderback, United States judge for the northern district of California:

First. In all matters relating to the procedure of the Senate, whether as to form or otherwise, the managers on the part of the House or the counsel representing the respondent may submit a request or application orally to the Presiding Officer, or, if required by him or requested by any Senator, shall submit the same in writing.

Second. In all matters relating immediately to the trial, such as the admission, rejection, or striking out of evidence, or other questions usually arising in the trial of causes in courts of justice, if the managers on the part of the House or counsel representing the respondent desire to make any application, request, or objection, the same shall be addressed directly to the Presiding Officer and not otherwise.

Third. It shall not be in order for any Senator, except as provided in the rules of procedure and practice in the Senate when sitting on impeachment trials, to engage in colloquy or to address questions either to the managers on the part of the House or to counsel for the respondent, nor shall it be in order for Senators to address each other; but they shall address their remarks directly to the Presiding Officer and not otherwise.

Fourth. The parties may, by stipulation in writing filed with the Secretary of the Senate and by him laid before the Senate or presented at the trial, agree upon any facts involved in the trial; and such stipulation shall be received by the Senate for all intents and purposes as though the facts therein agreed upon had been established by legal evidence adduced at the trial.

Fifth. The parties or their counsel may interpose objection to witnesses answering questions propounded at the request of any Senator, and the merits of any such objection may be argued by the parties or their counsel; and the Presiding Officer may rule on any such objection, which ruling shall stand as the judgment of the Senate, unless some Member of the Senate shall ask that a formal vote be taken thereon, in which case it shall be submitted to the Senate for decision; or he may, at his option, in the first instance submit any such question to a vote of the Members of the Senate. Upon all such questions the vote shall be without debate and without a division, unless the yeas and nays be demanded by one fifth of the Members present, when the same shall be taken.

Mr. Ashurst submitted the following order, which was considered and agreed to:

Ordered, That the Secretary of the Senate communicate to the House of Representatives an attested copy of the answer of Harold Louderback, judge of the United States District Court in and for the Northern District of California, to the articles of impeachment, and also a copy of the foregoing order.

On motion by Mr. Ashurst, at 2 o'clock and 10 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until Tuesday, April 18, 1933, at 12 o'clock and 30 minutes p.m.

TUESDAY, APRIL 18, 1933

The hour of 12 o'clock and 30 minutes p.m. having arrived,

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers, with the exception of Mr. Perkins, appointed by the House of Representatives to conduct the trial, and the respondent Harold Louderback, accompanied by his counsel, Walter H. Linforth, Esq., and James H. Hanley, Esq., entered the Senate Chamber and took the seats assigned them.

The Vice President directed that proclamation be made; whereupon

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of Tuesday, April 11, 1933, was approved.

The Vice President laid before the Senate, sitting for the impeachment trial aforesaid, the following message this day received by the Senate, in legislative session, from the House of Representatives, which was read:

Mr. President: The House of Representatives has passed the following resolution (H.Res. 108), which I am directed to communicate to the Senate:

Resolved, That a message be sent to the Senate by the Clerk of the House informing the Senate that the House of Representatives has adopted an amendment to article V of the articles of impeachment heretofore exhibited against Harold Louderback, United States district judge for the northern district of California, and that the same will be presented to the Senate by the managers on the part of the House,

And, also, that the managers have authority to file with the Secretary of the Senate, on the part of the House, any subsequent pleadings they shall deem necessary.

Mr. Sumners, on behalf of the managers on the part of the House, presented article V of the articles of impeachment, as amended, and proceeded to read the same; when,

On motion by Mr. Ashurst, and by unanimous consent,

The reading of the said article, as amended, was dispensed with, and it was ordered to be printed for the use of the Senate, as follows:

AMENDMENT TO ARTICLE V OF THE ARTICLES OF IMPEACHMENT BY THE HOUSE OF REPRESENTATIVES EXHIBITED AGAINST HAROLD LOUDERBACK, JUDGE OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

CONGRESS OF THE UNITED STATES OF AMERICA,
IN THE HOUSE OF REPRESENTATIVES,
April 17, 1933.

Article V is amended to read as follows:

It is intended by article V to charge, and it is charged, that the reasonable and probable result of Harold Louderback's action in his capacity as judge in making decisions and orders in actions pending in his court and before him as said judge and by the method of appointing receivers and attorneys for receivers, by appointing incompetent receivers and attorneys, by his relationship and transactions with one Sam Leake, and by the relationship and transactions of the said Sam Leake with such appointees of the said respondent made possible and probable by the action and attitude of the said Harold Louderback, and by displaying a high degree of indifference to the interest of estates and parties in interest in receiverships before him and in his court, and by displaying a high degree of interest in making it possible for certain individuals and firms to derive large fees from the funds of such estates, has been to create a general condition of wide-spread fear and distrust and disbelief in the fairness and disinterestedness of the official actions of the said Harold Louderback and to create by his said acts, deeds, and relationships, contrary to his individual and official duty, a favorable condition and a cause for the development naturally and inevitably of rumors and suspicions destructive of public confidence in and respect for the said Harold Louderback as an individual and a judge to the scandal and disrepute of his said court and the administration of justice therein and prejudicial generally to the public respect for and public confidence in the Federal judiciary. Wherefore the said Harold Louderback was and is guilty of misbehavior as such judge and of misdemeanors in office.

It is hereby alleged and charged that the conduct of said Harold Louderback as alleged in articles I, II, III, and IV, and as hereinafter alleged, in its general and aggregate result has been such as reasonably and probably calculated to destroy public confidence insofar as he and his court is concerned in that degree of disinterestedness and fidelity to judicial duty and responsibility which the public interest requires shall be held by the people in the Federal courts and in those who administer them, and which for a Federal judge to hurt or destroy is a crime and misdemeanor of the highest order:

First, specifying as indicative of and disclosing the character and judicial attitude of said Harold Louderback revealed by his acts and official conduct to the people among whom he has jurisdiction, and the cause for the loss of public confidence of the Bar and people of the northern district of California and particularly of the city of San Francisco where the principal business of such court is transacted, on or about December 19, 1929, the said Harold Louderback appointed one Guy H. Gilbert receiver of the Sonora Phonograph Co., a going concern extensively engaged in the business of receiving and distributing radios and phonographs, the said Guy H. Gilbert being a personal and political friend of the said Harold Louderback, and an intimate friend and financial contributor to one Sam Leake, hereinafter referred to, the said Harold Louderback knowing at the time of such appointment that the whole training and experience of the said Guy H. Gilbert had been as operator and employee of a telegraph company, and the said Harold Louderback at the time of such appointment knowing with certainty that the said Guy H. Gilbert was without qualifications to discharge the duties of such receivership, that the said Guy H. Gilbert was appointed such receiver by the said Harold Louderback without regard to the interest of such estate in receivership and in disregard thereof and of the interest of creditors and parties in interest and in violation of the official duty of the said Harold Louderback. That the said Gilbert after said appointment continued in his regular and usual duties and employment as employee of said telegraph company drawing his accustomed salary during his employment of approximately 6 months as such receiver and received for such services from the funds of the estate of said Sonora Phonograph Co. the sum of $6,800, all of which facts became the subject of newspaper comments and matters of common knowledge throughout and beyond the northern judicial district of California to the hurt of public confidence in the said Harold Louderback, judge of said court, and to the hurt and standing of the Federal judiciary. It also became a matter of newspaper comment in connection with that receivership matter and others, that theretofore, about 1925 or 1926, the said Gilbert had been appointed by the said Harold Louderback when the said Harold Louderback was a judge of the Superior Court of California, an appraiser of certain real estate, the said Harold Louderback well knowing at the time of such appointment that the said Gilbert was without any qualification to appraise the value of such real estate, and in truth the said Gilbert never saw said real estate and that the said Gilbert did not undertake to assist in the appraisal of said real estate, only signing the report which was presented to him, for which services he was allowed the sum of $500.

The said Gilbert was also theretofore appointed receiver by Harold Louderback in the Stempel-Cooley case in 1929, bankruptcy, collecting during 3 or 4 months $12,000 rents, for which he was allowed a fee of $500. In this matter, after conversation with the said Sam Leake, the said Gilbert appointed as his attorney one John Douglas Short, who was an employee in the law office of Erskine & Erskine.

The said Short was afterward, in March 1931, appointed attorney by one H. B. Hunter, receiver in what is known in this proceeding as the Russell Colvin Co. case, and which will hereinafter be specified with reference to. In the said Russell Colvin case the said H. B. Hunter, having been appointed such receiver by the said Harold Louderback, at the suggestion of the said Sam Leake, who theretofore had suggested to the said Gilbert the appointment of the said John Douglas Short in the Stempel-Cooley case, and the said H. B. Hunter, after his appointment as such receiver, appointed the said John Douglas Short as his attorney in said Russell Colvin case, the said Harold Louderback allowing the said John Douglas Short the sum of $50,000 on account as attorney for said receiver, H. B. Hunter.

Preceding the appointment of the said H. B. Hunter in the said Russell Colvin case, the said Harold Louderback had appointed one Addison G. Strong to be receiver therein, who, because he would not designate as his attorney the said John Douglas Short as claimed by the said Addison G. Strong, or either the said John Douglas Short or certain other attorneys as claimed by the said Harold Louderback, the said Addison G. Strong was summarily dismissed as receiver and the said Hunter appointed in his stead, who on the same day of his said appointment as receiver by the said Harold Louderback tendered to the said John Douglas Short the attorneyship in said receivership matter.

On the 25th day of March 1931, one W. L. Hathaway, father-in-law of the said John Douglas Short, advanced as a loan to the said Sam Leake the sum of $1,000 in cash, and 2 days thereafterward the said John Douglas Short, in an involved family transaction, paid to the said W. L. Hathaway from the compensation received as attorney in the Russell Colvin Co. matter the sum of $5,000. Three months later the said Hathaway gave to the said Leake the further sum of $250.

When the said Harold Louderback appointed the said H. B. Hunter, as aforesaid, receiver in the said Russell Colvin Co. case at the suggestion of the said Sam Leake, and the said Hunter in turn appointed the said John Douglas Short attorney for him in the Russell Colvin Co. case, he, the said Harold Louderback resided at the Fairmont Hotel in a room registered and held in the name of the said Sam Leake, such arrangement being effected in conspiracy between the said Harold Louderback and Sam Leake to aid the said Harold Louderback in carrying out a certain plan and design, the said Harold Louderback pretending to reside in Contra Costa County while actually and in fact residing in the city of San Francisco at the Fairmont Hotel in a room registered in the name of the said Sam Leake, the purpose and design of which arrangement having to do with the possible venue of a legal action which the said Harold Louderback contemplated might be brought against him. To further strengthen and add color to this pretended residence in Contra Costa County the said Harold Louderback registered as a voter in said Contra Costa County in violation of the laws of California, all of which transactions by the acts and conduct of the said Harold Louderback are involved in and mixed up with the official status and standing and transactions of the said Harold Louderback and are known to the people of the northern district of California and beyond such district to the disgrace and discredit of his office and to the hurt of public confidence therein and of the Federal judiciary. Thereby as a result of such transactions putting himself under obligation to, dependent upon, and under the influence of the said Sam Leake in a manner and to a degree utterly inconsistent with that required by the public interest of a Federal judge, and thereby putting himself, the said Harold Louderback, in an attitude with regard to obedience to law and the rights granted to liti-

gants by the law and with regard to the standards of open candid conduct necessary to preserve for the public official that respect and confidence required by the public interest within the meaning of the provision of the Constitution requiring of Federal judges good behavior as a condition upon which their tenure of office depends. That said conduct is bad behavior and constitutes a forfeiture of the right of the said Harold Louderback to hold his, the said office of judge of the northern district of California.

In August 1931 the said Harold Louderback, without a hearing, upon a petition verified by an attorney "upon information and belief" and without bond of indemnity, granted an equity receivership for the Prudential Holding Co., a concern engaged in extensive real estate transactions, and appointed the said Guy H. Gilbert as receiver, who in turn designated Dinkelspiel & Dinkelspiel as his attorneys. The first information the company had of the matter was when Gilbert and Dinkelspiel & Dinkelspiel appeared in the office of said Prudential Holding Co. to take charge of its affairs. The petition filed without truth or justification was resisted by said Prudential Holding Co., but the said Harold Louderback refused to dismiss the equity receivership matter until an application for receivership in bankruptcy was applied for, which application was based upon the grounds of the said equity receivership, wrongfully entertained. The bankruptcy matter fell in the division of Judge St. Sure, one of the judges of the said northern district of California. During the temporary absence of Judge St. Sure, the said Harold Louderback, sitting in Judge St. Sure's division, named the said Gilbert and Dinkelspiel & Dinkelspiel receiver and attorneys respectively in the bankruptcy matter, and two days later dismissed the equity receivership. Upon the return of Judge St. Sure to his division, he, Judge St. Sure, promptly dismissed the bankruptcy proceeding because no involvency was shown. No fees were allowed by Judge St. Sure.

The proceedings in the matter and the facts, transactions, and statements therein became a matter of general knowledge within and beyond the said northern district of California, with its reasonable and probable and inevitable consequence to arouse dread and apprehension of the court and judicial power possessed by the said Harold Louderback on the part of the people generally and particularly of those whose property might be seized upon through the instrumentality of such court, and generally to make said court disrespected and hateful. The said Dinkelspiel & Dinkelspiel had theretofore and over the protest of the parties in interest on the ground that it was excessive been allowed a fee of $20,000 by the said Harold Louderback in the Sonora Phonograph Co. case, in which case they had also been associated with the said Gilbert, appointed by the said Harold Louderback as receiver therein.

Some 6 months later after the appointment of the said Gilbert and Dinkelspiel & Dinkelspiel, as receiver and attorneys, respectively, in the said Prudential Holding Co. case, to wit, on the 17th day of February 1932, they were appointed by the said Harold Louderback receiver and attorneys, respectively, in the Fageol Motors Co. case. This company was known in the said northern district of California as one of the more important concerns in that part of the country. It had assets of $3,000,000 book value and liabilities amounting to $1,700,000 with automobile manufacturing, assembling plants, branch offices, properties, and extensive operations in California, Washington, Oregon, and Utah. The said Harold Louderback knew and the people of that community knew at the time the said Guy H. Gilbert was appointed as receiver of said Fageol Motors Co. that the said Guy H. Gilbert was utterly without qualification to discharge the duties of said receivership. That said appointment of said Gilbert and said Dinkelspiel & Dinkelspiel was made in tyrannical and oppressive disregard of the rights and interest of the parties in interest, of the duty to conserve the assets of said company, and in disregard of his duty by the said Harold Louderback to the Government which had commissioned him to be one of its judges. That the facts and circumstances surrounding the appointment of the said Gilbert, as receiver, and the said Dinkelspiel & Dinkelspiel, attorneys, in said receivership matter and the method of procedure therein on the part of the said Harold Louderback inevitably as a necessary consequence were prejudicial to the judiciary and was to the scandal and disrepute of the court presided over by the said Harold Louderback and to the administration of justice therein, in that the said Fageol Motors Co. getting into financial difficulty the principal creditors of said company and the representatives of said Fageol Motors Co. after full conference and consideration, decided by agreement to apply to the Federal court for a receivership and after careful consideration agreed upon Edward Fuller, of Oakland, a former official of the Chevrolet Motor Co. with extensive experience and demonstrated business and financial ability not only in the automobile business but in other matters of large proportions. Pursuant to said agreement, on the 17th day of February 1932, the papers were all prepared carrying out the plan agreed upon by Fageol Motors Co. and its creditors and the petition for receiver was filed in the Federal court of the northern district of California. By plan of assignment determined by drawing numbers from a bag, this matter fell to the said Judge Louderback, there being three judges of said district.

The parties in interest, representatives of the company and of the principal creditors, went to his chambers to see the said Judge Louderback with the papers in said matter, arriving shortly before the time for the noon recess of his court, but were advised by the clerk of the said judge that the noon recess would be delayed until 12:30, the said clerk asking what it was desired to see the judge about, and was told that it was the receivership matter of the Fageol Motors Co., that the persons present represented the company and the larger creditors of said company, and that they had agreed upon Edward Fuller as a proper person for receiver, and to advise the judge of that fact, and that it was desired to discuss the matter with him at 1:30 p.m. At that time the parties in interest returned to see Judge Louderback and were told that Judge Louderback had got off for lunch earlier than anticipated, had some engagement, and would not return until 2:30. At 2:30 the parties in interest returned and were told by the clerk of the said Harold Louderback that Judge Louderback had already appointed the said Gilbert in said matter, and that Judge Louderback was not there. In this matter the said Dinkelspiel and Dinkelspiel were also appointed attorneys for said receiver. The parties in interest, under threat of going into bankruptcy, which action would probably have ousted the said Gilbert and Dinkelspiel and Dinkelspiel entirely, effected an agreement with the said Gilbert and Dinkelspiel and Dinkelspiel by which other representatives chosen by the said parties in interest were to have effective control of the business and legal matters of the said motors company, the said Gilbert and Dinkelspiel and Dinkelspiel offering no obstruction to said representatives. The said Dinkelspiel and Dinkelspiel accepted under the circumstances from the assets of said company the sum of $6,000, and the said Gilbert received approximately the same amount. The facts and circumstances connected with this matter show to the people of said district that the said Gilbert and Dinkelspiel and Dinkelspiel were not selected by the said Harold Louderback primarily because he deemed the said Gilbert and Dinkelspiel and Dinkelspiel best qualified to administer said estate, but resulted in large degree from the desire of the said Harold Louderback to procure for the said Gilbert and Dinkelspiel pecuniary benefits from the assets of this concern which had been driven by financial difficulty to seek the protection of the court of the said Harold Louderback, all of which facts and circumstances received general publicity in the said northern district of California to the scandal and disrepute of the court of said district, and when taken in connection with the explanation and excuse offered by the said Harold Louderback for the appointment of the said Gilbert as receiver in this matter and in other matters where the public knew

the said Gilbert was utterly unqualified, that he, the said Harold Louderback, in so appointing the said Gilbert was acting under the control of a sense of judicial responsibility requiring him to appoint persons known to him of efficiency and integrity to manage the affairs of estates in receivership, which explanation and excuse also has been given wide publicity in said district, the reasonable and necessary and inevitable result of the claim of such high motive under the circumstances was to create the impression and public belief that the said Harold Louderback was attempting by such claim to hide his lack of such actuating motive and to hide his real motive for making such appointments by an insincere and hypocritical claim of having been actuated by them, to the disgust and humiliation of the people of the northern district of California and to the hurt of the public interest.

In September 1930, in the court of the said Harold Louderback, an equity receivership petition was filed in the Golden State Asparagus case, seeking an economical conduct of the business while its obligations were being adjusted. When the receiver was appointed the said Harold Louderback agreed to submit to said receiver a list of attorneys from which he could name his counsel; but the list was not furnished. Instead the said Harold Louderback designated as attorney for said receiver the said Dinkelspiel & Dinkelspiel without reference to the receiver. The legal work connected with the conduct of the receivership was not appreciably more difficult or voluminous than that incident to the ordinary running of the business, which had theretofore cost the business less than $1,000 per year. The said Harold Louderback allowed the said Dinkelspiel & Dinkelspiel $14,000 on account, while he denied the uncontested application for $1,500 each, reasonable fees, made by the attorneys for plaintiff and defendant who had performed the only substantial legal services rendered in the case, when they prevented a forced sale of the property. These attorneys, in an effort to protect the assets of the said asparagus company, had opposed the payment of the fees allowed to Dinkelspiel & Dinkelspiel on the ground that they were excessive. These acts of said Harold Louderback were well known to the public in and beyond said northern district of California, and cumulatively added to the disrespect, apprehension, and public contempt.

In the Lumbermen's Reciprocal Association equity receivership, a Texas insurance corporation doing business in California, the company getting into financial difficulty, the Insurance Commissioner for the State of California seized the assets of said company in the State of California for the benefit of California policyholders. It was determined as a matter of procedure to ask for any equity receivership with the plan that said Insurance Commissioner be appointed, so as to permit him to continue to hold said assets and administer them without extra cost for a receiver and resultant diminution of the company's California assets. Instead, however, the said Harold Louderback designated one Samuel Shortridge, Jr., as receiver. Thereupon the official of the State of California took proper steps to terminate proceedings in the Federal court. The said Harold Louderback enjoined the Insurance Commissioner from proceeding under the laws of the State of California.

Appeal was taken to the Federal circuit court of appeals and reversal had on the ground of lack of Federal jurisdiction, and the property ordered to be turned over to the officials of California. To this order and mandate of the circuit court of appeals the said Harold Louderback, without any authority of law, imposed a condition that said order and mandate should be complied with provided there be no appeal taken from the order made by him, the said Louderback, allowing a fee of $6,000 to the said Shortridge and his attorney. All of which facts and circumstances became published and known in said northern district of California. By such acts the said Harold Louderback exhibited himself to the public as being willing to obstruct the officials of the State of California in their effort to conserve for citizens of California the assets of said insurance company which they had impounded, willing to assert a jurisdiction which he did not possess, willing to defy a mandate of the circuit court of appeals and attach an illegal and unconscionable condition to said mandate in order to penalize and discourage the exercise of a constitutional right of appeal for the definite and obvious purpose of making sure so far as possible by such illegal action and coercion that the said Shortridge and his attorney would be paid from the assets of said insurance company so impounded the fees which he, the said Harold Louderback, had allowed, all to the scandal and discredit of the said Harold Louderback and his court and prejudicial to the dignity of the judiciary.

Wherefore, the said Harold Louderback has been and is guilty of high crimes and misdemeanors in office and has not conducted himself with good behavior.

HENRY T. RAINEY,
Speaker of the House of Representatives,

Attest:
[SEAL] SOUTH TRIMBLE, *Clerk.*

Mr. Linforth, of counsel for respondent, requested an opportunity to prepare and submit the answer of respondent to the said article V, as amended, and also to file a motion relating thereto; and having indicated that counsel would be ready to file such answer and motion at 2 o'clock p.m. today,

On motion by Mr. Ashurst, at 12 o'clock and 40 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until 2 o'clock p.m. today.

AT 2 O'CLOCK P.M.

The hour of 2 o'clock p.m. having arrived,

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House of Representatives (with the exception of Mr. Perkins and Mr. Guyer), and the respondent Harold Louderback, accompanied by his counsel, entered the Senate Chamber and took the seats assigned them.

Mr. Linforth, of counsel for respondent, presented the answer of the latter to article V, as amended, of the articles of impeachment, together with a motion to strike out certain portions of the said article, as amended, which said answer and motion are as follows:

IN THE SENATE OF THE UNITED STATES, SITTING AS A COURT OF IMPEACHMENT, THE UNITED STATES OF AMERICA *v.* HAROLD LOUDERBACH, UPON ARTICLES OF IMPEACHMENT PRESENTED BY THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA

ANSWER OF RESPONDENT, HAROLD LOUDERBACK, TO ARTICLE V, AS AMENDED, OF THE ARTICLES OF IMPEACHMENT EXHIBITED AGAINST HIM BY THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES

ANSWER TO ARTICLE V, AS AMENDED

For answer to article V, as amended, the respondent says that this honorable court ought not to have or take further cognizance of said fifth article of impeachment so exhibited and presented against him, because, he says, the facts set forth in said fifth article as amended do not, if true, constitute an impeachable high crime and misdemeanor as defined by the Constitution of the United States, and that, therefore, the Senate sitting as a Court of Impeachment should not further entertain the charge contained in said fifth article as so amended.

And now, not waiving the foregoing plea to the jurisdiction of the honorable Senate of the United States, sitting as a Court of Impeachment, as to said fifth article, as amended, said respondent, saving to himself all advantages of exception to said fifth article, as amended, for answer saith:

Further answering said article V, as so amended, the respondent admits, denies, and alleges as follows:

Respondent denies that the reasonable and probable, or reasonable or probable, result of respondent's action in his capacity of judge in making of any decision or order in any action or actions pending in his court and before respond-

ent as judge thereof, and/or by any method of appointing any receiver or receivers, or by appointing any alleged incompetent receiver or receivers, or attorney or attorneys, and/or by any relationship or transaction or transactions with W. S. Leake, and/or by any relationship and/or transaction or transactions of said W. S. Leake with any such appointee or appointees of receivers, has made possible and/or probable and/or brought about the alleged condition in the first paragraph of said article V, as amended, set forth.

Respondent denies that he ever displayed a high degree of indifference, or any degree of indifference to the interest of estates, or any estate, or any party or parties in interest in receiverships before him and in his court.

Respondent denies he ever displayed any such indifference or made it possible for certain and any individual or individuals to derive large fees or any large fee from any such estate or estates.

Respondent denies that any act of his has been to create, or has created, a general or any condition of widespread fear and/or distrust and/or disbelief in the fairness and disinterestedness of any of his official acts.

Respondent denies that by any act, deed, or relationship he has created any favorable condition and/or a cause for the development naturally, inevitably, or at all of rumors and/or suspicions destructive of public confidence in and/or respect for respondent as an individual and/or as a judge to the scandal and/or disrepute of his said court and/or the administration of justice therein, and/or prejudicial generally, or at all, to the public respect for and/or public confidence in the Federal judiciary.

Respondent denies that he was and/or is guilty of misbehavior as such judge and denies that he was or is guilty of misdemeanors or any misdemeanor in office.

Respondent denies that any conduct of his as alleged is or has been as alleged in said article V, as so amended, and denies that any alleged conduct of his in its general and/or aggregate result has been such as reasonably and probably or reasonably or probably calculated to destroy public confidence, insofar as he or his court is concerned, in that the degree of disinterestedness and/or fidelity to judicial duty and/or responsibility which the public interest requires shall be held by the people in the Federal courts and in those who administer them, and which for a Federal judge to hurt or destroy is a crime and misdemeanor of the highest order.

Answering the allegations of article V—as amended—insofar as the same relate or refer to the Russell Colvin Co. case, respondent hereby refers to and incorporates herein his answer now on file herein, to article I, of the articles of impeachment, and further says:

Respondent did not know and never had heard, prior to the inception of these proceedings, that on the 25th day of March 1931, or at any other time, John Douglas Short had given to his father-in-law, W. L. Hathaway, $5,000, or any other sum or amount, from the compensation received by the said John Douglas Short as one of the attorneys for the receiver in the said Russell Colvin Co. case.

And respondent denies that at any time prior to the inception of these proceedings he ever knew that W. L. Hathaway had advanced to W. S. Leake the sum of $1,000 or any other sum or amount.

Respondent, upon and according to his information and belief, alleges that on or about the time in said fifth amended article referred to, the said W. L. Hathaway and his said wife made a loan of the said sum of $1,000 to the said W. S. Leake, taking his promissory note therefor. Respondent denies that said sum so loaned or advanced to the said W. S. Leake was part or portion of the $5,000 referred to in said fifth article, as amended, but alleges said sum was obtained by the said Hathaway and his said wife as a loan upon an insurance policy then outstanding and existing upon the life of said W. L. Hathaway.

Respondent further alleges, upon and according to his information and belief, that the payment of the sum of $5,000 by the said John Douglas Short to the said W. L. Hathaway referred to in said article V, as amended, had no relation whatsoever to any loan to the said W. S. Leake. That such payment of said sum of $5,000 was made by the said John Douglas Short to the said W. L. Hathaway in repayment of moneys theretofore advanced by the said Hathaway to the said Short in the sum of $2,435 and the remainder of said $5,000 was to be applied as part payment of the purchase price of certain real estate theretofore conveyed by the said W. L. Hathaway to the said John Douglas Short and the wife of the latter.

Respondent denies that all or any transaction or transactions between the said W. S. Leake, W. L. Hathaway, and the said John Douglas Short, referred to in said article V, as amended, or involved in and/or mixed up with the official status and standing or status or standing of this respondent and/or are known to the people of the northern district of California and/or beyond such district, or elsewhere, or at all, to the disgrace and discredit or the disgrace or discredit of respondent's office and/or to the hurt of the public confidence therein and/or of the Federal judiciary.

Respondent denies that thereby, or otherwise or at all as a result of the transactions, or any of them, in said article V as thus amended, referred to, he has or ever did put himself under obligation to or ever was or now is dependent upon and/or ever was or now is under the influence of the said W. S. Leake in any manner and/or to a degree utterly or at all inconsistent with that required by the public interests of a Federal judge or otherwise or at all, and,

Respondent denies that thereby or otherwise or at all he ever put himself in an attitude with regard to obedience to law and/or the rights, or any of them, granted to any litigant or litigants by the law and/or with regard to the standards or any standard of open, candid conduct necessary to preserve for public officials that respect and confidence required by the public interest within the meaning of the provisions of the Constitution requiring of the Federal judges good behavior as a condition upon which their tenure of office depends; and

Respondent denies that he has at any time been guilty of bad behavior and/or such behavior as constitutes a forfeiture of his right to hold his said office of judge of the said northern district of California.

And, except as hereinbefore specifically admitted in his answer heretofore filed herein, and in this answer to said article V, as so amended, respondent denies each and every allegation therein contained relating or referring to the said Russell Colvin Co. case, so-called.

Answering the allegations of article V, as amended, insofar as the same relate and refer to the Lumbermen's Reciprocal Association case, so-called, respondent hereby refers to and incorporates herein his answer now on file herein to article II of the articles of impeachment, and further says:

Respondent denies that all or any of the facts or circumstances set forth in said article V, as so amended, became published and known or published or known in the said northern district of California.

Respondent denies by any act or acts referred to in said article V, as so amended, he exhibited himself to the public as being willing to obstruct the officials or any official of the State of California in their efforts to conserve for any citizen or citizens of the State of California the assets of said Lumbermen's Reciprocal Association either impounded or otherwise; and

Respondent denies that he ever exhibited himself to the public as being willing to assert a jurisdiction he did not possess or willing to defy a mandate of the circuit court of appeals or of any other court; and

Respondent denies he exhibited himself to the public as being willing to attach an illegal and unconscionable or illegal or unconscionable condition to the mandate in said article V, as amended, referred to for the purpose or reason in said article V, as amended referred to, or for any other reason or at all.

Respondent denies that any act or step taken by him as such judge in the matter of the Lumbermen's Reciprocal Association matter, so-called, was or is to the scandal and discredit or the scandal or the discredit of respondent and/or to his said court and/or prejudicial to the dignity of the judiciary.

And, except as hereinbefore admitted in his answer to article II of the articles of impeachment, heretofore filed herein, and in this, his answer to said article V, as so amended, respondent denies each and every allegation contained and set forth in said article V, as so amended, relating or referring to the said Lumbermen's Reciprocal Association matter, so-called.

Answering the allegations of article V, as amended, insofar as the same relate and refer to the Fageol Motor Co. case, so-called, respondent hereby refers to and incorporates herein his answer now on file herein to article no. III of the articles of impeachment, and further says:

Respondent denies that he knew, or that any of the people of the community referred to in said article 5, as amended, knew, that at the time the said G. H. Gilbert was appointed receiver of the Fageol Motors Co. said G. H. Gilbert was utterly, or at all, without qualification to discharge the duties of said receivership and respondent denies that said G. H. Gilbert was incompetent or without qualifications to discharge his said duties.

Respondent denies that the appointment of the said G. H. Gilbert was made in tyrannical and/or oppressive disregard of the rights and interests, or the rights or interests, of any party in interest of the duty to conserve the assets of said company, and denies that said appointment was made by respondent in disregard of his duty to the Government which had commissioned him to be one of its judges.

Respondent denies that the facts and circumstances, or any fact or circumstance, surrounding the appointment of the said Gilbert or the appointment of the said Dinkelspiel & Dinkelspiel as his attorneys, and/or the method of procedure therein on the part of this respondent inevitably, or at all, as a necessary or any consequence, were prejudicial to the judiciary and/or was to the scandal and disrespect or scandal or disrespect of the court presided over by respondent and/or to the administration of justice therein.

Respondent denies that the plan of assignment followed by the judges of the court of which respondent was and is a member ever was or is determined by drawing numbers from a bag.

Respondent denies that the parties in interest in said matter or any of them, under threat of going into bankruptcy, or under any other threat, effected an agreement with the said receiver and his said attorneys by which any representative or representatives chosen by them were to have effective or any control, other than as hereinafter specified, of the business and/or legal matters of said company and denies that the said receiver and his said attorneys offered no objection to said representatives of any such alleged plan or agreement. In this behalf respondent alleges, upon and according to his information and belief, that the said receiver and his said attorneys at all times during the administration of said receivership offered to and did cooperate with the representatives and creditors of said Fageol Motors Co. in bringing about an efficient and businesslike administration of the affairs of said receivership.

Respondent denies that under the circumstances set forth in said article 5 as amended, said Dinkelspiel & Dinkelspiel accepted from the assets of said company the sum of $6,000 or any other sum, and/or the said receiver received approximately the same amount, or any amount.

Respondent alleges that at no time did he allow to said Gilbert as such receiver or to the said Dinkelspiel & Dinkelspiel, his attorneys, any compensation whatever for any service by either or any of them rendering in said receivership proceeding. That whatever compensation was allowed and whatever compensation was received by them, was allowed, determined, and fixed in either some other department of the court, not presided over by respondent, or by the referee in bankruptcy.

Respondent denies that any fact or any circumstance connected with said Fageol Motors Co. receivership showed to the people of said district that said receiver and said attorneys were not selected by respondent primarily because he deemed them best qualified to administer said estate or that their selection or the selection of any of them resulted in a large degree, or at all, from the desire of respondent to procure for said receiver and said attorneys, or either or any of them, pecuniary benefits from the assets of said Fageol Motors Co.

And respondent denies that all or any of the facts and circumstances referred to or set forth in said article 5, as so amended, received general or any publicity in the northern district of California or elsewhere, to the scandal and disrepute or to the scandal or disrepute of the court of said district.

Respondent denies that at any time prior to the inception of these proceedings, he ever made to the public or to anyone, any explanation for the appointment of the said Gilbert as receiver or the said Dinkelspiel & Dinkelspiel as his attorneys, and denies that any alleged explanation or excuse of respondent has been given wide or any publicity in the said district and further denies that any such alleged excuse or explanation was to, or did, create the impression and/or public belief that respondent was attempting to hide his actuating motive or real motive for making such appointments, or any appointment, by an insincere and/or hypocritical claim of having been so actuated, to the disgust and/or humiliation of the people of the northern district of California and/or to the hurt of the public interest.

And, except as hereinbefore specifically admitted in his answer heretofore filed herein, and in this answer to said article 5 as so amended, respondent denies each and every allegation contained and set forth in said article 5, as so amended, relating or referring to the said Fageol Motor Co. case, so-called.

Answering the allegations of article 5 as amended, insofar as the same relate and refer to the Prudential Holding Co. case, so-called, respondent hereby refers to and incorporates herein his answer, now on file herein, to article 4 of the articles of impeachment, and further says:

Respondent denies that G. H. Gilbert was appointed receiver in said matter without any hearing being had upon said petition and denies that the first information said Prudential Holding Co. had of the appointment of said receiver was when said receiver and his counsel appeared in its office to take charge of its affairs. In this behalf, respondent alleges when the petition in said matter was presented to respondent with a request for the appointment of a receiver, there appeared at said time with the attorneys for the petitioner, one J. H. Stephens, a director and vice president of said Prudential Holding Co., who then and there consented to and joined in the request for the appointment of a receiver of the affairs of said Prudential Holding Co.

Respondent admits that said petition was verified by one of the attorneys for said petitioner and alleges that said verification recited that such attorney had been authorized by the plaintiff to verify and file the same.

Respondent denies that the said petition was filed without truth or justification and with reference to the remaining allegations of said article 5, as so amended, relating to said Prudential Holding Co., respondent respectfully refers to the matters and things contained in his answer on file herein to article 4 of the articles of impeachment.

Respondent further denies that the proceedings or any proceeding, fact, transaction, or statement made in or about or relating to the said Prudential Holding Co., became a matter of general knowledge within and/or beyond the northern district of California, or elsewhere with its, or any reasonable, and/or probable and/or inevitable consequence to arouse or that there was aroused dread and apprehension or dread or apprehension of said court and/or the judicial power possessed by respondent, on the part of the people generally and/or particularly of those whose property might be seized upon through the instrumentality of said court so presided over by respondent and/or generally to make said court disrespected and/or hateful.

And, except as hereinbefore specifically admitted in his answer heretofore filed herein, and in this answer to said article 5, as so amended, respondent denies each and every allegation contained and set forth in said article 5, as so amended, relating or referring to the said Prudential Holding Co. case, so-called.

Respondent admits that on or about the 19th day of September 1929 upon petition in due form, he appointed G. H. Gilbert receiver of the property of the Sonora Phonograph Co. That the order so appointing the said Gilbert, also appointed as coreceiver the Irving Trust Co. of New York. Said receivership was an ancillary one, the main receivership being in the State of New York, and at which place the said Irving Trust Co. was the domiciliary receiver.

Respondent denies that at the time he so appointed the said G. H. Gilbert receiver, he then was or ever since has been or is now, either a personal or political friend of respondent. And in this behalf alleges the said Gilbert was and still is an acquaintance for whom respondent has at all times entertained a friendly feeling and one in whom respondent has placed confidence and trust.

Respondent admits that he knew the said G. H. Gilbert was a friend of said W. S. Leake, but respondent never knew the extent of the friendship existing between them. Respondent never knew until after the inception of these proceedings that the said G. H. Gilbert or his wife were patients of the said W. S. Leake or had contributed any sum or amount to him as compensation or otherwise for the services rendered by the said Leake to the said Gilbert and his said wife and respondent denies, upon and according to his information and belief, that the said G. H. Gilbert ever made any contribution to the said W. S. Leake except as and in payment for the said services so rendered by the said Leake to the said Gilbert and his said wife.

Respondent alleges that his appointment of said G. H. Gilbert as such receiver was not caused or brought about in any manner or form directly or indirectly, by the said W. S. Leake, and his appointment was not, to any extent whatever, influenced by the fact that said Gilbert was an acquaintance or friend of the said W. S. Leake.

Respondent denies that the said G. H. Gilbert was without qualification to discharge the duties of such receivership, and respondent further denies that the whole training and experience of said G. H. Gilbert had been as operator and employee of a telegraph company.

Respondent denies that said G. H. Gilbert was appointed such receiver without regard to the interest of the estate in receivership, and/or in disregard thereof, and/or of the interest of the creditors or creditor or any party in interest, and/or in violation of the official duty of respondent.

Respondent admits that for his services as such receiver the said G. H. Gilbert received in round numbers the sum of $6,800, and in this behalf respondent alleges that the amount of his compensation as such was fixed and determined by the provisions of section 48, subdivisions D and E, of the Bankruptcy Act of 1898, as amended, and not otherwise.

Respondent denies that all or any of the facts relating to said Sonora Phonograph Co., referred to in said article 5, as amended, became the subject of newspaper comment and/or matter of common knowledge throughout and beyond or throughout or beyond the northern judicial district of California, to the hurt of public confidence in respondent as judge of said court and/or to the hurt and/or standing of the Federal judiciary.

Respondent denies that it also became a matter of newspaper comment that about 1925 or 1926, when respondent was one of the judges of the Superior Court of the State of California, in and for the city of San Francisco, that the said G. H. Gilbert had been appointed an appraiser of certain real estate, respondent well knowing at the time of such appointment that the said G. H. Gilbert was without qualification to act as such.

Respondent denies that if he ever appointed said G. H. Gilbert as such appraiser, he knew at said time that said G. H. Gilbert did not possess the requisite qualifications to appraise the value of such real estate, the respondent denies that he ever knew that said Gilbert never saw the real estate he was appointed to appraise or that he did not undertake to assist in the appraisal of said real estate but only signed the report which was presented to him. Respondent denies that he ever presented any such report to the said G. H. Gilbert for signature, and for the reasons hereinafter stated, respondent is unable to either affirm or deny that for such alleged services the said Gilbert received the sum of $500.

Respondent alleges that he cannot ascertain from said article 5 as so amended, and it does not appear therefrom, in what matter or proceeding it is claimed about 1925 or 1926 respondent appointed said Gilbert such appraiser. Respondent alleges he has no recollection whatsoever of the matters and things in said article V as amended, there referred to and without such additional information respondent is unable to further or in more detail answer the allegations thereof relating to said matter.

Respondent denies that the fees allowed to Dinkelspiel & Dinkelspiel, the attorneys for said receiver in said matter, were excessive or that said fees, except as hereinafter explained, were allowed over the protest of any party in interest on the ground that the same were excessive. In this behalf respondent alleges, upon and according to his information and belief, the moneys collected or coming into the hands of the said receiver, within the State of California, amounted to the sum of $350,000, or thereabouts, and that upon application made by the said receiver and his said attorneys for compensation for said attorneys, respondent was informed that the Irving Trust Co. of New York and the committee of creditors at said place, had consented to an allowance in full of the services of said attorneys of the sum of $15,000. Respondent upon the submission of said matter made an order allowing as compensation for said attorneys the said sum of $15,000, and thereafter upon subsequent application being made for an additional allowance in the sum of $7,500, which application came on to be heard in open court and which said application was opposed by said parties so theretofore stipulating to the allowance of said sum of $15,000, respondent as such judge, after a full hearing on such application, made an order allowing an additional sum of $5,000, from which no appeal was ever taken.

Respondent denies there ever was any loss of public confidence by the bar and/or by the people of the northern district of California, or particularly of the city of San Francisco, caused by or due to any act of respondent as such judge, with relation to any matter or thing arising from or growing out of, or connected with, the receivership of the said Sonora Phonograph Co.

And, except as hereinbefore specifically admitted, respondent denies each and every, all and singular, the allegations contained in said article V as so amended, relating or referring to the said Sonora Phonograph Co. case, so called.

Respondent admits that said G. H. Gilbert was appointed receiver in the Stempl-Cooley case so called, referred to in said article 5, as amended.

Respondent alleges that the property involved in said receivership consisted of five apartment houses in the city of San Francisco and one building in the course of erection. Respondent alleges that the records of the court in which said action was pending show that Keyes and Erskine were the attorneys appointed for said receiver. Respondent further admits that the said receiver was allowed for his services in said matter the sum of $500 and alleges that said sum was and is a fair and reasonable sum for the services so rendered by the receiver in said matter and that no appeal was taken from the allowance of said sum.

Respondent admits that on the 5th day of September 1930 he appointed one George N. Edwards as receiver in the Golden State Asparagus Co. case, so-called, in said fifth article as amended, referred to.

Respondent further admits that the said George N. Edwards was named and appointed said receiver at the request of and with the consent of all attorneys interested in said case.

Respondent further admits that he suggested to the said George N. Edwards the appointment of said Dinkelspiel & Dinkelspiel as his attorneys in said receivership matter, which suggestion was acceptable to and accepted by the said George N. Edwards, respondent at said time stating to the said receiver if such attorneys were not satisfactory to him he would suggest others.

Respondent admits that he allowed to said attorneys Dinkelspiel & Dinkelspiel the sum of $14,000 on account of services rendered by them as attorneys for said receiver, and in this behalf respondent alleges that such sum was a reasonable and proper amount to be allowed at said time on account of services theretofore rendered by them.

Respondent denies that any act or acts of his referred to in said article V, as amended, relating to or growing out of said Golden State Asparagus case, so-called, were well known to the public in and/or beyond said northern district of California and/or cumulatively added to the disrespect, apprehension, and/or public contempt.

And, except as hereinbefore specifically admitted herein, respondent denies each and every allegation contained in said article V, as so amended, relating or referring to the said Golden State Asparagus Co. case, so called.

Wherefore respondent, having fully answered said article 5, as amended, declares that he is not guilty of any of the charges therein contained, and denies that he has been or that he is guilty of high crimes and misdemeanors in office, or has been guilty of any high crime or any misdemeanor in office, and likewise denies that he has not conducted himself with good behavior.

HAROLD LOUDERBACK, *Respondent.*
WALTER H. LINFORTH,
JAMES M. HANLEY,
Attorneys for Respondent.

APRIL 18, 1933.

MOTION OF RESPONDENT TO STRIKE OUT OR MAKE MORE CERTAIN PORTIONS OF ARTICLE V, AS AMENDED, IN THE SENATE OF THE UNITED STATES, SITTING AS A COURT OF IMPEACHMENT, THE UNITED STATES OF AMERICA *v.* HAROLD LOUDERBACK

MOTION TO STRIKE OUT OR MAKE MORE CERTAIN PORTIONS OF ARTICLE V AS AMENDED

The respondent, Harold Louderback, moves the honorable Senate, sitting as a Court of Impeachment, for an order as follows:

1. Striking from article V as amended the first paragraph thereof, constituting the entire first page, and

2. Striking therefrom the following part and portion thereof contained on pages 3 and 4 and reading as follows:

"It also became a matter of newspaper comment in connection with that receivership matter and others, that theretofore, about 1925 or 1926, the said Gilbert had been appointed by the said Harold Louderback when the said Harold Louderback was a judge of the Superior Court of California, an appraiser of certain real estate, the said Harold Louderback well knowing at the time of such appointment that the said Gilbert was without any qualification to appraise the value of such real estate, and in truth the said Gilbert never saw said real estate and that the said Gilbert did not undertake to assist in the appraisal of said real estate, only signing the report which was presented to him, for which services he was allowed the sum of $500."

The first part of said motion is based upon the ground and for the reason that it is impossible for respondent to be prepared to meet the said charges therein contained or to summons witnesses in respect thereto without being advised: First, the nature of the act or acts there attempted to be complained of; second, the time or times of said act or acts were committed by respondent; third, in what action or actions, proceeding or proceedings, such alleged acts occurred; fourth, the nature of the relationship and transactions of said Leake there attempted to be referred to; and fifth, with what appointee or appointees of respondent said "relationship and transactions" with the said Leake occurred.

And the second part of said motion is based upon the grounds that the alleged offense there referred to was not committed in the office now occupied by respondent and that this honorable Senate, sitting as a Court of Impeachment, has not jurisdiction to inquire into the transaction attempted to be complained of in said article V, as amended, in that the act there attempted to be complained of is not and cannot be the subject of this article of impeachment, and is not and cannot be a high crime or misdemeanor as defined by the Constitution of the United States, but, if true, is an act committed by respondent while an officer of a State and not a Federal court.

And, in the event of the denial of said motion, or either part thereof, then and in such event, respondent moves this honorable Senate, sitting as a Court of Impeachment, to require the House of Representatives of the United States within a time so to be fixed to further amend said article V in the particulars and each thereof specified herein as the reason and grounds for the making of said motion to strike therefrom the portions of said article V, as amended, above specified.

Dated April 18, 1933.

WALTER H. LINFORTH,
JAMES M. HANLEY,
Counsel for said Respondent.

Ordered, That the foregoing answer and motion of respondent be printed for the use of the Senate.

Mr. Hanley, of counsel for respondent, and Mr. Sumners, on behalf of the managers on the part of the House of Representatives, stated that an agreement had been reached between them with reference to the foregoing motion and the question of pleading, and that it was understood that the replication to be filed on the part of the House of Representatives would be in the usual and ordinary form.

On motion by Mr. Ashurst, at 2 o'clock and 15 minutes p.m., The Senate, sitting for the impeachment trial aforesaid, adjourned until Monday, May 15, 1933, at 12 o'clock and 30 minutes p.m.

MONDAY, MAY 15, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The hour of 12 o'clock and 30 minutes p.m. having arrived,

The Senate sitting for the trial of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House of Representatives, viz, Messrs. Hatton W. Sumners, Randolph Perkins, Gordon Browning, U. S. Guyer, J. Earl Major, and Lawrence Lewis, and the respondent, Harold Louderback, accompanied by his counsel, Walter H. Linforth, Esq., and James M. Hanley, Esq., entered the Senate Chamber and took the seats assigned to them.

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of Tuesday, April 18, 1933, was approved.

The Vice President laid before the Senate the replication of the House of Representatives to the answer of respondent to the articles of impeachment, as amended, and a statement of the managers making more specific the allegation contained in article V of the articles of impeachment, as amended, which were filed with the Secretary of the Senate on April 29, 1933, by Hatton W. Sumners, chairman of the managers on the part of the House of Representatives, said documents being as follows:

REPLICATION OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA TO THE ANSWER OF HAROLD LOUDERBACK, DISTRICT JUDGE OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF CALIFORNIA, TO THE ARTICLES OF IMPEACHMENT, AS AMENDED, EXHIBITED AGAINST HIM BY THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA

The House of Representatives of the United States of America, having considered the several answers of Harold Louderback, district judge of the United States for the Northern District of California, to the several articles of

impeachment, as amended, against him by them exhibited in the name of themselves and of all the people of the United States, and reserving to themselves all advantages of exception to the insufficiency, irrelevancy, and impertinency of his answer to each and all of the several articles of impeachment, as amended, so exhibited against the said Harold Louderback, judge as aforesaid, do say:

(1) That the said articles, as amended, do severally set forth impeachable offenses, misbehaviors, and misdemeanors as defined in the Constitution of the United States, and that the same are proper to be answered unto by the said Harold Louderback, judge as aforesaid, and sufficient to be entertained and adjudicated by the Senate sitting as a Court of Impeachment.

(2) That the said House of Representatives of the United States of America do deny each and every averment in said several answers, or either of them, which denies or traverses the acts, intents, misbehaviors, or misdemeanors charged against the said Harold Louderback in said articles of impeachment, as amended, or either of them, and for replication to said answers do say that Harold Louderback, district judge of the United States for the Northern District of California, is guilty of the impeachable offenses, misbehaviors, and misdemeanors charged in said articles, as amended, and that the House of Representatives are ready to prove the same.

HATTON W. SUMNERS,
On Behalf of the Managers.

IN THE MATTER OF THE IMPEACHMENT AGAINST HAROLD LOUDERBACK, DISTRICT JUDGE OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF CALIFORNIA, IN THE SENATE OF THE UNITED STATES

MAKING MORE SPECIFIC AN ALLEGATION CONTAINED IN ARTICLE 5, ARTICLES OF IMPEACHMENT, AS AMENDED

Whereas on April 17, 1933, the managers on the part of the House of Representatives, in the impeachment against Harold Louderback, filed an amendment to article 5 of the Articles of Impeachment, which contains the following language:

"It also became a matter of newspaper comment in connection with that receivership matter and others that theretofore, about 1925 or 1926, the said Gilbert had been appointed by the said Harold Louderback when the said Harold Louderback was a judge of the Superior Court of California, an appraiser of certain real estate, the said Harold Louderback well knowing at the time of such appointment that the said Gilbert was without any qualification to appraise the value of such real estate, and in truth the said Gilbert never saw said real estate, and that the said Gilbert did not undertake to assist in the appraisal of said real estate, only signing the report which was presented to him, for which services he was allowed the sum of $500."

And whereas said language and allegation was objected to by counsel for Harold Louderback by a motion to strike out said language on the ground that the said Harold Louderback was not advised of "the time or times (of) said acts were committed by respondent", or "in what action or actions, proceeding or proceedings such alleged acts occurred" whereupon the managers agreed with counsel for the said Harold Louderback that they would endeavor to give to said counsel more exact information with regard to said transaction, and failing to do so by the 5th of May the said allegations would be withdrawn and no evidence offered in their support, counsel for the said Harold Louderback agreeing that they would exert themselves to try to ascertain the facts with regard to the transaction referred to and advise the managers.

Since such agreement and understanding the managers have ascertained more definite information with reference to this transaction, and now allege the facts to be that on or about April 5, 1927, in the matter of the estate of Howard Brickell, no. 46618, pending in probate that said Harold Louderback appointed the said Guy H. Gilbert an appraiser of property of said estate and also appointed with him as appraiser of said property Sam Leake, referred to in said article 5 of the Articles of Impeachment as amended; that on or about December 21, 1927, the said Harold Louderback made an order awarding to the said Guy H. Gilbert and to the said Sam Leake the sum of $500 each for their services; which information has been furnished to the said counsel for Harold Louderback.

HATTON W. SUMNERS, *Chairman,*
on behalf of the managers.

Mr. King submitted the following order, which was considered and agreed to:

Ordered, That the opening statement on behalf of the managers shall be made by one person, to be immediately followed by one person who shall make the opening statement on behalf of the respondent.

Upon the request of Mr. Sumners, on behalf of the managers on the part of the House of Representatives, and by unanimous consent,

Ordered, That the clerk of the Committee on the Judiciary of the House of Representatives be permitted to sit with the managers on the part of the House.

Mr. Sumners, on behalf of the managers, submitted a further request that one Mr. Bianchi, a member of the bar of San Francisco, Calif., be also permitted to sit with the managers to assist them in the development of the facts of the case.

Mr. Hanley, of counsel for respondent, stated that if Mr. Bianchi was to be called as a witness, the request should not be granted.

A discussion having arisen,

Mr. Bratton raised a question of order, viz, that, under the rules, the question should be decided by the Chair without debate and without comment.

The Vice President sustained the point of order.

The Vice President, under the rule, submitted to the Senate the question, Shall the gentleman suggested by the managers on the part of the House be permitted to sit in the Chamber and confer with the managers? and

It was determined in the affirmative.

Mr. Hanley, of counsel for respondent, submitted the answer of the respondent to article V, as last amended, which was read by the Secretary and ordered to be filed, as follows:

IN THE SENATE OF THE UNITED STATES,
SITTING AS A COURT OF IMPEACHMENT.

THE UNITED STATES OF AMERICA *v.* HAROLD LOUDERBACK, UPON ARTICLES OF IMPEACHMENT PRESENTED BY THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA

Answer of respondent to article V as last amended

Respondent admits that on or about the 5th day of April 1927, while acting as judge of the Superior Court of the State of California in and for the city and county of San Francisco, in the matter of the estate of Howard Brickell, deceased, he made an order appointing Guy H. Gilbert, W. S. Leake, and R. F. Mogan appraisers; that in said matter Crocker First Federal Trust Co., of San Francisco, was special administrator of said estate; that in the first and final account of said trust company was included the sum of $500 each paid to said Gilbert and said Leake as appraisers' fees therein; that upon the hearing of the settlement of said account, an officer of said trust company testified that said account was in all respects true and correct; that the inventory on file in said estate showed its appraised value to be $1,020,804.38; that thereupon respondent, as judge of said superior court, made an order settling and allowing said account. Other than as hereinabove specifically set forth, respondent denies that he made any order awarding said Gilbert and said Leake, or either of them, $500 for their said services as such appraiser.

HAROLD LOUDERBACK,
Respondent.
WALTER H. LINFORTH,
JAMES M. HANLEY,
Attorneys for Respondent.

Mr. Hanley, of counsel for respondent, having been informed, in response to his inquiry, that one W. S. Leake, for whom a subpena had been issued, had not appeared because of illness, submitted the following affidavit and motion relative to the issuance of a commission for taking the deposition of said Leake, which were read and ordered to be filed, as follows:

IN THE SENATE OF THE UNITED STATES,
SITTING AS A COURT OF IMPEACHMENT.

THE UNITED STATES OF AMERICA *v.* HAROLD LOUDERBACK, RESPONDENT

CITY OF WASHINGTON,
District of Columbia, ss:

Harold Louderback, being duly sworn, deposes and says: I am the respondent in the above-entitled matter. On September 6 and 7, 1932, the special committee of the House of Representatives, Seventy-second Congress, pursuant to House Resolution 239, at San Francisco, examined as a witness one W. S. Leake. At the conclusion of his examination by Mr. LaGuardia on September 7, 1932, the following occurred:

"Mr. LAGUARDIA. Mr. Chairman, I want to reserve the right to recall this witness at a later day.

"Mr. SUMNERS. Very well.

"Mr. HANLEY. We will not ask any questions at this time. We will wait until he is recalled.

"The WITNESS. Will I have time to go back and see about some matters?

"Mr. SUMNERS. Yes; you are excused, Mr. Leake.

"The WITNESS. If you phone me, I can get over here very quickly.

"Mr. SUMNERS. Yes; we will telephone you.

"The WITNESS. I thank you."

The witness, W. S. Leake, was never recalled, his direct examination evidently not concluded, and the witness was not cross-examined.

Subsequently, on February 24, 1933, the Congress of the United States of America, in the House of Representatives, resolved that affiant be impeached for misdemeanors in office, and in the first article of impeachment it is alleged that affiant entered into a certain arrangement and conspiracy with the said W. S. Leake for the objects and purposes set forth in said first article. Affiant never entered into any such arrangement or any such conspiracy or, in fact, any conspiracy with the said W. S. Leake, and the said W. S. Leake will testify that no such arrangement as alleged in said article I, and no such alleged conspiracy as there referred to, was ever entered into between himself and affiant. That the said W. S. Leake is a material and necessary witness for affiant upon the trial of this matter, without the benefit of which testimony affiant cannot safely proceed to trial.

That on the 29th day of April 1933, and for several days thereafter, two of the managers selected and appointed by the honorable House of Representatives were in San Francisco, Calif., namely, the Honorable Randolph Perkins and the Honorable Gordon Browning. That the said W. S. Leake resides, and for many years past has resided, in the Fairmont Hotel in said city of San Francisco, and was on said 29th day of April 1933 confined to his bed by illness, and upon and according to the information and belief of affiant, had been so confined to his bed for some time prior thereto, and was so confined to his bed on Tuesday last when affiant left San Francisco for Washington. That upon and according to the information and belief of affiant the physical condition of the said W. S. Leake is such as to prevent his appearance in person in Washington before this honorable Senate.

That on April 29, 1933, counsel for respondent called to the attention of said managers the condition of the said W. S. Leake and requested their consent to the taking of the deposition of the said W. S. Leake to be used upon the trial of this matter, or, their consent to the reading before this honorable Senate of the testimony so given by the said W. S. Leake on the hearing already referred to, and the supplementing of that testimony by deposition, counsel for respondent informing said managers at said time that they desired to examine the said W. S. Leake, in particular as to these alleged charges of conspiracy so set out in the first article of impeachment and so filed months after the taking of the testimony of the said Leake as hereinbefore set forth. The said managers advised my said counsel they desired to interview Mr. Leake and would on the Monday following advise my counsel as to their conclusion in the matter. My counsel thereupon made arrangements for said managers to interview said W. S. Leake, and according to my information and belief both said managers did interview Mr. Leake on the afternoon of the 29th of April 1933.

At said time and place my counsel also advised the said managers of their desire to supplement by deposition the testimony of one W. L. Hathaway, who was a witness at said hearing at San Francisco in September 1932, and also their desire to take the deposition of the wife of the said W. L. Hathaway, telling them of the testimony expected to be elicited from each of said witnesses, the same relating to the charge contained in said article I to the effect that the said W. S. Leake "did receive certain fees, gratuities, and loans directly or indirectly from one Douglas Short amounting approximately to $1,200" and advising them that it was expected to be proven by said witnesses and each of them that the loan referred to in article I had no relation whatever to the said Douglas Short—did not come from any fees received by the said Douglas Short as attorney for any receiver or otherwise, but was a personal loan made by the said W. L. Hathaway and his wife to the said W. S. Leake, and arranged for by a borrowing upon a life-insurance policy on the life of the said W. L. Hathaway.

My said counsel at said time informed said managers that the said W. L. Hathaway was critically ill and unable to appear in person before this honorable Senate and testify on behalf of respondent, and that, due to his then condition, his said wife would not leave him and appear in person upon the trial of this matter.

On the said hearing so had in September 1932 in San Francisco, the said wife of the said W. L. Hathaway did not appear and was not examined as a witness. Said managers requested an opportunity of personally interviewing the said W. L. Hathaway and his said wife, and, as the result of arrangements made by my said attorneys, one of said managers—namely, Hon. Randolph Perkins—did, on the 30th day of April 1933, interview both Mr. and Mrs. Hathaway. On Monday, May 1, 1933, at about 5 p.m., Mr. Browning, on behalf of said managers, notified my counsel the managers would not consent to the taking of the depositions of any of said witnesses and would not consent to the testimony of either Mr. Leake or Mr. Hathaway being supplemented by deposition.

Subsequently and on the 2d and 3d of May 1933 said managers did enter into a stipulation with my counsel to the effect that the testimony so given by the said W. L. Hathway at said hearing had in San Francisco in September 1932 might be read upon the trial of this matter and did enter into a stipulation to the effect that, if present, his said wife would testify in accordance with the statement attached to said stipulation, and that if the said W. S. Leake did not appear before this honorable Senate upon the trial of this proceeding, the testimony given by him at said hearing in San Francisco might be read, but beyond this said managers refused to go and refused to stipulate.

Said W. S. Leake, at the time of the giving of the testimony aforesaid, was not asked and did not testify in regard to the $1,200 transaction referred to in article I, and was not asked and did not testify on the subject of the alleged conspiracy in said article I set forth.

Affiant desires the testimony of the said W. S. Leake on these and other subjects. Affiant does not desire to delay the trial of this proceeding. The testimony of the said W. S. Leake can readily be taken and returned for use upon this proceeding before the close of this trial, and if the said deposition is taken on Saturday next, said deposition can be completed and returned to this honorable Senate for use upon this trial within 48 hours thereafter.

Wherefore affiant respectfully requests that a commission forthwith issue, directed to Ernest E. Williams, United States

Commissioner at San Francisco, Calif., authorizing him to take on Saturday, the 20th day of May 1933, the deposition of the said W. S. Leake upon oral interrogatories to be then and there propounded to him by respective counsel, and thereafter return said deposition to this honorable body by air mail; said deposition to be taken either at his office or at the residence of the said witness in the event of his inability to attend in person at his office.

HAROLD LOUDERBACK.

Subscribed and sworn to before me this 15th day of May 1933.

[SEAL] CHARLES F. PACE.
Notary Public.

My commission expires February 12, 1936.

Mr. Hanley having indicated a desire to be heard in connection with the foregoing affidavit and motion,

Mr. Ashurst raised a question of order, viz, that all such matters should be decided by the Chair without debate.

The Vice President stated that, in his opinion, the matter was one for determination by the Senate sitting for the said trial.

On request of Mr. Sumners, on behalf of the managers, and by unanimous consent,

The determination of the matter was held in abeyance until tomorrow.

Mr. Sumners made the opening statement on behalf of the managers on the part of the House of Representatives.

Mr. Hanley proceeded to make the opening statement for the respondent.

During his statement, Mr. Ashurst submitted the following order, which was considered and agreed to:

Ordered, That during the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, the Vice President, in the absence of the President pro tempore, shall have the right to name in open Senate, sitting for said trial, a Senator to perform the duties of the Chair.

The President pro tempore shall likewise have the right to name in open Senate, sitting for said trial, or, if absent, in writing, a Senator to perform the duties of the Chair; but such substitution in the case of either the Vice President or the President pro tempore shall not extend beyond an adjournment or recess, except by unanimous consent.

The Vice President, under the foregoing order, designated Mr. Bratton as Presiding Officer, and he thereupon took the chair.

During the further statement of Mr. Hanley, Mr. Long propounded a verbal inquiry.

Mr. Ashurst raised a question of order, viz, that all questions should be in writing.

The Presiding Officer sustained the question of order.

Mr. Hanley resumed and concluded the opening statement for the respondent.

On motion by Mr. Ashurst,

Ordered, That when the Senate, sitting for the impeachment trial aforesaid, concludes its business today it take a recess until 11 o'clock a.m. tomorrow.

Mr. Ashurst submitted the following order, which was considered and agreed to:

Ordered, That the witnesses shall stand while giving their testimony.

Francis C. Brown, a witness on the part of the United States, was called and duly sworn.

Mr. Hebert raised a question as to the presence of a quorum:

Whereupon

The Presiding Officer directed the roll to be called;

When

Eight-three Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kendrick, Keyes, King, La Follette, Lewis, Logan, Long, McAdoo, McCarran, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walsh, Wheeler, and White.

A quorum being present,

Mr. Brown was examined by Mr. Browning, and interrogated by Mr. Norris, Mr. King, Mr. McKellar, and Mr. Long.

Pending the cross-examination by Mr. Linforth,

On motion by Mr. Ashurst, at 5 o'clock and 30 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, pursuant to its order of today, took a recess until 11 o'clock a.m. tomorrow.

TUESDAY, MAY 16, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House of Representatives (except Mr. Sumners), and the respondent, Harold Louderback, accompanied by his counsel, entered the Chamber and took the seats assigned to them.

Mr. Ashurst raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-seven Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dale Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kendrick, Keyes, King, La Follette, Lewis, Logan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of yesterday was approved.

The Vice President laid before the Senate a communication from the Sergeant at Arms, submitting the following lists of witnesses on the part of the United States and for the respondent, respectively, who had been subpenaed by him, together with the original subpenas:

WITNESSES FOR THE GOVERNMENT IN THE IMPEACHMENT TRIAL OF HAROLD LOUDERBACK, UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

Roy Bronson, San Francisco, Calif.; Francis C. Brown, San Francisco, Calif.; W. C. Crook, San Francisco, Calif.; Lloyd Dinkelspiel, San Francisco, Calif.; Harold A. Dittmore, San Francisco, Calif; Guy H. Gilbert, San Francisco, Calif.; F. L. Guerena, San Francisco, Calif.; C. M. Hawkins, San Francisco, Calif.; Sam Leake, San Francisco, Calif.; Miss Dorothea A. Lind, San Francisco, Calif.; Paul S. Marrin, San Francisco, Calif.; H. H. McPike, San Francisco, Calif.; Fred C. Peterson, San Francisco, Calif.; Erwin E. Richter, San Francisco, Calif.; Sidney Schwartz, San Francisco, Calif.; John Douglas Short, San Francisco, Calif.; T. W. Slaven, San Francisco, Calif.; DeLancy C. Smith, San Francisco, Calif.; Addison G. Strong, San Francisco, Calif.; Delger Trowbridge, San Francisco, Calif.; J. A. Wainwright, San Francisco, Calif.; Randolph V. Whiting, San Francisco, Calif.; Jerome B. White, San Francisco, Calif.; Marion D. Cohn, San Francisco, Calif.; and Sidney M. Ehrmann, San Francisco, Calif.

WITNESSES FOR THE RESPONDENT, HAROLD LOUDERBACK, UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

Miss Grace C. Berger, San Francisco, Calif.; H. B. Hunter, San Francisco, Calif.; George N. Edwards, San Francisco, Calif.; Marshall B. Woodworth, San Francisco, Calif.; Samuel M. Shortridge, Jr., San Francisco, Calif.; John M. Dinkelspiel, San Francisco, Calif.; Herbert Erskine, San Francisco, Calif.; Morse Erskine, San Francisco, Calif.; Harry L. Fouts, deputy clerk United States court, San Francisco, Calif.; J. G. Reisner, San Francisco, Calif.; George D. Louderback, San Francisco, Calif.; Lloyd A. Lundstrom, San Francisco, Calif.; William H. Metson, San Francisco, Calif.; J. H. Zolinsky, San Francisco, Calif.; David K. Byers, San Francisco, Calif.; Sam Leake, San Francisco, Calif.; W. L. Glasheen, San Francisco, Calif.; A. D. Kreft, San Francisco, Calif.; Gerald W. Murray, San Francisco, Calif.; Brice Kearsley, Jr., Los Angeles, Calif.; Francis C. Quittner, Los Angeles, Calif.

Mr. Ashurst submitted the following order, which was considered by unanimous consent and agreed to:

Ordered, That the daily sessions of the Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, shall, unless otherwise ordered, commence at 10 o'clock in the forenoon.

The consideration of the affidavit and motion of respondent submitted on yesterday, providing for the issuance of a commission to take the deposition of W. S. Leake, was resumed.

Mr. Perkins, on behalf of the managers on the part of the House of Representatives, opposed the granting of the motion, on the ground that a stipulation had been theretofore entered into whereby, in the event of his failure to appear because of illness, his deposition taken heretofore would be read, and insisted that it was of prime importance that Mr. Leake should be required to attend and give his testimony before the Senate sitting for the said trial.

The following telegram received by the Vice President from Mr. Leake's physician was, upon the request of Mr. Perkins, read:

SAN FRANCISCO, CALIF.

Hon. JOHN N. GARNER.
Vice President of United States and President of Senate, Washington, D.C.:

Mr. Leake under subpena Louderback trial quite weak physically due age and cerebral arteriosclerosis. Been his family doctor many years. Travel to Washington impractical, but if imperative should be accompanied by a nurse; please instruct.

(Signed) RUSSELL C. RYAN, M.D.,
Fairmont Hotel.

Mr. Hanley, of counsel for respondent, insisted that, in justice to the respondent, the motion should be granted.

On motion by Mr. Bratton, and by unanimous consent,

Ordered, That the Vice President be authorized to arrange for Mr. Leake to attend the trial accompanied by a nurse if that be deemed necessary.

Francis C. Brown, a witness on the part of the United States, resumed the stand. His cross-examination was continued and concluded by Mr. Linforth, of counsel for respondent, and he was reexamined by Mr. Browning, and interrogated by Mr. Norris, Mr. Logan, Mr. Long, Mr. Barkley, and Mr. Black.

Mr. King was designated by the Vice President as Presiding Officer, and he thereupon took the chair.

During the giving of testimony by the witness, certain questions asked of him and answers given by him were objected to, for stated reasons, either by the managers on the part of the House or counsel for respondent, which said objections were in some instances sustained and in others overruled by the Presiding Officer.

During the cross-examination of the witness Mr. Linforth offered in evidence the application of Delancey C. Smith and Francis C. Brown, filed in the United States district court in and for the southern division of the northern district of California, for allowance of compensation in the Russell-Colvin Co. receivership matter, which, no objection being interposed, was admitted (U.S.S. Exhibit 1).

Paul S. Marrin, a witness on the part of the United States, having been duly sworn, was examined by Mr. Manager Browning, and pending cross-examination by Mr. Hanley, of counsel for respondent.

The Senate, sitting for the said trial, at 2 o'clock and 22 minutes p.m., took a recess for 8 minutes, at the expiration of which time it resumed its session.

The cross-examination of the witness Marrin was resumed and concluded, and he was re-examined by Mr. Browning.

Addison G. Strong, a witness on the part of the United States, having been duly sworn, was examined by Mr. Manager Browning.

During the examination of witness Mr. Browning offered in evidence certified copies of the orders of Harold Louderback, as United States district judge for the northern district of California, appointing and removing said witness Addison G. Strong as receiver for Russell-Colvin & Co., which were admitted (U.S.S. Exhibits 2 and 3).

While the witness was on the stand, certain questions asked of, and answers given by, him were objected to, for stated reasons, either by the managers on the part of the House or the counsel for respondent, which said objections were in part sustained and in part overruled by the Presiding Officer.

During the further examination of Mr. Strong, a verbal inquiry was submitted by Mr. White as to whether it would be proper to ask counsel, for the benefit of the Court, to indicate that part of the articles of impeachment which alleges a conspiracy involving Mr. Hunter.

Mr. Norris raised a question of order, viz, that members of the Court should not be allowed to participate in any argument.

The Presiding Officer sustained the question of order.

Mr. Strong was cross-examined by Mr. Linforth, interrogated by Mr. Bratton and Mr. Long, and reexamined by Mr. Browning.

Mr. Browning stated that, pursuant to a stipulation entered into between the managers and counsel for respondent, he desired to read the testimony given by W. S. Leake at the hearing in San Francisco last September.

Argument arising thereon,

By unanimous consent, at 4 o'clock and 10 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, adjourned, under its order of today, until 10 o'clock a.m. tomorrow.

WEDNESDAY, MAY 17, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The Senate, sitting for the trial of the impeachment of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House of Representatives (with the exception of Mr. Sumners) and the respondent, accompanied by his counsel, appeared.

The Sergeant at Arms made the usual proclamation.

Mr. Ashurst raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Thirty-seven Senators answered to their names, as follows: Adams, Ashurst, Austin, Bachman, Bratton, Brown, Capper, Caraway, Clark, Cutting, Dickinson, Fess, Fletcher, Frazier, George, Hale, Hebert, Kean, Keyes, King, Logan, McGill, Murphy, Neely, Norris, Patterson, Pope, Robinson of Arkansas, Robinson of Indiana, Smith, Stephens, Thomas of Utah, Trammell, Vandenberg, Wagner, Walsh, and White.

The number of Senators present not constituting a quorum,

The Vice President directed the names of the absentees to be called;

When

Seven Senators answered to their names, as follows:

Black, Bulkley, Duffy, Gore, Hastings, Sheppard, and Van Nuys.

A quorum not being present,

On motion by Mr. Ashurst,

Ordered, That the Sergeant at Arms be directed to request the attendance of the absent Senators.

Pending the execution of the order, the following Senators appeared and answered to their names:

Bailey, Barkley, Bulow, Byrd, Byrnes, Carey, Connally, Coolidge, Copeland, Costigan, Couzens, Dill, Erickson, Glass, Goldsborough, Harrison, Hatfield, Hayden, Kendrick, La Follette, Lewis, Long, McAdoo, McCarran, McKellar, Metcalf, Nye, Pittman, Russell, Schall, Shipstead, Townsend, Tydings, Walcott, and Wheeler.

A quorum being present,

Mr. Manager Browning stated that, under the stipulation entered into on May 3, 1933, he desired to offer in evidence the testimony of W. S. Leake given at the hearing in San Francisco, Calif., on September 7, 1932, before a special committee of the Committee on the Judiciary of the House of Representatives.

Mr. Hanley, of counsel for respondent, objected on the ground that it would not be necessary if Mr. Leake were to be present as a witness.

The stipulation, by direction of the Vice President, was read as follows:

"It is further stipulated that the testimony of W. S. Leake and Miriam McKenzie, hotel maid, taken at the hearing above referred to, may be read upon said trial by either party hereto with the same force and effect as if said witness were present and testified in person. This stipulation, however, insofar as the said W. S. Leake is concerned, is without waiver by either party hereto to insist upon the attendance of said Leake before the court above referred to, and shall become operative only in the event of the non-appearance of the said Leake at Washington before the court of impeachment.

"Dated May 3, 1933."

"(Signed) GORDON BROWNING,
"RANDOLPH PERKINS,
"*For the House Managers.*
"WALTER H. LINFORTH,
"JAMES M. HANLEY,
"*Attorneys for Respondent.*"

The Vice President overruled the objection.

The testimony of Mr. Leake was then read by Mr. Browning and Mr. Perkins.

The testimony of Miriam McKenzie, hotel maid, given at the hearing above referred to, was, under the stipulation, read by Mr. Manager Perkins.

Lloyd Dinkelspiel, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning and cross-examined by Mr. Linforth.

During the cross-examination of witness, Mr. Linforth offered in evidence article XX, entitled "Transfer of Membership", of the constitution and rules of the San Francisco Stock Exchange, which was read and ordered to be printed as a part of the proceedings.

The Vice President designated Mr. Hastings as Presiding Officer, and he thereupon took the chair.

Jerome B. White, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning and cross-examined by Mr. Linforth.

Sidney Schwartz, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning.

Mr. Perkins offered in evidence a certified copy of an order issued by respondent, as judge of the Superior Court of the State of California, in and for the city and county of San Francisco, dated April 5, 1927, appointing W. S. Leake and G. H. Gilbert appraisers of the estate of Howard Brickell, deceased, for the purpose of showing the relationship existing between respondent and said Leake and Gilbert.

Mr. Hanley objected on the ground of lack of jurisdiction of the Senate, sitting for the said trial, to go into a matter that occurred prior to the date of the appointment of respondent as a Federal judge.

The Presiding Officer held it was admissible for whatever it might be worth for the purpose stated by Mr. Manager Perkins.

The document was thereupon admitted (U.S.S. Exhibit 4).

Mr. Perkins offered in evidence a certified copy of an order signed by Judge Louderback on May 24, 1927, appointing W. S. Leake receiver in the case of Heath against Heath, with the requirement of a bond of $25,000 (U.S.S. Exhibit 5), which was admitted by the Presiding Officer over objection by Mr. Hanley, for the reason above stated.

Mr. Perkins offered in evidence the following documents:

A certified copy of the original oath of W. S. Leake as receiver in the case of *Heath* v. *Heath* filed May 25, 1927 (U.S.S. Exhibit 6); and

A certified copy of the oath of appraisers R. F. Mogan, G. H. Gilbert, and W. S. Leake and the bill for services rendered by them in the matter of the estate of Howard Brickell, deceased (U.S.S. Exhibit 7).

Mr. Perkins submitted a request that the foregoing documents be printed as a part of the proceedings of the pending trial.

Pending discussion, which arose thereon,

The Presiding Officer, in response to an inquiry by Mr. McKellar, held that they might be offered in evidence for a specific purpose.

Mr. McKellar inquired what recourse had Senators who believed that the documents ought to go into the record for whatever they were worth.

Mr. Ashurst raised a question of order, viz, that rule VII prescribed definitely just how a ruling might be appealed from, and, upon his request, the rule was read.

Mr. McKellar demanded a vote of the Senate sitting for the said trial on the admissibility of the papers.

On motion by Mr. McKellar,

The yeas and nays, being desired by one fifth of the Senators present, were ordered on the question of admissibility and printing in the record.

Mr. Townsend raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Hastings in the chair) directed the roll to be called;

When

Seventy-six Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Barkley, Black, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, La Follette, Logan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

A quorum being present,

In reply to a parliamentary inquiry by Mr. Logan as to what was to be voted upon, the Presiding Officer said:

The managers on the part of the House offered these papers for the Record. Objection was made, and, after argument, the Chair held that these papers were pertinent for one purpose, namely: to show the connection between the persons named in the papers and the respondent. The Chair sought to have counsel on both sides agree that the material parts should be read into the Record; but that was not satisfactory to the managers on the part of the House, who insisted that the whole records should be admitted. Counsel for the respondent objects to that because there are many things in the records themselves that are not in any sense material; and the question is whether or not the papers offered for the Record shall be admitted.

The question being taken on the admissibility of the documents and their being printed in the Record,

It was determined in the affirmative, Yeas 67, Nays 4

The yeas and nays having been heretofore ordered,

Senators who voted in the affirmative are—

Adams, Ashurst, Austin, Bachman, Barkley, Black, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, La Follette, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Utah, Townsend, Vandenberg, Van Nuys, Wagner, Walcott, and Wheeler.

Senators who voted in the negative are—

Bailey, Dickinson, Logan, and Schall.

So the documents were admitted and ordered to be printed in the Record.

Mr. Perkins, on behalf of the managers on the part of the House, offered in evidence the following documents, which were admitted:

A certified copy of the original order of Harold Louderback, judge of the Superior Court of the State of California, in and for the county and city of San Francisco, dated August 22, 1927, appointing W. S. Leake and others appraisers, in the matter of the application of Antonio Draga for the appraisement of a homestead (U.S.S. Exhibit 8);

A certified copy of the appraisement of value of homestead in the foregoing cause, dated September 2, 1927 (U.S.S. Exhibit 9);

A certified copy of an order of Harold Louderback, as judge aforesaid, dated October 18, 1927, appointing W. S. Leake receiver in the case of *Friedman and Gerson* v. *Anna Farrisee et al.*, together with the oath of receiver (U.S.S. Exhibit 10);

A certified copy of an order of Harold Louderback, as judge aforesaid, dated October 27, 1927, appointing W. S. Leake receiver in the case of *Monson* v. *Thomas et al.* (U.S.S. Exhibit 11);

A certified copy of an order of Harold Louderback, as judge aforesaid, dated November 8, 1927, appointing W. S. Leake receiver in the case of *Gerson and Friedman* v. *Anna Farrisee*, together with oath of receiver, dated November 9, 1927 (U.S.S. Exhibit 12);

A certified copy of the report of W. S. Leake, receiver, dated November 29, 1927, in the case of *Monson* v. *Thomas et al.* (U.S.S. Exhibit 13);

A certified copy of the oath of W. S. Leake, receiver, dated December 8, 1927, in the case of *Johnson* v. *Craig*, the order settling and allowing account of receiver, and the order of Harold Louderback, as judge aforesaid, dated December 7, 1927, appointing said W. S. Leake receiver in the above-named cause (U.S.S. Exhibit 14);

A certified copy of a receipt for $500, dated December 21, 1927, paid to W. S. Leake for services as appraiser of the estate of Howard Brickell, deceased (U.S.S. Exhibit 15);

A certified copy of an order of Harold Louderback, as judge aforesaid, dated December 30, 1927, appointing W. S. Leake receiver for the Crystal Laundry Co. (U.S.S. Exhibit 16); and

A certified copy of a receipt for $500, dated December 21, 1927, paid to G. H. Gilbert for services as appraiser of the estate of Howard Brickell, deceased (U.S.S. Exhibit 17).

On motion by Mr. King, at 12 o'clock and 57 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess for 10 minutes, at the expiration of which time it reconvened.

Mr. McNary raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Eighty-five Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Harry L. Fouts, a witness on the part of the United States, who, as deputy clerk for the United States District Court for the Northern District of California, had been subpenaed to bring certain papers in the case of *Waukesha Motor Co.* v. *Fageol Motors Co.*, produced the following original documents filed in said court in the said case, which were offered as evidence by Mr. Manager Perkins, and admitted without objection, and ordered to be printed in the Record:

The bill of complaint, dated February 15, 1932 (U.S.S. Exhibit 18);

The answer to bill of complaint, dated February 17, 1932 (U.S.S. Exhibit 19);

The order of Harold Louderback, as judge of said district court, dated February 15, 1932, appointing G. H. Gilbert receiver (U.S.S. Exhibit 20); and

The order of Harold Louderback, as said district judge, dated February 17, 1932, approving bond of G. H. Gilbert as receiver (U.S.S. Exhibit 21).

James A. Wainwright, a witness on the part of the United States, having been duly sworn, was examined by Mr. Perkins, cross-examined by Mr. Linforth, of counsel for respondent, reexamined by Mr. Perkins, and re-cross-examined by Mr. Linforth.

During cross-examination Mr. Linforth, for the purpose of refuting statements as to the incompetency of G. H. Gilbert to act as receiver, offered in evidence a letter dated May 4, 1932, from witness, vice president of the Central National Bank of Oakland, Calif., addressed to Mr. John Walton Dinkelspiel, attorney at law, San Francisco, Calif., relative to the cooperation of the latter and G. H. Gilbert in connection with the Fageol Motors Co. case.

Mr. Perkins objected to the admission of the letter on the ground that it was not evidence but merely corroborative of what the witness had stated.

The Presiding Officer ruled that the letter was admissible and it was thereupon admitted (U.S.S. Exhibit 22).

Mr. Linforth also offered in evidence, to which no objection was interposed by the managers, a copy of a letter from witness, dated July 28, 1932, addressed to G. H. Gilbert, Esq., Fageol Motors Co., Oakland, Calif., acknowledging appreciation for the cooperation extended witness as a representative of said bank (Central National Bank of Oakland) in the matter of the Fageol receivership (U.S.S. Exhibit 23).

Roy A. Bronson, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning, on behalf of the managers, cross-examined by Mr. Linforth, reexamined by Mr. Browning, and re-cross-examined by Mr. Linforth.

William C. Crook, a witness on the part of the United States, was called and duly sworn.

The Vice President, having resumed the chair, laid before the Senate the following letter from the Sergeant at Arms, which was read:

SENATE OF THE UNITED STATES,
OFFICE OF THE SERGEANT AT ARMS,
Washington, D.C., May 17, 1933.

Hon. JOHN N. GARNER,
Vice President and President of the Senate,
Washington, D.C.

MY DEAR MR. VICE PRESIDENT: I was commanded to serve and return a subpena issued in the impeachment trial of Harold Louderback on one W. S. Leake, of San Francisco, Calif. Said subpena was personally served by me on the said W. S. Leake on May 2, 1933, at San Francisco, and a return was duly made by me.

W. S. Leake was commanded to appear and testify on the 15th day of May 1933, at 1 p.m. at the Senate Chamber in the city of Washington, and he has not appeared and refuses to appear and testify for the reason as stated by him to me personally on this day, that he is physically unable to do so.

This information is given to you so that the Senate of the United States may be officially informed in the matter.

Respectfully,

CHESLEY W. JURNEY,
Sergeant at Arms.

Mr. Ashurst submitted the following order, which was considered and agreed to:

Whereas the Senate of the United States pursuant to House Resolution 403, Seventy-second Congress, second session, and orders of the Senate of the United States adopted in relation thereto, has authorized that witnesses be summoned as required by the rules of procedure and practice of the Senate; and

Whereas it appears from the letter of Chesley W. Jurney, Sergeant at Arms of the United States Senate, to Hon. John N. Garner, Vice President and President of the Senate, dated May 15, 1933, that one W. S. Leake, of San Francisco, Calif., was duly served with a subpena on May 2, 1933, to appear on Monday, May 15, 1933, at 1 p.m., before the Senate of the United States at Washington, D.C., and then and there to testify his knowledge in the cause which is before the Senate in which the House of Representatives have impeached Harold Louderback, district judge of the United States for the Northern District of California; and

Whereas it appears from a letter of Chesley W. Jurney, Sergeant at Arms of the United States Senate, to Hon. John N. Garner, Vice President and President of the Senate, dated May 17, 1933, that said W. S. Leake has not appeared in response to said subpena duly issued and served, and the said W. S. Leake has failed, in disobedience of such subpena, so to appear and answer; and

Whereas the appearance and testimony of said W. S. Leake is material and necessary in order that the Senate of the United States may properly execute the functions imposed upon it by the Constitution of the United States, and other action as the Senate may deem necessary and proper: Therefore be it

Ordered, That the Vice President and President of the Senate issue his warrant commanding the Sergeant at Arms or his deputy to take into custody the body of the said W. S. Leake, wherever found, to bring the said W. S. Leake before the bar of the Senate, then and there to answer such questions pertinent to the matter under inquiry; and to keep the said W. S. Leake to await the further order of the Senate.

Mr. Crook, having taken the stand, was examined by Mr. Perkins, cross-examined by Mr. Hanley, and reexamined by Mr. Perkins.

Fred C. Peterson, a witness on the part of the United States, having been duly sworn, was examined by Mr. Perkins, cross-examined by Mr. Linforth, and reexamined by Mr. Perkins.

For the purpose of showing the course of conduct of respondent with respect to the appointment of receivers, particularly G. H. Gilbert, and as evidence on the charge of a conspiracy between them, Mr. Perkins, on behalf of the managers, offered in evidence the following documents, which, without objection, were admitted:

An order of Harold Louderback, as United States district judge for the northern district of California, dated January 25, 1929, appointing G. H. Gilbert receiver of the alleged bankrupt firm of Stempel & Cooley (U.S.S. Exhibit 24);

An order of Harold Louderback, as district judge aforesaid, dated January 28, 1929, authorizing G. H. Gilbert as receiver of the foregoing named firm to employ Keyes & Erskine as counsel (U.S.S. Exhibit 25);

An order of Harold Louderback, as said district judge, dated December 20, 1929, appointing Irving Trust Co. and G. H. Gilbert as ancillary receivers in the matter of Sonora Phonograph Co., Inc., alleged bankrupt (U.S.S. Exhibit 26);

An order of Harold Louderback, as said district judge, dated December 20, 1929, authorizing Guy H. Gilbert, as ancillary receiver for the Sonora Phonograph Co., Inc., to employ Messrs. Dinkelspiel & Dinkelspiel, attorneys at law, as counsel (U.S.S. Exhibit 27);

An order of Harold Louderback, as said district judge, dated February 24, 1930, approving the first report and account of G. H. Gilbert, ancillary receiver for the Sonora Phonograph Co., Inc., alleged bankrupt (U.S.S. Exhibit 28);

An order of Harold Louderback, as said district judge, dated May 17, 1930, allowing $15,000 on account to attorneys for ancillary receiver in the foregoing matter (U.S.S. Exhibit 29);

An order of Harold Louderback, as said district judge, dated May 12, 1930, approving the second report and account of G. H. Gilbert as ancillary receiver in the foregoing matter (U.S.S. Exhibit 30);

An order of Harold Louderback, as said district judge, dated July 30, 1930, approving the third and final report of G. H. Gilbert as ancillary receiver and allowing final compensation to attorneys for said ancillary receiver (U.S.S. Exhibit 31);

An order of Harold Louderback, as said district judge, dated August 18, 1931, authorizing G. H. Gilbert, receiver for the Prudential Holding Co., of Los Angeles, Calif., to employ Messrs. Dinkelspiel & Dinkelspiel, attorneys at law, as counsel (U.S.S. Exhibit 32);

The bill of complaint filed in the case of *Character Finance Co.* v. *Prudential Holding* Co. (U.S.S. Exhibit 33);

An order of Harold Louderback, as district judge aforesaid, dated August 15, 1931, appointing G. H. Gilbert receiver of the Prudential Holding Co., of Los Angeles (U.S.S. Exhibit 34);

A petition of Catherine Armstrong and others for involuntary bankruptcy proceedings against the said Prudential Holding Co. (U.S.S. Exhibit 35);

An order of Harold Louderback, as district judge aforesaid, dated September 30, 1931, appointing G. H. Gilbert receiver for the said Prudential Holding Co. (U.S.S. Exhibit 36);

A petition of G. H. Gilbert, receiver for Prudential Holding Co., for an order for the appointment of Martin J. Dinkelspiel and others as attorneys for receiver, and the order of said Harold Louderback, as district judge aforesaid, dated October 10, 1931, appointing said Dinkelspiel and other as said attorneys (U.S.S. Exhibit 37).

An order of A. F. St. Sure, United States district judge for the northern district of California, dated November 4, 1931, dismissing the bankruptcy proceedings in the foregoing matter of the Prudential Holding Co. (U.S.S. Exhibit 38); and

An order of Harold Louderback, as district judge aforesaid, granting the motion of the Prudential Holding Co. to dismiss bill of complaint (U.S.S. Exhibit 39).

Henry H. McPike, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning, cross-examined by Mr. Linforth, and reexamined by Mr. Browning.

C. M. Hawkins, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning and cross-examined by Mr. Linforth.

On motion by Mr. Ashurst, at 4 o'clock and 38 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess, under its order, until 10 o'clock a.m. tomorrow.

THURSDAY, MAY 18, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The Senate, sitting for the impeachment trial of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House of Representatives, and the respondent, accompanied by his counsel, appeared.

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings for Tuesday, May 16, and Wednesday, May 17, 1933, respectively, was approved.

Mr. Ashurst raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pittman, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Dorothea A. Lind, a witness on the part of the United States, was called and duly sworn. Pending the direct examination by Mr. Manager Browning, concerning the involuntary bankruptcy proceedings filed against the Prudential Holding Co., of Los Angeles, witness was asked the following question concerning a telephone conversation between the president of the company and a Mr. Stephens, at which she was present, namely: In that conversation did Mr. Stephens let the president or you either one know wheher he (Stephens) was present or knew anything about the receivership when it was granted?

Mr. Hanley, of counsel for respondent, objected to the conversation had between Mr. Stephens and the president of the company or anyone else which had nothing to do with the issues here framed, and stated it was hearsay and not binding upon the respondent.

After argument the witness was temporarily excused, to be recalled in rebuttal to the deposition of said Stephens if introduced by respondent.

On request of Mr. Hanley, on behalf of the respondent, a subpena was ordered to be issued for Walter B. Maling, clerk of the United States District Court for the Northern District of California, of San Francisco.

Erwin E. Richter, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning, cross-examined by Mr. Hanley, of counsel for respondent, reexamined by Mr. Browning, and recross-examined by Mr. Hanley.

During cross-examination the Vice President designated Mr. Hebert as Presiding Officer, and he thereupon took the chair.

Mr. Browning offered in evidence the following documents, which were admitted without objection and ordered to be printed in the Record:

A petition of George H. Edwards, receiver for the Golden State Asparagus Co., dated September 8, 1930, for authority to employ Messrs. Dinkelspiel & Dinkelspiel, attorneys at law, as his counsel (U.S.S. Exhibit 40); and

An order issued by Harold Louderback, as district judge aforesaid, dated April 1, 1932, approving and affirming the first report and account of receiver in the foregoing matter, and ordering compensation paid to receiver and to attorneys for receiver (U.S.S. Exhibit 41).

Delger Trowbridge, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning, cross-examined by Mr. Hanley, reexamined by Mr. Browning, and interrogated by Mr. Black.

Mr. Browning offered in evidence the following documents, which were admitted without objection and ordered to be printed in the Record:

The registration card of Sam Leake as a guest of room 26, Fairmont Hotel, San Francisco, Calif., dated September 21, 1929 (U.S.S. Exhibit 42);

The records of the said hotel covering room 26, occupied by W. S. Leake from September 24, 1929, to April 30, 1933 (U.S.S. Exhibit 43);

The records of the said hotel covering room 679, occupied by Mr. and Mrs. W. S. Leake, and by Mr. W. S. Leake, from January 2, 1928, to April 30, 1933 (U.S.S. Exhibit 44);

The original records of long-distance telephone calls from the said hotel on March 11 and 13, 1930 (U.S.S. Exhibit 45); and

A pencil memorandum of the auditor for the said hotel indicating how payments were made for room 26 in said hotel from October 5, 1929, to April 5, 1933 (U.S.S. Exhibit 46).

Sidney M. Ehrmann, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning, cross-examined by Mr. Linforth, reexamined by Mr. Browning, interrogated by Mr. McKellar and Mr. Black, and recross-examined by Mr. Linforth.

Delger Trowbridge, a witness on the part of the United States, who had previously been sworn, was recalled by Mr. Browning, on behalf of the managers, and further examined by him.

During said examination Mr. Browning offered in evidence the following documents, which were admitted and ordered to be printed in the Record:

Certified copies of the application for adjustment of claim, filed July 24, 1930, by Mrs. Helen Lay before the Industrial Accident Commission of the State of California; the findings and award; petition for rehearing by Bos Construction Co.; and order granting said petition (U.S.S. Exhibit 47); and

A certified copy of the order of the said commission denying the petition for a writ of review in the foregoing matter, dated September 30, 1930 (U.S.S. Exhibit 48).

Thomas W. Slaven, a witness on the part of the United States, having been duly sworn, was examined by Mr. Browning, cross-examined by Mr. Linforth, and reexamined by Mr. Browning.

Mr. Browning offered in evidence certified copies of two transcripts filed in the United States Circuit Court of Appeals for the Ninth Circuit on appeals from rulings of respondent in the case of Mrs. Helen Lay, *supra*, which were admitted (U.S.S. Exhibit 49).

Delger Trowbridge was again recalled by Mr. Browning, further reexamined by him, further cross-examined by Mr. Hanley, of counsel for respondent, and further reexamined by Mr. Browning.

On motion by Mr. Ashurst, at 12 o'clock and 56 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess for 40 minutes, at the expiration of which period it resumed its session.

Mr. Robinson of Arkansas raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. Hebert in the chair) directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pittman, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. Perkins stated that Randolph V. Whiting and Harold A. Dittmore, witnesses on the part of the United States, had been taken ill since their arrival in Washington, and that F. L. Guerena, a witness on the part of the United States, was enroute to Washington.

For the purpose of enabling the managers on the part of the House and counsel for respondent to confer regarding certain proposed stipulations,

On motion by Mr. King, at 1 o'clock and 51 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess for 15 minutes, at the expiration of which time it resumed its session.

Mr. Perkins stated that a stipulation had been entered into between the managers and counsel for respondent whereby the testimony of Frank L. Guerena, given before the special committee of the Committee on the Judiciary of the House of Representatives at the hearing in San Francisco on September 8, 1932, would be read into the record; and that a further stipulation had been entered into concerning the testimony which would be given by Witness Harold A. Dittmore, if he were present.

The testimony of Frank L. Guerena, under the foregoing stipulation, was read into the record by the managers.

Mr. Browning offered in evidence an order of Harold Louderback, as district judge aforesaid, dated December 15, 1931, approving the fourth and final and supplemental accounts of Samuel M. Shortridge, Jr., receiver of the Lumbermen's Reciprocal Association, denying petition for preferred claims, directing receiver to comply with order of United States circuit court of appeals, and thereupon discharging receiver and exonerating his bond, which said order was admitted (U.S.S. Exhibit 51); and

An original letter of John Douglas Short, dated March 27, 1931, addressed to Mr. W. L. Hathaway, San Francisco, Calif., setting out a statement of account between them, and enclosing check of $5,000 on account (U.S.S. Exhibit 52).

Mr. Randolph V. Whiting, a witness on the part of the United States, having appeared, was duly sworn. Mr. Manager Sumners proceeded to examine him, when certain objections to his testimony were made by Mr. Linforth, and, after argument, the witness was excused.

The managers on the part of the House rested their case.

Mr. Linforth expressed a desire for adjournment until tomorrow, in order that counsel for respondent might determine whether or not they would make a motion to dismiss the articles of impeachment.

On motion by Mr. Ashurst, at 3 o'clock and 1 minute p.m., a recess, for the purpose above indicated, was taken for 1 hour, at the expiration of which period,

The Senate sitting for the impeachment trial aforesaid resumed its session.

Mr. Vandenberg raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer directed the roll to be called;

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Austin, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dickinson, Dill, Duffy, Erickson, Fess, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pittman, Pope, Reed, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. Linforth announced that, after a conference with respondent, counsel on his behalf were instructed by him not to make a motion to dismiss the articles of impeachment, but to proceed to offer proof.

Roy A. Bronson, a witness on the part of the United States, was recalled by counsel for respondent and examined by Mr. Linforth.

T. W. Slavin, a witness on the part of the United States, was also recalled by counsel for respondent, examined by Mr. Linforth, and interrogated by Mr. McKellar.

Mr. John H. Zolinsky, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth, cross-examined by Mr. Sumners, interrogated by Mr. Long, Mr. McKellar, Mr. Fletcher, Mr. McCarron, Mr. Black, Mr. King, and Mr. Bone, reexamined by Mr. Linforth, recross-examined by Mr. Sumners, further reexamined by Mr. Linforth, and further recross-examined by Mr. Sumners.

During the examination of Mr. Zolinsky, on the request of Mr. Sumners, the memorandum from which witness read extracts was incorporated as a part of the proceedings (U.S.S. Exhibit 53).

Herbert W. Erskine, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth, and interrogated by Mr. Long and Mr. McKellar.

Mr. Linforth offered in evidence a report of H. B. Hunter, receiver of Russell-Colvin & Co., dated December 15, 1930, relative to claims filed in said matter (U.S.S. Exhibit A); and

A general report and account of Receiver Hunter in the above matter, dated December 15, 1930 (U.S.S. Exhibit B), which were admitted without being printed.

On motion by Mr. Ashurst, at 5 o'clock and 47 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until 10 o'clock a.m. tomorrow.

FRIDAY, MAY 19, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The Senate, sitting for the impeachment trial of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House and the respondent, accompanied by his counsel, appeared.

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of yesterday was approved.

Mr. Ashurst raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Thirty-six Senators answered to their names, as follows:

Ashurst, Austin, Bachman, Barbour, Bratton, Brown, Bulow, Caraway, Carey, Dale, Dickinson, Duffy, Fess, Frazier, Hale, Hayden, Kean, Kendrick, Keyes, King, Lewis, Logan, McCarran, McGill, Murphy, Neely, Norris, Patterson, Pope, Robinson of Arkansas, Robinson of Indiana, Sheppard, Thomas of Utah, Trammell, Vandenberg, and Walsh.

The number of Senators present not constituting a quorum;

The Vice President directed the names of the absentees to be called;

When

Six Senators answered to their names, as follows:

Adams, Bankhead, Black, Hatfield, Nye, and Van Nuys.

A quorum not being present,

On motion by Mr. Ashurst,

Ordered, That the Sergeant at Arms be directed to request the attendance of the absent Senators.

Pending the execution of the order,

The following Senators appeared and answered to their names:

Bailey, Barkley, Bone, Bulkley, Byrd, Capper, Clark, Connally, Coolidge, Costigan, Couzens, Cutting, Dill, Erickson, Fletcher, Glass, Goldsborough, Gore, Harrison, Hastings, Hebert, La Follette, Long, McAdoo, McKellar, McNary, Metcalf, Pittman, Reed, Schall, Shipstead, Smith, Steiwer, Stephens, Townsend, Tydings, Wagner, Walcott, Wheeler, and White.

A quorum being present,

John H. Zolinsky, a witness on the part of the respondent, was recalled, and further examined by Mr. Linforth.

The Vice President designated Mr. Neely as Presiding Officer for the day, and he thereupon took the chair.

Herbert W. Erskine, a witness on the part of the respondent, was recalled, and further examined by Mr. Linforth, and cross-examined by Mr. Sumners.

Mr. Linforth offered in evidence the following documents, which were admitted:

An application for attorneys of the receiver for Russell-Colvin & Co. for compensation, dated March 7, 1931 (U.S.S. Exhibit C); and

Application for attorneys of receiver for Russell-Colvin & Co. for compensation, dated November 14, 1931 (U.S.S. Exhibit D).

Mr. Linforth offered in evidence a carbon copy of a letter from Keyes & Erskine, dated November 30, 1931, addressed to De Lancey C. Smith, Esq., attorney at law, Balfour Building, San Francisco, Calif., making payment on account of attorneys' fees in the Russell-Colvin & Co. receivership matter, which was read (U.S.S. Exhibit E).

Armand B. Kreft, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth, interrogated by Mr. Black, Mr. King, and Mr. Fess, cross-examined by Mr. Manager Lewis, and re-examined by Mr. Linforth.

Mr. Sumners offered in evidence an application of Catherine Armstrong et al., for leave to file an amended involuntary bankruptcy petition in the matter of the Prudential Holding Co., of Los Angeles, Calif., filed October 14, 1931, which was admitted and ordered to be printed (U.S.S. Exhibit 54).

H. B. Hunter, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth.

Pending which,

On motion by Mr. King, at 1 o'clock and 1 minute p.m.,

The Senate took a recess for 5 minutes, at the expiration of which time Mr. Hunter was further examined by Mr. Linforth, and interrogated by Mr. Fletcher.

Pending the cross-examination by Mr. Browning,

On motion by Mr. King, at 2 o'clock p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until 10 o'clock a.m. tomorrow.

SATURDAY, MAY 20, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The Senate, sitting for the impeachment trial of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House of Representatives, and the respondent, accompanied by his counsel, appeared.

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of yesterday was approved.

H. B. Hunter, a witness on the part of the respondent, resumed the stand, and was further cross-examined by Mr. Browning, reexamined by Mr. Linforth, and interrogated by Mr. King.

The Vice President designated Mr. McCarran to act as Presiding Officer for the day; and he thereupon took the chair.

John M. Dinkelspiel, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth, interrogated by Mr. King, cross-examined by Mr. Browning, reexamined by Mr. Linforth, and recross-examined by Mr. Browning.

G. H. Gilbert, a witness on the part of the respondent, was duly sworn.

On motion by Mr. King, and by unanimous consent,

Ordered, That the witness, because of his physical condition, be permitted to remain seated while giving his testimony.

Said witness was examined by Mr. Linforth.

During the cross-examination by Mr. Sumners, witness was asked the following question:

Q. I will ask you if this did not occur in San Francisco on the occasion of the presence of the special committee designated by the House of Representatives to investigate this matter. Were you not asked these questions, after having testified with reference to your selection in the Sonora Case:

"A. Well, I was appointed as an appraiser in an estate prior to that time.

"Q. By whom?—A. By Judge Louderback.

"Q. What was the nature of the appraisal?—A. There were three appraisers appointed in an estate, and I was one of them.

"Q. What was the property that you had to appraise?—A. Well, I did very little work in that case. There was—I forget the man's name now that did look up the property—I did very little work in that case.

"Q. What kind of property was it?—A. Well, I cannot recall.

"Q. Was it land, real estate, or personal?—A. It was real estate; it was real estate. It was some estate; and I think it consisted principally of real estate. The work was more accurately done by this gentleman, I cannot recall his name. I did practically nothing in that case.

"Q. Do you remember the name of the case?—A. No; I cannot recall it.

"Q. Do you remember about the time that you were designated as an appraiser by Judge Louderback?"

Then you went on to state the period when it was. You stated you did not know where the property was located and that you did not go on the property. Is not that true?

Mr. Linforth objected to the question as not in any sense contradictory of anything that the witness was then stating.

The Presiding Officer sustained the objection.

Mr. McKellar took an appeal from the ruling of the Chair.

The Presiding Officer stated the question to be, Shall the decision of the Chair stand as the judgment of the Senate sitting as a Court?

Mr. Austin raised a question as to the presence of a quorum.

Mr. Linforth, stating that he desired to save time, withdrew his objection.

Mr. Austin, by unanimous consent, thereupon withdrew his suggestion of the absence of a quorum.

The cross-examination of the witness was then resumed by Mr. Sumners and concluded; he was re-examined by Mr. Linforth, and interrogated by Mr. Black, Mr. McKellar, and Mr. Tydings.

Mr. Linforth offered in evidence a letter from A. F. St. Sure, United States district judge for the northern district of California, of San Francisco, Calif., dated April 25, 1933, addressed to the respondent, relative to the right of receivers to employ counsel, the matter of one judge sitting in the absence of another, and certain testimony given by H. H. McPike in the matter of the Prudential Holding Co., of Los Angeles, which said letter was admitted, under a stipulation

of the managers and counsel for respondent, and read (U.S.S. Exhibit F).

On motion by Mr. Ashurst, at 1 o'clock and 11 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until 12 o'clock m. on Monday next.

MONDAY, MAY 22, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The Senate, sitting for the impeachment trial of Harold Louderback, United States district judge for the Northern District of California, resumed its session.

The managers on the part of the House of Representatives, and the respondent, accompanied by his counsel, appeared.

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of Saturday last was approved.

The Vice President laid before the Senate the following communication from the Sergeant at Arms, which was read:

SENATE OF THE UNITED STATES,
OFFICE OF THE SERGEANT AT ARMS,
Washington, D.C., May 20, 1933.

Hon. JOHN N. GARNER,
Vice President and President of the Senate,
Washington, D.C.

MY DEAR MR. VICE PRESIDENT: In pursuance of the order of the Senate dated May 17, 1933, commanding me to forthwith arrest and take into custody and bring to the bar of the Senate W. S. Leake, of San Francisco, Calif., I did, acting through my deputy, W. A. Rorer, on May 17, 1933, arrest and take Mr. Leake into custody.

The said W. S. Leake is now in my custody, and I await the further order of the Senate.

The original warrant issued in the case is attached hereto.

Respectfully yours,

CHESLEY W. JURNEY,
Sergeant at Arms.

At the request of Mr. Linforth, the said W. S. Leake was called as a witness on the part of respondent, and having been duly sworn, was examined by Mr. Linforth, cross-examined by Mr. Perkins, re-examined by Mr. Linforth, recross-examined by Mr. Perkins, further re-examined by Mr. Linforth, further recross-examined by Mr. Perkins, and interrogated by Mr. Connally, Mr. King, Mr. Robinson of Arkansas, and Mr. Pope.

During the cross-examination by Mr. Perkins,

Mr. Linforth offered in evidence a certified photostatic copy of the inventory and appraisement filed in December 21, 1927, by W. S. Leake and others in the matter of the estate of Howard Brickell, deceased, which was admitted (U.S.S. Exhibit G).

The Vice President designated Mr. Robinson of Indiana as Presiding Officer for the day, and he thereupon took the chair.

G. H. Gilbert, a witness on the part of the respondent, was recalled and further re-examined by Mr. Linforth, and recross-examined by Mr. Perkins.

John Douglas Short, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth.

Mr. Linforth, during said examination, offered in evidence certain canceled checks drawn by W. L. Hathaway in favor of John D. Short, totaling $2,435, during the period from October 11, 1929, to January 29, 1931, which were admitted (U.S.S. Exhibit H).

Mr. Linforth further offered in evidence a memorandum in writing, prepared by Mr. Hathaway, and delivered to witness, relative to certain property, comprising approximately 24 acres, which was admitted (U.S.S. Exhibit I).

Mr. Linforth further offered in evidence a deed from Caro L. Hathaway and W. L. Hathaway, dated January 10, 1927, conveying to Marie Hathaway Short certain lands (11 acres) in San Mateo County, Calif., which was admitted (U.S.S. Exhibit J).

The witness was interrogated by Mr. King, Mr. McCarran, and Mr. Tydings, and cross-examined by Mr. Perkins.

Under stipulation of the managers on the part of the House and counsel for respondent, the testimony of W. L. Hathaway, given before the hearing at San Francisco in September 1932 was read.

Mr. Hanley, of counsel for respondent, offered in evidence a photostatic copy of a promissory note of W. S. Leake, dated March 25, 1931, for $1,000, payable to the order of W. L. Hathaway, which was admitted (U.S.S. Exhibit K).

Mr. Linforth read a stipulation of the managers on the part of the House and counsel for respondent as to what Caro L. Hathaway, wife of W. L. Hathaway, would testify to if present (U.S.S. Exhibit L).

Mr. Linforth offered in evidence a further stipulation of counsel for respondent and managers as to the testimony which would be given by Gerald W. Murray if he were present, which stipulation was read (U.S.S. Exhibit M).

William L. Glasheen, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth, cross-examined by Mr. Sumners, and interrogated by Mr. McKellar.

George N. Edwards, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth, cross-examined by Mr. Browning, interrogated by Mr. Dill, and reexamined by Mr. Linforth.

Mr. Hanley, under stipulation entered into with the managers on the part of the House, read the testimony of Max Thelen given at the preliminary hearing in San Francisco in September 1932.

On motion by Mr. Bratton, at 3 o'clock and 25 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess for 10 minutes, at the expiration of which time it resumed its session.

Samuel M. Shortridge, Jr., a witness on the part of respondent, having been duly sworn, was examined by Mr. Linforth, cross-examined by Mr. Browning, reexamined by Mr. Linforth, and recross-examined by Mr. Browning.

Harry L. Fouts, a witness on the part of respondent, was recalled and examined by Mr. Linforth, cross-examined by Mr. Sumners, and reexamined by Mr. Linforth.

The Presiding Officer laid before the Senate a communication from the Sergeant at Arms, stating that the attached subpena, issued for Walter G. Maling, of San Francisco, Calif., had been duly served and return made according to law.

The said Walter G. Maling, a witness on the part of respondent, was called, and having been duly sworn, was examined by Mr. Linforth and cross-examined by Mr. Browning.

The deposition of Lloyd Ackerman, a witness on the part of respondent, taken May 3, 1933, at San Francisco, Calif., was, by agreement, submitted and read (U.S.S. Exhibit N).

Lloyd A. Lundstrom, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth and cross-examined by Mr. Perkins.

The deposition of Joseph H. Stephens, Jr., called on the part of the respondent, taken May 3, 1933, at San Francisco, Calif., was offered and read (U.S.S. Exhibit O).

J. G. Reisner, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth and excused.

George Davis Louderback, a witness on the part of the respondent, having been duly sworn, was examined by Mr. Linforth, cross-examined by Mr. Perkins, reexamined by Mr. Linforth, and recross-examined by Mr. Perkins.

Marshall B. Woodworth, a witness on the part of respondent, having been duly sworn, was examined by Mr. Linforth and cross-examined by Mr. Browning.

Brice Kearsley, Jr., a witness on the part of respondent, having been duly sworn, was examined by Mr. Hanley and cross-examined by Mr. Browning.

David K. Byers, a witness on the part of respondent, having been duly sworn, was examined by Mr. Hanley and cross-examined by Mr. Perkins.

On motion by Mr. Ashurst, at 5 o'clock and 58 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until 10 o'clock a.m. tomorrow.

TUESDAY, MAY 23, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The Senate, sitting for the impeachment trial of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House of Representatives, and the respondent, accompanied by his counsel, appeared.

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of yesterday was approved.

The cross-examination of Guy H. Gilbert, a witness on the part of the respondent, was resumed and concluded by Mr. Sumners, and said witness was reexamined by Mr. Linforth.

Harold Louderback, the respondent, was duly sworn.

Mr. Ashurst raised a question as to the presence of a quorum;

Whereupon

Thirty-five Senators answered to their names, as follows:

Ashurst, Austin, Bachman, Black, Bratton, Brown, Capper, Clark, Frazier, George, Gore, Hale, Hastings, Hayden, Keyes, King, La Follette, Logan, McGill, McKellar, McNary, Murphy, Norris, Patterson, Pope, Robinson of Arkansas, Russell, Sheppard, Thomas of Oklahoma, Thomas of Utah, Trammell, Vandenberg, Van Nuys, Wagner, and White.

The number of Senators present not constituting a quorum;

The Vice President directed the names of the absentees to be called; when

Mr. Carey answered to his name.

A quorum not being present,

On motion by Mr. Ashurst,

Ordered, That the Sergeant at Arms be directed to request the attendance of the absent Senators.

Pending the execution of the order, the following Senators appeared and answered to their names:

Hatfield, Duffy, Connally, Hebert, Nye, Dale, McCarran, Harrison, and Smith.

A quorum not being present,

On motion by Mr. Ashurst,

Ordered, That the Sergeant at Arms be directed to compel the attendance of the absent Senators.

Pending the execution of the order, the following Senators appeared and answered to their names:

Caraway, Dickinson, and Stephens.

A quorum being present,

On motion by Mr. Ashurst,

Ordered, That further proceedings under the call be dispensed with.

Mr. Linforth offered in evidence subdivisions 2 and 7 of section 52 of the Political Code of the State of California, bearing on the question of residence, which were read and admitted.

Mr. Linforth, pending his examination of the respondent, offered in evidence 34 canceled checks of Harold Louderback, respondent, payable to W. S. Leake, for payments on account of room 26, Fairmont Hotel, for the period from April 1, 1930, to March 2, 1933, which were admitted (U.S.S. Exhibit P).

Mr. Linforth offered in evidence a certified copy of the cancelation of the registration of respondent as a resident of 666 Post Street, San Francisco, Calif., for 1930, which was admitted (U.S.S. Exhibit Q).

Mr. Linforth offered in evidence a certified copy of the affidavit of registration, of respondent, dated April 18, 1930, as a resident of Berkeley, Contra Costa County, Calif., which was admitted (U.S.S. Exhibit R).

Mr. Linforth offered in evidence certified copies of the first and final account of the Crocker First Federal Trust Co., special administrator of the estate of Howard Brickell, deceased, and of the order, dated December 1, 1927, settling that account, which were admitted (U.S.S. Exhibit S).

The direct examination having been concluded by Mr. Linforth,

On motion by Mr. Ashurst, at 12 o'clock and 7 minutes p.m.,

A recess was taken for 5 minutes, at the expiration of which time,

The Senate, sitting for the trial aforesaid, resumed its session.

Respondent was cross-examined by Mr. Sumners, and interrogated by Mr. Long.

The Vice President designated Mr. Black as Presiding Officer, and he thereupon took the chair.

For the purpose of refreshing the memory of the witness, Mr. Sumners submitted to him for inspection photostatic copies of personal-tax returns of respondent filed for the years 1929, 1930, 1931, and 1932, which were admitted for that purpose (U.S.S. Exhibit 55).

Pending the further cross-examination of respondent,

On motion by Mr. Ashurst, at 1 o'clock and 25 minutes p.m.,

The Senate, sitting for the said impeachment trial, took a recess for 15 minutes, at the expiration of which time it resumed its session.

The cross-examination of the respondent was resumed and concluded by Mr. Sumners, and the witness was interrogated by Mr. Long, Mr. McCarran, Mr. Pope, and Mr. Robinson of Arkansas.

Mr. Linforth announced that respondent rested his case.

Daniel W. McCormack was called by the managers on the part of the House as a witness in rebuttal, and, having been duly sworn, was examined by Mr. Sumners, cross-examined by Mr. Linforth, and reexamined by Mr. Sumners.

Mr. Perkins, on behalf of the managers, offered in evidence a petition of attorneys for compensation on account in the matter of Sonora Phonograph Co., Inc., alleged bankrupt, filed April 30, 1930, to which an objection was made by Mr. Linforth, of counsel for respondent, on the ground that it was not rebuttal, but one of the original charges contained in the articles.

The Presiding Officer held the document was admissible (U.S.S. Exhibit 56).

J. S. Egan was called by the managers on the part of the House as a witness in rebuttal, and, having been duly sworn, was examined by Mr. Perkins.

Pending said examination,

Mr. Perkins offered in evidence a summary prepared by witness, showing the time spent by Dinkelspiel & Dinkelspiel as attorneys in the Sonora Phonograph Co. case, and having been asked the question, "How many hours did they spend?"

Mr. Linforth, of counsel for respondent, objected on the ground that it was not rebuttal in any sense of the word, but part of the original case of complainants.

The Presiding Officer overruled the objection, and the paper was admitted as evidence (U.S. Exhibit 57).

Mr. Perkins handed to witness a paper, prepared by witness and identified by him, entitled "Recapitulation, exhibit 44, room 679", showing the financial transactions of Mr. Sam Leake with the Hotel Fairmont; and witness having been asked by Mr. Perkins the following question: "Will you please state just what that recapitulation shows on its footings?"

Mr. Linforth, of counsel for respondent, objected to the question as not rebuttal, and stated that the paper was irrelevant, incompetent, and immaterial.

The Presiding Officer sustained the objection on the ground that the records previously introduced as evidence, of which the paper was a summary, should speak for themselves.

The examination of witness was concluded, and he was excused.

Harry L. Fouts was recalled by the managers on the part of the House, and further examined by Mr. Lewis.

Mr. Manager Lewis offered in evidence a summary, prepared by witness, as deputy clerk of the United States district court, northern district of California, of the fees paid, and the dates of payment, to the receivers and their attorneys in the Russell-Colvin case, the Sonora Phonograph Co. case, and the Lumbermen's Reciprocal Association case.

Mr. Linforth objected on the ground that it was wholly incompetent, and that the managers could cover it in their argument.

The Presiding Officer overruled the objection, and the document was admitted (U.S.S. Exhibit 58).

At the request of Mr. Sumners, a recess was taken (at 3 o'clock and 1 minute p.m.) for 7 minutes to enable the managers on the part of the House to confer concerning the introduction of additional testimony. At the expiration of the period named,

The Senate, sitting for the impeachment trial aforesaid, resumed its session.

Mr. Sumners announced that the managers rested, and Mr. Linforth announced that respondent also rested.

On motion by Mr. Ashurst,

Ordered, That all the witnesses in the pending trial be excused from further attendance.

Mr. Ashurst submitted an order, which was considered; and having been modified by him,

The order, as modified, was agreed to, as follows:

Ordered, That the time for final argument of the case of Harold Louderback shall be limited to 4 hours, which said time shall be divided equally between the managers on the part of the House of Representatives and the counsel for the respondent, and the time thus assigned to each side shall be divided as each side for itself may determine.

Mr. Copeland, for reasons assigned by him, was excused from further participation in the proceedings of the Senate sitting for the impeachment trial aforesaid.

On motion by Mr. Ashurst, at 3 o'clock and 29 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess until 10 o'clock a.m. tomorrow.

WEDNESDAY, MAY 24, 1933

IMPEACHMENT OF HAROLD LOUDERBACK

The Senate sitting for the impeachment trial of Harold Louderback, United States district judge for the northern district of California, resumed its session.

The managers on the part of the House of Representatives and the respondent, accompanied by his counsel, appeared.

The Sergeant at Arms made the usual proclamation.

On motion by Mr. Ashurst, and by unanimous consent,

The Journal of the proceedings of yesterday was approved.

Mr. Ashurst raised a question as to the presence of a quorum;

Whereupon

The Vice President directed the roll to be called;

When

Forty-three Senators answered to their names, as follows:

Adams, Ashurst, Bailey, Bankhead, Bone, Bratton, Brown, Bulow, Carey, Clark, Connally, Coolidge, Dickinson, Duffy, Erickson, Fletcher, George, Goldsborough, Gore, Hale, Hayden, Kean, Keyes, King, Logan, Long, McCarran, McGill, McKellar, McNary, Nye, Patterson, Pope, Robinson of Arkansas, Robinson of Indiana, Russell, Sheppard, Stephens, Thomas of Utah, Trammell, Vandenberg, Van Nuys, and White.

The number of Senators present not constituting a quorum;

The Vice President directed that the names of the absentees be called;

When

Thirty-nine Senators answered to their names, as follows:

Bachman, Barbour, Barkley, Black, Bulkley, Byrd, Byrnes, Capper, Caraway, Costigan, Couzens, Dale, Dill, Frazier, Glass, Harrison, Hastings, Hatfield, Hebert, Kendrick, La Follette, Lewis, McAdoo, Metcalf, Murphy, Neely, Pittman, Reed, Reynolds, Schall, Shipstead, Steiwer, Thomas of Oklahoma, Townsend, Tydings, Wagner, Walcott, Walsh, and Wheeler.

A quorum being present,

Mr. Linforth, of counsel for respondent, in response to a request made on yesterday, stated that certain documents offered in evidence at previous hearings would be found on the following pages of the bound volume of exhibits:

	Page
General report and account of receivers	419
First report of the receiver on claims	458
Application of attorneys for compensation	703
Application of receiver for compensation	600
Report of receiver on claims	778
Second account of the receiver	542
Second application of attorneys for compensation	749, 775
Second application of receiver for compensation	499

Mr. Browning, on behalf of the managers on the part of the House of Representatives, made the opening argument in support of the articles of impeachment.

On request of Mr. Connally, and by unanimous consent,

The respondent was further interrogated by him.

Mr. Linforth proceeded to make the argument in defense of the respondent.

Pending its delivery,

On motion by Mr. Ashurst, at 12 o'clock and 30 minutes p.m.,

The Senate, sitting for the impeachment trial aforesaid, took a recess for 40 minutes, at the expiration of which time it resumed its session.

The Vice President designated Mr. George as Presiding Officer, and he thereupon took the chair.

Mr. Linforth resumed and concluded the argument in defense of the respondent.

Mr. Connally raised a question as to the presence of a quorum;

Whereupon

The Presiding Officer (Mr. George in the chair) directed the roll to be called,

When

Eighty-four Senators answered to their names, as follows:

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Barkley, Black, Bone, Bratton, Brown, Bulkley, Bulow, Byrd, Byrnes, Capper, Caraway, Carey, Clark, Connally, Coolidge, Costigan, Couzens, Dale, Dickinson, Dill, Duffy, Erickson, Fletcher, Frazier, George, Glass, Goldsborough, Gore, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, La Follette, Lewis, Logan, Long, McAdoo, McCarran, McGill, McKellar, McNary, Metcalf, Murphy, Neely, Norris, Nye, Patterson, Pittman, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Shipstead, Smith, Steiwer, Stephens, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

A quorum being present,

Mr. Sumners, on behalf of the managers on the part of the House of Representatives, delivered the closing argument in support of the articles of impeachment.

On motion by Mr. Ashurst, at 3 o'clock and 7 minutes p.m., that the doors be closed for deliberation,

It was determined in the affirmative.

The Vice President thereupon ordered the Sergeant at Arms to clear the galleries and close the doors; and the order having been executed, and the managers on the part of the House of Representatives, and the respondent and his counsel, having retired from the Chamber,

After deliberating behind closed doors,

The doors were reopened at 4 o'clock and 46 minutes p.m.

The Vice President resumed the chair.

The respondent, accompanied by his counsel, appeared.

Mr. Glass, for reasons assigned by him, was excused from voting on the articles of impeachment.

Mr. Lewis and Mr. Gore were, upon the request of Mr. Robinson of Arkansas, excused from voting on the articles of impeachment.

Mr. Cutting, upon the request of Mr. La Follette, was excused from voting on the articles of impeachment.

Mr. Shipstead and Mr. Costigan, for reasons assigned by them, respectively, were excused from voting on articles 1, 2, 3, and 4.

Mr. Ashurst submitted the following order, which was considered and agreed to:

Ordered, That upon the final vote in the pending impeachment of Harold Louderback, the Secretary shall read the articles of impeachment separately and successively, and when the reading of each article shall have been concluded the Presiding Officer shall state the question thereon as follows:

"Senators, how say you? Is the respondent, Harold Louderback, guilty or not guilty as charged in this article?"

Thereupon the roll of the Senate shall be called, and each Senator, as his name is called, unless excused, shall arise in his place and answer "Guilty" or "Not guilty."

Mr. Ashurst submitted the following order, which was considered and agreed to:

Ordered, That upon the final vote in the pending impeachment of Harold Louderback, each Senator may, within 2 days after the final vote, file his opinion in writing to be published in the printed proceedings in the case.

The Secretary, by direction of the Vice President, read the first article of impeachment, as follows:

ARTICLE I

That the said Harold Louderback, having been nominated by the President of the United States, confirmed by the Senate of the United States, duly qualified and commissioned and while acting as a district judge for the northern district of California did on divers and various occasions so abuse the power of his high office that he is hereby charged with tyranny and oppression, favoritism and conspiracy, whereby he has brought the administration of justice in said district in the court of which he is a judge into disrepute, and by his conduct is guilty of misbehavior falling under the constitutional provision as ground for impeachment and removal from office.

In that the said Harold Louderback, on or about the 13th day of March 1930, at his chambers and in his capacity as judge aforesaid, did willfully, tyrannically, and oppressively discharge one Addison G. Strong, whom he had on the 11th day of March 1930 appointed as equity receiver in the matter of Olmsted against Russell-Colvin Co., after having attempted to force and coerce the said Strong to appoint one Douglas Short as attorney for the receiver in said case.

In that the said Harold Louderback improperly did attempt to cause the said Addison G. Strong to appoint the said Douglas Short as attorney for the receiver by promises of allowance of large fees and by threats of reduced fees did he refuse to appoint said Douglas Short.

In that the said Harold Louderback improperly did use his office and power of district judge in his own personal interest by causing the appointment of the said Douglas Short as attorney for the receiver, at the instance, suggestion, or demand of one Sam Leake, to whom the said Harold Louderback was under personal obligation, the said Sam Leake having entered into a certain arrangement and conspiracy with the said Harold Louderback to provide him, the said Harold Louderback, with a room at the Fairmont Hotel in the city of San Francisco, Calif., and made arrangements for registering said room in his, Sam Leake's, name and paying all bills therefor in cash under an arrangement with the said Harold Louderback to be reimbursed in full or in part in order that the said Harold Louderback might continue to actually reside in the city and county of San Francisco after having improperly and unlawfully established a fictitious residence in Contra Costa County for the sole purpose of improperly removing for trial to said Contra Costa County a cause of action which the said Harold Louderback expected to be filed against him; and that the said Douglas Short did receive large and exorbitant fees for his services as attorney for the receiver in said action, and the said Sam Leake did receive certain fees, gratuities, and loans directly or indirectly from the said Douglas Short amounting approximately to $1,200.

In that the said Harold Louderback entered into a conspiracy with the said Sam Leake to violate the provisions of the California Political Code in establishing a residence in the county of Contra Costa when the said Harold Louderback in fact did not reside in said county and could not have established a residence without the concealment of his actual residence in the county of San Francisco, covered and concealed by means of the said conspiracy with the said Sam Leake, all in violation of the law of the State of California.

In that the said Harold Louderback, in order to give color to his fictitious residence in the county of Contra Costa, all for the purpose of preparing and falsely creating proof necessary to establish himself as a resident of Contra Costa County in anticipation of an action he expected to be brought against him, for the sole purpose of meeting the requirements of the Code of Civil Procedure of the State of California providing that all causes of action must be tried in the county in which the defendant resides at the commencement of the action, did in accordance with the conspiracy entered into with the said Sam Leake unlawfully register as a voter in said Contra Costa County, when in law and in fact he did not reside in said county and could not so register, and that the said acts of Harold Louderback constitute a felony defined by section 42 of the Penal Code of California.

Wherefore the said Harold Louderback was and is guilty of a course of conduct improper, oppressive, and unlawful and is guilty of misbehavior in office as such judge and was and is guilty of a misdemeanor in office.

The Vice President stated the question thereon, as follows: "Senators, how say you? Is the respondent, Harold Louderback, guilty or not guilty as charged in this article?"

The roll was called, and the result was as follows:

Guilty	34
Not guilty	42

Senators who voted guilty are—

Bachman, Bankhead, Barkley, Black, Bone, Brown, Bulkley, Bulow, Byrd, Capper, Clark, Connally, Couzens, Dill, Duffy, Erickson, Frazier, Hayden, Kendrick, La Follette, McAdoo, McGill, McKellar, Neely, Norris, Nye, Pope, Sheppard, Stephens, Thomas of Oklahoma, Thomas of Utah, Van Nuys, Walsh, and Wheeler.

Senators who voted not guilty are—

Adams, Ashurst, Bailey, Barbour, Bratton, Carey, Coolidge, Dale, Dickinson, Fletcher, George, Goldsborough, Hale, Harrison, Hastings, Hatfield, Hebert, Kean, Keyes, King, Logan, Long, McCarran, McNary, Metcalf, Murphy, Patterson, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Smith, Steiwer, Townsend, Trammell, Tydings, Vandenberg, Wagner, Walcott, and White.

Senators absent, not voting, or excused—

Austin, Borah, Byrnes, Caraway, Copeland, Costigan, Cutting, Davis, Dieterich, Fess, Glass, Gore, Johnson, Lewis, Lonergan, Norbeck, Overton, Pittman, and Shipstead.

Mr. Pittman, for reasons, assigned by him in a written communication to Hon. Joseph T. Robinson, was, on the request of the latter, excused from voting upon the said articles of impeachment.

Mrs. Caraway was, on her own request, excused from voting on said article I.

The Vice President announced that upon the first article of impeachment 34 Senators had voted "Guilty" and 42 Senators had voted "Not guilty", and that less than two thirds of the Senators present having voted "Guilty", the Senate adjudged that the respondent, Harold Louderback, was not guilty as charged in the article.

The Secretary, by direction of the Vice President, read the second article of impeachment, as follows:

ARTICLE II

That Harold Louderback, judge as aforesaid, was guilty of a course of improper and unlawful conduct as a judge,

filled with partiality and favoritism in improperly granting excessive, exorbitant, and unreasonable allowances as disbursements to one Marshall Woodward and to one Samuel Shortridge, Jr., as receiver and attorney, respectively, in the matter of the Lumbermen's Reciprocal Association.

And in that the said Harold Louderback, judge as aforesaid, having improperly acquired jurisdiction of the case of the Lumbermen's Reciprocal Association contrary to the law of the United States and the rules of the court, did, on or about the 29th day of July 1930 appoint one Marshall Woodward and one Samuel Shortridge, Jr., receiver and attorney, respectively, in said case, and after an appeal was taken from the order and other acts of the judge in said case to the United States Circuit Court of Appeals for the Ninth Circuit and the said order and acts of the said Harold Louderback having been reversed by said United States Circuit Court of Appeals, and the mandate of said circuit court of appeals directed the court to cause the said receiver to turn over all of the assets of said association in his possession as receiver to the commissioner of insurance of the State of California, the said Harold Louderback unlawfully, improperly, and oppressively did sign and enter an order so directing the receiver to turn over said property to said State commissioner of insurance but improperly and unlawfully made such order conditional that the said State commissioner of insurance and any other party in interest would not take an appeal from the allowance of fees and disbursements granted by the said Harold Louderback to the said Marshall Woodward and Samuel Shortridge, Jr., receiver and attorney, respectively, thereby improperly using his said office as a district judge to favor and enrich his personal and political friends and associates to the detriment and loss of litigants in his, said judge's, court, and forcing said State commissioner of insurance and parties in interest in said action unnecessary delay, labor, and expense in protecting the rights of all parties against such arbitrary, improper, and unlawful order of said judge; and that the said Harold Louderback did improperly and unlawfully seek to coerce said State commissioner of insurance and parties in interest in said action to accept and acquiesce in the excessive fees and the exorbitant and unreasonable disbursements granted by him to said Marshall Woodward and Samuel Shortridge, Jr., receiver and attorney, respectively, and did improperly and unlawfully force and coerce the said parties to enter into a stipulation modifying said improper and unlawful order and did thereby make it necessary for the State commissioner of insurance to take another appeal from the said arbitrary, improper, and unlawful action of the said Harold Louderback.

In that the said Harold Louderback did not give his fair, impartial, and judicial consideration to the objections of the said State commissioner of insurance against the allowance of excessive fees and unreasonable disbursements to the said Marshall Woodward and Samuel Shortridge, Jr., receiver and attorney, respectively, in the case of the Lumbermen's Reciprocal Association, in order to favor and enrich his friends at the expense of the litigants and parties in interest in said matter, and did thereby cause said State commissioner of insurance and the parties in interest additional delay, expense, and labor in taking an appeal to the United States Circuit Court of Appeals in order to protect their rights and property in the matter against the partial, oppressive, and unjudicial conduct of said Harold Louderback.

Wherefore said Harold Louderback was, and is, guilty of a course of conduct oppressive and unjudicial and is guilty of misbehavior in office as such judge and was, and is, guilty of a misdemeanor in office.

The Vice President stated the question thereon, as follows: "Senators, how say you? Is the respondent, Harold Louderback, guilty or not guilty as charged in this article?"

Mr. Barkley, Mr. Adams, Mr. Dill, Mr. George, Mr. Couzens, Mr. Capper, and Mr. Bulkley, for reasons assigned by them, respectively, were excused from voting on said article II.

The roll was called, and the result was as follows:

Guilty	23
Not guilty	47

Senators who voted guilty are—

Bankhead, Black, Bone, Brown, Bulow, Byrd, Caraway, Duffy, Erickson, Frazier, La Follette, McAdoo, McCarran, McGill, McKellar, Neely, Norris, Nye, Pope, Russell, Stephens, Thomas of Utah, and Walsh.

Senators who voted not guilty are—

Ashurst, Bachman, Bailey, Barbour, Bratton, Carey, Clark, Connally, Coolidge, Dale, Dickinson, Fletcher, Goldsborough, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Kendrick, Keyes, King, Logan, Long, McNary, Metcalf, Murphy, Patterson, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Schall, Sheppard, Smith, Steiwer, Thomas of Oklahoma, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Wheeler, and White.

Senators absent, excused, and not voting are—

Adams, Austin, Barkley, Borah, Bulkley, Byrnes, Capper, Copeland, Costigan, Couzens, Cutting, Davis, Dieterich, Dill, Fess, George, Glass, Gore, Johnson, Lewis, Lonergan, Norbeck, Overton, Pittman, and Shipstead.

The Vice President announced that on the question whether the respondent was guilty or not guilty, as charged in article II, those voting "Guilty" numbered 23, and those voting "Not Guilty" numbered 47, and that less than two thirds having voted in favor of his guilt the Senate adjudged that the respondent, Harold Louderback, was not guilty as charged in the article.

The Secretary, by direction of the Vice President, read the third article of impeachment, as follows:

ARTICLE III

The said Harold Louderback, judge aforesaid, was guilty of misbehavior in office, resulting in expense, disadvantage, annoyance, and hindrance to litigants in his court in the case of the Fageol Motors Co., for which he appointed one Guy H. Gilbert receiver, knowing that the said Gilbert was incompetent, unqualified, and inexperienced to act as such receiver in said case.

In that the said Harold Louderback, judge as aforesaid, oppressively and in disregard of the rights and interests of litigants in his court, did appoint one Guy H. Gilbert as receiver for the Fageol Motors Co., knowing the said Guy H. Gilbert to be incompetent, unfit, and inexperienced for such duties, and did refuse to grant a hearing to the plaintiff, defendant, creditors, and parties in interest in the matter of the Fageol Motors Co. on the appointment of said receiver, and the said Harold Louderback did cause said litigants and parties in interest in said matter to be misinformed of his action while said Guy H. Gilbert took steps necessary to qualify as receiver, thereby depriving said litigants and parties in interest of presenting the facts, circumstances, and conditions of the said equity receivership, the nature of the business, and the type of person necessary to operate said business in order to protect creditors, litigants, and all parties in interest, and thereby depriving said parties in interest of the opportunity of protesting against the appointment of an incompetent receiver.

Wherefore the said Harold Louderback was and is guilty of a course of conduct constituting misbehavior as said judge and that said Harold Louderback was and is guilty of a misdemeanor in office.

The Vice President stated the question thereon, as follows: "Senators, how say you? Is the respondent, Harold Louderback, guilty or not guilty as charged in this article?"

The roll was called, and the result was as follows:

Guilty	11
Not guilty	63

Senators who voted guilty are—

Black, Bone, Bulow, Dill, Frazier, Kendrick, La Follette, McKellar, Norris, Nye, and Stephens.

Senators who voted not guilty are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Bratton, Brown, Bulkley, Byrd, Capper, Carey, Clark, Connally, Coolidge, Dale, Dickinson, Duffy, Erickson, Fletcher, George, Goldsborough, Hale, Harrison, Hastings, Hatfield, Hayden, Hebert, Kean, Keyes, King, Logan, Long, McAdoo, McCarran, McGill, McNary, Metcalf, Murphy, Neely, Patterson, Pope, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Sheppard, Smith, Steiwer, Thomas of Oklahoma, Thomas of Utah, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, Walsh, Wheeler, and White.

Senators absent, excused, and not voting are—

Austin, Barkley, Borah, Byrnes, Caraway, Copeland, Costigan, Couzens, Cutting, Davis, Dieterich, Fess, Glass, Gore, Johnson, Lewis, Lonergan, Norbeck, Overton, Pittman, and Shipstead.

Mrs. Caraway, upon her own request, was excused from voting on said article III.

Mr. Couzens and Mr. Barkley, for reasons assigned by them, respectively, were excused from voting on said article III.

The Vice President announced that on the third article of impeachment 11 Senators had voted "Guilty" and 63 Senators had voted "Not Guilty", and that less than two-thirds having voted in favor of his guilt the Senate adjudged the respondent, Harold Louderback, was not guilty as charged in the article.

The Secretary, by direction of the Vice President, read the fourth article of impeachment, as follows:

ARTICLE IV

That the said Harold Louderback, judge aforesaid, was guilty of misbehavior in office, filled with partiality and favoritism, in improperly, willfully, and unlawfully granting on insufficient and improper papers an application for the appointment of a receiver in the Prudential Holding Co. case for the sole purpose of benefiting and enriching his personal friends and associates.

In that the said Harold Louderback did on or about the 15th day of August 1931, on insufficient and improper application, appoint one Guy H. Gilbert receiver for the Prudential Holding Co. case when as a matter of fact and law and under conditions then existing no receiver should have been appointed, but the said Harold Louderback did accept a petition verified on information and belief by an attorney in the case and without notice to the said Prudential Holding Co. did so appoint Guy H. Gilbert the receiver and the firm of Dinkelspiel & Dinkelspiel attorneys for the receiver; that the said Harold Louderback in an attempt to benefit and enrich the said Guy H. Gilbert and his attorneys, Dinkelspiel & Dinkelspiel, failed to give his fair, impartial, and judicial consideration to the application of the said Prudential Holding Co. for a dismissal of the petition and a discharge of the receiver, although the said Prudential Holding Co. was in law entitled to such dismissal of the petition and discharge of the receiver; that during the pendency of the application for the dismissal of the petition and for the discharge of the receiver a petition in bankruptcy was filed against the said Prudential Holding Co. based entirely and solely on an allegation that a receiver in equity had been appointed for the said Prudential Holding Co., and the said Harold Louderback then and there willfully, improperly, and unlawfully, sitting in a part of the court to which he had not been assigned at the time, took jurisdiction of the case in bankruptcy, and though knowing the facts in the case and of the application then pending before him for the dismissal of the petition and the discharge of the equity receiver, granted the petition in bankruptcy, and did on the 2d day of October 1930 appoint the same Guy H. Gilbert receiver in bankruptcy and the said Dinkelspiel & Dinkelspiel attorneys for the receiver, knowing all of the time that the said Prudential Holding Co. was entitled as a matter of law to have the said petition in equity dismissed; in that through the oppressive, deliberate, and willful action of the said Harold Louderback acting in his capacity as a judge and misusing the powers of his judicial office for the sole purpose of benefiting and enriching said Guy H. Gilbert and Dinkelspiel & Dinkelspiel, did cause the said Prudential Holding Co. to be put to unnecessary delay, expense, and labor and did deprive them of a fair, impartial, and judicial consideration of their rights and the protection of their property, to which they were entitled.

Wherefore the said Harold Louderback was, and is, guilty of a course of conduct constituting misbehavior as said judge, and that said Harold Louderback was, and is, guilty of a misdemeanor in office.

The Vice President stated the question thereon, as follows: "Senators, how say you? Is the respondent, Harold Louderback, guilty or not guilty as charged in this article?"

The roll was called, and the result was as follows:

Guilty	30
Not guilty	47

Senators who voted guilty are—

Barkley, Black, Bone, Brown, Bulow, Byrd, Caraway, Clark, Connally, Couzens, Dill, Erickson, Frazier, Hayden, Kendrick, La Follette, McAdoo, McCarran, McGill, McKellar, Neely, Norris, Nye, Pope, Sheppard, Stephens, Thomas of Oklahoma, Thomas of Utah, Walsh, and Wheeler.

Senators who voted not guilty are—

Adams, Ashurst, Bachman, Bailey, Bankhead, Barbour, Bratton, Bulkley, Byrnes, Capper, Carey, Coolidge, Dale, Dickinson, Duffy, Fletcher, Goldsborough, Hale, Harrison, Hastings, Hatfield, Hebert, Kean, Keyes, King, Logan, Long, McNary, Metcalf, Murphy, Patterson, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Russell, Schall, Smith, Steiwer, Townsend, Trammell, Tydings, Vandenberg, Van Nuys, Wagner, Walcott, and White.

Senators absent, excused, and not voting are—

Austin, Borah, Copeland, Costigan, Cutting, Davis, Dieterich, Fess, George, Glass, Gore, Johnson, Lewis, Lonergan, Norbeck, Overton, Pittman, and Shipstead.

Mr. George, for reasons assigned by him, was excused from voting on said article IV.

The Vice President announced that on the fourth article of impeachment 30 Senators had voted "Guilty" and 47 Senators had voted "Not guilty", and that less than two thirds having voted in favor of his guilt the Senate adjudged the respondent, Harold Louderback, was not guilty as charged in the article.

The Secretary, by direction of the Vice President, read the fifth article of impeachment, as amended, as follows:

ARTICLE V (AS AMENDED)

It is intended by article 5 to charge, and it is charged, that the reasonable and probable result of Harold Louderback's action in his capacity as judge in making decisions and orders in actions pending in his court and before him as said judge and by the method of appointing receivers and attorneys for receivers, by appointing incompetent receivers and attorneys, by his relationship and transactions with one Sam Leake, and by the relationship and transactions of the said Sam Leake with such appointees of the said respondent made possible and probable by the action and attitude of the said Harold Louderback, and by displaying a high degree of indifference to the interest of estates and parties in interest in receiverships before him and in his court, and by displaying a high degree of interest in making it possible for certain individuals and firms to derive large fees from the funds of such estate, has been to create a general condition of widespread fear and distrust and disbelief in the fairness and disinterestedness of the official actions of the said Harold Louderback and to create by his said acts, deeds, and relationships, contrary to his individual and official duty, a favorable condition and a cause for the development naturally and inevitably of rumors and suspicions destructive of public confidence in and respect for the said Harold Louderback as an individual and a judge to the scandal and disrepute of his said court and the administration of justice therein and prejudicial generally to the public respect for the public confidence in the Federal judiciary. Wherefore, the said Harold Louderback was and is guilty of misbehavior as such judge and of misdemeanors in office.

It is hereby alleged and charged that the conduct of said Harold Louderback as alleged in articles I, II, III, and IV, and as hereinafter alleged, in its general and aggregate result has been such as reasonably and probably calculated to destroy public confidence insofar as he and the court is concerned in that degree of disinterestedness and fidelity to judicial duty and responsibility which the public interest requires shall be held by the people in the Federal courts and in those who administer them, and which for a Federal

judge to hurt or destroy is a crime and misdemeanor of the highest order.

First, specifying as indicative of and disclosing the character and judicial attitude of said Harold Louderback revealed by his acts and official conduct to the people among whom he has jurisdiction, and the cause for the loss of public confidence of the bar and people of the northern district of California, and particularly of the city of San Francisco, where the principal business of such court is transacted, on or about December 19, 1929, the said Harold Louderback appointed one Guy H. Gilbert receiver of the Sonora Phonograph Co., a going concern extensively engaged in the business of receiving and distributing radios and phonographs, the said Guy H. Gilbert being a personal and political friend of the said Harold Louderback, and an intimate friend and financial contributor to one Sam Leake, hereinafter referred to, the said Harold Louderback knowing at the time of such appointment that the whole training and experience of the said Guy H. Gilbert had been as operator and employee of a telegraph company, and the said Harold Louderback at the time of such appointment knowing with certainty that the said Guy H. Gilbert was without qualification to discharge the duties of such receivership, that the said Guy H. Gilbert was appointed such receiver by the said Harold Louderback without regard to the interest of such estate in receivership and in disregard thereof and of the interest of creditors and parties in interest and in violation of the official duty of the said Harold Louderback. That the said Gilbert after said appointment continued in his regular and usual duties and employment as employee of said telegraph company, drawing his accustomed salary during his employment of approximately 6 months as such receiver, and received for such services from the funds of the estate of said Sonora Phonograph Co. the sum of $6,800, all of which facts became the subject of newspaper comments and matters of common knowledge throughout and beyond the northern judicial district of California to the hurt of public confidence in the said Harold Louderback, judge of said court, and to the hurt and standing of the Federal judiciary. It also became a matter of newspaper comment in connection with that receivership matter and others, that theretofore, about 1925 or 1926, the said Gilbert had been appointed by the said Harold Louderback when the said Harold Louderback was a judge of the Superior Court of California, an appraiser of certain real estate, the said Harold Louderback well knowing at the time of such appointment that the said Gilbert was without any qualification to appraise the value of such real estate, and in truth the said Gilbert never saw said real estate and that the said Gilbert did not undertake to assist in the appraisal of said real estate, only signing the report which was presented to him, for which services he was allowed the sum of $500.

The said Gilbert was also theretofore appointed receiver by Harold Louderback in the Stempel-Cooley case in 1929, bankruptcy, collecting during 3 or 4 months $12,000 rents, for which he was allowed a fee of $500. In this matter, after conversation with the said Sam Leake, the said Gilbert appointed as his attorney one John Douglas Short, who was an employee in the law office of Erskine & Erskine.

The said Short was afterward, in March 1931, appointed attorney by one H. B. Hunter, receiver in what is known in this proceeding as the Russell-Colvin Co. case, and which will hereinafter be specified with reference to. In the said Russell-Colvin case the said H. B. Hunter, having been appointed such receiver by the said Harold Louderback, at the suggestion of the said Sam Leake, who theretofore had suggested to the said Gilbert the appointment of the said John Douglas Short in the Stempel-Cooley case, and the said H. B. Hunter, after his appointment as such receiver, appointed the said John Douglas Short as his attorney in said Russell-Colvin case, the said Harold Louderback allowing the said John Douglas Short the sum of $50,000 on account as attorney for said receiver, H. B. Hunter.

Preceding the appointment of the said H. B. Hunter in the said Russell-Colvin case, the said Harold Louderback had appointed one Addison G. Strong to be receiver therein, who because he would not designate as his attorney the said John Douglas Short as claimed by the said Addison G. Strong, or either the said John Douglas Short or certain other attorneys as claimed by the said Harold Louderback, the said Addison G. Strong was summarily dismissed as receiver and the said Hunter appointed in his stead, who on the same day of his said appointment as receiver by the said Harold Louderback tendered to the said John Douglas Short the attorneyship in said receivership matter.

On the 25th day of March 1931 one W. L. Hathaway, father-in-law of the said John Douglas Short, advanced as a loan to the said Sam Leake the sum of $1,000 in cash, and 2 days thereafterward the said John Douglas Short, in an involved family transaction, paid to the said W. L. Hathaway from the compensation received as attorney in the Russell-Colvin Co. matter the sum of $5,000. Three months later the said Hathaway gave to the said Leake the further sum of $250.

When the said Harold Louderback appointed the said H. B. Hunter, as aforesaid, receiver in the said Russell-Colvin Co. case at the suggestion of the said Sam Leake, and the said Hunter in turn appointed the said John Douglas Short attorney for him in the Russell-Colvin Co. case, he, the said Harold Louderback, resided at the Fairmont Hotel in a room registered and held in the name of the said Sam Leake, such arrangement being effected in conspiracy between the said Harold Louderback and Sam Leake to aid the said Harold Louderback in carrying out a certain plan and design, the said Harold Louderback pretending to reside in Contra Costa County while actually and in fact residing in the city of San Francisco at the Fairmont Hotel in a room registered in the name of the said Sam Leake, the purpose and design of which arrangement having to do with the possible venue of a legal action which the said Harold Louderback contemplated might be brought against him. To further strengthen and add color to this pretended residence in Contra Costa County the said Harold Louderback registered as a voter in said Contra Costa County in violation of the laws of California, all of which transactions by the acts and conduct of the said Harold Louderback are involved in and mixed up with the official status and standing and transactions of the said Harold Louderback and are known to the people of the northern district of California and beyond such district to the disgrace and discredit of his office and to the hurt of public confidence therein and of the Federal judiciary. Thereby, as a result of such transactions, putting himself under obligation to, dependent upon, and under the influence of the said Sam Leake in a manner and to a degree utterly inconsistent with that required by the public interest of a Federal judge; and thereby putting himself, the said Harold Louderback, in an attitude with regard to obedience to law and the rights granted to litigants by the law and with regard to the standards of open candid conduct necessary to preserve for the public official that respect and confidence required by the public interest within the meaning of the provision of the Constitution requiring of Federal judges good behavior as a condition upon which their tenure of office depends. That said conduct is bad behavior and constitutes a forfeiture of the right of the said Harold Louderback to hold his, the said office of judge of the northern district of California.

In August 1931 the said Harold Louderback, without a hearing, upon a petition verified by an attorney "upon information and belief" and without bond of indemnity, granted an equity receivership for the Prudential Holding Co., a concern engaged in extensive real-estate transactions, and appointed the said Guy H. Gilbert as receiver, who in turn designated Dinkelspiel & Dinkelspiel as his attorneys. The first information the company had of the matter was when Gilbert and Dinkelspiel & Dinkelspiel appeared in the office of said Prudential Holding Co. to take charge of its affairs. The petition filed without truth or justification was resisted by said Prudential Holding Co., but the said Harold Louderback refused to dismiss the equity receivership matter until an application for receivership in bankruptcy

was applied for, which application was based upon the grounds of the said equity receivership, wrongfully entertained. The bankrutcy matter fell in the division of Judge St. Sure, one of the judges of the said northern district of California. During the temporary absence of Judge St. Sure, the said Harold Louderback, sitting in Judge St. Sure's division, named the said Gilbert and Dinkelspiel & Dinkelspiel receiver and attorneys, respectively, in the bankruptcy matter, and 2 days later dismissed the equity receivership. Upon the return of Judge St. Sure to his division, he, Judge St. Sure, promptly dismissed the bankruptcy proceeding because no insolvency was shown. No fees were allowed by Judge St. Sure.

The proceedings in the matter and the facts, transactions, and statements therein became a matter of general knowledge within and beyond the said northern district of California, with its reasonable and probable and inevitable consequence to arouse dread and apprehension of the court and judicial power possessed by the said Harold Louderback on the part of the people generally and particularly of those whose property might be seized upon through the instrumentality of such court, and generally to make said court disrespected and hateful. The said Dinkelspiel & Dinkelspiel had theretofore and over the protest of the parties in interest, on the ground that it was excessive, been allowed a fee of $20,000 by the said Harold Louderback in the Sonora Phonograph Co. case, in which case they had also been associated with the said Gilbert, appointed by the said Harold Louderback as receiver therein.

Some 6 months after the appointment of the said Gilbert and Dinkelspiel & Dinkelspiel as receiver and attorneys, respectively, in the said Prudential Holding Co. case, to wit, on the 17th day of February 1932, they were appointed by the said Harold Louderback receiver and attorneys, respectively, in the Fageol Motors Co. case. This company was known in the said northern district of California as one of the more important concerns in that part of the country. It had assets of $3,000,000 book value and liabilities amounting to $1,700,000, with automobile manufacturing, assembling plants, branch offices, properties, and extensive operations in California, Washington, Oregon, and Utah. The said Harold Louderback knew and the people of that community knew at the time the said Guy H. Gilbert was appointed as receiver of said Fageol Motors Co. that the said Guy H. Gilbert was utterly without qualification to discharge the duties of said receivership. That said appointment of said Gilbert and said Dinkelspiel & Dinkelspiel was made in tyrannical and oppressive disregard of the rights and interest of the parties in interest, of the duty to conserve the assets of said company, and in disregard of his duty by the said Harold Louderback to the Government which had commissioned him to be one of its judges. That the facts and circumstances surrounding the appointment of the said Gilbert, as receiver, and the said Dinkelspiel & Dinkelspiel, attorneys, in said receivership matter and the method of procedure therein on the part of the said Harold Louderback inevitably as a necessary consequence were prejudicial to the judiciary and was to the scandal and disrepute of the court presided over by the said Harold Louderback and to the administration of justice therein, in that the said Fageol Motors Co. getting into financial difficulty the principal creditors of said company and the representatives of said Fageol Motors Co., after full conference and consideration, decided by agreement to apply to the Federal court for a receivership and after careful consideration agreed upon Edward Fuller, of Oakland, a former official of the Chevrolet Motor Co. with extensive experience and demonstrated business and financial ability not only in the automobile business but in other matters of large proportions. Pursuant to said agreement, on the 17th day of February 1922, the papers were all prepared carrying out the plan agreed upon by Fageol Motors Co. and its creditors and the petition for receiver was filed in the Federal court of the northern district of California. By plan of assignment determined by drawing numbers from a bag, this matter fell to the said Judge Louderback, there being three judges of said district.

The parties in interest, representatives of the company and of the principal creditors, went to his chambers to see the said Judge Louderback with the papers in said matter, arriving shortly before the time for the noon recess of his court, but were advised by the clerk of the said judge that the noon recess would be delayed until 12:30, the said clerk asking what it was desired to see the judge about, and was told that it was the receivership matter of the Fageol Motors Co., that the persons present represented the company and the larger creditors of said company, and that they had agreed upon Edward Fuller as a proper person for receiver, and to advise the judge of that fact, and that it was desired to discuss the matter with him at 1:30 p.m. At that time the parties in interest returned to see Judge Louderback and were told that Judge Louderback had got off for lunch earlier than anticipated, had some engagement, and would not return until 2:30. At 2:30 the parties in interest returned and were told by the clerk of the said Harold Louderback that Judge Louderback had already appointed the said Gilbert in said matter, and that Judge Louderback was not there. In this matter the said Dinkelspiel & Dinkelspiel were also appointed attorneys for said receiver. The parties in interest, under threat of going into bankruptcy, which action would probably have ousted the said Gilbert and Dinkelspiel & Dinkelspiel entirely, effected an agreement with the said Gilbert and Dinkelspiel & Dinkelspiel by which other representatives chosen by the said parties in interest were to have effective control of the business and legal matters of the said motor company, the said Gilbert and Dinkelspiel & Dinkelspiel offering no obstruction to said representatives. The said Dinkelspiel & Dinkelspiel accepted under the circumstances from the assets of said company the sum of $6,000, and the said Gilbert received approximately the same amount. The facts and circumstances connected with this matter show to the people of said district that the said Gilbert and Dinkelspiel & Dinkelspiel were not selected by the said Harold Louderback primarily because he deemed the said Gilbert and Dinkelspiel & Dinkelspiel best qualified to administer said estate but resulted in large degree from the desire of the said Harold Louderback to procure for the said Gilbert and Dinkelspiel pecuniary benefits from the assets of this concern which had been driven by financial difficulty to seek the protection of the court of said Harold Louderback, all of which facts and circumstances received general publicity in the said northern district of California to the scandal and disrepute of the court of said district, and when taken in connection with the explanation and excuse offered by the said Harold Louderback for the appointment of the said Gilbert as receiver in this matter and in other matters where the public knew the said Gilbert was utterly unqualified, that he, the said Harold Louderback, in so appointing the said Gilbert was acting under the control of a sense of judicial responsibility requiring him to appoint persons known to him of efficiency and integrity to manage the affairs of estates in receivership, which explanation and excuse also has been given wide publicity in said district, the reasonable and necessary and inevitable result of the claim of such high motive under the circumstances was to create the impression and public belief that the said Harold Louderback was attempting by such claim to hide his lack of such actuating motive and to hide his real motive for making such appointments by an insincere and hypocritical claim of having been actuated by them, to the disgust and humiliation of the people of the northern district of California and to the hurt of the public interest.

In September 1930, in the court of the said Harold Louderback, an equity receivership petition was filed in the Golden State Asparagus case, seeking an economical conduct of the business while its obligations were being adjusted. When the receiver was appointed the said Harold Louderback agreed to submit to said receiver a list of attorneys which he could name his counsel; but the list was not furnished. Instead the said Harold Louderback designated as attorney for said receiver the said Dinkelspiel & Dinkelspiel without reference to the receiver. The legal work connected with the

conduct of the receivership was not appreciably more difficult or voluminous than that incident to the ordinary running of the business, which had theretofore cost the business less than $1,000 per year. The said Harold Louderback allowed the said Dinkelspiel & Dinkelspiel $14,000 on account, while he denied the uncontested application for $1,500 each, reasonable fees, made by the attorneys for plaintiff and defendant who had performed the only substantial legal services rendered in the case, when they prevented a forced sale of the property. These attorneys in an effort to protect the assets of the said Asparagus Co. had opposed the payment of the fees allowed to Dinkelspiel & Dinkelspiel on the ground that they were excessive. These acts of said Harold Louderback were well known to the public in and beyond said northern district of California, and cumulatively added to the disrespect, apprehension, and public contempt.

In the Lumbermen's Reciprocal Association equity receivership, a Texas insurance corporation doing business in California, the company getting into financial difficulty, the insurance commissioner for the State of California seized the assets of said company in the State of California for the benefit of California policyholders. It was determined as a matter of procedure to ask for an equity receivership with the plan that said insurance commisisoner be appointed so as to permit him to continue to hold said assets and administer them without extra cost for a receiver and resultant diminution of the company's California assets. Instead, however, the said Harold Louderback designated one Samuel Shortridge, Jr., as receiver. Thereupon, the official of the State of California took proper steps to terminate proceedings in the Federal court. The said Harold Louderback enjoined the insurance commissioner from proceeding under the laws of the State of California.

Appeal was taken to the Federal Circuit Court of Appeals and reversal had on the ground of lack of Federal jurisdiction, and the property ordered to be turned over to the officials of California. To this order and mandate of the Circuit Court of Appeals the said Harold Louderback without any authority of law imposed a condition that said order and mandate should be complied with, provided there be no appeal taken from the order made by him, the said Louderback, allowing a fee of $6,000 to the said Shortridge and his attorney. All of which facts and circumstances became published and known in said northern district of California. By such acts the said Harold Louderback exhibited himself to the public as being willing to obstruct the officials of the State of California in their effort to conserve for citizens of California the assets of said insurance company which they had impounded, willing to assert a jurisdiction which he did not possess, willing to defy a mandate of the circuit court of appeals and attach an illegal and unconscionable condition to said mandate in order to penalize and discourage the exercise of a constitutional right of appeal for the definite and obvious purpose of making sure so far as possible by such illegal action and coercion, that the said Shortridge and his attorney would be paid from the assets of said insurance company so impounded, the fees which he, the said Harold Louderback, had allowed, all to the scandal and discredit of the said Harold Louderback and his court and prejudicial to the dignity of the judiciary.

Wherefore, the said Harold Louderback has been and is guilty of high crimes and misdemeanors in office and has not conducted himself with good behavior.

The Vice President stated the question thereon, as follows: "Senators, how say you? Is the respondent, Harold Louderback, guilty or not guilty as charged in this article?"

The roll was called, and the result was as follows:

Guilty	45
Not guilty	34

Senators who voted guilty are—

Adams, Bachman, Bankhead, Barkley, Black, Bone, Brown, Bulkley, Bulow, Byrd, Capper, Caraway, Clark, Connally, Couzens, Dill, Duffy, Erickson, Frazier George, Hayden, Kendrick, King, La Follette, McAdoo, McCarran, McGill, McKellar, Murphy, Neely, Norris, Nye, Pope, Russell, Sheppard, Shipstead, Stephens, Thomas of Oklahoma, Thomas of Utah, Trammell, Tydings, Van Nuys, Wagner, Walsh, and Wheeler.

Senators who voted not guilty are—

Ashurst, Bailey, Barbour, Bratton, Byrnes, Carey, Coolidge, Dale, Dickinson, Fletcher, Goldsborough, Hale, Harrison, Hastings, Hatfield, Hebert, Kean, Keyes, Logan, Long, McNary, Metcalf, Patterson, Reed, Reynolds, Robinson of Arkansas, Robinson of Indiana, Schall, Smith, Steiwer, Townsend, Vandenberg, Walcott, and White.

Senators absent, excused, and not voting are—

Austin, Borah, Copeland, Costigan, Cutting, Davis, Dieterich, Fess, Glass, Gore, Johnson, Lewis, Lonergan, Norbeck, Overton, and Pittman.

Mr. Costigan, for reasons assigned by him, was excused from voting on said article V, as amended.

The Vice President announced that on article V, as amended, 45 Senators had voted "Guilty" and 34 Senators had voted "not guilty", and that less than two-thirds having voted in favor of his guilt the Senate adjudged that the respondent, Harold Louderback, was not guilty as charged in the article, as amended.

No objection being made, the Vice President entered the following judgment of acquittal:

The Senate having tried Harold Louderback, judge of the District Court of the United States for the Northern District of California, upon five several articles of impeachment exhibited against him by the House of Representatives, and two thirds of the Senators present not having found him guilty of the charges contained therein: It is therefore

Ordered and adjudged, That the said Harold Louderback be, and he is, acquitted of all the charges in said articles made and set forth.

On motion by Mr. Ashurst, at 6 o'clock and 5 minutes p.m., The Senate, sitting for the impeachment trial aforesaid, adjourned sine die.

APPENDIX

SENATORS OF THE UNITED STATES WHOSE SEATS WILL BECOME VACANT IN—

1935. Class 1	1937. Class 2	1939. Class 3
Mr. Ashurst of Arizona.	Mr. Bachman of Tennessee.[3]	Mr. Adams of Colorado.
Austin of Vermont.	Bailey of North Carolina.	Barkley of Kentucky.
Byrd of Virginia.[1]	Bankhead of Alabama.	Black of Alabama.
Connally of Texas.	Barbour of New Jersey.	Bone of Washington.
Copeland of New York.	Borah of Idaho.	Brown of New Hampshire.
Cutting of New Mexico.	Bratton of New Mexico.	Bulkley of Ohio.
Dill of Washington.	Bulow of South Dakota.	Mrs. Caraway of Arkansas.
Fess of Ohio.	Byrnes of South Carolina.	Mr. Clark of Missouri.
Frazier of North Dakota.	Capper of Kansas.	Dale of Vermont.
Goldsborough of Maryland.	Carey of Wyoming.	Davis of Pennsylvania.
Hale of Maine.	Coolidge of Massachusetts.	Dieterich of Illinois.
Hatfield of West Virginia.	Costigan of Colorado.	Duffy of Wisconsin.
Hebert of Rhode Island.	Couzens of Michigan.	Fletcher of Florida.
Johnson of California.	Dickinson of Iowa.	George of Georgia.
Kean of New Jersey.	Erickson of Montana.[4]	Hayden of Arizona.
Kendrick of Wyoming.	Glass of Virginia.	Lonergan of Connecticut.
King of Utah.	Gore of Oklahoma.	McAdoo of California.
La Follette of Wisconsin.	Harrison of Mississippi.	McCarran of Nevada.
McKellar of Tennessee.	Hastings of Delaware.	McGill of Kansas.
Patterson of Missouri.	Keyes of New Hampshire.	Murphy of Iowa.
Pittman of Nevada.	Lewis of Illinois.	Norbeck of South Dakota.
Reed of Pennsylvania.	Logan of Kentucky.	Nye of North Dakota.
Robinson of Indiana.	Long of Louisiana.	Overton of Louisiana.
Shipstead of Minnesota.	McNary of Oregon.	Pope of Idaho.
Stephens of Mississippi.	Metcalf of Rhode Island.	Reynolds of North Carolina.
Thompson of Nebraska.[2]	Neely of West Virginia.	Smith of South Carolina.
Townsend of Delaware.	Norris of Nebraska.	Steiwer of Oregon.
Trammell of Florida.	Robinson of Arkansas.	Thomas of Oklahoma.
Vandenberg of Michigan.	Russell of Georgia.	Thomas of Utah.
Walcott of Connecticut.	Schall of Minnesota.	Tydings of Maryland.
Walsh of Massachusetts.	Sheppard of Texas.	Van Nuys of Indiana.
Wheeler of Montana.	White of Maine.	Wagner of New York.

[1] Appointed by the Governor to fill the vacancy caused by the resignation of Hon. Claude A. Swanson.
[2] Appointed by the Governor to fill the vacancy caused by the death of Hon. Robert B. Howell.
[3] Appointed by the Governor to fill the vacancy caused by the resignation of Hon. Cordell Hull.
[4] Appointed by the Governor to fill the vacancy caused by the death of Hon. Thomas J. Walsh.

HISTORY OF BILLS AND RESOLUTIONS

SENATE BILLS

Number, title, and action	Page of Journal
1. A bill to provide relief in the existing national emergency in banking, and for other purposes—	
read twice and referred	12
reported without amendment	13
postponed indefinitely	13
(See H.R. 1491)	
2. A bill for the relief of C. M. Williamson; Mrs. Tura Liljenquist, administratrix of C. E. Liljenquist, deceased; Lottie Redman; and H. N. Smith—	
read twice and referred	12
3. A bill to prohibit members of the Federal Farm Loan Board from serving as officers of Federal land banks—	
read twice and referred	12
4. A bill to restore the 2-cent postage rate on first-class mail matter—	
read twice and referred	14
5. A bill providing for loans or advances by the Reconstruction Finance Corporation for the purpose of securing the postponement of the foreclosure of certain mortgages for a period of 2 years, and for other purposes—	
read twice and referred	14
6. A bill to repeal an act entitled "An act to create Federal home-loan banks, to provide for the supervision thereof, and for other purposes", approved July 22, 1932—	
read twice and referred	14
7. A bill providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska—	
read twice and referred	14
reported with an amendment (Rept. No. 13)	58
considered, amended, read the third time, and passed	136
passed the House	163
examined and signed	174
presented	174
approved [Public Law No. 18]	182
8. A bill to add certain lands to the Boise National Forest—	
read twice and referred	14
9. A bill authorizing the Reconstruction Finance Corporation to make loans to cooperative creamery associations—	
read twice and referred	14
10. A bill providing for certain loans by the Reconstruction Finance Corporation to producers of wheat and cotton, and for other purposes—	
read twice and referred	14
11. A bill for the relief of the Lehigh Briquetting Co.—	
read twice and referred	14
12. A bill to aid in the reduction of taxes on farm lands and to promote elementary education in rural areas of the United States, and to cooperate with the States in the promotion of these objectives—	
read twice and referred	14
13. A bill to amend section 617 of the Revenue Act of 1932 with respect to the tax on gasoline—	
read twice and referred	14
14. A bill to amend the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914—	
read twice and referred	14
15. A bill to amend the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914—	
read twice and referred	14
16. A bill to establish a Federal Trade Court, and for other purposes—	
read twice and referred	14
17. A bill to regulate election expenditures—	
read twice and referred	14
18. A bill to allow credit to homestead settlers and entrymen for certain military service—	
read twice and referred	14
19. A bill to provide for the restoration, through exchange, of certain timberlands to the Yosemite National Park, Calif., and for other purposes—	
read twice and referred	14
20. A bill to provide for the transfer of certain school lands in North Dakota to the International Peace Garden, Inc.—	
read twice and referred	14
21. A bill to create a Federal time-deposit insurance fund, to provide for the payment of time deposits in certain banks, and for other purposes—	
read twice and referred	14
22. A bill granting a pension to Ella F. Lane—	
read twice and referred	14
23. A bill granting a pension to Emma A. McDuffie—	
read twice and referred	14
24. A bill granting an increase of pension to Nancy L. Corwin—	
read twice and referred	14
25. A bill granting an increase of pension to Sarah A. Gilliland—	
read twice and referred	14
26. A bill granting an increase of pension to Mary J. Welch—	
read twice and referred	14
27. A bill granting a pension to Maggie L. Adams—	
read twice and referred	14
28. A bill granting a pension to Ida Adamson—	
read twice and referred	14
29. A bill granting a pension to Frederick Boller—	
read twice and referred	14
30. A bill granting a pension to Lucy Brown—	
read twice and referred	14
31. A bill granting a pension to Mary L. Chrisope—	
read twice and referred	14

Number, title, and action	Page of Journal
32. A bill granting a pension to Edna A. Cole— read twice and referred	14
33. A bill granting a pension to Sarah K. Copeland— read twice and referred	14
34. A bill granting a pension to Martha Day— read twice and referred	14
35. A bill granting a pension to Minnie Dean— read twice and referred	14
36. A bill granting a pension to Olive Hancock Entrekin— read twice and referred	14
37. A bill granting a pension to Lura C. Fields— read twice and referred	14
38. A bill granting a pension to Susie Fike— read twice and referred	15
39. A bill granting a pension to Eliza Ford— read twice and referred	15
40. A bill granting a pension to Stillman Garrett— read twice and referred	15
41. A bill granting an increase of pension to Caroline Hall— read twice and referred	15
42. A bill granting an increase of pension to Rinda Hammock— read twice and referred	15
43. A bill granting a pension to Belle Hockensmith— read twice and referred	15
44. A bill granting a pension to David Huffman— read twice and referred	15
45. A bill granting a pension to Pearl Laber— read twice and referred	15
46. A bill granting a pension to Mary A. Lane— read twice and referred	15
47. Granting an increase of pension to Nancy A. Mathis— read twice and referred	15
48. A bill granting a pension to George H. Miller— read twice and referred	15
49. A bill granting a pension to Mary E. Mitchell— read twice and referred	15
50. A bill granting a pension to Polly Ann Newton— read twice and referred	15
51. A bill granting a pension to Sarah J. Parker— read twice and referred	15
52. A bill granting a pension to Alice Paver— read twice and referred	15
53. A bill granting an increase of pension to Freely M. Seward— read twice and referred	15
54. A bill granting an increase of pension to Sarah J. Shephard— read twice and referred	15
55. A bill granting an increase of pension to Minerva E. Shoemaker— read twice and referred	15
reported without amendment	94
56. A bill granting an increase of pension to Susan A. Taylor— read twice and referred	15
57. A bill granting a pension to Ellen Theurer— read twice and referred	15
58. A bill granting a pension to Nancy Ann Williamson— read twice and referred	15
59. A bill for the leasing of agricultural lands by the Secretary of Agriculture for the purpose of reducing overproduction of certain agricultural commodities— read twice and referred	15
60. A bill for the relief of Richard J. Rooney— read twice and referred	15
61. A bill for the relief of Apostolis B. Cascambas— read twice and referred	15
62. A bill for the relief of George Lancellotta— read twice and referred	15
63. A bill for the relief of Charles E. Wilson— read twice and referred	15
64. A bill granting a pension to Edward Francis Bailey— read twice and referred	15
65. A bill granting a pension to James Francis Feeley— read twice and referred	15
66. A bill granting a pension to Amasa P. Taber— read twice and referred	15
67. A bill to amend the act of January 22, 1932 (Public Law No. 2, 72d Cong.), creating the Reconstruction Finance Corporation— read twice and referred	15
68. A bill to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes— read twice and referred	15
69. A bill to provide for the redistribution of the overbalance of population in industrial centers by aiding in the purchase of subsistence farms, and for other purposes— read twice and referred	15
70. A bill to establish a bimetallic system of currency, employing gold and silver, to fix the relative value of gold and silver, to provide for the free coinage of silver as well as gold, and for other purposes— read twice and referred	15
reference change	51
71. A bill for the relief of Zoe A. Tilghman— read twice and referred	15
72. A bill to provide for controlled expansion of the currency and the immediate payment to veterans of the face value of their adjusted-service certificates— read twice and referred	15
73. A bill to authorize the Comptroller General to allow claim of district no. 13, Choctaw County, Okla., for payment of tuition for Indian pupils— read twice and referred	15
reported without amendment	94
considered, read the third time, and passed	94
passed the House	175
examined and signed	180
presented	182
approved [Public Law No. 27]	235
74. A bill to authorize payment of expenses of formulating claims of the Kiowa, Comanche, and Apache Indians of Oklahoma against the United States, and for other purposes— read twice and referred	15
75. A bill to indemnify depositors in "member banks", as defined by the Federal Reserve Act, and in such other banks as shall comply with requirements prescribed by the Federal Reserve Board, against loss in the event of the failure or suspension of business of such banks— read twice and referred	15
76. A bill to provide for checking accounts in Postal Savings banks, and for other purposes— read twice and referred	15
77. A bill to provide a preliminary examination of the Snoqualmie, Skykomish, and Snohomish Rivers and their tributaries, in the State of Washington, with a view to the control of their floods— read twice and referred	15
78. A bill for the relief of F. A. Hoffman— read twice and referred	15

Number, title, and action	Page of Journal
79. A bill for the relief of Johnson Bros., Inc.— read twice and referred	15
80. A bill for the relief of William M. Wiser— read twice and referred	15
81. A bill for the relief of Molly Stark Williams— read twice and referred	15
82. A bill for the relief of Naomi L. Thompson— read twice and referred	15
83. A bill for the relief of H. M. Thatcher— read twice and referred	15
84. A bill for the relief of the Spokane & Eastern Trust Co., of Spokane, Wash.— read twice and referred	15
85. A bill for the relief of Paul J. Sisk— read twice and referred	15
86. A bill for the relief of A. L. Ostrander— read twice and referred	15
87. A bill for the relief of Lucille McClure— read twice and referred	15
88. A bill for the relief of Fred Ferch— read twice and referred	15
89. A bill for the relief of Ragnor Dahl— read twice and referred	15
90. A bill for the relief of Mick C. Cooper— read twice and referred	15
91. A bill for the relief of James C. Langley and Elena R. Langley— read twice and referred	15
92. A bill authorizing payment to Peter C. McCartin of allotments made to his children under the Veterans' Act of 1924— read twice and referred	15
93. A bill for the relief of James J. Walker— read twice and referred	15
94. A bill for the relief of Henry Frye— read twice and referred	15
95. A bill for the relief of Herman Wulff— read twice and referred	15
96. A bill for the relief of Thomas O'Connor— read twice and referred	15
97. A bill for the relief of Joseph E. Goddard— read twice and referred	15
98. A bill for the relief of William W. Giles, deceased— read twice and referred	15
99. A bill for the relief of Francis Gerrity— read twice and referred	15
100. A bill for the relief of Walter Gray— read twice and referred	15
reference changed	54
101. A bill for the relief of Robert Gray Fry— read twice and referred	15
102. A bill for the relief of Harry Fallon— read twice and referred	15
103. A bill for the relief of John M. Elliott— read twice and referred	15
104. A bill for the relief of Robert B. Early— read twice and referred	15
105. A bill for the relief of Dennis F. Collins— read twice and referred	15
reference changed	54
106. A bill for the relief of Presly Holliday, quartermaster sergeant, Quartermaster Corps, on the retired list, and for other purposes— read twice and referred	15
107. A bill for the relief of Theophilus Steele— read twice and referred	15
108. A bill authorizing the appointment and retirement as a brigadier general, United States Army, of W. R. Abercrombie— read twice and referred	15
109. A bill for the relief of William K. Beldin— read twice and referred	15
110. A bill for the relief of Thomas M. Buist— read twice and referred	15
111. A bill for the relief of William L. Charlton— read twice and referred	15
112. A bill authorizing the appointment and retirement as a major, United States Army, of Harold L. Coffin— read twice and referred	15
113. A bill for the relief of Hans Dahl— read twice and referred	15
114. A bill granting a pension to Richard J. Queener— read twice and referred	15
115. A bill granting a pension to Jay Dee Hoffman— read twice and referred	15
116. A bill granting a pension to Hamilton Miller— read twice and referred	15
117. A bill granting a pension to Rose Bingman— read twice and referred	15
118. A bill granting a pension to Margaret Keefe— read twice and referred	15
119. A bill granting a pension to William A. Hone— read twice and referred	15
120. A bill granting a pension to Theresa Elizabeth Mapes— read twice and referred	15
121. A bill granting an increase of pension to Kate E. Snow— read twice and referred	15
122. A bill granting a pension to Nellie J. Wood— read twice and referred	16
123. A bill granting a pension to John W. Ferwerda— read twice and referred	16
124. A bill granting a pension to Oliver L. Wolford— read twice and referred	16
125. A bill granting a pension to James William Vaughn— read twice and referred	16
126. A bill granting a pension to Walter J. Taylor— read twice and referred	16
127. A bill granting a pension to Lee A. Smith— read twice and referred	16
128. A bill granting a pension to Arminda C. Shook— read twice and referred	16
129. A bill granting a pension to Andrew J. Shaw— read twice and referred	16
130. A bill granting a pension to J. C. Ruark— read twice and referred	16
131. A bill granting an increase of pension to Lillie Randall— read twice and referred	16
132. A bill granting a pension to Clinton Pickrel— read twice and referred	16
133. A bill granting an increase of pension to Helen A. O'Haver— read twice and referred	16
134. A bill granting an increase of pension to Max Lilienthal— read twice and referred	16
135. A bill granting a pension to Thomas Lamb— read twice and referred	16
136. A bill granting a pension to Charles T. Kineth— read twice and referred	16
137. A bill granting an increase of pension to John O. Jones— read twice and referred	16
138. A bill granting a pension to Nellie Haas— read twice and referred	16
139. A bill granting a pension to Minnie E. Goddard— read twice and referred	16
140. A bill granting a pension to Ellen Giard— read twice and referred	16

Number, title, and action	Page of Journal
141. A bill granting an increase of pension to Mary Ella Flores—	
read twice and referred	16
142. A bill granting a pension to Ardelle Melco—	
read twice and referred	16
143. A bill granting a pension to Stephen S. Floe—	
read twice and referred	16
144. A bill granting a pension to Margaret E. Brown—	
read twice and referred	16
145. A bill to authorize payment of foreign debts in silver under certain limitations—	
read twice and referred	16
146. A bill to authorize the purchase by the Government of silver produced in the United States, to provide for the issuance of silver certificates in payment therefor, to provide for the coinage of such silver, and for other purposes—	
read twice and referred	16
147. A bill to authorize the purchase by the Government of $250,000,000 worth of silver, to provide for the issuance of silver certificates in payment therefor, to provide for the coinage of such silver, and for other purposes—	
read twice and referred	16
148. A bill for the relief of Agnes M. Angle—	
read twice and referred	17
reported without amendment	17
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 6]	63
149. A bill for the relief of Daisy Anderson—	
read twice and referred	17
reported without amendment	17
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 7]	63
150. A bill for the relief of W. H. Hendrickson—	
read twice and referred	17
reported without amendment	17
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 8]	63
151. A bill for the relief of the Holy Family Hospital, St. Ignatius, Mont.—	
read twice and referred	17
reported without amendment	17
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 3]	53
152. A bill to authorize the Secretary of War to grant a right of way to the Alameda Belt Line across the Benton Field Military Reservation, Alameda, Calif.—	
read twice and referred	17
reported without amendment	17
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 4]	53
153. A bill to convey certain land in the county of Los Angeles, State of California—	
read twice and referred	17
reported without amendment	17
153—Continued	
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 5]	53
154. A bill confirming the claim of Francis R. Sanchez, and for other purposes—	
read twice and referred	17
reported without amendment	17
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 1]	53
155. A bill for the relief of A. Y. Martin—	
read twice and referred	17
reported without amendment	17
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 9]	63
156. A bill providing for an exchange of lands between the Colonial Realty Co. and the United States, and for other purposes—	
read twice and referred	17
reported without amendment	17
considered, read the third time, and passed	17
passed the House	34
examined and signed	36
presented	39
approved [Private Law No. 2]	53
157. A bill to amend an act approved March 4, 1929 (45 Stat. 1548), entitled "An act to supplement the last three paragraphs of section 5 of the act of March 4, 1915 (38 Stat. 1161), as amended by the act of March 21, 1918 (40 Stat. 458)."—	
read twice and referred	16
reported without amendment (Rept. No. 6)	51
considered, read the third time, and passed	136
158. A bill to prevent interstate commerce in certain commodites and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day—	
read twice and referred	16
reported with an amendment (Rept. No. 14)	58
considered	67, 68, 70, 73, 75
considered, amended, read the third time, and passed	76
ordered printed	77
motion entered to reconsider	79
motion to reconsider considered 84, 94, 95,	
motion to reconsider not agreed to	95
159. A bill to provide for the creation of a Federal Land and Loan Corporation, for the refinancing of farm-mortgage indebtedness in the United States, and for other purposes—	
read twice and referred	16
160. A bill providing import duties on coal and coke imported into the United States from foreign countries—	
read twice and referred	16
161. A bill to create an establishment to be known as the national archieves, and for other purposes—	
read twice and referred	16
162. A bill to provide for the use in motor fuels of alcohol manufactured from agricultural products grown in the United States—	
read twice and referred	16
163. A bill for the relief of Capt. Guy M. Kinman—	
read twice and referred	16

Number, title, and action	Page of Journal
164. A bill for the relief of Joseph Gould—	
read twice and referred	16
165. A bill to correct the military record of Albert Anderson—	
read twice and referred	16
166. A bill for the relief of Robert J. Foster—	
read twice and referred	16
reported with amendments (Rept. No. 26)	91
considered, amended, read the third time, and passed	136
167. A bill granting a pension to Florence L. Bright—	
read twice and referred	16
168. A bill granting a pension to Amanda Loper—	
read twice and referred	16
169. A bill granting a pension to Joanna Douglass—	
read twice and referred	16
170. A bill for the relief of Patrick Henry Walsh—	
read twice and referred	16
171. A bill for the relief of certain purchasers of lands in the borough of Brooklawn, State of New Jersey—	
read twice and referred	16
172. A bill for the relief of the First Camden National Bank & Trust Co., of Camden, N.J.—	
read twice and referred	16
173. A bill for the relief of Martin-Walsh, Inc.—	
read twice and referred	16
174. A bill for the relief of Elizabeth T. Cloud—	
read twice and referred	16
175. A bill for the relief of Lauritis Sorensen—	
read twice and referred	16
176. A bill for the relief of Harry Harsin—	
read twice and referred	16
177. A bill for the relief of Woodhouse Chain Works—	
read twice and referred	16
178. A bill for the relief of the Morristown Trust Co., of Morristown, N.J.—	
read twice and referred	16
179. A bill for the relief of the Paterson Savings Institution, of Paterson, N.J.—	
read twice and referred	16
180. A bill to provide for the purchase and sale of cotton under the supervision of the Secretary of Agriculture—	
read twice and referred	16
181. A bill for the relief of James Evans Monroe—	
read twice and referred	16
182. A bill granting a pension to Archie Flynn—	
read twice and referred	16
183. A bill granting an increase of pension to Sarah E. Pratt—	
read twice and referred	16
184. A bill granting a pension to Roy Wilcox—	
read twice and referred	16
185. A bill granting a pension to Joseph J. McNeal—	
read twice and referred	16
186. A bill granting an increase of pension to William C. Milliner—	
read twice and referred	16
187. A bill granting a pension to Cale Stinnett—	
read twice and referred	16
188. A bill granting an increase of pension to Blanche Welker—	
read twice and referred	16
189. A bill granting a pension to Anna Marie Flautt—	
read twice and referred	16
190. A bill granting a pension to Hattie Jane Koon—	
read twice and referred	16
191. A bill granting a pension to Charles Rufus Koon—	
read twice and referred	16
192. A bill for the prevention of obstructions and burdens upon interstate commerce in butter and eggs by regulating transactions relating to future sales on commodity exchanges—	
read twice and referred	16
193. A bill to amend section 586c of the act entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions", approved March 2, 1929—	
read twice and referred	16
194. A bill to change the name of B Street SW. in the District of Columbia—	
read twice and referred	16
195. A bill respecting contracts of industrial life insurance in the District of Columbia—	
read twice and referred	16
196. A bill granting a pension to Sarah Hagar Lewis—	
read twice and referred	16
197. A bill granting a pension to Mary A. Beck—	
read twice and referred	16
198. A bill granting a pension to Mary E. Bordwell—	
read twice and referred	16
199. A bill granting an increase of pension to Lena Bradshaw—	
read twice and referred	16
200. A bill granting a pension to Earl Cline—	
read twice and referred	16
201. A bill granting an increase of pension to Mattie F. Colebaugh—	
read twice and referred	16
202. A bill granting an increase of pension to Elizabeth B. Craig—	
read twice and referred	16
203. A bill granting an increase of pension to John C. Denbo—	
read twice and referred	17
204. A bill granting a pension to Hulda Dodds—	
read twice and referred	17
205. A bill granting a pension to Eliza Ellis—	
read twice and referred	17
206. A bill granting a pension to William Edward Fugatt—	
read twice and referred	17
207. A bill granting a pension to George G. Gribben—	
read twice and referred	17
208. A bill granting a pension to Everett Goodwin—	
read twice and referred	17
209. A bill granting an increase of pension to Sarah J. Henderson—	
read twice and referred	17
210. A bill granting a pension to Amos Long—	
read twice and referred	17
211. A bill granting a pension to Allison J. Little—	
read twice and referred	17
212. A bill granting an increase of pension to Minnie Mahler—	
read twice and referred	17
213. A bill granting an increase of pension to Mary A. McNeil—	
read twice and referred	17
214. A bill granting an increase of pension to Jane A. McNelly—	
read twice and referred	17
215. A bill granting a pension to Drusilla Mikesell—	
read twice and referred	17
216. A bill granting an increase of pension to Martha J. Morgan—	
read twice and referred	17
217. A bill granting an increase of pension to Hannah Morrison—	
read twice and referred	17

Number, title, and action	Page of Journal
218. A bill granting a pension to Massie E. Osborn— read twice and referred	17
219. A bill granting an increase of pension to Mary L. Parker— read twice and referred	17
220. A bill granting an increase of pension to Mary A. Phillippi— read twice and referred	17
221. A bill granting an increase of pension to Sarah J. Pitts— read twice and referred	17
222. A bill granting a pension to Charles O. Puckett— read twice and referred	17
223. A bill granting an increase of pension to Maria Roseberry— read twice and referred	17
224. A bill granting a pension to Nancy Jane Ruffin— read twice and referred	17
225. A bill granting a pension to Hannah A. Smith— read twice and referred	17
226. A bill granting an increase of pension to Alice M. Strine— read twice and referred	17
227. A bill granting an increase of pension to Ellen M. Thomas— read twice and referred	17
228. A bill granting an increase of pension to Nancy J. Walker— read twice and referred	17
229. A bill granting a pension to Frank L. Wilkinson— read twice and referred	17
230. A bill granting an increase of pension to Teressa Willoughby— read twice and referred	17
231. A bill granting an increase of pension to Drusilla Wright— read twice and referred	17
232. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller— read twice and referred	17
233. A bill to maintain the credit of the United States Government— read twice and referred	17
reported with amendments (Rept. No. 1)	20
considered	25
postponed indefinitely	32
(See H.R. 2820)	
234. A bill to authorize the Secretary of the Treasury to purchase silver by issuance of silver certificates and for the redemption of the same, and for other purposes— read twice and referred	20
235. A bill for the relief of C. H. Reynolds, assignee of the Bitu-Mass Paving Co., of Spokane, Wash.— read twice and referred	20
236. A bill to provide funds for cooperation with the school board at Queets, Wash., in the construction of a public-school building to be available to Indian children of the village of Queets, Jefferson County, Wash.— read twice and referred	20
237. A bill granting a pension to Jack B. Hamilton— read twice and referred	20
238. A bill granting a pension to Ellen B. Rader— read twice and referred	20
239. A bill for the relief of Earl A. Ross— read twice and referred	20
240. A bill for the relief of Frank P. Ross— read twice and referred	20
241. A bill to provide protection by registration of designs for textiles and other materials— read twice and referred	20
242. A bill to provide for the issuance of stamped money certificates, and for other purposes— read twice and referred	20
243. A bill to compensate Harriet C. Holaday— read twice and referred	20
244. A bill granting a pension to Lucie P. Cranston— read twice and referred	20
245. A bill to provide for the safer and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes— read twice and referred	20
246. A bill for the relief of John Henry Tackett— read twice and referred	20
247. A bill to amend the act of May 29, 1930, relating to the retirement of employees in the classified Civil Service— read twice and referred	20
248. A bill for the relief of Rolando B. Moffett— read twice and referred	20
reported without amendment (Rept. No. 32)	91
considered, read the third time, and passed	136
249. A bill to provide for the construction of works for the development of the Columbia River and minor tributaries, and for other purposes— read twice and referred	20
250. A bill for the relief of Fred Herrick— read twice and referred	20
251. A bill authorizing and directing the Secretary of Agriculture to investigate all phases of taxation in relation to agriculture— read twice and referred	20
252. A bill for the relief of the American Bonding Co., of Baltimore— read twice and referred	20
253. A bill for the relief of Clatsop County, Oreg.— read twice and referred	20
254. A bill for the relief of Fred H. Cotter— read twice and referred	20
255. A bill for the relief of John Hampshire— read twice and referred	20
256. A bill for the relief of Milburn Knapp— read twice and referred	20
257. A bill for the relief of Ivan Matson— read twice and referred	20
258. A bill for the relief of Wallace E. Ordway— read twice and referred	20
259. A bill for the relief of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. Callib, J. J. Beckhman, and John Toles— read twice and referred	20
260. A bill authorizing a preliminary examination and survey of Chetco Cove, Oreg.— read twice and referred	20
261. A bill to provide an examination and survey of Seaside Harbor, Oreg.— read twice and referred	20
262. A bill to aid agriculture by exempting from income tax income from agricultural loans, and for other purposes— read twice and referred	20
263. A bill authorizing certain improvements in the Tule Lake sump area of the Klamath irrigation project— read twice and referred	20

Number, title, and action	Page of Journal
264. A bill to provide for the improvement of the Columbia River between Celilo Falls, Oreg., and Wallula, Wash.— read twice and referred	20
265. A bill for the relief of Alonzo M. Boyden— read twice and referred	20
266. A bill for the relief of John Fisher— read twice and referred	20
267. A bill for the relief of Elijah L. Gum— read twice and referred	20
268. A bill for the relief of Andrew J. McCallen— read twice and referred	20
269. A bill for the relief of Walter Malone— read twice and referred	20
270. A bill authorizing the President to present medals, in the name of Congress, to certain survivors of the sinking of the steamship *Tuscania*— read twice and referred	20
271. A bill granting pensions to certain persons who served in the Indian wars from 1817 to 1898— read twice and referred	20
272. A bill to amend section 3 of the act entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes", approved March 3, 1927— read twice and referred	20
273. A bill granting a pension to Mark Baldwin— read twice and referred	20
274. A bill granting a pension to Myrtle J. Buzan— read twice and referred	20
275. A bill granting a pension to Harold C. Cline— read twice and referred	20
276. A bill granting a pension to John L. Hammack— read twice and referred	20
277. A bill granting a pension to Matilda Jane Hart— read twice and referred	20
278. A bill granting an increase of pension to Blanche C. Hurd— read twice and referred	20
279. A bill granting a pension to John R. Liles— read twice and referred	20
280. A bill granting a pension to Mary Nightingale— read twice and referred	20
281. A bill granting a pension to J. B. Stanfield— read twice and referred	20
282. A bill granting a pension to Arminta Sullivan— read twice and referred	20
283. A bill granting a pension to Christiana L. Todd— read twice and referred	20
284. A bill authorizing the conveyance of certain lands to School District No. 28, Deschutes County, Oreg.— read twice and referred	20
reported without amendment (Rept. No. 74)	176
considered, read the third time, and passed	197
285. A bill to authorize the addition of certain lands to the Ochoco National Forest, Oreg.— read twice and referred	20
reported without amendment (Rept. No. 75)	176
considered, read the third time, and passed	210
286. A bill to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933, by adding a new section thereto— read twice and referred	20
287. A bill to provide for review of the action of consular officers in refusing immigration visas— read twice and referred	20
288. A bill to establish a Department of National Defense, and for other purposes— read twice and referred	20
289. A bill to repeal the act entitled "An act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin-American Republics in military and naval matters", approved May 19, 1926— read twice and referred	20
290. A bill to provide compulsory licenses for unused patents— read twice and referred	21
291. A bill granting certain unreserved and unappropriated public lands to the several States— read twice and referred	21
292. A bill for the relief of Viola Addis— read twice and referred	21
293. A bill for the relief of William Schick— read twice and referred	21
294. A bill for the relief of Stanton & Jones— read twice and referred	21
295. A bill authorizing the Commissioners of the District of Columbia to grant a permit for the construction of an oil and gasoline pipe line— read twice and referred	21
296. A bill to provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes— read twice and referred	21
297. A bill for the relief of Dewey Newman— read twice and referred	21
298. A bill to repeal section 751 of the Revenue Act of 1932— read twice and referred	21
299. A bill to define the intent of the antitrust laws as to certain agreements— read twice and referred	21
300. A bill for the relief of John J. Delaney— read twice and referred	21
301. A bill providing for the guaranty of bank deposits, and for other purposes— read twice and referred	21
302. A bill to amend section 57 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented, with respect to proof and allowance of claims by trustees for bondholders— read twice and referred	21
303. A bill for the relief of Con Murphy— read twice and referred	21
304. A bill granting an honorable discharge to Edward Barrett— read twice and referred	21
305. A bill for the relief of William T. J. Ryan— read twice and referred	21
306. A bill to grant an honorable discharge to Robert French Griffin— read twice and referred	21
307. A bill to grant an honorable discharge to Claris N. Corwine— read twice and referred	21
308. A bill to authorize the award of a decoration for distinguished service to Harry H. Horton— read twice and referred	21
reported without amendment (Rept. No. 143)	[illegible]

Number, title, and action	Page of Journal
309. A bill granting an honorable discharge to Willard Heath Mitchell—	
read twice and referred	21
310. A bill granting an increase of pension to Melinda Morford—	
read twice and referred	21
311. A bill granting an increase of pension to Elizabeth Harrington—	
read twice and referred	21
312. A bill validating application for entry upon public lands—	
read twice and referred	21
313. A bill to amend section 5 of the act approved July 10, 1890 (28 Stat. 664), relating to the admission into the Union of the State of Wyoming—	
read twice and referred	21
reported with an amendment (Rept. No. 10)	56
considered, amended, read the third time, and passed	136
314. A bill to amend the act of Congress approved March 9, 1933, entitled "An act to provide relief in the existing national emergency in banking, and for other purposes"—	
read twice and referred	21
315. A bill authorizing the Reconstruction Finance Corporation to make loans to aid in refunding or refinancing certain obligations of irrigation and drainage districts—	
read twice and referred	21
316. A bill relative to the qualifications of practitioners of law in the District of Columbia—	
read twice and referred	21
317. A bill authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund—	
read twice and referred	21
reported with an amendment (Rept. No. 22)	83
considered, amended, read the third time, and passed	209
318. A bill granting certain lands to the State of Utah for use and benefit of the water-storage commission of such State and for the use and benefit of the University of Utah—	
read twice and referred	21
319. A bill to extend the boundaries of the Fremont National Forest—	
read twice and referred	24
320. A bill to provide for direct loans by Federal Reserve banks to State banks and trust companies in certain cases, *and for other purposes*—	
read twice and referred	24
reported without amendment	28
considered, amended, read the third time, and passed; title amended	28
321. A bill to amend section 99 of the Judicial Code (U.S.C., title 28, sec. 180), as amended—	
read twice and referred	24
322. A bill to amend the act entitled "An act to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes", approved February 4, 1933—	
read twice and referred	24
323. A bill to amend the Emergency Relief and Construction Act of 1932 with respect to time for payment of loans to fruit growers made by regional agricultural credit corporations—	
read twice and referred	24
324. A bill to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes—	

Number, title, and action	Page of Journal
324—Continued	
read twice and referred	24
reported without amendment (Rept. No. 50)	140
considered, read the third time, and passed	210
325. A bill to provide emergency financing facilities for unemployed workers, to relieve their distress, to increase their purchasing power and employment, and for other purposes—	
read twice and referred	24
326. A bill referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement—	
read twice and referred	24
reported without amendment (Rept. No. 146)	299
327. A bill to correct the naval record of Fred Allen Wickett—	
read twice and referred	24
328. A bill for the relief of William Frank Dunn—	
read twice and referred	24
329. A bill for the relief of Bernard Leroy Eaton—	
read twice and referred	24
330. A bill to correct the naval record of George Edward Maroon—	
read twice and referred	24
331. A bill for the relief of Oscar Pinette—	
read twice and referred	24
332. A bill for the relief of William C. Whitehead—	
read twice and referred	24
333. A bill for the relief of Clarence Leroy Witham—	
read twice and referred	24
334. A bill to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933—	
read twice and referred	24
reported with amendments (Rept. No. 2)	28
considered, amended, read the third time, and passed	35
335. A bill to amend the law relative to citizenship and naturalization, and for other purposes—	
read twice and referred	24
336. A bill for the relief of the Edward F. Gruver Co.—	
read twice and referred	24
337. A bill for the relief of Heimo Sarkkinen—	
read twice and referred	24
338. A bill for the relief of John J. Sanford—	
read twice and referred	24
339. A bill for the refundment of certain countervailing customs duties collected upon logs imported from British Columbia—	
read twice and referred	24
340. A bill to prohibit appointment of Members of Congress to offices of the Federal Government for a period of 2 years after the expiration of their term of service in Congress—	
read twice and referred	24
341. A bill relating to suits for infringement of patents where the patentee is violating the antitrust laws—	
read twice and referred	24
342. A bill to amend and consolidate the acts respecting copyrights—	
read twice and referred	24
343. A bill to aid the several States in constructing post roads—	
read twice and referred	24
344. A bill to protect depositors in national banks, to regulate the withdrawal of deposits in such banks in certain cases, and for other purposes—	
read twice and referred	24

Number, title, and action	Page of Journal
345. A bill for the relief of Ida C. Buckson, executrix of E. C. Buckson, deceased—	
read twice and referred	24
346. A bill for the relief of the Hamburg-American Line—	
read twice and referred	24
347. A bill for the relief of Alfred L. Hudson—	
read twice and referred	24
348. A bill for the relief of Stanley E. Richardson—	
read twice and referred	24
349. A bill for the relief of Edward Xavier Linck—	
read twice and referred	24
350. A bill granting an increase of pension to Mary Elizabeth Hall—	
read twice and referred	24
351. A bill to amend section 206 of the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933—	
read twice and referred	24
352. A bill to amend section 304 of the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933—	
read twice and referred	24
353. A bill to renew and extend certain letters patent—	
read twice and referred	24
354. A bill to provide old-age securities for persons over 60 years of age residing in the District of Columbia, and for other purposes—	
read twice and referred	24
355. A bill for the relief of George B. Pfeiffer—	
read twice and referred	24
356. A bill for the relief of the Great American Indemnity Co. of New York—	
read twice and referred	24
357. A bill to amend the law relative to citizenship and naturalization, and for other purposes—	
read twice and referred	24
358. A bill to authorize the Court of Claims of the United States to hear and determine the claim of Samuel W. Carter—	
read twice and referred	24
359. A bill for the relief of Anna Ventrone—	
read twice and referred	26
360. A bill granting a pension to Viola May Snow—	
read twice and referred	26
361. A bill granting an increase of pension to Carrie M. Field—	
read twice and referred	26
362. A bill granting an increase of pension to Sarah J. Jaegar—	
read twice and referred	26
363. A bill granting a pension to George W. Criss—	
read twice and referred	26
364. A bill granting a pension to Columbus R. Fulks—	
read twice and referred	26
365. A bill for the relief of Archibald MacDonald—	
read twice and referred	26
366. A bill for the refund of income and profits taxes erroneously collected—	
read twice and referred	26
367. A bill for the relief of Hugh Flaherty—	
read twice and referred	26
368. A bill granting a pension to Emma J. Hayward—	
read twice and referred	26
369. A bill granting a pension to Ida D. Fletcher—	
read twice and referred	26
370. A bill granting a pension to Cora L. H. Duntz—	
read twice and referred	26

Number, title, and action	Page of Journal
371. A bill granting a pension to Elmira D. Briggs—	
read twice and referred	26
372. A bill granting a pension to Julia Schultz—	
read twice and referred	26
373. A bill for the relief of Charles W. Dworack—	
read twice and referred	26
374. A bill for the relief of Primo Tiburzio—	
read twice and referred	26
375. A bill to reimburse the estate of Mary Agnes Roden—	
read twice and referred	26
376. A bill for the relief of Beatrice I. Manges—	
read twice and referred	26
377. A bill for the relief of the Fred G. Clark Co.—	
read twice and referred	26
378. A bill for the relief of the Upson-Walton Co.—	
read twice and referred	26
379. A bill for the relief of Frederick G. Barker—	
read twice and referred	26
380. A bill for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of catastrophes of nature—	
read twice and referred	26
381. A bill to correct the military record of Samson Davis—	
read twice and referred	26
reported with amendment (Rept. No. 31)	91
considered, read the third time, and passed	137
382. A bill for the relief of Junius A. Bandy—	
read twice and referred	26
383. A bill to correct the military record of Frank A. Post—	
read twice and referred	26
384. A bill granting a pension to Edward Brennenstuhl—	
read twice and referred	26
385. A bill granting a pension to Mary Ida Cox—	
read twice and referred	26
386. A bill granting a pension to Richard R. Denton—	
read twice and referred	26
387. A bill granting a pension to Fannie S. Greene—	
read twice and referred	26
388. A bill granting a pension to Florella Roe—	
read twice and referred	26
389. A bill granting a pension to Chester Shartzer—	
read twice and referred	26
390. A bill granting a pension to Mary C. Smith—	
read twice and referred	26
391. A bill granting a pension to Hazel A. Snyder and minor children—	
read twice and referred	26
392. A bill granting an increase of pension to Mary C. Brant—	
read twice and referred	26
393. A bill granting an increase of pension to Letha C. Durflinger—	
read twice and referred	27
394. A bill granting an increase of pension to Polly Fuller—	
read twice and referred	27
395. A bill granting an increase of pension to Rachel Helseman—	
read twice and referred	27
396. A bill granting an increase of pension to Alice V. Keeler—	
read twice and referred	27
397. A bill granting an increase of pension to Margaret Jane Loar—	
read twice and referred	27

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398. A bill granting an increase of pension to Lucy Montgomery— read twice and referred	27
399. A bill granting an increase of pension to Georgette M. Perkins— read twice and referred	27
400. A bill granting an increase of pension to Anna Robinson— read twice and referred	27
401. A bill granting an increase of pension to Amelia Shultz— read twice and referred	27
402. A bill granting an increase of pension to Melise Wise— read twice and referred	27
403. A bill to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented, with respect to municipalities and other political subdivisions— read twice and referred	27
404. A bill for the relief of William H. Ames— read twice and referred	27
405. A bill for the relief of Capt. Asa G. Ayer— read twice and referred	27
406. A bill for the relief of Warren J. Clear— read twice and referred	27
407. A bill for the relief of Willie B. Cleverly— read twice and referred	27
408. A bill for the relief of John J. Corcoran— read twice and referred	27
409. A bill for the relief of Edmund Glover Evans— read twice and referred	27
410. A bill for the relief of T. Perry Higgins— read twice and referred	27
411. A bill for the relief of the International Manufacturers' Sales Co. of America, Inc.— read twice and referred	27
412. A bill for the relief of Edwin C. Jenney, receiver of the First National Bank of Newton, Mass.— read twice and referred	27
413. A bill for the relief of Edith N. Lindquist— read twice and referred	27
414. A bill for the relief of Dean Scott— read twice and referred	27
415. A bill for the relief of Tom Small— read twice and referred	27
416. A bill for the relief of Julia E. Smith— read twice and referred	27
417. A bill for the relief of Marino Ambrogi— read twice and referred	27
418. A bill for the relief of William H. Connors— read twice and referred	27
419. A bill for the relief of William H. Fleming— read twice and referred	27
420. A bill for the relief of Arthur B. Giroux— read twice and referred	27
421. A bill for the relief of Joseph Gorman— read twice and referred	27
422. A bill for the relief of Albert A. Marquardt— read twice and referred	27
reported with an amendment (Rept. No. 29)	91
considered, amended, read the third time, and passed	136
423. A bill for the relief of Michael J. Moran— read twice and referred	27
reported without amendment (Rept. No. 35)	91
considered, read the third time, and passed	136
424. A bill for the relief of Hector H. Perry— read twice and referred	27
425. A bill for the relief of William Thibeault— read twice and referred	27
426. A bill for the relief of Robert H. Wilder— read twice and referred	27
427. A bill for the relief of Edgar Joseph Casey— read twice and referred	27
428. A bill to place William H. Clinton on the retired list of the Navy— read twice and referred	27
429. A bill for the relief of Dominick Edward Maggio— read twice and referred	27
430. A bill for the relief of Leo James McCoy— read twice and referred	27
431. A bill for the relief of John Thomas Simpkin— read twice and referred	27
432. A bill for the relief of Albert Lawrence Sliney— read twice and referred	27
433. A bill directing the retirement of acting assistant surgeons of the United States Navy at the age of 64 years— read twice and referred	27
434. A bill for the relief of Edmund L. Moore— read twice and referred	27
435. A bill granting a pension to George E. Kenson— read twice and referred	27
436. A bill granting a pension to Elizabeth Rose Clark— read twice and referred	27
437. A bill granting a pension to Mary C. Daly— read twice and referred	27
438. A bill granting a pension to Beatrice E. Duke— read twice and referred	27
439. A bill granting a pension to Susie Fiedler— read twice and referred	27
440. A bill granting a pension to Emma J. Moore— read twice and referred	27
441. A bill granting a pension to Mary Roode— read twice and referred	27
442. A bill granting a pension to Mary J. Winslow— read twice and referred	27
443. A bill granting an increase of pension to Mary A. Ainslie— read twice and referred	27
444. A bill granting an increase of pension to Emma F. Burrell— read twice and referred	27
445. A bill granting an increase of pension to Cynthia J. A. Grant— read twice and referred	27
446. A bill granting an increase of pension to Herbert W. Leach— read twice and referred	27
447. A bill granting an increase of pension to Rose Toward— read twice and referred	27
448. A bill granting an increase of pension to Lucy J. Whipple— read twice and referred	27
449. A bill to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933, with respect to preferred stock issued by banks— read twice and referred	27
450. A bill to empower the health officer of the District of Columbia to authorize the opening of graves, and the disinterment and reinterment of dead bodies, in cases where death has been caused by certain contagious diseases— read twice and referred	27
451. A bill to amend section 3 of the Act of May 28, 1928, relating to salary rates of certain civil-service positions— read twice and referred	27

Number, title, and action	Page of Journal
452. A bill for the relief of the owners of cargo laden aboard the United States transport *Florence Luckenbach* on or about December 27, 1918— read twice and referred	27
453. A bill for the relief of owners of cargo aboard the steamship *Boxley*— read twice and referred	27
454. A bill to amend section 24 of the Trading with the Enemy Act, as amended— read twice and referred	27
455. A bill for the relief of James W. Kelly— read twice and referred	27
456. A bill granting a pension to Juan Lopez— read twice and referred	27
457. A bill to liquidate and refinance agricultural indebtedness at a reduced rate of interest by establishing an efficient credit system, through the use of the Federal farm-loan system, the Federal Reserve Banking System, and creating a Board of Agriculture to supervise the same— read twice and referred	30
458. A bill for the relief of Lyman I. Collins— read twice and referred	30
459. A bill for the relief of Thomas A. Sears— read twice and referred	30
460. A bill granting a pension to Elsie Blanchard— read twice and referred	30
461. A bill granting a pension to Hannah Collins— read twice and referred	30
462. A bill granting a pension to William M. Forrest— read twice and referred	30
463. A bill granting a pension to Nellie Fredericks— read twice and referred	30
464. A bill granting a pension to Lillian M. Johnson— read twice and referred	30
465. A bill granting a pension to Martha W. Keeler— read twice and referred	30
466. A bill granting a pension to Nellie B. Leighton— read twice and referred	30
467. A bill granting a pension to Angie L. Moulton— read twice and referred	30
468. A bill granting a pension to Roy M. Osborne— read twice and referred	30
469. A bill granting a pension to Alice L. Preston— read twice and referred	30
470. A bill granting a pension to Warren A. Small— read twice and referred	30
471. A bill granting an increase of pension to Elizabeth Burrell— read twice and referred	30
472. A bill granting an increase of pension to Clara A. Colby— read twice and referred	30
473. A bill granting an increase of pension to Mary Coles— read twice and referred	30
474. A bill granting an increase of pension to Susie D. Hanscome— read twice and referred	30
475. A bill granting an increase of pension to Mary M. Joy— read twice and referred	30
476. A bill granting an increase of pension to Frances V. Morrill— read twice and referred	30
477. A bill granting an increase of pension to Julia L. Morrison— read twice and referred	30
478. A bill granting an increase of pension to George Neill— read twice and referred	30
479. A bill granting an increase of pension to Joanna A. Small— read twice and referred	30
480. A bill granting an increase of pension to Josie M. Smart— read twice and referred	30
481. A bill granting an increase of pension to Charlotte W. Stevens— read twice and referred	30
482. A bill granting an increase of pension to Margaret Thompson— read twice and referred	30
483. A bill granting an increase of pension to Martha L. Trefethen— read twice and referred	30
484. A bill granting an increase of pension to Mary G. Walsh— read twice and referred	30
485. A bill granting an increase of pension to James D. Wilder— read twice and referred	30
486. A bill for the relief of the owners of the barge *Consolidation Coastwise No. 24*— read twice and referred	30
487. A bill for the relief of the owner of the barge *Consolidation Coastwise No. 10*— read twice and referred	30
488. A bill for the relief of Norman Beier— read twice and referred	30
489. A bill for the relief of the J. M. Dooley Fireproof Warehouse Corporation, of Brooklyn, N.Y.— read twice and referred	30
490. A bill for the relief of certain Army officers whose household and other effects were damaged on Government property— read twice and referred	30
491. A bill to require the employment of American citizens on observation cars, club cars, dining cars, and sleeping cars used by railroads in interstate commerce— read twice and referred	30
492. A bill to fix the date of meeting for the second session of Congress— read twice and referred	30
493. A bill to protect labor in its old age— read twice and referred	30
494. A bill granting an increase of pension to Catherine E. Elliott— read twice and referred	30
495. A bill granting an increase of pension to Nancy McAllister— read twice and referred	30
496. A bill for the relief of Percy C. Wright— read twice and referred	30
497. A bill to define the intent of the antitrust laws as to certain agreements— read twice and referred	30
reference changed	56
498. A bill to repeal section 2 of chapter 333, Forty-fifth Statutes— read twice and referred	30
499. A bill to amend section 337 of the Tariff Act of 1930— read twice and referred	33
500. A bill for the relief of Lt. Thomas O'C. McCarthy, United States Navy— read twice and referred	33
501. A bill to amend section 201 of the Emergency Relief and Construction Act of 1932 to provide for certain loans by the Reconstruction Finance Corporation to aid in the support and maintenance of public schools— read twice and referred	

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502. A bill to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes—	
read twice and referred	33
503. A bill to confer jurisdiction on the Court of Claims to hear and determine the claim of A. C. Messler Co.—	
read twice and referred	33
504. A bill to authorize the Secretary of the Navy to make a long-term contract for a supply of water to the United States naval station at Guantanamo Bay, Cuba—	
read twice and referred	33
505. A bill for the relief of Michael Dalton—	
read twice and referred	33
506. A bill conferring upon the President the power to reduce subsidies, and for other purposes—	
read twice and referred	33
reported with an amendment (Rept. No. 97)	204
507. A bill to relieve the existing national economic emergency by increasing agricultural purchasing power—	
read twice and referred	34
508. A bill to further regulate mail contracts and salaries of individuals, companies, and corporations receiving Government subsidies and Government loans—	
read twice and referred	33
509. A bill to amend the Emergency Relief and Construction Act of 1932—	
read twice and referred	37
510. A bill to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes—	
read twice and referred	37
reported with an amendment (Rept. No. 63)	158
considered, amended, read the third time, and passed	209
passed the House with amendments	219
Senate agrees to House amendments	219
examined and signed	227
presented	229
approved [Public Law No. 30]	235
511. A bill providing for the suspension of annual assessment work on mining claims held on location in the United States and Alaska—	
read twice and referred	37
512. A bill for the relief of Peter Pierre—	
read twice and referred	38
reference changed	51
reported without amendment (Rept. No. 190)	222
considered, read the third time, and passed	232
513. A bill to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Lillian Stecher Waldecker, formerly Lillian A. Stecher—	
read twice and referred	38
514. A bill athorizing the President to order Maj. E. P. Duvall before a retiring board for a hearing of his case and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation—	
read twice and referred	38
515. A bill to amend section 113 of the Judicial Code, as amended, with respect to the southern judicial district in the State of West Virginia—	
read twice and referred	38
516. A bill for the relief of Clay W. Leps—	
read twice and referred	38
517. A bill for the relief of Emma Susan McMurdo—	
read twice and referred	38
518. A bill granting a pension to Fred Starling—	
read twice and referred	38
519. A bill granting an increase of pension to Fred Cook—	
read twice and referred	38
520. A bill granting an increase of pension to Frank Spradling—	
read twice and referred	38
521. A bill for the relief of Henry Poole—	
read twice and referred	38
522. A bill for the relief of Patrick J. Sullivan—	
read twice and referred	38
523. A bill for the relief of Grant MacInnes—	
read twice and referred	38
524. A bill for the relief of Napoleon Moran—	
read twice and referred	38
525. A bill to restore to national farm-loan associations commissions illegally withheld by Federal land banks and to assure payment of such commissions hereafter—	
read twice and referred	38
526. A bill to reimburse national farm-loan associations for losses sustained on account of illegal denial of the privilege of obtaining their funds in the form of farm-loan bonds instead of cash—	
read twice and referred	38
527. A bill for the relief of Lillian Morden—	
read twice and referred	38
528. A bill relating to the removal of certain employees in the Indian Service—	
read twice and referred	38
529. A bill authorizing the creation of Indian tribal councils, and for other purposes—	
read twice and referred	38
530. A bill for the relief of Mary L. Crowell—	
read twice and referred	38
531. A bill for the relief of Dan Davis—	
read twice and referred	38
reported without amendment (Rept. No. 36)	91
considered, read the third time, and passed	136
532. A bill for the relief of Harvey R. King—	
read twice and referred	38
533. A bill for the relief of Charles F. Poitra—	
read twice and referred	38
534. A bill granting a pension to Nellie Gates—	
read twice and referred	34
535. A bill granting a pension to Patsy Dennis Johnson—	
read twice and referred	38
536. A bill granting a pension to Rosalia Lange—	
read twice and referred	38
537. A bill granting a pension to Margaret M. Miller—	
read twice and referred	38
538. A bill granting a pension to Mary Perry—	
read twice and referred	38
539. A bill granting a pension to Edwin K. Williams—	
read twice and referred	38
540. A bill granting an increase of pension to Sarah J. Carpenter—	
read twice and referred	38
541. A bill granting an increase of pension to Orpha D. Bell King—	
read twice and referred	38
542. A bill for the relief of William J. Ewing—	
read twice and referred	38
543. A bill for the relief of Kate Hatton—	
read twice and referred	38

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544. A bill for the relief of Theodor Knudson—	
read twice and referred	38
545. A bill to authorize the Secretary of the Navy to make a long-term contract for a supply of water to the United States naval station at Guantanamo Bay, Cuba—	
read twice and referred	38
546. A bill granting a pension to Edith Corbit—	
read twice and referred	38
547. A bill granting a pension to Edwin C. Derrick—	
read twice and referred	38
548. A bill granting a pension to Thomas A. Rinehart—	
read twice and referred	38
549. A bill to provide for the acquisition of certain timberlands and the sale thereof to the State of Oregon for recreational and scenic purposes—	
read twice and referred	38
550. A bill for the relief of Beryl Elliott—	
read twice and referred	38
551. A bill for the relief of A. W. Holland—	
read twice and referred	38
552. A bill for the relief of Manuel Merritt—	
read twice and referred	38
553. A bill for the relief of William Sheldon—	
read twice and referred	38
554. A bill providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury—	
read twice and referred	38
reference changed	47
reported without amendment (Rept. No. 139)	262
considered, read the third time, and passed	262
passed the House	295
examined and signed	300
presented	301
approved [Public Law No. 53]	304
555. A bill to authorize the acquisition by the United States of the land upon which the Seneca Indian School, Wyandotte, Okla., is located—	
read twice and referred	38
reported without amendment	140
considered, read the third time, and passed	150
556. A bill for the relief of Sidney M. Blackburn—	
read twice and referred	38
557. A bill for the relief of John Ernst—	
read twice and referred	38
558. A bill for the relief of Beryl M. McHam—	
read twice and referred	38
reported with an amendment (Rept. No. 33)	91
considered, amended, read the third time, and passed	136
559. A bill for the relief of Joseph Thompson—	
read twice and referred	38
560. A bill granting a pension to Minnie Cantion—	
read twice and referred	38
561. A bill for the creation of a Housing Board and authorizing the incorporation of limited-dividend housing corporations in the District of Columbia, and for other purposes—	
read twice and referred	38
562. A bill relating to the prescribing of medicinal liquors—	
read twice and referred	38
reported with amendments (Rept. No. 8)	54
considered, amended, read the third time, and passed	57
passed the House	62
examined and signed	64
presented	65
approved [Public Law No. 6]	65
563. A bill for the relief of Elizabeth Bolger—	
read twice and referred	38
564. A bill for the relief of G. Elias & Bro., Inc—	
read twice and referred	38
565. A bill for the relief of G. Elias & Bro., Inc—	
read twice and referred	38
566. A bill for the relief of James Elliott & Co., Inc.—	
read twice and referred	38
567. A bill for the relief of J. A. Finn & Co., Inc.—	
read twice and referred	38
568. A bill for the relief of Winifred Meagher—	
read twice and referred	38
569. A bill granting a pension to Anna McNamara—	
read twice and referred	38
570. A bill granting a pension to Joseph F. Sourek—	
read twice and referred	38
571. A bill granting a pension to Carl M. Toepper—	
read twice and referred	38
572. A bill granting a pension to Samuel Herkowitz—	
read twice and referred	38
573. A bill to repeal the act entitled "An act to authorize the acquisition for military purposes of land in Orange County, N.Y., for use as an addition to the West Point Military Reservation", approved March 3, 1931—	
read twice and referred	38
574. A bill for the relief of Lillian G. Frost—	
read twice and referred	38
575. A bill for the relief of Maurice M. Keleher—	
read twice and referred	38
576. A bill granting an increase of pension to Lena Hook—	
read twice and referred	38
577. A bill granting an increase of pension to Martha W. Howland—	
read twice and referred	38
578. A bill granting an increase of pension to Lillian M. Hoxie—	
read twice and referred	38
579. A bill granting an increase of pension to Louise M. Ide—	
read twice and referred	38
580. A bill granting an increase of pension to Annie Monkhouse—	
read twice and referred	38
581. A bill to provide for the protection of watersheds in and adjacent to national forests—	
read twice and referred	38
582. A bill to secure greater economy and efficiency in the disbursement of public money, and for other purposes—	
read twice and referred	39
583. A bill relating to the classified civil service—	
read twice and referred	39
reported with an amendment	290
584. A bill to extend the powers of the Commissioners of the District of Columbia—	
read twice and referred	39
585. A bill relating to the release of real estate mortgages and deeds of trust in the District of Columbia—	
read twice and referred	39
586. A bill to regulate foreclosure of mortgages and deeds of trust in the District of Columbia—	
read twice and referred	39
587. A bill to amend section 1180 of the Code of Law for the District of Columbia with respect to usury—	
read twice and referred	39
588. A bill to amend the Judicial Code by adding a new section to be numbered 274D—	
read twice and referred	39

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589. A bill to provide for the establishment and maintenance, under the Bureau of Mines, of a research station at Salt Lake City, Utah—	
read twice and referred	39
590. A bill to amend the act approved March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"—	
read twice and referred	39
591. A bill granting certain lands to Salt Lake City, Utah—	
read twice and referred	39
592. A bill granting certain lands to the State of Utah for use and benefit of the Utah State Agricultural College—	
read twice and referred	39
593. A bill to amend the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to give class B officers of the Army benefits of such act—	
read twice and referred	39
reported without amendment (Rept. No. 28)	91
considered, read the third time, and passed	136
594. A bill granting a pension to Emery Ray Greenwood—	
read twice and referred	41
595. A bill granting a pension to Grace V. Foster—	
read twice and referred	41
596. A bill granting a pension to Fay B. Weekley—	
read twice and referred	41
597. A bill for the relief of Elmer M. Place, Jr.—	
read twice and referred	42
598. A bill for the relief of unemployment through the performance of useful public work, and for other purposes—	
read twice and referred	42
reported with an amendment	51
considered, amended, read the third time, and passed	55
passed the House with amendments	57
Senate agrees to House amendments	58
examined and signed	62
presented	65
approved [Public Law No. 5]	65
599. A bill to authorize removal of wreck of ex-U.S.S. *Cincinnati*—	
read twice and referred	42
600. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes—	
read twice and referred	42
601. A bill to meet the existing emergency in the agricultural industry, to provide for the reduction of the interest on certain existing farm mortgages, to amend and supplement the Federal Farm Loan Act—	
read twice and referred	42
602. A bill to provide for the storage for diversion of the waters of the North Platte River and construction of the Saratoga reclamation project—	
read twice and referred	42
603. A bill granting an honorable discharge to Walter Joseph Shikany—	
read twice and referred	42
604. A bill amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat.	

Number, title, and action	Page of Journal
604—Continued	
862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454)—	
read twice and referred	42
reported without amendment (Rept. No. 9)	56
considered, read the third time, and passed	136
passed the House	228
examined and signed	230
presented	237
approved [Public Law No. 34]	296
605. A bill authorizing national banks to establish branches in certain cases—	
read twice and referred	42
606. A bill to authorize the waiver or remission of certain coal-lease rentals, and for other purposes—	
read twice and referred	42
607. A bill for the relief of the Union Bank & Trust Co., of Lexington, Ky.—	
read twice and referred	42
608. A bill for the relief of the State Bank & Trust Co., of Richmond, Ky.—	
read twice and referred	42
609. A bill for the relief of the Shelby County Trust & Banking Co., of Shelbyville, Ky.—	
read twice and referred	42
610. A bill for the relief of Thomas Salleng—	
read twice and referred	42
611. A bill for the relief of Charles Wilson—	
read twice and referred	42
612. A bill granting a pension to Winnie Hood—	
read twice and referred	42
613. A bill granting a pension to Green Isaacs—	
read twice and referred	42
614. A bill granting a pension to John M. Roundtree—	
read twice and referred	42
615. A bill granting a pension to William Russell—	
read twice and referred	42
616. A bill granting a pension to W. P. Saling—	
read twice and referred	42
617. A bill granting an increase of pension to Charles Steffey—	
read twice and referred	42
618. A bill to amend the act of May 25, 1926, entitled "An act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes"—	
read twice and referred	42
619. A bill for the relief of Arabella E. Bodkin—	
read twice and referred	42
620. A bill for the relief of Catherine Wright—	
read twice and referred	42
621. A bill conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad—	
read twice and referred	42
622. A bill to authorize the presentation to Robert A. Roos of a Distinguished Service Medal—	
read twice and referred	42
623. A bill granting a pension to Wiley E. Bolt—	
read twice and referred	42
624. A bill granting a pension to Robert E. McCann—	
read twice and referred	42
625. A bill granting a pension to Lottie A. Torrance—	
read twice and referred	42
626. A bill granting a pension to Michael L. Walsh—	
read twice and referred	42
627. A bill granting an increase of pension to Mary E. Jasper—	
read twice and referred	42

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628. A bill for the relief of Joanna A. Sheehan—	
read twice and referred	42
629. A bill granting compensation to Philip R. Roby—	
read twice and referred	42
630. A bill for the relief of Ray Funcannon—	
read twice and referred	42
631. A bill for the relief of Charles P. Shipley Saddlery & Mercantile Co.—	
read twice and referred	42
632. A bill granting a pension to Sallie Babb—	
read twice and referred	42
633. A bill granting a pension to Frank A. Boster—	
read twice and referred	42
634. A bill granting a pension to Ida C. Cantrell—	
read twice and referred	42
635. A bill granting a pension to Angeline Hart—	
read twice and referred	42
636. A bill granting a pension to Tennie Hembree—	
read twice and referred	42
637. A bill granting a pension to Sarah E. Hermanstorfer—	
read twice and referred	42
638. A bill granting a pension to Belle Shanholtzer McGary—	
read twice and referred	42
639. A bill granting a pension to Ida Madden—	
read twice and referred	42
640. A bill granting a pension to Mary J. Mayhew—	
read twice and referred	42
641. A bill granting a pension to Agnes P. Miller—	
read twice and referred	42
642. A bill granting a pension to Mary E. Norris—	
read twice and referred	42
643. A bill granting a pension to Mary A. Phillips—	
read twice and referred	42
644. A bill granting a pension to Mattie Randolph—	
read twice and referred	42
645. A bill granting a pension to Martha E. Robbins—	
read twice and referred	42
646. A bill granting a pension to Melissa P. Seneker—	
read twice and referred	42
647. A bill granting a pension to Clara Slyker—	
read twice and referred	42
648. A bill granting a pension to E. Jane Spencer—	
read twice and referred	42
649. A bill granting a pension to Lillie E. Sullivan—	
read twice and referred	42
650. A bill granting a pension to Mollie Turner—	
read twice and referred	42
651. A bill granting a pension to Eva Whittington—	
read twice and referred	42
652. A bill granting a pension to Lou C. Witt—	
read twice and referred	42
653. A bill granting an increase of pension to Mary E. Bonebrake—	
read twice and referred	42
654. A bill granting an increase of pension to Anna Callahan—	
read twice and referred	42
655. A bill granting an increase of pension to Adaline Calton—	
read twice and referred	42
656. A bill granting an increase of pension to Rachel C. Carrico—	
read twice and referred	42
657. A bill granting an increase of pension to Mary E. Chenoweth—	
read twice and referred	42
658. A bill granting an increase of pension to Anna L. Cowen—	
read twice and referred	42

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659. A bill granting an increase of pension to Alice B. Davis—	
read twice and referred	42
660. A bill granting an increase of pension to Helen Dorsey—	
read twice and referred	42
661. A bill granting an increase of pension to Mary J. Easley—	
read twice and referred	42
662. A bill granting an increase of pension to Mary E. Fields—	
read twice and referred	42
663. A bill granting an increase of pension to Mary M. Fipps—	
read twice and referred	42
664. A bill granting an increase of pension to Lucinda E. Fleming—	
read twice and referred	42
665. A bill granting an increase of pension to Melvin E. Goodding—	
read twice and referred	42
666. A bill granting an increase of pension to Missouri E. Griffith—	
read twice and referred	42
667. A bill granting an increase of pension to Nancy G. Gurley—	
read twice and referred	42
668. A bill granting an increase of pension to Mary E. Hiles—	
read twice and referred	42
669. A bill granting an increase of pension to Sarah Hitchcock—	
read twice and referred	42
670. A bill granting an increase of pension to Hattie Hodges—	
read twice and referred	42
671. A bill granting an increase of pension to Serena Ivey—	
read twice and referred	42
672. A bill granting an increase of pension to Eliza J. Keith—	
read twice and referred	42
673. A bill granting an increase of pension to Virginia Lee—	
read twice and referred	43
674. A bill granting an increase of pension to Sarah E. Lewis—	
read twice and referred	43
675. A bill granting an increase of pension to Sarah A. Lofton—	
read twice and referred	43
676. A bill granting an increase of pension to Julia R. Moore—	
read twice and referred	43
677. A bill granting an increase of pension to Mira A. Murphy—	
read twice and referred	43
678. A bill granting an increase of pension to Maria M. Parmele—	
read twice and referred	43
679. A bill granting an increase of pension to Emma S. Rakestraw—	
read twice and referred	43
680. A bill granting an increase of pension to Mary R. Ramsey—	
read twice and referred	43
681. A bill requiring publicity for certain foreign-loan transactions—	
read twice and referred	44
682. A bill to prohibit financial transactions with any foreign government in default on its obligations to the United States—	
read twice and referred	44
reported with amendments (Rept. No. 20)	45

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683. A bill to provide for the more effective supervision of foreign commercial transactions, and for other purposes—	
read twice and referred	44
684. A bill to grant a patent to Albert M. Johnson and Walter Scott—	
read twice and referred	44
685. A bill to extend the mining laws of the United States to the Death Valley National Monument in California—	
read twice and referred	45
686. A bill granting a pension to Ferdinand Beyersdorf—	
read twice and referred	45
687. A bill providing for establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla.—	
read twice and referred	45
reported without amendment (Rept. No. 45)	120
considered, read the third time, and passed	147
passed the House	228
examined and signed	230
presented	237
approved [Public Law No. 54]	304
688. A bill to provide for the refinancing of farm-mortgage indebtedness by the Reconstruction Finance Corporation—	
read twice and referred	45
689. A bill to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Lillian A. Stecher—	
read twice and referred	45
690. A bill for the relief of Charles L. Graves—	
read twice and referred	45
reported without amendment (Rept. No. 110)	222
considered, read the third time, and passed	232
691. A bill to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the act approved June 7, 1924, in certain respects—	
read twice and referred	45
reported without amendment (Rept. No. 73)	173
postponed indefinitely	198
(See bill H.R. 4014)	
692. A bill providing for the issuance of patents upon certain conditions to lands and accretions thereto determined to be within the State of New Mexico in accordance with the decree of the Supreme Court of the United States entered April 9, 1928—	
read twice and referred	45
693. A bill relating to the paid-in surplus of Federal land banks—	
read twice and referred	45
694. A bill to provide for the liquidation of joint-stock land banks, and for other purposes—	
read twice and referred	45
695. A bill to extend the benefits of the Employees' Compensation Act of September 7, 1916, to James R. Kelly—	
read twice and referred	45
696. A bill to authorize Frank W. Mahin, retired American Foreign Service officer, to accept from Her Majesty the Queen of the Netherlands the brevet and insignia of the Royal Netherland Order of Orange Nassau—	
read twice and referred	45
reported without amendment	206
considered, read the third time, and passed	210
697. A bill for the relief of Aileen Random Weber—	
read twice and referred	45
698. A bill granting a pension to Helen R. Benson—	
read twice and referred	45
699. A bill granting a pension to Charles T. Griggs—	
read twice and referred	45
700. A bill granting a pension to Anna Ross—	
read twice and referred	45
701. A bill granting a pension to Anna M. Shumaker—	
read twice and referred	45
702. A bill granting a pension to Elizabeth Spafford—	
read twice and referred	45
703. A bill granting a pension to Jemima E. Trowbridge—	
read twice and referred	45
704. A bill granting a pension to Mary S. Tuffree—	
read twice and referred	45
705. A bill granting a pension to Mary Jane Willey—	
read twice and referred	45
706. A bill granting an increase of pension to Lydia J. Barton—	
read twice and referred	45
707. A bill for the relief of James J. Jordan—	
read twice and referred	45
reported with an amendment (Rept. No. 30)	91
considered, amended, read the third time, and passed	136
708. A bill granting a pension to John Bivens—	
read twice and referred	45
709. A bill granting a pension to Granville Brown—	
read twice and referred	45
710. A bill granting a pension to Charles D. Chinn—	
read twice and referred	45
711. A bill granting a pension to Edwin F. Guyon—	
read twice and referred	45
712. A bill granting a pension to Narcissa Hussey—	
read twice and referred	45
713. A bill granting a pension to Wilbern Alonzo Hussey—	
read twice and referred	45
714. A bill granting a pension to Stephen D. Jones—	
read twice and referred	45
715. A bill granting a pension to Olive A. Lewis—	
read twice and referred	45
716. A bill granting a pension to Taylor C. Lyon—	
read twice and referred	45
717. A bill granting an increase of pension to Tennessee F. Maynard—	
read twice and referred	45
718. A bill granting a pension to Ida H. McCullough—	
read twice and referred	45
719. A bill granting a pension to Hanna White—	
read twice and referred	45

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720. A bill granting an increase of pension to Truman H. Wilkinson—	
read twice and referred	45
721. A bill authorizing the Arapahoe and Cheyenne Indians to submit claims to the Court of Claims for adjudication and settlement—	
read twice and referred	45
reference changed	51
722. A bill amending an act entitled "An act to provide for the allotting in severalty lands within the Northern Cheyenne Indian Reservation in Montana, and for other purposes"—	
read twice and referred	45
723. A bill to amend the act of March 13, 1924 (43 Stat.L. 21), so as to permit the Flathead, Kootenai, and Upper Pend d'Oreille Tribes or Nations of Indians to file suit thereunder—	
read twice and referred	45
reported without amendment (Rept.No. 108)	222
considered, amended, read the third time, and passed	232
724. A bill defining the term "Indian" with respect to guardianship by the United States—	
read twice and referred	45
725. A bill authorizing the Secretary of the Interior in behalf of Indians to purchase the allotments of deceased Indians, and for other purposes—	
read twice and referred	45
726. A bill to reduce the area of the Fort Peck irrigation project in the State of Montana—	
read twice and referred	45
727. A bill for the relief of Francis N. Dominick—	
read twice and referred	45
reported with amendment (Rept. No. 27)	91
considered	150
amended, read the third time, and passed	150
728. A bill granting a pension to Ba-ta-wa-ha-cha, or Take the Bow Numbered 2—	
read twice and referred	45
729. A bill granting a pension to James A. Boone—	
read twice and referred	45
730. A bill granting a pension to James Conroy—	
read twice and referred	45
731. A bill granting a pension to Crooked Faced Child—	
read twice and referred	45
732. A bill granting a pension to Waumdi Duba (Red Eagle)—	
read twice and referred	45
733. A bill granting a pension to Sarah J. Gould—	
read twice and referred	45
734. A bill granting a pension to Caroline Henkel—	
read twice and referred	45
735. A bill granting a pension to Jens A. Jepsen—	
read twice and referred	45
736. A bill granting a pension to Daniel S. J. Leif—	
read twice and referred	45
737. A bill granting a pension to John Ransom—	
read twice and referred	45
738. A bill granting a pension to Marie Taylor—	
read twice and referred	45
739. A bill granting a pension to Joseph E. Williams—	
read twice and referred	45
740. A bill for the relief of William G. Fulton—	
read twice and referred	45
741. A bill for the relief of Jennie Bruce Gallahan—	
read twice and referred	45
742. A bill to establish a national cemetery within the Fort Lewis Military Reservation, State of Washington—	
read twice and referred	45
743. A bill to amend the act approved June 30, 1932, entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes"—	
read twice and referred	45
reported without amendment (Rept. No. 5)	47
considered, read the third time, and passed	136
744. A bill granting a pension to Eliza Gawthrop—	
read twice and referred	46
745. A bill granting a pension to Elmira F. Miller—	
read twice and referred	46
746. A bill granting a pension to Cassie Randolph—	
read twice and referred	46
747. A bill to amend section 13 of the Federal Reserve Act by making notes of finance and credit companies subject to discount—	
read twice and referred	46
748. A bill for the relief of W. F. Lueders—	
read twice and referred	46
749. A bill for the relief of the Fairmont Creamery Co., of Omaha, Nebr.—	
read twice and referred	48
750. A bill for the relief of the Lebanon Equity Exchange, of Lebanon, Nebr.—	
read twice and referred	48
751. A bill authorizing the Secretary of the Treasury of the United States to refund to the Farmers' Grain Co., of Omaha, Nebr., income taxes illegally paid to the United States Treasurer—	
read twice and referred	48
752. A bill to amend section 24 of the Judicial Code as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to orders of State administrative boards—	
read twice and referred	48
reported without amendment (Rept. No. 125)	229
minority report submitted	229
753. A bill to confer the degree of bachelor of science upon graduates of the Naval Academy—	
read twice and referred	48
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passed the House with amendments	175
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House insists and agrees to conference	181
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House agrees to report of conferees	196
Senate agrees to report of conferees	197
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754. A bill for the relief of Fred M. Munn—	
read twice and referred	48
755. A bill granting a pension to Roy E. Donnelly—	
read twice and referred	48
756. A bill granting a pension to Earnest G. Harvey—	
read twice and referred	48
757. A bill to relieve agricultural distress through the consolidation and adjustment of indebtedness and the reduction of the rate of interest thereon, to release frozen credits and stimulate the recovery of business, to create in the Department of Agriculture an Administration of Agricultural Loans with which will be consolidated, in the interest of economy and efficiency, all agencies of	

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757—Continued the Federal Government concerned with agricultural credit, and for other purposes— read twice and referred	48
758. A bill to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", approved June 30, 1906, as amended, relating to misbranded foods— read twice and referred	48
759. A bill authorizing the Reconstruction Finance Corporation to make loans to certain hospitals— read twice and referred	48
760. A bill to authorize the Reconstruction Finance Corporation to make loans to private colleges, universities, and institutions of higher learning, and for other purposes— read twice and referred	48
761. A bill to provide funds for cooperation with the Minnesota State Board of Control in the extension of the Minnesota State Sanatorium at Ah-Gwah-Ching, Minn.— read twice and referred	48
762. A bill for the relief of Teresa de Prevost— read twice and referred	48
763. A bill for the relief of John Gorman— read twice and referred	48
764. A bill for the relief of Pete Jelovac— read twice and referred	48
765. A bill for the relief of Mary A. Rockwell— read twice and referred	48
766. A bill for the relief of Earl W. Thomas— read twice and referred	48
767. A bill for the relief of Howland and Waltz Co., Ltd.— read twice and referred	48
768. A bill for the relief of the Waterous Co.— read twice and referred	48
769. A bill for the relief of Gustave C. Wetterlind— read twice and referred	48
770. A bill for the relief of certain claimants who suffered loss by fire in the State of Minnesota during October 1918— read twice and referred	48
771. A bill for the relief of James Darcy— read twice and referred	48
772. A bill for the relief of Robert J. Smith— read twice and referred	48
reported without amendment (Rept. No. 25)	91
considered, read the third time, and passed	136
773. A bill granting a pension to Matilda Davison— read twice and referred	48
774. A bill granting a pension to Iva B. Erickson— read twice and referred	48
775. A bill granting an increase of pension to Mary H. Fetzer— read twice and referred	48
776. A bill granting a pension to Katherine M. Owens— read twice and referred	48
777. A bill granting a pension to Ann E. Thomas— read twice and referred	48
778. A bill granting a pension to Mary E. Verrill— read twice and referred	48
779. A bill granting an increase of pension to Adaline A. Allen— read twice and referred	48
780. A bill granting an increase of pension to Mary A. Dittman— read twice and referred	48
781. A bill granting an increase of pension to Nora Mitchell— read twice and referred	48
782. A bill to prevent the use of the mails and of telegraph and telephone facilities in furtherance of fraudulent and harmful transactions on stock exchanges— read twice and referred	48
783. A bill to prohibit the counterfeiting of drugs, to provide penalties therefor, and for other purposes— read twice and referred	48
784. A bill for the relief of Anna Marie Sanford— read twice and referred	48
785. A bill for the relief of Elizabeth Bolger— read twice and referred	48
786. A bill for the relief of Frederick E. Dixon— read twice and referred	48
787. A bill for the relief of Grady D. Coleman— read twice and referred	48
788. A bill for the relief of the people and the Government of the United States through a system of controlled expansion of the currency— read twice and referred	48
789. A bill for the relief of James Lowe— read twice and referred	48
790. A bill for the relief of Charles B. Arrington— read twice and referred	48
791. A bill for the relief of Elmer Blair— read twice and referred	48
792. A bill for the relief of Curtis Jett— read twice and referred	48
reported without amendment (Rept. No. 39)	91
considered, read the third time, and passed	136
793. A bill for the relief of Homer H. Keffer— read twice and referred	48
794. A bill for the relief of Luther Foster— read twice and referred	48
795. A bill for the relief of James Earl Johnston— read twice and referred	48
796. A bill granting a pension to Maude Kinser Alexander— read twice and referred	48
797. A bill granting a pension to Squire O. Baker— read twice and referred	48
798. A bill granting a pension to Mary Burton— read twice and referred	48
799. A bill granting a pension to Price V. Hendricks— read twice and referred	48
800. A bill granting a pension to John S. Marcum— read twice and referred	48
801. A bill granting a pension to Mary A. Newkirk— read twice and referred	48
802. A bill granting an increase of pension to Mary E. Fowler— read twice and referred	48
803. A bill granting an increase of pension to William G. Patton— read twice and referred	48
804. A bill to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co.— read twice and referred	48
reported with an amendment (Rept. No. 34)	91
considered, amended, read the third time, and passed	136
passed the House	264
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presented	274
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805. A bill to provide for loans by the Reconstruction Finance Corporation to farmers to enable them to refinance their farm-mortgage indebtedness, and for other purposes— read twice and referred	48
806. A bill establishing the Bank of the United States, owned, operated, and controlled by the Government of the United States; defining the scope and manner of its operation; defining the powers and duties of the persons charged with its management; creating a board of directors; and for other purposes— read twice and referred	48
807. A bill for the relief of G. C. Vandover— read twice and referred	48
808. A bill to amend the Federal Water Power Act, as amended— read twice and referred	49
809. A bill granting a pension to James H. Allred— read twice and referred	49
810. A bill for the relief of Patrick J. Purnell— read twice and referred	51
811. A bill for the relief of Robert S. George— read twice and referred	51
812. A bill to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes— read twice and referred	51
reported with amendments (Rept. No. 11)	56
considered, amended, read the third time, and passed	62
813. A bill to remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit— read twice and referred	51
reported without amendment (Rept. No. 57)	153
considered, read the third time, and passed	197
passed the House	301
examined and signed	303
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814. A bill for the conservation of oil and gas and protection of American sources thereof from injury, correlation of domestic and foreign production, and consenting to an interstate compact for such purposes— read twice and referred	51
815. A bill to provide for the survival of certain actions in favor of the United States— read twice and referred	51
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examined and signed	303
presented	303
approved [Public Law No. 80].	
816. A bill to provide that the tax upon electrical energy shall be paid by the vendor— read twice and referred	52
817. A bill to provide for a retirement system for railroad and transportation employees, to provide unemployment relief, and for other purposes— read twice and referred	52
818. A bill to authorize the purchase by the Government of silver, to provide for the issuance of silver certificates in payment therefor, and for other purposes— read twice and referred	52
819. A bill for the relief of S. N. Kempton— read twice and referred	52
820. A bill conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands or tribes of Indians residing in the State of Oregon— read twice and referred	52
821. A bill conferring jurisdiction on the United States District Court of the District of Oregon to hear, determine, and render judgment upon the suit in equity of Rakha Singh Gherwal against the United States— read twice and referred	52
822. A bill to amend the act entitled "An act to amend section 217, as amended, of the act entitled 'An act to codify, revise, and amend the penal laws of the United States', approved March 4, 1909", approved January 11, 1929, with respect to the use of the mails for the shipment of certain drugs and medicines to cosmetologists and barbers— read twice and referred	52
823. A bill for the relief of the American Trust Co., of Jacksonville, Fla.— read twice and referred	52
824. A bill for the relief of the Citizens Bank & Trust Co., of Tampa, Fla.— read twice and referred	52
825. A bill for the relief of the Llewellyn Machinery Corporation— read twice and referred	52
826. A bill for the relief of the Tampa Marine Co., a corporation, of Tampa, Fla.— read twice and referred	52
827. A bill providing for a survey of the natural oyster beds in the waters within the State of Florida— read twice and referred	52
828. A bill to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes— read twice and referred	52
829. A bill for the relief of Denis Healy— read twice and referred	52
830. A bill for the relief of George Whittier Morse— read twice and referred	52
831. A bill for the relief of A. B. Thomas— read twice and referred	52
832. A bill for the relief of James L. Barnett— read twice and referred	52
833. A bill granting a pension to Martha Caplinger— read twice and referred	52
834. A bill granting a pension to Fred Yoss— read twice and referred	52
835. A bill for the relief of Samuel Irick— read twice and referred	52
836. A bill for the relief of Henry Harrison Griffith— read twice and referred	52
837. A bill for the relief of Seth N. Chesley— read twice and referred	52
838. A bill for the relief of Anson H. Pease— read twice and referred	52
839. A bill granting a pension to Bessie G. Radliff— read twice and referred	52
840. A bill for the relief of Martin Aloysius Mahon— read twice and referred	52
841. A bill for the relief of Charles C. Floyd— read twice and referred	52
842. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto— read twice and referred	

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843. A bill to amend sections 15a and 19a of the Interstate Commerce Act, as amended, and for other purposes— read twice and referred	52
844. A bill to amend section 5 of the Interstate Commerce Act, as amended, relating to the consolidation and acquisition of control of carriers by railroad, and for other purposes— read twice and referred	52
845. A bill relating to the construction of a Federal building at Hugo, Okla.— read twice and referred	52
846. A bill to provide a preliminary examination of the Puyallup and Nisqually Rivers and their tributaries, in the State of Washington, with a view to the control of their floods— read twice and referred	54
847. A bill for the relief of the Nez Perce Tribe of Indians— read twice and referred	54
848. A bill giving credit for water charges paid on damaged land— read twice and referred	55
849. A bill for the relief of Oliver Victor Riessbeck— read twice and referred	55
850. A bill granting a pension to Noah C. Dugan— read twice and referred	55
851. A bill for the relief of Harry Gordon— read twice and referred	55
852. A bill to amend section 24 of the Trading with the Enemy Act, as amended— read twice and referred	55
853. A bill for the relief of Robert A. Bowers and Mary E. Bowers— read twice and referred	55
854. A bill for the relief of the Ingram-Day Lumber Co.— read twice and referred	55
855. A bill for the relief of the heirs or legal representatives of Charls Johnson and Kate Johnson— read twice and referred	55
856. A bill for the relief of John G. Session— read twice and referred	55
857. A bill for the relief of the owners of the late American schooner *Three Marys*— read twice and referred	55
858. A bill for the relief of E. L. Trenholm— read twice and referred	55
859. A bill for the relief of Orville E. Clark— read twice and referred	55
860. A bill for the relief of George W. Edgerly— read twice and referred	55
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861. A bill for the relief of Gottlieb Luhm, deceased— read twice and referred	55
862. A bill granting a pension to Harvey E. Barron— read twice and referred	55
863. A bill granting a pension to Vivian C. Bogle— read twice and referred	55
864. A bill granting a pension to Emmerline Valentine— read twice and referred	55
865. A bill to correct the naval record of Michael J. Budzinski— read twice and referred	55
866. A bill to provide for recording of deeds of trust and mortgages secured on real estate in the District of Columbia, and for the releasing thereof, and for other purposes— read twice and referred	56
867. A bill to define, regulate, and license real-estate brokers and real-estate salesmen; to create a real estate commission in the District of Columbia; to protect the public against fraud in real-estate transactions, and for other purposes— read twice and referred	56
868. A bill to provide for the deportation of certain alien seamen, and for other purposes— read twice and referred	56
869. A bill to meet the existing emergency in the agricultural industry, to refinance existing farm loans so as to provide long-time loans at low interest rates, to permit the repurchase of foreclosed farm lands, and for other purposes— read twice and referred	56
870. A bill for the relief of L. R. Smith— read twice and referred	56
871. A bill for the relief of Josephene M. Scott— read twice and referred	56
872. A bill to facilitate the use and occupancy of national-forest lands for purposes of residence, recreation, education, industry, and commerce— read twice and referred	57
873. A bill granting compensation to George Walthers— read twice and referred	57
874. A bill to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven or knitted fabrics purporting to contain wool and in garments or articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes— read twice and referred	57
875. A bill to provide for the furnishing of information and the supervision of traffic in investment securities in interstate commerce— read twice and referred	57
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876. A bill to extend the time for filing claims under the Settlement of War Claims Act of 1928, and for other purposes— read twice and referred	57
877. A bill to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes— read twice and referred	57
878. A bill for the relief of W. G. McGee— read twice and referred	57
879. A bill for the relief of Howell K. Stephens— read twice and referred	57
reported with an amendment (Rept. No. 87)	161
considered, amended, read the third time, and passed	197
880. A bill for the relief of Elmer E. Mynatt— read twice and referred	57

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881. A bill granting a pension to Marcella Kostermann— read twice and referred	58
882. A bill to provide for the more effective supervision of foreign commercial transactions, and for other purposes— read twice and referred	58
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883. A bill for the relief of Lyman D. Drake, Jr.— read twice and referred	58
884. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works— read twice and referred	58
885. A bill to regulate commerce in firearms— read twice and referred	58
886. A bill to provide for the construction, operation, and maintenance of the Columbia Basin project in Washington, and for other purposes— read twice and referred	58
887. A bill for the relief of Lucy B. Hertz and J. W. Hertz— read twice and referred	58
888. A bill for the relief of Grant A. McNeal— read twice and referred	58
889. A bill granting a pension to Ida R. Haynes— read twice and referred	58
890. A bill extending the provisions of the pension laws relating to Indian war veterans to Capt. H. M. Hodgis' company, and for other purposes— read twice and referred	58
891. A bill granting compensation to the widow and minor children of Francis C. Oxley— read twice and referred	58
892. A bill granting compensation to the widow and minor children of Lloyd B. Tupper— read twice and referred	58
893. A bill for the relief of James M. Blankenship— read twice and referred	59
894. A bill for the relief of Charles E. Dern— read twice and referred	59
895. A bill for the relief of Thomas J. Gardner— read twice and referred	59
896. A bill for the relief of James Tulley Hazel— read twice and referred	59
897. A bill for the relief of Michael Marley— read twice and referred	59
898. A bill for the relief of Louis Martin— read twice and referred	59
899. A bill for the relief of Frederick Sparks— read twice and referred	59
900. A bill for the relief of Willard Thompson, deceased— read twice and referred	59
901. A bill for the relief of James W. True— read twice and referred	59
902. A bill granting a pension to Mary Jane Adams— read twice and referred	59
903. A bill granting a pension to Martha E. Atcheson— read twice and referred	59
904. A bill granting a pension to Jane Balle— read twice and referred	59
905. A bill granting a pension to Ellen Mullis Baker— read twice and referred	59
906. A bill granting a pension to Mary E. Beitzell— read twice and referred	59
907. A bill granting a pension to Mary Bothwell— read twice and referred	59
908. A bill granting a pension to James O. Boylan— read twice and referred	59
909. A bill granting a pension to Lucinda J. Bright— read twice and referred	59
910. A bill granting a pension to Mary J. Brooks— read twice and referred	59
911. A bill granting a pension to Lewis C. Brookshire— read twice and referred	59
912. A bill granting a pension to Frank Burcham— read twice and referred	59
913. A bill granting a pension to Elizabeth Burris— read twice and referred	59
914. A bill granting a pension to Armanella Caylor— read twice and referred	59
915. A bill granting a pension to Agatha Cook— read twice and referred	59
916. A bill granting a pension to Maggie Crist— read twice and referred	59
917. A bill granting a pension to Mary B. Crumrine— read twice and referred	59
918. A bill granting a pension to William A. Culiver— read twice and referred	59
919. A bill granting a pension to John A. Davis— read twice and referred	59
920. A bill granting a pension to Roberta Davis— read twice and referred	59
921. A bill granting a pension to Cyrus N. Deffendall— read twice and referred	59
922. A bill granting a pension to Emma C. Fisher— read twice and referred	59
923. A bill granting a pension to Harry Ross Foley— read twice and referred	59
924. A bill granting a pension to Martha Foley— read twice and referred	59
925. A bill granting a pension to Martha E. Goble— read twice and referred	59
926. A bill granting a pension to Emma Grunden— read twice and referred	59
927. A bill granting a pension to Charles E. Gulledge— read twice and referred	59
928. A bill granting a pension to Sarah Hamilton— read twice and referred	59
929. A bill granting a pension to Carter Hayes— read twice and referred	59
930. A bill granting a pension to Mary C. Heck— read twice and referred	59
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932. A bill granting a pension to Keturah P. Holt— read twice and referred	59
933. A bill granting a pension to Elva A. Houk— read twice and referred	59
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940. A bill granting a pension to Daniel J. McGrath— read twice and referred	59
941. A bill granting a pension to James A. McMasters— read twice and referred	59
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976. A bill granting a pension to Blanch T. Stephenson— read twice and referred	59
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978. A bill granting a pension to Blanche Walker— read twice and referred	59
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981. A bill granting a pension to Frank White— read twice and referred	59
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984. A bill granting a pension to Lona Wright— read twice and referred	59
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990. A bill granting an increase of pension to Armilda Banta— read twice and referred	59
991. A bill granting an increase of pension to Hattie E. Barnett— read twice and referred	59
992. A bill granting an increase of pension to Catharine Beach— read twice and referred	59
993. A bill granting an increase of pension to Sara B. Brammer— read twice and referred	59
994. A bill granting an increase of pension to Lucy T. Burns— read twice and referred	59
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996. A bill granting an increase of pension to Ann M. Cook— read twice and referred	59
997. A bill granting an increase of pension to Gertrude Cox— read twice and referred	59
998. A bill granting an increase of pension to Fanny Cunningham— read twice and referred	59
999. A bill granting an increase of pension to Charlotte A. David— read twice and referred	59
1000. A bill granting an increase of pension to Mahalia Davison— read twice and referred	59
1001. A bill granting an increase of pension to Viola Dickinson— read twice and referred	59
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1006. A bill granting an increase of pension to Amanda Fess— read twice and referred	59
1007. A bill granting an increase of pension to Catharine Godby— read twice and referred	59
1008. A bill granting an increase of pension to Samantha Haiston— read twice and referred	59
1009. A bill granting an increase of pension to Rebecca H. Hall— read twice and referred	59
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1011. A bill granting an increase of pension to Elizabeth Hippenheimer— read twice and referred	60
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1013. A bill granting an increase of pension to Elizabeth C. Hunter— read twice and referred	60
1014. A bill granting an increase of pension to Rachel J. Johnson— read twice and referred	60
1015. A bill granting an increase of pension to Rosanna Kellogg— read twice and referred	60
1016. A bill granting an increase of pension to Lucy S. Kemp— read twice and referred	60
1017. A bill granting an increase of pension to Anna O. Kirkpatrick— read twice and referred	60
1018. A bill granting an increase of pension to Dora Klinger— read twice and referred	60
1019. A bill granting an increase of pension to Athelia P. Land— read twice and referred	60
1020. A bill granting an increase of pension to Eliza Landers— read twice and referred	60
1021. A bill granting an increase of pension to Mahala Leazenby— read twice and referred	60
1022. A bill granting an increase of pension to Elizabeth J. Lister— read twice and referred	60
1023. A bill granting an increase of pension to Permelia J. Long— read twice and referred	60
1024. A bill granting an increase of pension to Sarah A. Long— read twice and referred	60
1025. A bill granting an increase of pension to Lucinda Luse— read twice and referred	60
1026. A bill granting an increase of pension to Neta Lyle— read twice and referred	60
1027. A bill granting an increase of pension to Ida A. McDowell— read twice and referred	60
1028. A bill granting an increase of pension to Robert J. McPherson— read twice and referred	60
1029. A bill granting an increase of pension to Margaret McWilliams— read twice and referred	60
1030. A bill granting an increase of pension to Celia J. McKinley— read twice and referred	60
1031. A bill granting an increase of pension to Catharine D. Manning— read twice and referred	60
1032. A bill granting an increase of pension to Amanda E. Martin— read twice and referred	60
1033. A bill granting an increase of pension to Rachel N. Martin— read twice and referred	60
1034. A bill granting an increase of pension to Nancy Maskel— read twice and referred	60
1035. A bill granting an increase of pension to Mary S. Miller— read twice and referred	60
1036. A bill granting an increase of pension to Thomas Miller— read twice and referred	60
1037. A bill granting an increase of pension to Emily J. Moore— read twice and referred	60
1038. A bill granting an increase of pension to Mira B. Morse— read twice and referred	60
1039. A bill granting an increase of pension to Mary P. Noble— read twice and referred	60
1040. A bill granting an increase of pension to Virginia Parker— read twice and referred	60
1041. A bill granting an increase of pension to Georgeanna Phillinger— read twice and referred	60
1042. A bill granting an increase of pension to Lena E. Powell— read twice and referred	60
1043. A bill granting an increase of pension to Rosa G. Presnell— read twice and referred	60
1044. A bill granting an increase of pension to Martha A. Pyle— read twice and referred	60
1045. A bill granting an increase of pension to Marion B. Ridgate— read twice and referred	60
1046. A bill granting an increase of pension to Frances M. Robinson— read twice and referred	60
1047. A bill granting an increase of pension to Edith Ross— read twice and referred	60
1048. A bill granting an increase of pension to Harry G. Ross— read twice and referred	60
1049. A bill granting an increase of pension to Reuben Samson— read twice and referred	60
1050. A bill granting an increase of pension to Cad W. Savage— read twice and referred	60
1051. A bill granting an increase of pension to Sarah E. Saxton—	

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1053. A bill granting an increase of pension to Margaret J. Shaw— read twice and referred	60
1054. A bill granting an increase of pension to Amelia Sheets— read twice and referred	60
1055. A bill granting an increase of pension to Nancy M. Smith— read twice and referred	60
1056. A bill granting an increase of pension to Malinda Sprague— read twice and referred	60
1057. A bill granting an increase of pension to Olleatha Stites— read twice and referred	60
1058. A bill granting an increase of pension to Mary A. Templeton— read twice and referred	60
1059. A bill granting an increase of pension to Elzena Troxell— read twice and referred	60
1060. A bill granting an increase of pension to Achsa Tyler— read twice and referred	60
1061. A bill granting an increase of pension to Louisa J. Wagner— read twice and referred	60
1062. A bill granting an increase of pension to Sarah J. Washburn— read twice and referred	60
1063. A bill granting an increase of pension to Ella F. Webster— read twice and referred	60
1064. A bill granting an increase of pension to Elizabeth Wesley— read twice and referred	60
1065. A bill granting an increase of pension to Ada F. Williams— read twice and referred	60
1066. A bill relating to contracts for the erection or alteration of public buildings— read twice and referred	60
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1067. A bill authorizing adjustment of the claim of the Adelphia Bank & Trust Co.— read twice and referred	60
1068. A bill authorizing adjustment of the claim of the B. & O. Manufacturing Co.— read twice and referred	60
1069. A bill authorizing adjustment of the claim of the Chicago, North Shore & Milwaukee Railroad Co.— read twice and referred	60
1070. A bill for the relief of J. R. Collie and Eleanor Y. Collie— read twice and referred	60
1071. A bill for the relief of Lawrence S. Copeland— read twice and referred	60
1072. A bill for the relief of Rufus J. Davis— read twice and referred	60
1073. A bill for the relief of E. Walter Edwards— read twice and referred	60
1074. A bill authorizing adjustment of the claims of John T. Lennon and George T. Flora— read twice and referred	60
1075. A bill for the relief of Walter Thomas Foreman— read twice and referred	60
1076. A bill authorizing adjustment of the claim of the Franklin Surety Co.— read twice and referred	60
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1078. A bill for the relief of Mrs. Asa Caswell Hawkins— read twice and referred	60
1079. A bill authorizing adjustment of the claim of Francis B. Kennedy— read twice and referred	60
1080. A bill for the relief of Charles L. Kee— read twice and referred	60
1081. A bill for the relief of McKimmon & McKee, Inc.— read twice and referred	60
1082. A bill authorizing adjustment of the claim of the Pennsylvania Railroad Co.— read twice and referred	60
1083. A bill authorizing adjustment of the claim of the Potomac Electric Power Co. of Washington, D.C.— read twice and referred	60
1084. A bill authorizing adjustment of the claim of the Public Service Coordinated Transport of Newark, N.J.— read twice and referred	60
1085. A bill authorizing adjustment of the claim of Schutte & Koerting Co.— read twice and referred	60
1086. A bill authorizing adjustment of the claim of Frank Spector— read twice and referred	60
1087. A bill authorizing adjustment of the claim of William T. Stiles— read twice and referred	60
1088. A bill authorizing adjustment of the claim of White Bros. & Co.— read twice and referred	60
1089. A bill for the relief of James R. Young— read twice and referred	61
1090. A bill granting a pension to Gertrude Storck— read twice and referred	61
1091. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claims of Edward F. Goltra against the United States arising out of the taking of certain vessels and unloading apparatus— read twice and referred	61
1092. A bill granting a pension to James C. Neff— read twice and referred	63
1093. A bill to provide for the refunding of farm and home mortgages, making loans to farmers, issuance of agricultural bonds, the deposit of Government funds, and for other purposes— read twice and referred	63
1094. A bill to [provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies] *authorize the Reconstruction Finance Corporation to subscribe for preferred stock and purchase the capital notes of insurance companies, and for other purposes*— read twice and referred	63
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1096. A bill to provide for the erection of a memorial to James B. Eads at New Orleans, La.— read twice and referred	63
1097. A bill for the relief of Joseph P. Boyle— read twice and referred	63
1098. A bill granting a pension to Christena Aikin— read twice and referred	63
1099. A bill for the relief of William Jennings Coon— read twice and referred	63
1100. A bill to require the furnishing of heat in living quarters in the District of Columbia— read twice and referred	63
1101. A bill for the relief of the Virginia Engineering Co., Inc.— read twice and referred	63
1102. A bill to authorize the Secretary of the Navy to proceed with certain public works at the naval radio compass station, Jupiter, Fla.— read twice and referred	63
1103. A bill to authorize the Secretary of the Navy to proceed with certain public works at the naval air station, Pensacola, Fla.— read twice and referred	63
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1104. A bill to authorize the Secretary of the Navy to proceed with certain public works at the naval air station, Pensacola (Corry Field), Fla.— read twice and referred	63
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1105. A bill to provide for a further extension of the time for the payment of certain income-tax deficiencies— read twice and referred	64
1106. A bill to restore the 2-cent postage rate on first-class mail matter— read twice and referred	64
1107. A bill for the relief of Joseph W. Thompson— read twice and referred	67
1108. A bill for the relief of Thomas F. Fitzgibbon— read twice and referred	67
1109. A bill granting a pension to Grace B. Lawrence— read twice and referred	67
1110. A bill to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to amend and supplement the Federal Farm Loan Act, to provide for the orderly liquidation of joint-stock land banks, and for other purposes— read twice and referred	67
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1111. A bill to raise the commodity price level to the debt-incurrence stage and to stabilize it thereafter— read twice and referred	67
1112. A bill amending section 1 of the act of March 3, 1893 (27 Stat. L. 751), providing for the method of selling real estate under an order or decree of any United States court— read twice and referred	67
1113. A bill authorizing adjustment of the claim of Schutte & Koerting Co.— read twice and referred	67
1114. A bill for the relief of the estate of Harry F. Stern— read twice and referred	67
1115. A bill to authorize the Department of Agriculture to issue a duplicate check in favor of Department of Forests and Waters, Commonwealth of Pennsylvania, the original check having been lost— read twice and referred	67
1116. A bill granting an increase of pension to Elizabeth Craven— read twice and referred	67
1117. A bill granting an increase of pension to Annie Holliday— read twice and referred	67
1118. A bill for the relief of George J. Bloxham— read twice and referred	67
1119. A bill for the relief of Fred A. Robinson— read twice and referred	67
1120. A bill granting compensation to Ella R. Trussell— read twice and referred	67
1121. A bill for the relief of Burk W. Burns— read twice and referred	67
1122. A bill granting a pension to Golda Stump Darr— read twice and referred	67
1123. A bill granting a pension to Tom B. Jimmerfield— read twice and referred	67
1124. A bill granting a pension to Margaret Kingery— read twice and referred	67
1125. A bill granting a pension to Joseph Wilfong— read twice and referred	67
1126. A bill for the relief of M. M. Twichel— read twice and referred	67
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1127. A bill to provide for the payment of one half the amount of losses sustained on account of the campaign for the eradication of the Mediterranean fruit fly in Florida, and for other purposes— read twice and referred	67
1128. A bill granting a pension to Mary L. Robinson— read twice and referred	69
1129. A bill to amend sections [361, 392, 406, 407, 408, 409, 410, 411, and 412 of title 46 of the United States Code] *4399, 4418, 4428, 4429, 4430, 4431, 4432, 4433, and 4434 of the Revised Statutes as amended*, relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof— read twice and referred	69
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1130. A bill to incorporate the National Society of Women Descendants of the Ancient and Honorable Artillery Company— read twice and referred	69
1131. A bill to amend the probation law— read twice and referred	69
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1132. A bill for the relief of Stanley A. Jasman, receiver for A. J. Peters Co., Inc.— read twice and referred	69

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1133. A bill to provide a preliminary examination of the Cowlitz River and its tributaries, in the State of Washington, with a view to the control of their floods— read twice and referred	69
1134. A bill restoring to tribal status and allotment certain lands on Standing Rock Indian Reservation in the States of South Dakota and North Dakota— read twice and referred	69
1135. A bill to amend section 1 of the act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", approved June 25, 1910, as amended— read twice and referred	69
1136. A bill authorizing the Secretary of the Interior to erect a monument as a memorial to the return from Canada, and surrender to the Government of the United States, of the Sioux Indian chiefs, Sitting Bull, Gall, Rain in the Face, and Crow King, with their several bands of followers in 1881— read twice and referred	69
1137. A bill for the relief of Ruth J. Barnes— read twice and referred	69
1138. A bill authorizing transfer of an unused portion of the United States Range Livestock Experiment Station, Montana, to the State of Montana for use as a fish-cultural station, game reserve, and public recreation ground, and for other purposes— read twice and referred	69
1139. A bill authorizing the Court of Claims to investigate and determine the facts in connection with the claim of the First National Bank of Billings, Mont.— read twice and referred	69
1140. A bill granting an increase of pension to Louise Hatch— read twice and referred	69
1141. A bill granting an increase of pension to Dora White— read twice and referred	69
1142. A bill for the purpose of providing industrial and agricultural communities for the absorption of unemployed citizens of the United States, and for issuance of self-liquidating bonds for the establishment thereof— read twice and referred	69
1143. A bill granting a pension to Leonard Claud Huntington— read twice and referred	69
1144. A bill granting a pension to Della M. C. Rudolph— read twice and referred	69
1145. A bill for the relief of William M. Sherman— read twice and referred	71
1146. A bill for the relief of John W. Beck— read twice and referred	71
1147. A bill conferring jurisdiction on the Court of Claims to adjudicate the rights of the Otoe and Missouria Tribes of Indians to compensation on a basis of guardian and ward— read twice and referred	71
1148. A bill granting a pension to Ida Lane— read twice and referred	71
1149. A bill to extend the time of payment of certain loans made to farmers by the Secretary of Agriculture— read twice and referred	72
1150. A bill for the relief of J. O. Winnett— read twice and referred	72
1151. A bill granting a pension to William A. Walters— read twice and referred	72
1152. A bill granting an increase of pension to Thomas N. Pray— read twice and referred	72
1153. A bill to amend the Bank Conservation Act to provide for the appointment of conservators for certain closed banks— read twice and referred	72
1154. A bill to provide for the maintenance of the United States Navy at the agreed ratio of strength relative to the navies of other treaty powers, to eliminate competition in naval building programs, and for other purposes— read twice and referred	75
1155. A bill to limit the effect of the regulations of commerce between the several States and with foreign countries— read twice and referred	75
1156. A bill granting a pension to Alma S. Kendall— read twice and referred	75
1157. A bill providing for the use by the Veterans' Administration of the old post-office building in Casper, Wyo.— read twice and referred	75
1158. A bill for the relief of Frederick Conger Johnson— read twice and referred	75
1159. A bill for the relief of Leo W. Hurley— read twice and referred	75
1160. A bill granting an increase of pension to John S. Monahan— read twice and referred	75
1161. A bill for the relief of Alice E. Broas— read twice and referred	75
1162. A bill for the relief of Virginia Houghton— read twice and referred	75
1163. A bill for the relief of Mary V. Spear— read twice and referred	75
1164. A bill to amend 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, and acts in amendment thereof— read twice and referred	75
1165. A bill for the relief of Martin E. Crowe— read twice and referred	75
1166. A bill granting a pension to Charity Cooper— read twice and referred	75
1167. A bill for the relief of Kildall Fish Co.— read twice and referred	75
1168. A bill for the relief of the Minnesota Valley Canning Co.— read twice and referred	75
1169. A bill for the relief of George O. Wills— read twice and referred	75
1170. A bill authorizing the Reconstruction Finance Corporation to make loans in connection with storage, packing, and marketing facilities for agricultural products— read twice and referred	75
1171. A bill conferring jurisdiction upon the Court of Claims to hear and determine the claims of the International Arms & Fuze Co., Inc.— read twice and referred	75
1172. A bill for the relief of certain officers of the Dental Corps of the United States Navy— read twice and referred	77
1173. A bill for the relief of Gladding, McBean & Co.— read twice and referred	78

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1175. A bill to provide for additional water supply for the Utah National Guard training camp on the Jordan Narrows Military Reservation— read twice and referred	78
1176. A bill for the relief of Bertram Rich— read twice and referred	78
1177. A bill for the relief of Edward T. Costello— read twice and referred	78
1178. A bill for the relief of John Henry Fouhey— read twice and referred	78
1179. A bill for the relief of Gilbert Dennison Huntington— read twice and referred	78
1180. A bill for the relief of Dominick Edward Lepore— read twice and referred	78
1181. A bill to establish a 6-hour day for employees of carriers engaged in interstate and foreign commerce, and for other purposes— read twice and referred	78
1182. A bill to amend the Standard Baskets Act of August 31, 1916, to provide for a 1-pound Climax basket for mushrooms— read twice and referred	78
1183. A bill to amend section 4 of the United States Grain Standards Act of 1916 as relating to the use of the official grain standards of the United States on grain moved in interstate commerce from shipping points to destination points without official grade determination— read twice and referred	78
1184. A bill for the relief of Amos D. Carver, S. E. Turner, Clifford N. Carver, Scott Blanchard, P. B. Blanchard, James B. Parse, A. N. Blanchard, and W. A. Blanchard— read twice and referred	78
1185. A bill for the relief of Jacob Durrenberger— read twice and referred	78
1186. A bill for the relief of Gordon B. Enders— read twice and referred	78
1187. A bill for the relief of the heirs of Edward P. Frank, deceased— read twice and referred	78
1188. A bill for the relief of the General Baking Co.— read twice and referred	78
1189. A bill for relief of John J. Gillick— read twice and referred	78
1190. A bill for the relief of George B. Marx— read twice and referred	78
1191. A bill for the relief of the Sultzbach Clothing Co.— read twice and referred	78
1192. A bill for the relief of the Union Shipping & Trading Co., Ltd.— read twice and referred	78
1193. A bill for the relief of Clara E. Wight— read twice and referred	78
1194. A bill to amend section 4 of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, as amended— read twice and referred	78
1195. A bill for the relief of John F. Aughinbaugh— read twice and referred	78
1196. A bill for the relief of Edwin P. Hulsberger— read twice and referred	78
1197. A bill for the relief of George L. Vincent— read twice and referred	78
1198. A bill for the relief of Louise Fox— read twice and referred	78
1199. A bill for the relief of Anne B. Slocum— read twice and referred	78
1200. A bill for the relief of Elizabeth Millicent Trammell— read twice and referred	78
1201. A bill to incorporate The Big Brother and Big Sister Federation, and for other purposes— read twice and referred	78
1202. A bill authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington— read twice and referred	78
1203. A bill to provide for the honorary designation of St. Anns Churchyard, in the city of New York, as a national shrine, and for the erection of a monument or statue thereon to the memory of Gouverneur Morris— read twice and referred	78
1204. A bill for the relief of William Burke— read twice and referred	78
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1205. A bill for the relief of Thomas G. Carlin— read twice and referred	78
1206. A bill to authorize the presentation of a Distinguished Service Cross to Abraham Cohen— read twice and referred	78
1207. A bill for the relief of William D. Grush— read twice and referred	78
1208. A bill to authorize the presentation of a Distinguished Service Cross to T. K. Jones— read twice and referred	78
1209. A bill for the relief of Morris J. Lang— read twice and referred	78
1210. A bill to provide for the appointment of Maurice D. Loewenthal as a warrant officer, United States Army— read twice and referred	78
1211. A bill for the relief of Harry C. Merritt— read twice and referred	78
1212. A bill for the relief of Harry Stanbrough Monell, formerly chairman War Department Claims Board Transportation Service— read twice and referred	78
1213. A bill for the relief of John Shannon— read twice and referred	78
1214. A bill for the relief of Zinsser & Co.— read twice and referred	78
1215. A bill directing that copies of certain patent specifications and drawings be supplied to the New York Public Library, Astor, Lenox, and Tilden Foundations, of New York City, at the regular annual rate— read twice and referred	78
1216. A bill granting a pension to William H. Bruns— read twice and referred	78
1217. A bill granting a pension to Edward A. McGuire— read twice and referred	78
1218. A bill to provide for the admission to the mails as second-class matter of publications of charitable societies— read twice and referred	78
1219. A bill to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy— read twice and referred	78
1220. A bill for the relief of Ray McDonald— read twice and referred	78
1221. A bill to make provision for suitable quarters for certain Government services at El Paso, Tex., and for other purposes— read twice and referred	

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1223. A bill to protect banking and commerce against short sales of securities issued by corporations engaged therein— read twice and referred	80
1224. A bill to aid in the conservation of crude petroleum and prevent the transportation and sale in interstate and foreign commerce of crude petroleum or the products thereof, which crude petroleum has been unlawfully produced; to invest the Secretary of the Interior with power to carry out this act; and for other purposes— read twice and referred	80
1225. A bill amending the Shipping Act, 1916, as amended, for the purpose of further regulating common carriers by water— read twice and referred	80
1226. A bill to amend the retirement laws affecting certain grades of Army officers— read twice and referred	80
1227. A bill to authorize the Secretary of War to fix the pay grade of enlisted men of the Army and the Marine Corps retired before July 1, 1920— read twice and referred	80
1228. A bill to restore the 2-cent postage rate on first-class mail matter— read twice and referred	80
1229. A bill authorizing loans by the Reconstruction Finance Corporation to aid in refinancing obligations of drainage districts, levee districts, irrigation districts, and similar districts, and for other purposes— read twice and referred	80
1230. A bill for the relief of Bruce Bros. Grain Co.— read twice and referred	80
1231. A bill for the relief of A. H. Marshall— read twice and referred	80
1232. A bill for the relief of George Voeltz— read twice and referred	80
1233. A bill for the relief of Royce Wells— read twice and referred	80
1234. A bill to provide for the appointment of an additional district judge for the eastern and western districts of Missouri— read twice and referred	80
1235. A bill for the relief of Frank Merritt— read twice and referred	80
1236. A bill granting a pension to Bettie Ashbrook— read twice and referred	80
1237. A bill granting a pension to Mable Forrer— read twice and referred	80
1238. A bill granting a pension to Mary J. Hahn— read twice and referred	80
1239. A bill granting a pension to Sarah C. League— read twice and referred	81
1240. A bill granting a pension to Andrew J. Lowe— read twice and referred	81
1241. A bill granting a pension to Mollie C. Miller— read twice and referred	81
1242. A bill granting a pension to Robert Muir— read twice and referred	81
1243. A bill granting a pension to Herman Reissenbigler— read twice and referred	81
1244. A bill granting a pension to Retta Tunnell— read twice and referred	81
1245. A bill granting a pension to Frank Vance— read twice and referred	81
1246. A bill granting an increase of pension to Mary V. Conine— read twice and referred	81
1247. A bill granting an increase of pension to Rose B. Hile— read twice and referred	81
1248. A bill granting an increase of pension to Salina P. James— read twice and referred	81
1249. A bill granting an increase of pension to Susan A. Jones— read twice and referred	81
1250. A bill granting an increase of pension to Francis W. Mudd— read twice and referred	81
1251. A bill granting an increase of pension to Eliza Rogers— read twice and referred	81
1252. A bill granting an increase of pension to Sarah F. Wald— read twice and referred	81
1253. A bill to amend paragraph 31 (c) of section 7 of an act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended— read twice and referred	81
1254. A bill for the relief of Philip W. Kerley— read twice and referred	81
1255. A bill to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.— read twice and referred	81
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1256. A bill granting the consent of Congress to compacts or agreements between the States of Kansas and Missouri for the acquisition, maintenance, and operation of a toll bridge across the Missouri River near Kansas City, Kans., for the construction and maintenance of connections with established highways, for the incorporation of such bridge in the highway systems of said States, and for other purposes— read twice and referred	81
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1257. A bill for the relief of Cecil M. Autrey— read twice and referred	81
1258. A bill for the relief of Charles F. Littlepage— read twice and referred	81
1259. A bill granting a pension to Hosea F. Dearth— read twice and referred	81
1260. A bill granting a pension to Benjamin F. Hyde— read twice and referred	81
1261. A bill granting a pension to Jennie Tewksbury— read twice and referred	81
1262. A bill for the relief of the estate of Alice C. Lopez— read twice and referred	81
1263. A bill for the relief of Wiener Bank Verein— read twice and referred	81
1264. A bill for the relief of Halvor H. Groven— read twice and referred	81
1265. A bill granting a pension to certain Indians, and for other purposes— read twice and referred	81
1266. A bill granting a pension to certain Indians on the Fort Belknap Indian Reservation— read twice and referred	81

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1267. A bill to authorize the issuance of a patent in fee to Eugene Long Ears— read twice and referred	81
1268. A bill to authorize the issuance of a patent in fee to Peter Left Hand— read twice and referred	81
1269. A bill to give veterans of war service in Spanish and World War, their widows, and wives of disabled veterans who themselves are not qualified, preference in the Government and District of Columbia Civil Service— read twice and referred	81
1270. A bill for the relief of Howland & Waltz Co., Ltd.— read twice and referred	81
1271. A bill for the relief of Oscar W. Behrens— read twice and referred	81
1272. A bill to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama; and for other purposes— read twice and referred	83
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1273. A bill granting a pension to Frank Swartz— read twice and referred	83
1274. A bill for the relief of Julius Wurzburger— read twice and referred	83
1275. A bill granting a pension to Anna Hindman— read twice and referred	83
1276. A bill granting an increase of pension to Rachel Wyatt— read twice and referred	83
1277. A bill for the relief of Elva Rhea Speck— read twice and referred	83
1278. A bill to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co.— read twice and referred	83
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1279. A bill for the relief of Fred M. Smith— read twice and referred	83
1280. A bill for the relief of George B. Marx— read twice and referred	83
1281. A bill for the relief of Harry P. Hollidge— read twice and referred	83
1282. A bill for the relief of the Security Trust Co. of Rochester, Rochester, N.Y.— read twice and referred	83
1283. A bill for the relief of Francisco M. Belda— read twice and referred	84
1284. A bill for the relief of William Francis Salisbury— read twice and referred	84
1285. A bill for the relief of Mamie Randel— read twice and referred	85
1286. A bill to increase the efficiency of the Veterinary Corps of the Regular Army— read twice and referred	84
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1287. A bill for the relief of Leonard Theodore Boice— read twice and referred	84
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1288. A bill for the relief of Otto Christian— read twice and referred	84
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1289. A bill authorizing a preliminary examination and survey of Eastport Harbor, Maine— read twice and referred	84
1290. A bill to provide for the election of the Board of Education of the District of Columbia, and for other purposes— read twice and referred	84
1291. A bill for the relief of the E. J. Codd Co. of Baltimore City, Inc.— read twice and referred	85
1292. A bill to provide medical services after retirement on annuity to former employees of the United States disabled by injuries sustained in the performance of their duties— read twice and referred	85
1293. A bill authorizing the President to order Maj. E. P. Duval before a retiring board for a hearing of his case, and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation— read twice and referred	85
1294. A bill to provide for separate patents in case of any invention constructed in types or forms suitable for different uses— read twice and referred	85
1295. A bill granting a pension to Howard E. Tolson— read twice and referred	85
1296. A bill for the relief of A. Zappone, disbursing clerk, United States Department of Agriculture— read twice and referred	85
1297. A bill authorizing the Secretary of the Navy to make available to the municipality of Aberdeen, Wash., the U.S.S. *Newport*— read twice and referred	85
1298. A bill for the relief of the Sioux Valley Hospital, Sioux Falls Clinic, and the McKenna Hospital, all of Sioux Falls, S.Dak.— read twice and referred	85
1299. A bill for the relief of Mrs. Glenn J. Collier— read twice and referred	85
1300. A bill to provide for the payment of Sioux benefits to certain women of the Sioux Tribe of Indians— read twice and referred	85
1301. A bill to prohibit the transportation in the mails or in interstate commerce of machine guns or submachine guns— read twice and referred	85
1302. A bill for the relief of Frank Fisher— read twice and referred	85
1303. A bill to provide for the acquisition of Chappawamsic Island, Va., for the use of the Navy Department— read twice and referred	85
1304. A bill granting a pension to Ben C. Ash— read twice and referred	85
1305. A bill granting a pension to Charles H. Carpenter— read twice and referred	85
1306. A bill granting a pension to David Dorian— read twice and referred	85
1307. A bill granting a pension to Mary J. Driscoll— read twice and referred	85

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1309. A bill granting a pension to Walter L. Vercoe— read twice and referred	85
1310. A bill granting a pension to Augustine Whitebird— read twice and referred	85
1311. A bill granting an increase of pension to Mitchell Desersa— read twice and referred	86
1312. A bill granting an increase of pension to John A. Everett— read twice and referred	86
1313. A bill granting an increase of pension to Hugh M. Jones— read twice and referred	86
1314. A bill for the relief of Perry Randolph— read twice and referred	86
1315. A bill granting an increase of pension to Mary C. Caplinger— read twice and referred	86
1316. A bill to provide for the collection and publication of statistics of peanuts by the Department of Agriculture— read twice and referred	86
1317. A bill to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes— read twice and referred	87
1318. A bill granting a pension to Mary L. Bryant— read twice and referred	88
1319. A bill to provide for the establishment, operation, and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes— read twice and referred	88
1320. A bill to provide compensation for disability or death resulting from injury to employees in interstate commerce, and for other purposes— read twice and referred	88
1321. A bill authorizing adjustment of the claim of Korber Realty, Inc.— read twice and referred	88
1322. A bill granting a pension to Fletcher M. Boso— read twice and referred	88
1323. A bill granting a pension to Phoebe L. Ray— read twice and referred	88
1324. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes— read twice and referred	88
1325. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes— read twice and referred	88
1326. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes— read twice and referred	88
1327. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes— read twice and referred	88
1328. A bill to provide for the donation of certain Army equipment to posts of the American Legion— read twice and referred	88
1329. A bill granting a pension to Anna R. Robbins— read twice and referred	88
1330. A bill authorizing an appropriation for the continuation of certain hearings by the Interstate Commerce Commission— read twice and referred	88
1331. A bill for the relief of Elsie Segar, administratrix of C. M. A. Sorensen and of Holger E. Sorensen— read twice and referred	88
1332. A bill to amend the act entitled "An act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933— read twice and referred	88
1333. A bill for the relief of Elmer J. Hinchey— read twice and referred	91
1334. A bill granting a pension to Mary L. Burgess— read twice and referred	91
1235. A bill granting a pension to Carl A. Grant— read twice and referred	91
1336. A bill granting a pension to Fay B. Weekley— read twice and referred	91
1337. A bill for the relief of Joseph Lane— read twice and referred	91
1338. A bill for the relief of John F. Patterson— read twice and referred	91
1339. A bill for the relief of E. A. Ahrens— read twice and referred	91
1340. A bill for the relief of Calvary Cemetery, Little Rock, Ark.— read twice and referred	91
1341. A bill for the relief of O. H. Chrisp— read twice and referred	91
1342. A bill for the relief of C. F. Cooley, administrator of the estate of Charles F. Cooley, Jr.— read twice and referred	91
1343. A bill for the relief of W. M. Cravens— read twice and referred	91
1344. A bill for the relief of James F. Dubberly— read twice and referred	91
1345. A bill for the relief of James E. Fitzgerald— read twice and referred	91
1346. A bill for the relief of Frank R. Garner, formerly second lieutenant, United States Army— read twice and referred	92
1347. A bill for the relief of Little Rock College, Little Rock, Ark.— read twice and referred	92
1348. A bill for the relief of Samuel H. McAlexander— read twice and referred	92
1349. A bill for the relief of Robert L. Martin— read twice and referred	92
1350. A bill for the relief of Carl L. Moore— read twice and referred	92
1351. A bill for the relief of Mrs. H. J. Munda— read twice and referred	92
1352. A bill for the relief of Claude L. Pyle— read twice and referred	92
1353. A bill for the relief of James Rowland— read twice and referred	92
1354. A bill providing for reimbursement of the St. Louis Southwestern Railway Co. for expenditure in revetment work on the Arkansas River during the flood of 1927— read twice and referred	92
1355. A bill for the relief of William F. Slatton— read twice and referred	92

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1356. A bill for the relief of Ella H. Smith— read twice and referred	92
1357. A bill for the relief of Clarence Winborn— read twice and referred	92
1358. A bill to provide for the improvement of the approach to the Confederate Cemetery, Fayetteville, Ark.— read twice and referred	92
1359. A bill making eligible for retirement under the same conditions as now provided for officers of the Regular Army Capt. Oliver A. Barber, an officer of the United States Army during the World War, who incurred physical disability in line of duty— read twice and referred	92
1360. A bill for the relief of Henry Brown— read twice and referred	92
1361. A bill for the relief of Obadiah Simpson— read twice and referred	92
1362. A bill for the relief of Benjamin H. Southern— read twice and referred	92
1363. A bill for the relief of Thomas S. Garen— read twice and referred	92
1364. A bill for the relief of Frank S. Harrison— read twice and referred	92
1365. A bill granting a pension to Jessie B. Auer— read twice and referred	92
1366. A bill granting a pension to Anna J. Darby— read twice and referred	92
1367. A bill granting a pension to Ernest J. Hollis— read twice and referred	92
1368. A bill granting a pension to Norfleet Hughes— read twice and referred	92
1369. A bill granting a pension to Edie A. Kimberly— read twice and referred	92
1370. A bill granting a pension to Ernest McCord— read twice and referred	92
1371. A bill granting a pension to Theta B. Spring— read twice and referred	92
1372. A bill granting a pension to Charlie A. Stacks— read twice and referred	92
1373. A bill granting an increase of pension to John H. Cook— read twice and referred	92
1374. A bill granting an increase of pension to Henry W. McLain— read twice and referred	92
1375. A bill granting an increase of pension to Mary A. Stutler— read twice and referred	92
1376. A bill to amend the act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings— read twice and referred	92
1377. A bill granting a pension to Birdie Brugh— read twice and referred	92
1378. A bill granting a pension to Luther Lane— read twice and referred	92
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1379. A bill authorizing loans by the Reconstruction Finance Corporation to provide working capital for certain industries— read twice and referred	92
1380. A bill for the relief of Nieves Maria P. C. Walsh— read twice and referred	93
1381. A bill to provide further for the national security and defense— read twice and referred	93
1382. A bill for the relief of Uldric Thompson, Jr.— read twice and referred	93
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1383. A bill for the relief of Adam Paul Small— read twice and referred	95
1384. A bill granting a pension to Elise M. Lum— read twice and referred	95
1385. A bill for the relief of the Wakefield Trust Co., of Wakefield, R.I.— read twice and referred	95
1386. A bill to provide for a preliminary examination of Nisqually River and its tributaries in the State of Washington with a view to the control of their floods— read twice and referred	95
1387. A bill to provide for the immediate settlement of the obligations of the United States under the World War Adjusted Compensation Act, as amended— read twice and referred	95
1388. A bill granting a pension to Stanley N. Rice— read twice and referred	95
1389. A bill to amend section 2 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat.L. 730; U.S.C., title 15, sec. 13)— read twice and referred	95
1390. A bill to amend section 5 of the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914 (38 Stat.L. 719; U.S.C., title 15, sec. 45)— read twice and referred	95
1391. A bill for the relief of the Brooklyn Trust Co., of Brooklyn, N.Y.— read twice and referred	95
1392. A bill for the relief of the Chemical Bank & Trust Co., successors to United States Mortgage & Trust Co., of New York City, N.Y.— read twice and referred	95
1393. A bill for the relief of the Glens Falls National Bank & Trust Co., formerly Glens Falls Trust Co., of Glens Falls, N.Y.— read twice and referred	95
1394. A bill for the relief of the Lawyers Trust Co., formerly Lawyers Title Insurance & Trust Co., successors to the Central Realty Bond & Trust Co., of New York City, N.Y.— read twice and referred	95
1395. A bill for the relief of the Marine Trust Co., of Buffalo, N.Y.— read twice and referred	95
1396. A bill for the relief of the Marine Trust Co., of Buffalo, N.Y.— read twice and referred	95
1397. A bill for the relief of the Marine Trust Co., successors to Buffalo Trust Co., of Buffalo, N.Y.— read twice and referred	95
1398. A bill for the relief of the National City Bank of New York, successors to the Peoples Trust Co., of Brooklyn, N.Y.— read twice and referred	95
1399. A bill for the relief of the Title Guarantee & Trust Co., of New York City, N.Y., successors to Manufacturers Trust Co. of Brooklyn, N.Y.— read twice and referred	95
1400. A bill for the relief of the United States Trust Co., of New York City, N.Y.— read twice and referred	95
1401. A bill to pay a gratuity to Emma Ferguson Starrett— read twice and referred	95
1402. A bill for the relief of Gerardo Fernandez— read twice and referred	95

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1403. A bill to authorize the merger of the Georgetown Gaslight Co. with and into Washington Gas Light Co., and for other purposes—	
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1404. A bill for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899—	
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1405. A bill for the relief of John Z. Lowe—	
read twice and referred	95
1406. A bill to provide that transferors for collection of negotiable instruments shall be preferred creditors of national banks in certain cases—	
read twice and referred	95
1407. A bill to increase employment on public-works construction projects—	
read twice and referred	98
1408. A bill granting an increase of pension to Sidney H. Bailey—	
read twice and referred	98
1409. A bill to make the Federal gasoline tax effective until June 30, 1934—	
read twice and referred	98
1410. A bill to amend section 207 of the Bank Conservation Act with respect to bank reorganizations—	
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1411. A bill to amend section 2, chapter 418, of the act of August 29, 1916 (39 Stat. 649), and for other purposes—	
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1412. A bill granting a pension to John E. Wilson—	
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1413. A bill making it a crime to represent one's self to be an Indian, and providing punishment therefor—	
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1414. A bill to amend section 1 of the act of June 25, 1910 (36 Stat.L. 855), entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", and to repeal the act of March 3, 1928 (28 Stat.L. 161)—	
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1415. A bill to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases—	
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passed the House	174
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1416. A bill for the relief of the Central United National Bank, successors to United Banking & Trust Co., of Cleveland, Ohio—	
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1417. A bill for the relief of the Central United National Bank, successors to United Banking & Trust Co., of Cleveland, Ohio—	
read twice and referred	98
1418. A bill for the relief of the City Savings Bank & Trust Co., of Alliance, Ohio—	
read twice and referred	98
1419. A bill granting a pension to Hanna Lewis—	
read twice and referred	98
1420. A bill to assist in relieving unemployment and reviving industry by authorizing emergency appropriations for highway construction—	
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1421. A bill granting a pension to Annie Coan—	
read twice and referred	98
1422. A bill for the relief of the estates of Edwin G. Scott, Clyde R. Dindinger, and Ralph R. Fraley—	
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1423. A bill authorizing the President of the United States to investigate Federal reclamation projects, and for other purposes—	
read twice and referred	101
1424. A bill granting a pension to Charles E. Conner—	
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1425. A bill to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933—	
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1426. A bill for the relief of the estate of Benjamin Braznell—	
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1427. A bill for the relief of Harry A. C. Hall, alias Charles A. Brooks—	
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1428. A bill for the relief of Andrew M. Dunlop—	
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1429. A bill for the relief of Anthony J. Lynn—	
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1430. A bill for the relief of M. Thomas Petroy—	
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1431. A bill for the relief of Elmer E. C. Armstrong—	
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1432. A bill for the relief of Henry Bartels—	
read twice and referred	101
1433. A bill for the relief of Ernest B. Butte—	
read twice and referred	101
1434. A bill authorizing the Secretary of War to issue a certificate of honorable discharge to Carl J. Canada—	
read twice and referred	101
1435. A bill for the relief of Martin De Vries—	
read twice and referred	101
1436. A bill authorizing the appointment of Frederick Funston, Jr., as a second lieutenant, Army Air Corps—	
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1437. A bill for the relief of Juan Garcia—	
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1438. A bill for the relief of William Goodwin—	
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1439. A bill for the relief of Patrick J. Lynch—	
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1440. A bill for the relief of Ambrose V. McKenna—	
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1441. A bill for the relief of Walter W. Newcomer—	
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1443. A bill for the relief of James T. Reynolds—	
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1444. A bill for the relief of Samuel A. Welsh—	
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1445. A bill for the relief of John M. McNulty—	
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1446. A bill granting a pension to Carlos J. Anderson—	
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1447. A bill granting a pension to John N. Aull—	
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1448. A bill granting a pension to Don E. Bartell—	
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1449. A bill granting a pension to John William Boland—	
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1450. A bill granting a pension to Laura F. Collins—	
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1451. A bill granting a pension to Ollie A. De Selm—	
read twice and referred	101
1452. A bill granting a pension to Charles Foye—	
read twice and referred	101
1453. A bill granting a pension to Josephine Johnson—	
read twice and referred	101
1454. A bill granting a pension to Kitty A. Miller—	
read twice and referred	101
1455. A bill granting a pension to David Poula—	
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1456. A bill granting a pension to Jesse Thomas—	
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1457. A bill granting an increase of pension to Madison M. Burnett—	
read twice and referred	101
1458. A bill granting an increase of pension to Harry A. Smith—	
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1459. A bill granting an increase of pension to Alzina M. Wilson—	
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1460. A bill for the relief of Edgar Stivers—	
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1461. A bill for the relief of the Fidelity Trust Co., of Baltimore, Md.—	
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1462. A bill for the relief of the Maryland Trust Co., successors to Continental Trust Co., of Baltimore, Md.—	
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1463. A bill for the relief of George F. Conlee—	
read twice and referred	101
1464. A bill granting a pension to John Doane Gardiner—	
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1465. A bill granting a pension to Mary Amanda Jones—	
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1466. A bill to provide for regulated expansion of currency and credit, to reduce the national debt, to raise the price level of commodities, and for other purposes—	
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1467. A bill to add certain lands to the Challis National Forest—	
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1468. A bill to reduce the rate of certain interest payable to the United States to the rate of 4 percent per annum—	
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1469. A bill to permit the importation of goods made by indentured labor only to the extent necessary to supply American demands which	
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cannot be met by American production, and for other purposes—	
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1470. A bill for the relief of volunteer officers and soldiers who served in the Philippine Islands beyond the period of their enlistment—	
read twice and referred	105
1471. A bill for the relief of Russell C. Cross—	
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1472. A bill granting a pension to John E. Cutlip—	
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1473. A bill granting a pension to Rose Kennedy—	
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1474. A bill granting a pension to Wilbur J. Patterson—	
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1475. A bill granting a pension to Allie Selick—	
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1476. A bill granting a pension to William J. Smith—	
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1477. A bill granting a pension to Richard H. Wraase—	
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1478. A bill granting an increase of pension to Frank Deloe—	
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1479. A bill granting an increase of pension to John H. Jackson—	
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1480. A bill granting an increase of pension to Jess Musgrave—	
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1481. A bill for the relief of John E. Meehan—	
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1482. A bill for the relief of the Western Electric Co., Inc.—	
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1483. A bill granting certain public lands to the State of Montana for the use and benefit of the Northern Montana College—	
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1484. A bill for the relief of Miles Thomas Barrett—	
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1485. A bill for the relief of Harriet DeLarm—	
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1486. A bill granting a pension to Jessica G. Roome—	
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1487. A bill for the relief of Auguste C. Loiseau—	
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1488. A bill for the relief of Elvind Anderson—	
read twice and referred	107
1489. A bill granting a pension to Georgina Edmonds—	
read twice and referred	107
1490. A bill to authorize the Secretary of War or the Secretary of the Navy to withhold the pay of officers, warrant officers, and nurses of the Army, Navy, or Marine Corps to cover indebtedness to the United States under certain conditions—	
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1491. A bill granting a pension to Martin Suppan—	
read twice and referred	108
1492. A bill authorizing the issuance of a special postage stamp in honor of Brig. Gen. Thaddeus Kosciusko—	
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1493. A bill for the relief of the Franklin County Trust Co., of Greenfield, Mass.—	
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1494. A bill for the relief of the Security Trust Co., of Lynn, Mass.—	
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1496. A bill for the relief of Nannie Swearingen—	
read twice and referred	108
1497. A bill for the relief of Jerry O'Shea—	
read twice and referred	108
1498. A bill authorizing the Secretary of the Interior to pay E. C. Sampson, of Billings, Mont., for services rendered the Crow Tribe of Indians—	
read twice and referred	103
1499. A bill to amend section 4530 of the Revised Statutes of the United States—	
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1500. A bill authorizing pursers or licensed deck officers of vessels to perform the duties of masters of such vessels in relation to entrance and clearance of same—	
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1501. A bill to amend section 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea."	
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1502. A bill to amend section 5219 of the Revised Statutes, as amended—	
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1503. A bill to provide for the redistribution of the overbalance of population in industrial centers by aiding in the purchase of subsistence homesteads, and for other purposes—	
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1504. A bill for the relief of Walter J. Bryson Paving Co.—	
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1505. A bill for the relief of Thomas E. Reed—	
read twice and referred	110
1506. A bill to amend the United States mining laws applicable to the Mount Hood National Forest within the State of Oregon—	
read twice and referred	110
1507. A bill for the relief of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. McCallib, J. J. Beckham, and John Toles—	
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1508. A bill providing for the final enrollment of the Indians of the Klamath Indian Reservation in the State of Oregon—	
read twice and referred	110
1509. A bill to credit the Klamath Indian tribal funds with certain amounts heretofore covered into the Treasury for reimbursement of appropriations—	
read twice and referred	110
1510. A bill to amend the act entitled "An act to adjust water-right charges, to grant other relief on the Federal irrigation projects, and for other purposes", approved May 25, 1926, with respect to certain lands in the Langell Valley irrigation district—	
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1511. A bill granting a pension to Mary E. Allen—	
read twice and referred	110
1512. A bill to authorize acquisition of complete title to the Puyallup Indian Tribal School property at Tacoma, Wash., for Indian sanatorium purposes—	
read twice and referred	110
1513. A bill to amend Public Act No. 435 of the Seventy-second Congress, relating to sales of timber on Indian land—	
read twice and referred	117
reported without amendment	140
considered, read the third time, and passed	210
passed the House with an amendment	264
Senate agrees to House amendment	264
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1514. A bill authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss.—	
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passed the House	264
examined and signed	266
presented	271
approved [Private Law No. 11]	304
1515. A bill granting permits for the importation or manufacture for nonbeverage purposes of spirituous liquors of particular kind or quality where the supply in the United States is insufficient to meet the current need therefor—	
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1516. A bill for the relief of Michael Bello—	
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1517. A bill for the relief of Louis Kusnitz—	
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1528. A bill to amend section 3702, Revised Statutes—	
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1538. A bill authorizing persons, firms, corporations, associations, or societies to file bills of interpleader, or bills in the nature of interpleader—	
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1551. A bill granting a pension to Lemuel T. Wilson—	
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1553. A bill for the relief of John Hamilton—	
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1554. A bill to promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this act, and for other purposes—	
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1568. A bill to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes", and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes"—	
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1571. A bill granting an increase of pension to Helen G. Mercur—	
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1573. A bill for the relief of Joseph Duncan Smedberg—	
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1592. A bill to prohibit untrue, deceptive, or misleading advertising through the use of the mails or in interstate or foreign commerce—	
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1595. A bill extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to provisional officers of the Regular Establishment who served during the World War—	
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1596. A bill to create an Administration of Public Works, to provide for the construction, extension, and improvement of public facilities and services, to relieve unemployment, and for other purposes—	
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1597. A bill granting a pension to Lina Buckley—	
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1630. A bill for the relief of the widow of Virgil W. Minor—	
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1640. A bill to amend section 13 of the Federal Reserve Act by authorizing Federal Reserve banks to receive deposits from credit unions—	
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1657. A bill to amend section 3 of the act entitled "An act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", approved May 10, 1928 (45 Stat.L. 496), as amended by the act of February 14, 1931 (46 Stat.L. 1108)—	
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1668. A bill for the relief of Charles F. Bond, receiver of the partnership of Thorp & Bond, New York, N.Y.—	
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1710. A bill to authorize appropriations for the completion of the public high school at Frazer, Mont.—	
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1724. A bill authorizing the reimbursement of Edward B. Wheeler and the State Investment Co. for the loss of certain lands in the Mora Grant, New Mexico—	
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1725. A bill for the relief of Robert Emil Taylor—	
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1726. A bill to authorize the appointment of Master Sgt. Joseph Eugene Kramer as a warrant officer, United States Army—	
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1727. A bill for the relief of Earl A. Ross—	
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1728. A bill for the relief of Frank P. Ross—	
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considered, read the third time, and passed	197
1729. A bill for the relief of Emma Gregory—	
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1730. A bill for the relief of Richard Riggles—	
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1731. A bill for the relief of Marion Von Bruning (nee Marion Hubbard Treat) and others—	
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1732. A bill for the relief of William Zeiss, administrator of William B. Reaney, survivor of Thomas Reaney and Samuel Archbold—	
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1733. A bill relating to the retirement of the present senior member of the Board of Engineers for Rivers and Harbors—	
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1734. A bill for the rehabilitation of the Stanfield project, Oregon—	
read twice and referred	183
1735. A bill to amend an act approved May 14, 1926 (44 Stat. 555), entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims"—	
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1736. A bill to preserve and protect the correlative rights of the oil-producing States, to assist them in the proper enforcement of their oil conservation laws, to assure the conservation of crude petroleum and natural gas and to preserve the same as national resources, and to regulate the transportation and sale in interstate and foreign commerce of natural gas, crude petroleum, and the products thereof, to prevent waste in the production, marketing, and use of such natural gas and petroleum; to invest the Secretary of the Interior with power to carry out this act, and for other purposes—	
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1737. A bill authorizing a preliminary examination and survey of the Crooked and Indian Rivers, Mich.—	
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1738. A bill authorizing the Reconstruction Finance Corporation to make loans to irrigation districts for certain purposes—	
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1739. A bill to relieve the existing critical national economic emergency in agricultural as well as in commercial and industrial pursuits—	
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1740. A bill to extend certain benefits of the Public Health Service to certain seamen, and for other purposes—	
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1741. A bill to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes—	
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1742. A bill granting consent of Congress to Ernest N. Hutchinson, Otto A. Case, and A. C. Martin to construct, maintain, and operate a bridge across Deception Pass between Whidby Island and Fidalgo Island in the State of Washington—	
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1743. A bill authorizing the extension of time for the payment of governmental fees in the nature of purchase price, payable to the United States Government under applications for commutations of homestead entries, the purchase of timber lands and the purchase of coal lands of the United States—	
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1744. A bill enabling certain farmers and fruit growers to receive the benefits of the Federal Farm Loan Act and amendments thereto and the Emergency Farm Mortgage Act of 1933—	
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1745. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oreg.—	
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1746. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newport, Lincoln County, Oreg.—	
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considered, read the third time, and passed	232
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approved [Public Law No. 45]	296
1747. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Walport, Lincoln County, Oreg.—	
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1748. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near North Bend, Coos County, Oreg.—	
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1749. A bill granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence, Lane County, Oreg.—	
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1750. A bill to broaden the lending powers of the Reconstruction Finance Corporation to include apiarians—	
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1751. A bill to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes—	
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1752. A bill to extend certain letters patent to the Stark Car-Coupler Corporation—	
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1753. A bill for the relief of Marcella Leahy McNerney—	
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1754. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near New Boston, Ill.—	
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1755. A bill for the relief of Albert Kimble—	
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1756. A bill for the relief of William K. Snodgrass—	
read twice and referred	199
1757. A bill to amend an act entitled "An act to incorporate the Mount Olivet Cemetery Co. in the District of Columbia"—	
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1758. A bill for the relief of B. E. Dyson, former United States marshal, southern district of Florida—	
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1759. A bill [granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith] *to extend the time for the construction of dams and dikes in Lincoln County, Oreg., to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith*—	
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1760. A bill for the relief of the Snare & Triest Co., now Frederick Snare Corporation—	
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1761. A bill for the relief of the Globe Shipping Co., Inc., of New York, N.Y. (successors of the Globe Shipping Co.)—	
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1762. A bill granting a pension to Margaret Nicholson—	
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1763. A bill for the relief of Noah C. Dugan—	
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1764. A bill granting a pension to Ella A. Barker—	
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1765. A bill for the relief of Herbert J. Myers—	
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1766. A bill to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes—	
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1767. A bill for the relief of the Wells Fargo Bank & Union Trust Co., successors to the Union Trust Co., of San Francisco, Calif.—	
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1768. A bill to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego—	
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1770. A bill for the relief of James E. Emison—	
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1771. A bill granting a pension to Effie Howard—	
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1772. A bill for the relief of the Western Montana Clinic, Missoula, Mont.—	
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1773. A bill authorizing the State of Illinois to abandon the Illinois and Michigan Canal in Illinois, and to grant to the State of Illinois all right, title, and interest of the United States in and to the land comprising the right-of-way of the Illinois and Michigan Canal as the same was routed and constructed through the public lands of the United States, in the State of Illinois, pursuant to the act of Congress of the United States of March 2, 1827, and in and to the 90 feet of land on each side of said canal, vested in the State of Illinois, pursuant to the act of Congress of the United States, of March 30, 1822—	
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1774. A bill to provide for extension of time for making deferred payments on homestead entries in the abandoned Fort Lowell Military Reservation, Ariz.—	
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1775. A bill to promote employment of adult labor by preventing interstate commerce in the products of child labor, and for other purposes—	
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1776. A bill granting a pension to Rachel A. Bosworth—	
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1777. A bill providing for an additional justice of the Court of Appeals of the District of Columbia—	
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1778. A bill for the relief of David Francis Bradley—	
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1779. A bill authorizing the issuance of a special postage stamp in commemoration of the three hundredth anniversary of the founding of the Colony of Connecticut—	
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1780. A bill to provide for the discontinuance of the use of dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes—	
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1781. A bill to limit the reduction that may be made in the compensation of certain postmasters and postal employees—	
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1782. A bill for the relief of the B. & O. Manufacturing Co.—	
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1783. A bill granting the consent of Congress to the Overseas Road and Toll Bridge District, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Fla., from Lower Matecumbe Key to No Name Key—	
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1784. A bill to amend sections 4, 5, and 6 of the act entitled "An act creating a United States court for China and prescribing the jurisdiction thereof", approved June 30, 1906—	
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1785. A bill to amend section 6 of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, with respect to domiciliary care and hospital treatment—	
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1786. A bill for the relief of Lucile A. Abbey—	
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1787. A bill to provide for the prevention of blindness in infants born in the District of Columbia—	
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1788. A bill to amend section 36, part 4 of the Emergency Farm Mortgage Act of 1933—	
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1789. A bill granting a pension to Mary D. Howard—	
read twice and referred	206
1790. A bill to amend the act of Congress approved June 7, 1924 (43 Stat.L. 475, 476), commonly called the San Carlos Act, and acts supplementary thereto, and for other purposes—	
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1791. A bill authorizing the Reconstruction Finance Corporation to make loans to levee districts for certain purposes—	
read twice and referred	206
1792. A bill for the relief of Claude C. Martin—	
read twice and referred	206
1793. A bill for the relief of James W. Emison—	
read twice and referred	206
1794. A bill to authorize Vernon C. DeVotie, captain, United States Army, to accept a certain decoration tendered to him by the Colombian Government—	
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1795. A bill to amend the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, with respect to suits on contracts on yearly renewable term insurance—	
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1796. A bill to authorize an exchange of lands between the United States and Joseph Hodges—	
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1797. A bill authorizing the removal of rock from the submarine and destroyer base reservation at Astoria (Tongue Point), Oreg.—	
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1798. A bill for the relief of L. Elbert Van Buren—	
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1799. A bill to authorize the issuance of stamped money certificates for the relief of depositors in closed banks, and for other purposes—	
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1800. A bill to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly by the Department of Agriculture—	
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1801. A bill granting a pension to Chief Drags Wolf—	
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1802. A bill authorizing the issuance of a patent to certain lands in the State of Montana to Florence Kerr Facey—	
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1803. A bill for the relief of certain riparian owners for losses sustained by them on the drained Mud Lake bottom, in Marshall County, in the State of Minnesota—	
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1804. A bill to authorize the transfer of certain real estate by the Secretary of the Treasury to C. F. Colvin in settlement of the Northfield (Minn.) post-office site litigation, and for other purposes—	
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1805. A bill granting a pension to Anna Elliott—	
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1806. A bill granting an easement over certain lands to the Springfield Special Road District, in the county of Greene, State of Missouri, for road purposes—	
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1807. A bill to provide for the exchange of Indian and privately owned lands, Fort Mojave Indian Reservation, Ariz.—	
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1808. A bill to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century—	
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1809. A bill for the relief of Arthur L. Benedict—	
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1810. A bill to amend the act authorizing the issuance of the Spanish War Service Medal—	
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1811. A bill for the relief of James Maurice Reagan—	
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1812. A bill granting pensions and increases of pensions to certain soldiers, sailors, and nurses of the War with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes—	
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1813. A bill providing for the sale to Joe Graham Post, No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi—	
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1814. A bill to authorize the Secretary of War to erect 1 marker for the graves of 85 Confederate soldiers buried in the Old Rondo Cemetery in Miller County, Ark., in lieu of separate markers as now authorized by law—	
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1815. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Ky.—	
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1816. A bill granting a pension to Margaret Griffin—	
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1817. A bill granting a pension to Fred Burns—	
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1818. A bill for the relief of W. P. Fuller & Co.—	
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1819. A bill to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes—	
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1820. A bill to amend the Code of Law for the District of Columbia—	
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1821. A bill authorizing the construction of a channel for the drainage of the closed basin of the San Luis Valley in Colorado, authorizing an investigation relating to the construction of a reservoir in connection with such channel, and for other purposes—	
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1822. A bill for the relief of Harold Sorenson—	
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1823. A bill for the relief of Leola Snyder—	
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1824. A bill for the relief of William F. Brockschmidt—	
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1825. A bill authorizing the Secretary of the Interior to issue patents to the numbered school sections in place, granted to the States by the act approved February 22, 1889, by the act approved January 25, 1927 (44 Stat. 1026), and by any other act of Congress—	
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1826. A bill for expenditure of funds for cooperation with the public-school board at Poplar, Mont., in the construction or improvement of public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont.—	
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1827. A bill for expenditure of funds for cooperation with the public-school board at Wolf Point, Mont., in the construction or improvement of a public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont.—	
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1828. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy	

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1830. A bill to authorize the grant of a right of way to the York River Bridge Corporation over certain Government lands within the Colonial National Monument, Va.— read twice and referred	223
1831. A bill to repeal the Economy Act approved March 20, 1933, and for other purposes— read twice and referred	223
1832. A bill granting a pension to Elizabeth Jane Catron Mills Young— read twice and referred	226
1833. A bill to provide for the settlement of claims against the United States on account of property damage, personal injury, or death— read twice and referred	226
1834. A bill to establish uniform requirements affecting Government contracts, and for other purposes— read twice and referred	226
1835. A bill to establish a United States court of administrative justice and to expedite the hearing and determination of controversies with the United States, and for other purposes— read twice and referred	226
1836. A bill for the relief of John W. Schell— read twice and referred	226
1837. A bill granting a pension to Harriet S. Nicholson— read twice and referred	226
1838. A bill to enroll on the citizenship rolls certain persons of the Choctaw and Chickasaw Nations or Tribes— read twice and referred	226
1839. A bill to transfer the Botanic Garden to the Department of Agriculture— read twice and referred	226
1840. A bill making appropriation for the mint and assay office at Carson City, Nev.— read twice and referred	226
1841. A bill for the relief of Alta Melvin and Thomas Melvin— read twice and referred	229
1842. A bill to amend sections 211, 245, and 312 of the Criminal Code, as amended— read twice and referred	229
1843. A bill for the relief of Fred H. Buckman— read twice and referred	229
1844. A bill for the relief of James Foy— read twice and referred	229
1845. A bill to prohibit the export of certain goods except in vessels of the United States— read twice and referred	229
1846. A bill authorizing the appointment and retirement of Fred P. Brown as a lieutenant, junior grade, United States Navy— read twice and referred	229
1847. A bill to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge— read twice and referred	229
1848. A bill for the relief of Josephine R. Briggs— read twice and referred	234
1849. A bill to provide for the purchase by national banks of the assets of closed national banks and State banks and trust companies— read twice and referred	234
1850. A bill to establish a national military park to commemorate the campaign and Battles of Saratoga, in the State of New York— read twice and referred	234
1851. A bill for the relief of K. W. Boring— read twice and referred	234
1852. A bill to permit Government use of forfeited property— read twice and referred	234
1853. A bill to authorize the Secretary of the Treasury to execute an agreement of indemnity to the First Granite National Bank, Augusta, Maine— read twice and referred	234
1854. A bill granting an increase of pension to Mary S. Miller— read twice and referred	234
1855. A bill for the establishment, development, and administration of the Boulder Canyon National Reservation, and the development and administration of the Boulder Canyon Project Federal Reservation, and for other purposes— read twice and referred	234
1856. A bill granting an increase of pension to Margaret E. Gorrell— read twice and referred	236
1857. A bill for the relief of John L. Summers, disbursing clerk, Treasury Department, and for other purposes— read twice and referred	236
1858. A bill for the relief of the Washington Post Co.— read twice and referred	236
1859. A bill authorizing adjustment of the claim of the Rio Grande Southern Railroad Co.— read twice and referred	236
1860. A bill authorizing adjustment of the claim of the Western Union Telegraph Co.— read twice and referred	236
1861. A bill for the relief of John F. Considine— read twice and referred	236
1862. A bill for the relief of Edward C. Joslyn— read twice and referred	236
1863. A bill granting a pension to Kate Thompson— read twice and referred	236
1864. A bill granting a pension to Nettie Sonner— read twice and referred	236
1865. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto— read twice and referred	236
1866. A bill to authorize appropriations for construction at military posts, and for other purposes— read twice and referred	236
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1868. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto— read twice and referred	236
1869. A bill relating to the manner of appointment of certain officers of the United States— read twice and referred	247
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1870. A bill to amend certain laws relating to American seamen, and for other purposes— read twice and referred	247
1871. A bill to amend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes— read twice and referred	247
1872. To extend the times for commencing and completing the construction of a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.— read twice and referred	247
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1874. A bill relative to leasing restricted lands of Indians of the Five Civilized Tribes of Oklahoma, and for other purposes— read twice and referred	247
1875. A bill to stabilize the coal-mining industry; to provide for a coal operators' code and agreement; to provide for cooperative marketing of coal; to secure prices just to operators and consumers and fair living and working conditions for the miners concerned; to levy a tax on coal and provide for a drawback under certain conditions; to declare the production, distribution, and use of coal to be affected with a public interest; to provide for the general welfare; and for other purposes— read twice and referred	262
1876. A bill to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes— read twice and referred	262
1877. A bill for the relief of Leo Yates— read twice and referred	262
1878. A bill for the relief of Vincent Rutherford— read twice and referred	262
1879. A bill extending the provisions of the pension laws relating to Indian war veterans to Capt. H. M. Hodgis' company, and for other purposes— read twice and referred	262
1880. A bill granting a pension to Elmer K. Corbett— read twice and referred	263
1881. A bill to authorize the creation of an Indian village within the Shoalwater Indian Reservation, Washington, and for other purposes— read twice and referred	263
1882. A bill to authorize the Secretary of the Interior to issue patents for lots to Indians within the Indian village of Taholah, on the Quinaielt Indian Reservation, Washington— read twice and referred	263
1883. A bill to amend the act of March 3, 1885, entitled "An act providing for allotment of lands in severalty to the Indians residing upon the Umatilla Reservation, in the State of Oregon, and granting patents therefor, and for other purposes"— read twice and referred	263
1884. A bill to prevent the use of Federal official patronage in elections and to prohibit Federal office holders from misuse of positions of public trust for private and partisan ends— read twice and referred	263
1885. A bill for the relief of Wilson G. Bingham— read twice and referred	263
1886. A bill for the relief of Amy McLaurin— read twice and referred	263
1887. A bill to authorize the change of homestead designations on allotted Indian lands— read twice and referred	263
1888. A bill to provide for the protection and conservation of the grazing resources of the undisposed of ceded Indian lands, the tribal title to which remains unextinguished— read twice and referred	263
1889. A bill to facilitate a more economical administration of forest and grazing lands on Indian reservations— read twice and referred	263
1890. A bill to authorize the Secretary of the Interior to grant concessions on reservoir sites and other lands in connection with Indian irrigation projects and to lease the lands in such reserves for agricultural, grazing, or other purposes— read twice and referred	263
1891. A bill to authorize the Secretary of the Interior to cancel restricted fee patents and issue trust patents in lieu thereof— read twice and referred	263
1892. A bill making income from United States securities subject to the income-tax laws of the United States— read twice and referred	263
1893. A bill providing old-age pensions for Indian citizens of the United States— read twice and referred	263
1894. A bill authorizing the Secretary of the Interior to erect a monument to commemorate the heroic sacrifices and the services of Martin Charger and 10 other Indians in the rescue of white women and children held as captives by an unfriendly Indian tribe— read twice and referred	263
1895. A bill for the relief of C. B. Dickinson— read twice and referred	263
1896. A bill for the relief of Sam H. Allen— read twice and referred	263
1897. A bill conferring upon the Court of Claims jurisdiction of the claims against the United States of Peter D. Mettel and A. B. Fraser— read twice and referred	263

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1906. A bill granting an increase of pension to Mary C. Booth— read twice and referred	263
1907. A bill granting a pension to Daniel Webster— read twice and referred	263
1908. A bill granting a pension to William F. Simpkins— read twice and referred	263
1909. A bill granting a pension to Jennie Claymore— read twice and referred	263
1910. A bill granting a pension to Mattie Gilbertson— read twice and referred	263
1911. A bill granting a pension to Lightning— read twice and referred	263
1912. A bill granting a pension to Martin Erikson— read twice and referred	263
1913. A bill granting a pension to Anthony Penson— read twice and referred	263
1914. A bill granting a pension to Emily S. Marlett— read twice and referred	263
1915. A bill granting a pension to Richard Payne— read twice and referred	263
1916. A bill granting an increase of pension to Louisa J. Rubendall— read twice and referred	263
1917. A bill granting a pension to James E. Rush— read twice and referred	263
1918. A bill granting a pension to Daniel R. McKay— read twice and referred	263
1919. A bill granting a pension to Harriett Warne— read twice and referred	263
1920. A bill granting a pension to Amos O. Cox— read twice and referred	263
1921. A bill granting a pension to Howard J. Sheehan— read twice and referred	263
1922. A bill granting an increase of pension to Anna Olson— read twice and referred	263
1923. A bill granting an increase of pension to Lovina Kenyon— read twice and referred	263
1924. A bill granting an increase of pension to Amos Red Owl— read twice and referred	263
1925. A bill for the relief of the William Wrigley, Jr., Co., Inc., of New York City, N.Y.— read twice and referred	263
1926. A bill granting an annuity to Samuel R. Stone— read twice and referred	263
1927. A bill granting a pension to Lydia C. Wark— read twice and referred	263
1928. A bill to enable the United States to enter the International Copyright Union— read twice and referred	263
1929. A bill granting an increase of pension to Mary E. Cramer— read twice and referred	272
1930. A bill to amend the Legislative Appropriation Act, fiscal year 1933, as amended, so as to limit the authority of the President to abolish the functions of executive agencies— read twice and referred	272
1931. A bill to amend the laws relating to the Postal Savings Depository System— read twice and referred	272
1932. A bill for the relief of Alfred Hohenlohe, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe by removing cloud on title— read twice and referred	272
1933. A bill for the relief of Frank L. Weed— read twice and referred	272
1934. A bill conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the 4-masted auxiliary bark *Quevilly* against the United States, and for other purposes— read twice and referred	272
1935. A bill to amend the act of March 2, 1929, conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the steamship *W. I. Radcliffe* against the United States, and for other purposes— read twice and referred	272
1936. A bill for the relief of Joseph J. Fortin— read twice and referred	272
1937. A bill granting a pension to Emily A. Bailey— read twice and referred	272
1938. A bill granting a pension to George N. Butler— read twice and referred	272
1939. A bill granting a pension to Benjamin F. Howatt— read twice and referred	272
1940. A bill granting a pension to Isidore H. Smith— read twice and referred	272
1941. A bill granting an increase of pension to Edward L. Hayes— read twice and referred	272
1942. A bill granting an increase of pension to Achsah E. Purinton— read twice and referred	272
1943. A bill to create an unemployment reserve fund in the District of Columbia, to provide for its administration, and for other purposes— read twice and referred	272
1944. A bill to prevent the manufacture, shipment, and sale of adulterated or misbranded food, drugs, and cosmetics, and to regulate traffic therein; to prevent the false advertisement of food, drugs, and cosmetics, and for other purposes— read twice and referred	272
1945. A bill for the relief of the Berg Shipbuilding Co.— read twice and referred	290
1946. A bill to amend section 165 of the Revenue Act of 1932— read twice and referred	290
1947. A bill to provide for the creation of the St. Croix Island National Monument located near the mouth of the St. Croix River in the State of Maine, and for other purposes— read twice and referred	295

Number, title, and action	Page of Journal
1948. A bill amending the act entitled "An act authorizing the Court of Claims to hear, determine, and render judgment in the civilization fund claim of the Osage Nation of Indians against the United States", approved February 6, 1921 (41 Stat. 1097)— read twice and referred	295
1949. A bill for the relief of C. J. Mast— read twice and referred	295
1950. A bill to permit any person doing business within the United States to obtain loans from the Reconstruction Finance Corporation for an amount not in excess of 60 percent of the value of the real-estate holdings of such person— read twice and referred	295
1951. A bill to amend the act of June 23, 1926, reserving Rice Lake and contiguous lands for the Chippewa Indians of Minnesota— read twice and referred	295
1952. A bill to provide for the selection of certain lands in the State of California for the use of the California State park system— read twice and referred	299
1953. A bill to amend Public Law No. 425, Seventy-second Congress, providing for the selection of certain lands in the State of California for the use of the California State park system, approved March 3, 1933— read twice and referred	299
1954. A bill to provide for the selection of certain islands, rocks, and pinnacles situated in the Pacific Ocean, south of the mouth of Carmel River, State of California, for the use of the California State park system— read twice and referred	299
1955. A bill to exempt securities issued by banking institutions organized under the laws of the District of Columbia from the application of the Securities Act of 1933— read twice and referred	299

SENATE JOINT RESOLUTIONS

Number, title, and action	Page of Journal
1. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women—	
read twice and referred	12
2. A joint resolution to strengthen the security of deposits in certain banks, and for other purposes—	
read twice and referred	12
3. A joint resolution proposing an amendment to the Constitution of the United States to permit the taxation of capital without apportionment among the States—	
read twice and referred	12
4. A joint resolution to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes—	
read twice and referred	12
5. A joint resolution providing for the payment of the expenses of the Senate in the impeachment trial of Harold Louderback—	
read twice and referred	12
6. A joint resolution proposing an amendment to the Constitution of the United States—	
read twice and referred	17
7. A joint resolution proposing an amendment to the Constitution of the United States relative to taxes on certain incomes—	
read twice and referred	17
8. A joint resolution authorizing the fixing of grazing fees on lands within national forests—	
read twice and referred	17
9. A joint resolution proposing an amendment to the Constitution of the United States providing for national representation for the people of the District of Columbia—	
read twice and referred	17
10. A joint resolution proposing to amend the Constitution of the United States to exclude aliens in counting the whole number of persons in each State for apportionment of Representatives among the several States—	
read twice and referred	17
11. A joint resolution authorizing and requesting the President to extend an invitation to foreign governments to be represented by delegates at the Sixth World's Poultry Congress, to be held in the United States in 1936, and to participate in the educational and live-bird exhibits of the congress—	
read twice and referred	17
12. A joint resolution authorizing an appropriation to enable the United States to send an educational exhibit and for the expenses of official delegates to the Fifth World's Poultry Congress to be held at Rome, Italy, September 6 to 15, 1933—	
read twice and referred	17
13. A joint resolution authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered—	
read twice and referred	17
reported without amendment (Rept. No. 7)	51
considered, read the third time, and passed	70
passed the House with an amendment	121
Senate agrees to House amendment	123
examined and signed	134
presented	138
approved [Public Resolution No. 6]	183
14. A joint resolution [authorizing the President of the United States to expend $5,000,000 to relieve distress in those counties of California which have suffered from the catastrophe of earthquake in the year 1933] *to authorize the Reconstruction Finance Corporation to make loans for financing the repair or reconstruction of buildings damaged by earthquake in 1933*—	
read twice and referred	24
reported with amendments	28
considered, amended, read the third time, and passed	28
passed the House with amendments	35
Senate disagrees to House amendments and asks conference	36
House insists and agrees to conference	40
House agrees to report of conferees	43
Senate agrees to report of conferees; title amended	44
examined and signed	47
presented	49
approved [Public Resolution No. 2]	53
15. A joint resolution extending to the whaling industry certain benefits granted under section 11 of the Merchant Marine Act, 1920—	
read twice and referred	24
reported with an amendment (Rept. No. 18)	75
considered, amended, read the third time, and passed	265
16. A joint resolution providing for the investigation, survey, and report of a continuous water line from the James River in Virginia to the New and Kanawha Rivers in West Virginia—	
read twice and referred	24
17. A joint resolution proposing an amendment to the Constitution of the United States to permit the taxation of tax-exempt securities—	
read twice and referred	24

Number, title, and action	Page of Journal
18. A joint resolution proposing an amendment to the Constitution of the United States relative to banking laws—	
read twice and referred	24
19. A joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundred and fiftieth anniversary of the naturalization as an American citizen of Brig. Gen. Thaddeus Kosciusko—	
read twice and referred	27
20. A joint resolution authorizing the issuance of a special postage stamp in honor of Brig. Gen. Thaddeus Kosciusko—	
read twice and referred	27
21. A joint resolution authorizing the erection in Washington, D.C., of a monument in memory of Col. Robert Ingersoll—	
read twice and referred	27
22. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to take private property for public use during time of war with or without compensation—	
read twice and referred	30
23. A joint resolution providing that it shall be unlawful, unless otherwise provided by act of Congress or by proclamation of the President, to export to any country violating the terms of the pact of Paris arms, munitions, implements of war, or other articles for use in war, or make any such trade or financial arrangements with the violating country or its nationals as in the judgment of the President may be used to strengthen or maintain the violation—	
read twice and referred	30
24. A joint resolution proposing an amendment to the Constitution of the United States prohibiting war—	
read twice and referred	33
25. A joint resolution proposing an amendment to the Constitution of the United States relative to taxes on certain incomes—	
read twice and referred	33
26. A joint resolution to promote the establishment of unemployment-insurance systems and wage reserves, and for other purposes—	
read twice and referred	39
27. A joint resolution to provide protection and relief to farmers by aiding them to conserve and liquefy their mineral rights through recognized and established cooperative agencies engaged in the pooling of mineral rights underlying farm lands—	
read twice and referred	39
28. A joint resolution directing the President to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski—	
read twice and referred	39
29. A joint resolution proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States—	
read twice and referred	39
30. A joint resolution to authorize the erection of a monument to Queen Isabella—	
read twice and referred	43
31. A joint resolution consenting that certain States may sue the United States and providing for trial on the merits in any suit brought hereunder by a State to recover direct	
31—Continued	
taxes alleged to have been illegally collected by the United States during the fiscal years ending June 30, 1866, 1867, and 1868, and vesting the right in each State to sue in its own name—	
read twice and referred	46
32. A joint resolution authorizing an annual appropriation for the expenses of participation by the United States in the International Institute of Agriculture at Rome, Italy—	
read twice and referred	49
33. A joint resolution to prohibit the exportation of arms or munitions of war from the United States under certain conditions—	
read twice and referred	49
34. A joint resolution to provide for the acceptance of sums donated for the construction of a swimming exercise tank for the use of the President—	
read twice	55
considered and postponed indefinitely	55
(See H.J.Res. 121)	
35. A joint resolution to provide for the determination and payment of claims for damage sustained by the fluctuation of the water levels of the Lake of the Woods in certain cases, and for other purposes—	
read twice and referred	55
36. A joint resolution directing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski—	
read twice and referred	64
37. A joint resolution granting permission to Hugh S. Cumming, Surgeon General of the United States Public Health Service; John D. Long, medical director United States Public Health Service; and Clifford R. Eskey, surgeon, United States Public Health Service, to accept and wear certain decorations bestowed upon them by the Governments of Ecuador, Chile, and Cuba—	
read twice and referred	67
38. A joint resolution requesting the President to proclaim October 12 as Columbus Day for the observance of the anniversary of the discovery of America—	
read twice and referred	78
39. A joint resolution authorizing the issuance of a special series of postage stamps commemorative of Gen. Thaddeus Kosciusko—	
read twice and referred	84
40. A joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President—	
read twice and referred	84
41. A joint resolution to provide for the publication of certain transactions in cotton on boards of trade and exchanges—	
read twice and referred	88
42. A joint resolution proposing an amendment to the Constitution of the United States providing for the fixing of prices in time of war and the prevention of profiteering—	
read twice and referred	93
43. A joint resolution providing for the use of the water of the St. Lawrence River for the generation of power by the State of New York under and in accordance with the	

Number, title, and action	Page of Journal
43—Continued	
provisions of the Great Lakes-St. Lawrence Deep Waterway Treaty between the United States and Canada—	
read twice and ordered to lie on the table	93
44. A joint resolution providing for the ratification of constitutional amendments by popular elections—	
read twice and referred	108
45. A joint resolution to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Seventh International Congress of Military Medicine and Pharmacy—	
read twice and referred	110
46. A joint resolution relating to ownership of stocks and bonds of industrial, railroad, mining, banking, shipping, oil, and other corporations, firms, and partnerships by Members of the Senate and House of Representatives of the United States of America and by employees of the Federal Government and their relation to such corporations and firms—	
read twice and referred	124
47. A joint resolution conferring upon the United States District Court for the Eastern District of Oklahoma the power to retain jurisdiction and to hear, try, and give judgment in case no. 6091 law, entitled "Charles Pope Hollingsworth against United States of America"—	
read twice and referred	136
48. A joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China—	
read twice and referred	136
reported without amendment (Rept. No. 70)	161
considered, read the third time, and passed	196
passed the House with amendments	211
Senate agrees to House amendments	211
examined and signed	217
presented	219
approved [Public Resolution No. 9]	235
49. A joint resolution to authorize the purchase of grain and grain products for distribution by the American National Red Cross for relief of distress—	
read twice and referred	136
50. A joint resolution designating May 22 as National Maritime Day—	
read twice and referred	149
reported without amendment	161
considered, read the third time, and passed	161
passed the House	181
examined and signed	183
presented	184
approved [Public Resolution No. 7]	214
51. A joint resolution proposing an amendment to the Constitution of the United States with respect to the regulation of the business or commerce of insurance—	
read twice and referred	154
52. A joint resolution conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Atlantic Works, of Boston, Mass.—	
read twice and referred	154
53. A joint resolution granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri	
53—Continued	
of title to a toll bridge across the Missouri River from a point in Platte County, Mo., to a point at or near Kansas City, in Wyandotte County, Kans., and specifying the conditions thereof—	
read twice and referred	154
54. A joint resolution limiting the operation of sections 109 and 113 of the Criminal Code—	
read twice and referred	174
reported without amendment	201
considered, read the third time, and passed	210
55. A joint resolution extending for 1 year the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission—	
read twice and referred	181
56. A joint resolution to assure uniform value to the coins and currencies of the United States—	
read twice and referred	204
reported without amendment (Rept. No. 99)	206
postponed indefinitely	224
(See H.J.Res. 192)	
57. A joint resolution calling on the Secretary of the Treasury for information concerning tax assessments, income taxes, tax refunds and claims therefor, including depletion, credits, and abatements, made by certain persons and corporations—	
read twice and ordered to lie on the table	209
58. A joint resolution proposing an amendment to the Constitution of the United States relative to election and qualification of judges—	
read twice and referred	214
59. A joint resolution to provide for the expenses of delegates of the United States to the Ninth Pan American Sanitary Conference—	
read twice and referred	226
reported without amendment	262
considered, read the third time, and passed	262
60. A joint resolution making an appropriation for an investigation of housing conditions and rentals in the District of Columbia—	
read twice and referred	234
reported without amendment	236
considered, read the third time, and passed	265
61. A joint resolution proposing an amendment to the Constitution of the United States relative to taxation of income derived from securities—	
read twice and referred	263
62. A joint resolution temporarily suspending the portion of the Executive order of the President relating to payments for agricultural experiment stations, cooperative agricultural extension work, and agricultural colleges—	
read twice and ordered to lie on the table	272
63. A joint resolution [disapproving section 18] *temporarily suspending* section 18 and portions of section 2 of the Executive order of June 10, 1933, relating to the organization of executive agencies—	
read twice and ordered to lie on the table	272
considered, amended, read the third time, and passed; title amended	300
64. A joint resolution disapproving sections 1 and 2 of the Executive order of June 10, 1933, relating to procurement and to national parks, buildings, and reservations—	
read twice and ordered to lie on the table	272

SENATE CONCURRENT RESOLUTIONS

Number, title, and action	Page of Journal
1. A concurrent resolution favoring the designation and appropriate observance of American Conservation Week—	
referred	78
2. A concurrent resolution providing for the printing, with an index, of the Constitution of the United States, as amended to April 1, 1933, together with the Declaration of Independence—	
referred	84
reported without amendment (Rept. No. 115)	226
considered and agreed to	232
House concurs	291
3. A concurrent resolution urging development of Christian family ideals in the United States—	
referred	101
4. A concurrent resolution authorizing the appointment of a joint committee to investigate the practicability of the use in motor fuel of alcohol produced from farm commodities—	
referred	204
5. A concurrent resolution requesting the President to return to the Senate the enrolled bill (S. 1580), the Emergency Railroad Transportation Act, 1933, and authorizing its reenrollment with an amendment—	
considered and agreed to	273
House concurs	274

SENATE RESOLUTIONS

Number, title, and action	Page of Journal
1. A resolution fixing the hour of daily meeting of the Senate—	
considered and agreed to	5
2. A resolution notifying the President that a quorum of Congress has assembled and is ready to receive any communication from him—	
considered and agreed to	8
3. A resolution notifying the House that a quorum of the Senate has been assembled—	
considered and agreed to	8
4. A resolution fixing the hour of daily meeting of the Senate—	
considered and agreed to	8
5. A resolution electing Hon. Key Pittman, of Nevada, as President pro tempore of the Senate—	
considered and agreed to	8
6. A resolution to elect Edwin A. Halsey, of Virginia, as Secretary of the Senate—	
considered and agreed to	8
7. A resolution to elect Chesley W. Jurney, of Texas, Sergeant at Arms and Doorkeeper of the Senate—	
considered and agreed to	8
8. A resolution notifying the President of the United States of the election of Hon. Key Pittman, a Senator from the State of Nevada, President of the Senate pro tempore and Edwin A. Halsey, of Virginia, Secretary of the Senate—	
considered and agreed to	8
9. A resolution notifying the House of Representatives of the election of the Hon. Key Pittman as President pro tempore of the Senate, and of Edwin A. Halsey as Secretary of the Senate—	
considered and agreed to	8
10. A resolution electing Leslie L. Biffle as secretary for the majority of the Senate—	
considered and agreed to	8
11. A resolution electing Carl A. Loeffler as secretary for the minority of the Senate—	
considered and agreed to	8
12. A resolution amending paragraph 1 of rule XXV of the Standing Rules of the Senate—	
considered, modified, and agreed to	9
13. A resolution rescinding resolutions for payment of employees for services performed in certain designated positions—	
ordered to lie on the table	13
14. A resolution providing for payment of the expenses in the impeachment trial of Harold Louderback—	
referred	17
reported without amendment	37
considered and agreed to	37
15. A resolution declaring that the Senate of the United States favors the recognition of the present Soviet Government of Russia—	
referred	18
16. A resolution favoring an expression on Mother's Day of our love and reverence for motherhood—	
referred	18
16—Continued	
reported without amendment	122
considered and agreed to; preamble agreed to	137
17. A resolution authorizing the Committee on Appropriations to hold hearings during the Seventy-third Congress—	
referred	21
reported without amendment	37
considered and agreed to	37
18. A resolution referring to the Court of Claims the bill (S. 259) for the relief of J. A. Tippit and others—	
referred	21
19. A resolution authorizing the Committee on Education and Labor to hold hearings during the Seventy-third Congress—	
referred	21
reported without amendment	37
considered and agreed to	37
20. A resolution favoring international negotiations looking to the delegalization and prohibition of war—	
referred	21
21. A resolution to investigate conditions in Soviet Russia with respect to recognition of the Government of that country—	
referred	22
22. A resolution relative to membership of State banks in the Federal Reserve System—	
referred	22
23. A resolution relative to the death of Senator Robert B. Howell, of Nebraska—	
considered and agreed to	22
24. A resolution to refer to the Committee on the Judiciary bills affecting the jurisdiction of constitutional courts—	
ordered to lie over	24
considered and agreed to	84
25. A resolution authorizing the Committee on Military Affairs to hold hearings during the Seventy-third Congress—	
referred	25
reported without amendment	37
considered and agreed to	37
26. A resolution to pay certain funeral expenses of the late Senator Robert B. Howell—	
referred	27
reported without amendment	135
considered and agreed to	135
27. A resolution authorizing the Committee on Irrigation and Reclamation to hold hearings during the Seventy-third Congress—	
referred	27
reported without amendment	37
considered and agreed to	37
28. A resolution authorizing the Committee on Interstate Commerce to hold hearings during the Seventy-third Congress—	
referred	30
reported without amendment	37
considered and agreed to	37
29. A resolution to provide for the equipment of the Senate Chamber for broadcasting the proceedings of the Senate—	
referred	30

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Number, title, and action	Page of Journal
30. A resolution authorizing the Committee on Foreign Relations to hold hearings during the Seventy-third Congress—	
referred	31
reported without amendment	206
considered and agreed to	206
31. A resolution authorizing the Committee on Patents to hold hearings during the Seventy-third Congress—	
referred	31
reported without amendment	37
considered and agreed to	37
32. A resolution authorizing the temporary employment of six mail carriers for the Senate post office—	
referred	34
reported without amendment	37
considered and agreed to	37
33. A resolution authorizing the Committee on Agriculture and Forestry to hold hearings during the Seventy-third Congress—	
referred	34
reported without amendment	37
considered and agreed to	37
34. A resolution authorizing the Committee on the District of Columbia to hold hearings during the Seventy-third Congress—	
referred	39
reported without amendment	83
considered and agreed to	83
35. A resolution authorizing the Committee on Post Offices and Post Roads to hold hearings during the Seventy-third Congress—	
referred	39
reported without amendment	83
considered and agreed to	83
36. A resolution authorizing an investigation to determine the necessity for the strengthening or extension of the antitrust laws—	
referred	43
37. A resolution requesting the Board of Engineers for Rivers and Harbors to review the report on Columbia and Lower Willamette Rivers between Portland, Oreg., and the sea—	
referred	43
38. A resolution authorizing the Committee on Immigration to hold hearings during the Seventy-third Congress—	
referred	43
reported without amendment	83
considered and agreed to	83
39. A resolution authorizing the Committee on Public Lands and Surveys to hold hearings during the Seventy-third Congress—	
referred	43
reported without amendment	83
considered and agreed to	83
40. A resolution authorizing the Committee on the Judiciary to hold hearings during the Seventy-third Congress—	
referred	46
reported with an amendment	83
considered, amended, and agreed to	83
41. A resolution authorizing the Committee on Indian Affairs to hold hearings during the Seventy-third Congress—	
referred	46
reported without amendment	83
considered and agreed to	83
42. A resolution to amend rule XVI so as to provide for the representation of the Committee on Indian Affairs on certain conference committees—	
referred	46
43. A resolution authorizing the Committee on Commerce to hold hearings during the Seventy-third Congress—	
referred	46
reported without amendment	83
considered and agreed to	83
44. A resolution authorizing the appointment of four special employees of the Senate—	
referred	46
reported without amendment	83
considered and agreed to	83
45. A resolution authorizing the Committee on Manufactures to hold hearings during the Seventy-third Congress—	
referred	49
reported without amendment	83
considered and agreed to	83
46. A resolution authorizing the Committee on the Library to hold hearings during the Seventy-third Congress—	
referred	49
reported without amendment	83
considered and agreed to	83
47. A resolution to pay J. A. Metcalfe & Co. for certain services rendered to the Special Committee on Campaign Expenses—	
referred	52
48. A resolution authorizing the Attorney General of the United States to take immediate steps to investigate certain charges—	
ordered to lie on the table	52
49. A resolution to print the report of an investigation by Senator Carl Hayden, of Arizona, relative to the use of silver coinage in European nations indebted to the United States—	
referred	55
reported without amendment	69
considered and agreed to	69
50. A resolution authorizing the Committee on Naval Affairs to hold hearings during the Seventy-third Congress—	
referred	61
reported without amendment	83
considered and agreed to	83
51. A resolution authorizing the Committee on Rules to hold hearings during the Seventy-third Congress—	
referred	61
reported without amendment	83
considered and agreed to	83
52. A resolution authorizing the Committee on Privileges and Elections to hold hearings during the Seventy-third Congress—	
referred	61
reported without amendment	83
considered and agreed to	83
53. A resolution authorizing the Committee on Mines and Mining to hold hearings during the Seventy-third Congress—	
referred	61
reported without amendment	83
considered and agreed to	83
54. A resolution authorizing the Committee on Public Buildings and Grounds to hold hearings during the Seventy-third Congress—	
referred	61
reported without amendment	83
considered and agreed to	83
55. A resolution to investigate the delay in prosecuting alleged law violations by the Harriman National Bank, New York City—	
referred to the Committee on the Judiciary	64
reported with an amendment	69

Number, title, and action	Page of Journal
55—Continued	
referred to the Committee on Contingent Expenses	69
reported without additional amendment	94
considered, amended, and agreed to	98
56. A resolution to investigate the matter of banking operations and practices, the issuance and sale of securities and the trading therein—	
referred to Committee on Banking and Currency	64
reported with amendments	67
referred to the Committee on Contingent Expenses	67
reported with an additional amendment	68
considered, amended, and agreed to	68
57. A resolution to print, with illustrations, the report of the Department of Agriculture entitled "A National Plan for American Forestry"—	
referred	67
reported without amendment	69
considered and agreed to	69
58. A resolution to investigate the cause of the wreck of the Navy dirigible *Akron* and other dirigibles and to inquire into the utility of dirigibles for military or naval purposes—	
referred	72
59. A resolution authorizing the printing of the manuscript entitled "The Development of Federal Trade Commission Policy", by John J. Quigley, A.M., as a Senate document—	
referred	78
60. A resolution to reimburse Muriel Crichton for certain expenses incurred because of injuries received in the Capitol Building—	
referred	81
reported with amendments	93
considered, amended, and agreed to	93
61. A resolution to investigate methods of a change in the currency system so as to raise commodity prices and restore normal debt-paying power—	
ordered to lie on the table	88
62. A resolution to authorize the printing as a Senate document of the manuscript entitled "Contracts Payable in Gold", by George Cyrus Thorpe—	
referred	108
reported without amendment	117
considered and agreed to	117
63. A resolution authorizing the Committee on Patents to employ an assistant clerk during the Seventy-third Congress—	
referred	124
reported without amendment	179
considered and agreed to	179
64. A resolution amending S.Res. 339, Seventy-second Congress, calling for certain information from the Federal Trade Commission concerning petroleum prices—	
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65. A resolution requesting the Secretary of Agriculture to investigate the practicability and advantages to agriculture of using alcohol manufactured from corn and other farm products, etc.—	
ordered to lie on the table	136
considered and agreed to	138
66. A resolution relative to the death of Hon. Clay Stone Briggs, late a Representative from the State of Texas—	
considered and agreed to	138
67. A resolution authorizing the delegates to the international conference to work unceasingly for the remonetization of silver on the basis of 16 to 1—	
ordered to lie on the table	141
considered and agreed to; preamble agreed to	150
68. A resolution directing the Tariff Commission to investigate the production costs of goat, kid, and cabretta leathers—	
ordered to lie over	141
considered and agreed to	174
69. A resolution authorizing the Committee on Banking and Currency to investigate transactions and operations of the Reconstruction Finance Corporation—	
considered and agreed to	145
70. A resolution continuing S.Res. 56, providing for an investigation of banking operations and sales of securities, and increasing the limit of expenditures therefor—	
referred	145
reported with an amendment	199
considered, amended, and agreed to	202
71. A resolution authorizing the Committee on the Judiciary to have printed for its use additional copies of hearings on 30-hour work week—	
referred	146
reported without amendment	262
considered and agreed to	262
72. A resolution to investigate the terms and conditions under which concessions have been procured in foreign countries by American citizens and certain corporations or associations—	
referred	146
73. A resolution authorizing the Secretary of the Senate to provide for the preservation of old documents on file in the Senate library—	
referred	146
reported with an amendment	206
considered, amended, and agreed to	206
74. A resolution authorizing an investigation of the matter of so-called "rackets" with a view to their suppression—	
referred to the Committee on Commerce	149
reported with an amendment	216
referred to the Committee on Contingent Expenses	216
reported with an additional amendment	272
considered, amended, and agreed to; preamble amended and agreed to	272
75. A resolution calling for salary schedules of executive officers of certain banks, railroads, electric-power corporations, and certain other corporations engaged in interstate commerce—	
ordered to lie on the table	149
modified	176
considered and agreed to as modified	210
76. A resolution to investigate conditions respecting the sale and distribution of dairy products in the District of Columbia—	
referred	154
reported without amendment	173
report (No. 78) submitted	182
considered and agreed to	197
77. A resolution authorizing the President of the Senate and the President pro tempore during the first session of the Seventy-third	

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77—Continued	
Congress to sign enrolled bills during adjournments or recesses of the Senate—	
considered and agreed to	159
78. A resolution authorizing the appointment of a special committee to investigate the administration of bankruptcy and receivership proceedings in United States courts—	
ordered to lie on the table	161
referred	216
reported with amendments	272
considered, amended, and agreed to	292
79. A resolution authorizing an additional expenditure in connection with a general survey of Indian conditions in the United States—	
referred to the Committee on Contingent Expenses	162
reference changed	179
reported without amendment (Rept. No. 94)	201
referred to Committee on Contingent Expenses	201
reported with an amendment	234
considered, amended, and agreed to	237
80. A resolution calling upon the Federal Power Commission for a report on the cost of electrical distribution by service companies—	
ordered to lie on the table	174
considered and agreed to	210
81. A resolution relative to the death of Hon. Charles Hillyer Brand, late a Representative from the State of Georgia—	
considered and agreed to	180
82. A resolution authorizing a further expenditure in connection with the impeachment trial of Judge Harold Louderback—	
referred	181
reported without amendment	185
considered and agreed to	198
83. A resolution to authorize the printing of Public Law No. 10 relating to emergency farm relief, for the use of the Senate document room—	
considered and agreed to	184
84. A resolution appointing James W. Murphy and Percy E. Budlong Official Reporters of the Senate—	
reported, considered, and agreed to	186
85. A resolution favoring the refunding of United States Government bonds at a lower rate of interest—	
ordered to lie on the table	200
considered	266, 268
considered and agreed to; preamble agreed to	269
86. A resolution directing the Public Utilities Commission of the District of Columbia to investigate facts pertaining to housing in the District of Columbia—	
referred	202
reported with an amendment (Rept. No. 126)	229
considered, amended, and agreed to	232
87. A resolution to pay for certain services rendered to the United States district attorney for Nebraska in the case of the *United States v. Victor Seymour*—	
referred	202
reported with amendments	234
considered, amended, and agreed to	237
88. A resolution to investigate alleged irregularities in connection with purchases of materials or equipment for the use of the Civilian Conservation Corps—	
referred	205
reported with an amendment	216
considered, amended, and agreed to	216
89. A resolution increasing the limit of expenditures under Senate Resolution 55 to investigate the delay in prosecuting alleged law violations by the Harriman National Bank, New York City—	
referred	209
reported without amendment	234
considered and agreed to	237
90. A resolution calling on the Secretary of the Treasury for information concerning tax assessments, income taxes, tax refunds and claims therefor, including depletion, credits, and abatements, made by certain persons and corporations—	
ordered to lie on the table	209
91. A resolution respecting further payments from the United States Treasury from the special deposit account created by the Settlement of War Claims Act of 1928 prior to the resumption of payments by Germany and the completion of the work of the Mixed Claims Commission, United States and Germany—	
referred	218
92. A resolution creating a special committee to investigate certain phases of the petroleum industry—	
referred	229
reported without amendment	262
referred to the Committee to Audit and Control the Contingent Expenses of the Senate	262
93. A resolution further increasing the limit of expenditures in the investigation of stock exchange, banking, and investment practices—	
referred	230
reported without amendment	234
considered and agreed to	237
94. A resolution increasing the limits of expenditures of the investigation of air mail and ocean mail contracts—	
referred	230
reported with an amendment	234
considered, amended, and agreed to	264
95. A resolution relative to the payment of Senate pages during June 1933—	
referred	230
96. A resolution to increase the membership on the Special Committee for the Conservation of Wild Life Resources from five to seven members—	
referred	234
reported without amendment	236
considered and agreed to	265
97. A resolution relative to the investigation by the Committee on Banking and Currency of transactions in securities or credit—	
referred	234
reported without amendment	234
considered and agreed to	237
98. A resolution to pay Willie Mayes Shuey a sum equal to 1 year's compensation of the late Theodore F. Shuey—	
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Committee to Audit and Control the Contingent Expenses of the Senate discharged	248
considered and agreed to	248
99. A resolution authorizing the Committee on Agriculture and Forestry to investigate the	

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99—Continued	
costs of marketing and processing milk and its products—	
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100. A resolution authorizing payment to Muriel Crichton of a sum in full settlement of claims for injuries received in the Capitol Building—	
reported, considered, and agreed to	271
101. A resolution requesting the Secretaries of the Interior, Agriculture, and Commerce to furnish the Senate with information as to reduction in personnel, cuts in compensation,	
101—Continued	
and curtailment of activities in connection with scientific research and experimentation—	
considered and agreed to	273
102. A resolution relative to the signing and presentation to the President of the United States of certain enrolled bills—	
considered and agreed to	302
103. A resolution expressing sympathy for the Jewish people of Germany because of their persecution by the Nazi administration—	
ordered to lie on the table	302

HOUSE BILLS

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48. An act to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.—	
received	98
read twice and referred	99
reported without amendment (Rept. No. 53)	145
considered, read the third time, and passed	150
examined and signed	152
approved [Public Law No. 11]	175
1491. An act to provide relief in the existing national emergency in banking, and for other purposes—	
received	12
read twice, considered, read the third time, and passed	13
examined and signed	13
approved [Public Law No. 1]	22
1596. An act to extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.—	
received	98
read twice and referred	99
reported without amendment (Rept. No. 54)	145
considered, read the third time, and passed	150
examined and signed	152
approved [Public Law No. 12]	175
1767. An act to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego—	
received	203
read twice and referred	203
reported without amendment (Rept. No. 103)	216
considered, read the third time, and passed	232
examined and signed	237
approved [Private Law No. 10]	304
2820. An act to maintain the credit of the United States Government—	
received	22
read twice and considered	25
ordered printed, showing Finance Committee amendments to Senate bill 233	26
considered	28, 29, 31
considered, amended, read the third time, and passed	32
House agrees to Senate amendments	34
examined and signed	36
approved [Public Law No. 2]	40
3341. An act to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes—	
received	28
read twice and referred	28
reported with amendments (Rept. No. 3)	30
considered	33, 34
considered, amended, read the third time, and passed	35
House disagrees to Senate amendments and asks conference	35
Senate insists and agrees to conference	36
report of Senate conferees submitted	39
3341—Continued	
Senate agrees to report of conferees	40
House agrees to report of conferees	43
examined and signed	44
approved [Public Law No. 3]	50
3342. An act to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes—	
received and referred by the Vice President, under the order of the Senate of March 23, 1933	50
reported with an amendment (Rept. No. 12)	58
considered, amended, read the third time, and passed	64, 65
House disagrees to Senate amendment and asks conference	67
Senate insists and agrees to conference	67
Senate agrees to report of conferees	70
House agrees to report of conferees	73
examined and signed	73
approved [Public Law No. 7]	82
3344. An act to amend section 14, subdivision 3, of the Federal Farm Loan Act—	
received	298
read twice, considered, read the third time, and passed	300
examined and signed	301
3511. An act to authorize the creation of a game refuge in the Ouachita National Forest in the State of Arkansas—	
received	228
read twice and referred	230
reported without amendment	262
considered, read the third time, and passed	262
examined and signed	268
approved [Public Law No. 42]	304
3659. An act to extend the mining laws of the United States to the Death Valley National Monument in California—	
received	228
read twice and referred	230
reported without amendment (Rept. No. 130)	233
considered, read the third time, and passed	265
examined and signed	268
approved [Public Law No. 49]	304
3757. An act to provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases, *and for other purposes*—	
received	40
read twice and referred	40
reported with amendments (Rept. No. 4)	46
considered	46
considered, amended, read the third time, and passed; title amended	49
House agrees to Senate amendments	49
examined and signed	50
approved [Public Law No. 4]	90
3835. An act to relieve the existing national economic emergency by increasing agricultural purchasing power, *to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebted-*	

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3835—Continued	
ness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes—	
received	47
read twice and referred	49
reported with amendments (Rept. No. 16)	71
report on amendment intended to be proposed	107
considered	76, 79, 81, 82, 84, 86, 88, 89, 90, 92, 93, 94, 95, 98, 99, 102, 103, 104, 105, 106, 108, 109, 110, 116, 117, 119, 120, 121, 122, 123, 124, 127, 128, 129, 133
considered, amended, read the third time, and passed; title amended	133
Senate insists and asks a conference	133
House disagrees and agrees to conference	142
House agrees to report of conferees	151
House further disagrees to Senate amendment no. 83	151
report of Senate conferees submitted	154
Senate agrees to report of conferees	156
Senate recedes from its amendment no. 83	156
examined and signed	160
approved [Public Law No. 10]	175
4014. An act to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the act approved June 7, 1924, in certain respects—	
received	175
read twice and placed on calendar	176
considered, read the third time, and passed	198
examined and signed	198
approved [Public Law No. 28]	233
4127. An act to extend the times for commencing and completing the construction of a bridge across the Waccamaw River near Conway, S.C.—	
received	98
read twice and referred	99
reported without amendment (Rept. No. 55)	145
considered, read the third time, and passed	150
examined and signed	152
approved [Public Law No. 13]	175
4220. An act for the protection of Government records—	
received	68
read twice and referred	68
reported with an amendment (Rept. No. 21)	80
considered, amended, read the third time, and passed	150
reconsidered	150
considered, amended, read the third time, and passed	156, 157

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House disagrees to Senate amendment and asks conference	178
Senate insists and agrees to conference	196
Senate agrees to report of conferees	232
House agrees to report of conferees	241
examined and signed	264
approved [Public Law No. 37]	304
4225. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Parkers Landing, in the county of Armstrong, Commonwealth of Pennsylvania—	
received	98
read twice and referred	99
reported without amendment	118
considered, read the third time, and passed	118
examined and signed	121
approved [Public Law No. 8]	147
4332. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River, at a point near the Forest-Venango County line, in Tionesta Township, and in the county of Forest, and in the Commonwealth of Pennsylvania—	
received	98
read twice and referred	99
reported without amendment	118
considered, read the third time, and passed	118
examined and signed	121
approved [Public Law No. 9]	147
4491. An act granting the consent of Congress to the Board of County Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio—	
received	98
read twice and referred	99
reported without amendment (Rept. No. 56)	145
considered, read the third time, and passed	150
examined and signed	152
approved [Public Law No. 14]	175
4494. An act authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States—	
received	175
read twice and referred	176
reported without amendment (Rept. No. 96)	204
considered, read the third time, and passed	210
examined and signed	214
approved [Public Law No. 29]	233
4589. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes—	
received	74
read twice and referred	74
reported with amendments (Rept. No. 48)	123
considered, amended, read the third time, and passed	144
Senate insists and asks a conference	144
House disagrees to Senate amendments and agrees to conference	151
House agrees to report of conferees	241
House recedes and agrees to certain Senate	

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4589—Continued	
amendments, and agrees to others with amendments	241
Senate agrees to report of conferees	242
Senate agrees to House amendments to Senate amendments in disagreement	243
examined and signed	264
approved [Public Law No. 70].	
4606. An act to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes—	
received	110
read twice and referred	111
reported with amendment (Rept. No. 46)	118
considered, amended, read the third time, and passed	137
House disagrees to Senate amendments and asks conference	142
Senate insists and agrees to conference	142
conference report submitted in Senate	149
Senate agrees to conference report	150
House agrees to conference report	152
examined and signed	160
approved [Public Law No. 15]	175
4795. An act to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to amend and supplement the Federal Farm Loan Act, to provide for the orderly liquidation of joint-stock land banks, and for other purposes—	
received	90
postponed indefinitely	162
(See bill H.R. 3835)	
4812. An act to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes—	
received	203
read twice and referred	206
reported with amendments (Rept. No. 105)	218
considered, amended, read the third time, and passed	232
House agrees to Senate amendments	241
examined and signed	250
approved [Public Law No. 39]	304
4872. An act authorizing Farris Engineering Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near California, Pa.—	
received	228
read twice and referred	230
reported without amendment (Rept. No. 132)	233
considered, read the third time, and passed	265
examined and signed	268
approved [Public Law No. 61]	304
5012. An act to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy—	
received	120
read twice and referred	121
reported with an amendment	206
considered, amended, read the third time, and passed	210
Senate insists and asks conference	210

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5012—Continued	
House disagrees to Senate amendment and agrees to conference	211
report of Senate conferees submitted	217
House agrees to report of conferees	227
Senate agrees to report of conferees	250
examined and signed	264
approved [Public Law No. 38]	304
5040. An act to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes—	
received	106
read twice and referred	106
reported with amendments (Rept. No. 58)	153
considered	159, 160, 162, 163, 164, 165
considered, amended, read the third time, and passed	165
House disagrees to Senate amendments and asks conference	174
Senate insists and agrees to conference	174
report of Senate conferees submitted	215
report considered and recommitted	230
House agrees to report of conferees	250
House agrees to Senate amendment no. 3 with an amendment	250
Senate agrees to report of conferees	250
Senate agrees to House amendment to Senate amendment no. 3	250
examined and signed	264
approved [Public Law No. 73].	
5081. An act to [provide for the common defense; to aid interstate commerce by navigation; to provide flood control; to promote the general welfare by creating the Tennessee Valley Authority; to operate the Muscle Shoals properties; and to encourage agricultural, industrial, and economic development] *improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes—*	
received	119
read twice and considered	143
considered, amended, read the third time, and passed; title amended	144
House disagrees to Senate amendments and asks conference	152
Senate insists and agrees to conference	156
report of Senate conferees submitted	166
Senate agrees to report of conferees	176
House agrees to report of conferees	178
examined and signed	180
approved [Public Law No. 17]	181
5091. An act to amend section 289 of the Criminal Code—	
received	178
read twice and referred	179
reported with amendments	262
considered, amended, read the third time, and passed	262
House disagrees to Senate amendments and asks conference	269
Senate insists and agrees to conference	269
Senate agrees to report of conferees	291
House agrees to report of conferees	295
examined and signed	300
approved [Public Law No. 62]	304

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5152. An act granting the consent of Congress to the State Highway Commission of Virginia to repace and maintain a bridge across Northwest River in Norfolk County, Va., on State Highway Route No. 27—
- received — 178
- read twice and referred — 179
- reported without amendment (Rept. No. 80) — 182
- considered, read the third time, and passed — 197
- examined and signed — 199
- approved [Public Law No. 23] — 232

5173. An act granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed to replace a weak structure in the same location, across the Staunton and Dan Rivers, in Mecklenburg County, Va., on United States Route No. 15—
- received — 178
- read twice and referred — 179
- reported without amendment (Rept. No. 81) — 182
- considered, read the third time, and passed — 197
- examined and signed — 199
- approved [Public Law No. 24] — 233

5208. An act to amend the probation law—
- received — 178
- read twice and referred — 179
- reported with an amendment (Rept. No. 113) — 226
- considered, amended, read the third time, and passed — 232
- House agrees to Senate amendment — 266
- examined and signed — 266
- approved [Public Law No. 74] — 266

5239. An act to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes—
- received — 219
- read twice and referred — 219
- reported without amendment (Rept. No. 111) — 222
- considered, read the third time, and passed — 232
- examined and signed — 237
- approved [Public Law No. 76].

5240. An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes—
- received — 133
- read twice and referred — 136
- reported with an amendment (Rept. No. 91) — 196
- considered — 224, 226, 227
- considered, amended, read the third time, and passed — 227
- Senate insists and asks conference — 227
- House disagrees to Senate amendment and agrees to conference — 230
- report of Senate conferees submitted — 238
- House agrees to report of conferees — 249
- Senate agrees to report of conferees — 261
- motion entered to reconsider — 265
- motion to request House to return bill disagreed to — 265
- examined and signed — 266
- approved [Public Law No. 43] — 304

5329. An act creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.—
- received — 178
- read twice and placed on calendar — 179
- considered, amended, read the third time, and passed — 209–210
- House agrees to Senate amendment — 223
- examined and signed — 226
- approved [Public Law No. 52] — 304

5389. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1934, and for other purposes—
- received — 162
- read twice and referred — 162
- reported with amendments (Rept. No. 76) — 176
- considered — 207, 210, 212, 213, 214, 215, 216, 217, 219, 221
- considered, amended, read the third time, and passed — 221
- House disagrees to Senate amendments and asks conference — 268
- Senate insists and agrees to conference — 273
- conference report submitted in Senate — 292
- report considered and recommitted — 293
- second report of conferees submitted — 295
- report considered and agreed to — 296
- Senate further insists upon certain amendments — 296
- Senate amendment no. 47 considered and amended — 296
- House agrees to conference report — 301
- House recedes and agrees to certain Senate amendments; agreed to certain others with amendments; further disagrees to certain Senate amendments; disagrees to Senate amendment to House amendment to Senate amendment no. 47, and asks conference — 301
- Senate agrees to House amendments to certain Senate amendments; insists upon certain amendments, and agrees to conference — 301
- conference report submitted and agreed to in Senate — 302, 303
- House agrees to conference report — 303
- examined and signed — 303
- approved [Public Law No. 78].

5390. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes—
- received — 147
- read twice and referred — 147
- reported with amendments (Rept. No. 59) — 153
- considered, amended, read the third time, and passed — 160
- House disagrees to Senate amendments and asks conference — 163
- Senate insists and agrees to conference — 163
- Senate agrees to report of conferees — 183
- House agrees to report of conferees — 200
- House recedes and agrees to Senate amendments nos. 1 and 7, and agrees to Senate amendments nos. 2 and 14 with amendments — 200
- Senate agrees to House amendments to Senate amendments nos. 2 and 14 — 200
- examined and signed — 203
- approved [Public Law No. 26] — 233

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5394. An act authorizing Charles V. Bossert, his heirs and assigns, to construct, maintain, and operate a bridge across the East River between Bronx and Whitestone Landing—
- received — 228
- read twice and referred — 230

5476. An act to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.—
- received — 178
- read twice and referred — 179
- reported without amendment (Rept. No. 82) — 182
- considered, read the third time, and passed — 197
- examined and signed — 199
- approved [Public Law No. 25] — 233

5480. An act to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes—
- received — 147
- read twice, considered, amended, read the third time, and passed — 151
- Senate insists and asks conference — 151
- House disagrees and agrees to conference — 152
- House agrees to report of conferees — 185
- report of Senate conferees submitted — 186
- Senate agrees to report of conferees — 198
- examined and signed — 199
- approved [Public Law No. 22] — 233

5495. An act to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge—
- received — 228
- read twice and referred — 230
- reported without amendment (Rept. No. 133) — 233
- considered, amended, read the third time, and passed — 265
- House agrees to Senate amendment — 273
- examined and signed — 273
- approved [Public Law No. 50] — 304

5589. An act granting the consent of Congress to the city of Washington, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Mo.—
- received — 228
- read twice and referred — 230
- reported without amendment (Rept. No. 134) — 233
- considered, read the third time, and passed — 265
- examined and signed — 268
- approved [Public Law No. 63] — 304

5645. An act to amend the National Defense Act of June 3, 1916, as amended—
- received — 228
- read twice and referred — 230
- reported with amendments (Rept. No. 135) — 247
- considered, amended, read the third time, and passed — 265
- House agrees to Senate amendments — 268
- examined and signed — 273
- approved [Public Law No. 64] — 304

5661. An act to provide for the safer and more effective use of the assets of Federal Reserve banks and of national banking associations, to regulate interbank control, to prevent undue diversion of funds into speculative operations, and for other purposes—
- received — 198
- read twice, considered, amended, read the third time, and passed — 202
- Senate insists and asks conference — 202
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