

a comprehensive survey and inspection of soldiers' hospitals and other Veterans' Administration facilities; to the Committee on Rules.

By Mr. LANZETTA: Resolution (H. Res. 407) to make House Joint Resolution 440, a joint resolution declaring the policy of Congress relative to employment under the Relief Appropriation Act, a special order of business; to the Committee on Rules.

By Mr. HEALEY: Joint resolution (H. J. Res. 570) proposing an amendment to the Constitution of the United States to enable the United States to lay and collect taxes on income derived from securities issued and salaries paid by any State, and to enable each State to lay and collect taxes on income derived by residents from securities issued and salaries paid under authority of the United States; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DOWELL: A bill (H. R. 9074) for the relief of G. W. Bauserman; to the Committee on Claims.

By Mr. HALLECK: A bill (H. R. 9075) for the relief of James I. Barnes; to the Committee on Claims.

By Mr. HARLAN: A bill (H. R. 9076) for the relief of Here Comes Meeks, Inc., Hamilton, Ohio; to the Committee on Claims.

Also, a bill (H. R. 9077) for the relief of the Miami Valley Brewing Co.; to the Committee on Claims.

By Mr. HAVENNER: A bill (H. R. 9078) authorizing the President of the United States to reappoint Harry Milford Brown as a major in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. IZAC: A bill (H. R. 9079) for the relief of Owen J. Hayes; to the Committee on Claims.

By Mr. KRAMER: A bill (H. R. 9080) for the relief of Edwin W. Saunders; to the Committee on Military Affairs.

By Mr. LUCKEY of Nebraska: A bill (H. R. 9081) granting a pension to Sarah White; to the Committee on Invalid Pensions.

By Mr. PALMISANO (by request): A bill (H. R. 9082) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Allen Pope against the United States; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 9083) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Sam Green; to the Committee on Claims.

Also, a bill (H. R. 9084) for the relief of John Lawson; to the Committee on Claims.

By Mr. RIGNEY: A bill (H. R. 9085) for the relief of Charles J. Ray; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 9086) for the relief of Roy Webb; to the Committee on Claims.

By Mr. RIGNEY: A bill (H. R. 9087) for the relief of James A. Porter; to the Committee on Claims.

Also, a bill (H. R. 9088) for the relief of Walter Reinheimer; to the Committee on Claims.

Also, a bill (H. R. 9089) for the relief of H. F. Cunningham, doing business as the Cunningham Dry Goods Co.; to the Committee on Claims.

Also, a bill (H. R. 9090) for the relief of J. C. Ludolph; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 9091) for the relief of Joe Crisp; to the Committee on Claims.

By Mr. WHITE of Idaho: A bill (H. R. 9092) for the relief of Reuben Owen; to the Committee on Claims.

#### PETITIONS, ETC.

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

3843. By Mr. BOYLAN of New York: Petition of the Rochester Association of Credit Men, regarding the Revenue Act of 1936; to the Committee on Ways and Means.

3844. By Mr. CLASON: Petition of Ferdinand Caisse and other registered voters of the Second Massachusetts Congressional District, favoring the abolition of the Federal Reserve System and the restoration to Congress of its constitutional right to coin and issue money and regulate the value thereof; to the Committee on Banking and Currency.

3845. By Mr. CLAYPOOL: Petition of certain residents of Logan, Ohio, opposing Senate bill 69; to the Committee on Interstate and Foreign Commerce.

3846. Also, petition of certain residents of Baltimore, Ohio, and vicinity, opposing Senate bill 69; to the Committee on Interstate and Foreign Commerce.

3847. By Mr. CULKIN: Petition of the Woman's Christian Temperance Union of Nyssa, Oreg., urging enactment of House bill 3140, the Culkin bill to ban liquor advertising on the radio; to the Committee on Interstate and Foreign Commerce.

3848. Also, petition of the Watertown Chamber of Commerce, Inc., E. C. Gould, secretary, Watertown, N. Y., opposing enactment of Senate bill 69, the train-limit bill; to the Committee on Interstate and Foreign Commerce.

3849. By Mr. CURLEY: Petition of the United Shoe Workers of America, New York City, urging enactment of the Federal Workweek Act and the Federal Workers Appeal Act; to the Committee on the Civil Service.

3850. Also, petition of the United States Appraisers Stores, Local 54, endorsing the Federal Workweek Act and the Federal Workers Appeal Act; to the Committee on the Civil Service.

3851. By Mr. HAVENNER: Petition of the Western Construction Equipment Dealers and Distributors Association, urging the continuance of the Federal-aid highway program by permitting the Highway Act of June 16, 1936, to remain absolutely unchanged; to the Committee on Appropriations.

3852. By Mr. KENNEY: Petition of Maywood Unit, No. 142, the American Legion Auxiliary of Maywood, N. J., asking favorable action on universal service bill and widows and orphans bill (S. 25 and H. R. 6384); to the Committee on World War Veterans' Legislation.

3853. By Mr. KRAMER: Resolution of the American Federation of Labor relative to investigating charges of extortion and racketeering that are violating human and fundamental rights of the working people of Los Angeles and vicinity, etc.; to the Committee on the Judiciary.

3854. By Mr. SHANLEY: Resolution of the Military Order of the Purple Heart, regarding Senate bill 1516, or as it is more commonly known, the Stars and Stripes fund; to the Committee on the Judiciary.

3855. By the SPEAKER: Petition of R. Matteson, with reference to the Constitution; to the Committee on the Judiciary.

3856. Also, petition of the East Oakland Democratic Club, Oakland, Calif., with reference to the Ludlow referendum amendment; to the Committee on the Judiciary.

## SENATE

FRIDAY, JANUARY 21, 1938

(Legislative day of Wednesday, January 5, 1938)

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

JOSH LEE, a Senator from the State of Oklahoma, appeared in his seat today.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, January 20, 1938, was dispensed with, and the Journal was approved.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1882) for the relief of the Consolidated Aircraft Corporation, disagreed to by the Senate; agreed to the conference asked by

the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KENNEDY of Maryland, Mr. KEOGH, and Mr. CARLSON were appointed managers on the part of the House at the conference.

SENATOR FROM NEW JERSEY

The VICE PRESIDENT laid before the Senate a letter from Hon. A. HARRY MOORE, Governor of New Jersey and former Senator from that State, which was read and ordered to lie on the table, as follows:

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 18, 1938.

The Honorable JOHN NANCE GARNER,  
The Vice President, Washington, D. C.

MY DEAR MR. PRESIDENT: The enclosed is a copy of a letter today tendered to the Governor of New Jersey giving my resignation as United States Senator from this day.

In tendering my resignation I cannot leave without saying a word of appreciation of the courtesies and considerations shown me by you, the membership, and staff of the Senate. My service, while comparatively brief, gave opportunity of gaining knowledge of the operation of the Senate and the personnel of the body. I must say, in leaving, that I have the highest admiration for the Senate as an institution and a high regard for you and its distinguished membership.

The country is fortunate at this time in having such a splendid body of men.

The people of New Jersey have chosen me as their Governor, and it is only because of this consideration of serving my home State in another capacity that I have relinquished the office of Senator.

It is with high esteem and deep appreciation of the many courtesies extended by you and my colleagues that I send this note in parting.

Sincerely yours,

A. HARRY MOORE, Governor.

CALL OF THE ROLL

Mr. LEWIS. Mr. President, in order to assure the presence of a quorum, and in courtesy to the Senator from Mississippi [Mr. BILBO], who is to address the Senate, I note the absence of a quorum, and ask that the roll be called.

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Clark	Johnson, Calif.	Overton
Andrews	Connally	Johnson, Colo.	Pepper
Ashurst	Copeland	King	Pittman
Austin	Davis	La Follette	Pope
Bailey	Dieterich	Lee	Radcliffe
Bankhead	Donahay	Lewis	Reynolds
Barkley	Duffy	Lodge	Russell
Berry	Ellender	Logan	Schwartz
Bilbo	Frazier	Loneragan	Schwellenbach
Bone	George	Lundeen	Sheppard
Borah	Gerry	McAdoo	Smathers
Bridges	Gibson	McCarran	Smith
Brown, Mich.	Gillette	McGill	Stetwer
Brown, N. H.	Glass	McKellar	Thomas, Okla.
Bulkeley	Guffey	McNary	Thomas, Utah
Bulow	Hale	Maloney	Townsend
Burke	Harrison	Miller	Truman
Byrd	Hatch	Minton	Tydings
Byrnes	Hayden	Murray	Vandenberg
Capper	Herring	Neely	Van Nuys
Caraway	Hill	Norris	Walsh
Chavez	Hitchcock	O'Mahoney	

Mr. LEWIS. Mr. President, in order not to consume the time of the Senator from Mississippi, I tender and request that there be entered in the RECORD for the day a list of the absent Senators and the reasons for their absence.

The VICE PRESIDENT. Without objection, the list will be printed in the RECORD.

The list referred to is as follows:

The Senator from Rhode Island [Mr. GREEN] and the Senator from Delaware [Mr. HUGHES], absent because of illness.

The Senator from New York [Mr. WAGNER], absent because of a cold.

The Senator from West Virginia [Mr. HOLT], unavoidably detained.

The Senator from Montana [Mr. WHEELER], absent on important public business.

Mr. AUSTIN. I announce that the Senator from North Dakota [Mr. NYE] and the Senator from Minnesota [Mr. SHIPSTEAD] are unavoidably absent.

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

MEMORIALS

The VICE PRESIDENT laid before the Senate letters in the nature of memorials from Mrs. W. C. Driskell and other citizens of England, Ark., protesting against the United States engaging in war, which were referred to the Committee on Foreign Relations.

CONDITIONS AFFECTING NAVAJO INDIANS

Mr. CHAVEZ. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a petition to the Congress of the United States from sundry representatives of Navajo Indians from all parts of the reservation in New Mexico, Arizona, and Utah.

There being no objection, the petition was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD without the names attached except the first, as follows:

FARMINGTON, N. MEX., January 8, 1938.

To the Congress of the United States:

We, the representatives of Navajo Indians from all parts of the reservation in New Mexico and Arizona and Utah, assembled in conference on this 8th day of January 1938, do hereby make known to you some of the strange and ruinous policies forced upon our Navajo people by Indian Commissioner John Collier and his agent, E. R. Fryer, of Window Rock, Ariz. We trust that you will give your prompt attention to these vital matters we present, as follows:

STOCK REDUCTION

This is the same old story, only which is getting worse and is continued in a most unsatisfactory manner. At the beginning our people were shamefully underpaid for their sheep at \$1 to \$2 per head; now, we are required to get rid of our horses at such ridiculous prices of \$2 to \$3 per head, and our cattle is at stake also. We cannot but feel this to be robbing our poor Navajo people of their living; it is taking their property without respect of ownership. Indian Agent Fryer and his force of white and Indian subordinates are executing the wild scheme of stock reduction. The plan would be justifiable to our people if they were respected and given complete control to make their own reduction instead of forcing them to do so under threats.

We understand that Secretary Ickes, in his departmental order, said that the reduction should be made "with the advice and consent of the Navajo tribal council or any livestock association, chapter organization, or district council, to which the tribal council may desire to delegate responsibility for local management plan, etc." This provision as laid down by the Secretary has never been adhered to because the local authorities would not recognize any of these organizations, and because there is no tribal council now to function for the tribe. The Commissioner of Indian Affairs is wholly responsible for the dissolution of the tribal council so how could there be any lawful business?

In our treaty of 1868 with the United States Government, article I provides protection of Indian property, which says that "If bad men among the white, or among other people, subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause offender to be arrested and punished according to the laws of the United States, and also to reimburse the injured persons for the loss sustained." According to this provision we have more than proved to the congressional committees on Indian affairs of these facts and that by this continual reduction of our livestock we have been more than injured economically and otherwise. In spite of our vigorous protests against such drastic measures the pressure is still spreading over our property, which means despondency, starvation, dole, relief, and what not. We have been a self-supporting people and we do not ask for a ration system of government. We object to this robbery of our happiness, and ask you to please read carefully copy of what has now been ordered on our people about our sheep, etc. We deem this to mean destruction of our people.

EDUCATION

We wish to remind you of the fact that the treaty mentioned above, article 6 provides: "In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted \* \* \*." Upon this agreement schools were established at different parts of our reservation where a large number of our boys and girls attended and received excellent training and we were perfectly satisfied with the boarding schools as conducted.

Now, a wholesale change made in the school system has certainly knocked the bottom out of all our hopes in education, especially when we are required to furnish all clothing for our children while they attend the Government schools. We fail to ascertain when and in what session of Congress such a law has been enacted that would require our people to furnish clothing for their children. It is not so much that our people object to such requirement, but it is not fair for the Indian Bureau to ask the Navajos to comply especially right after they have been made to reduce their only means of living—sheep—and support \* \* \*. The Indian Service workers are telling the Indians that Congress in its last session had made a big cut in the school appropriations, and therefore they (the Indians) are asked to help the Govern-

ment by buying clothing for their children. The order was given out a few days before school opened last fall and thus has cut down the enrollment in a number of schools because the Indians were caught off their guard and unable to buy clothing. We believe this unfair lid should be lifted so that our children may return to school for we do not oppose any kind of education when it is practical.

#### TRIBAL COUNCIL

We will now call your attention to the fact that we, as a tribe, absolutely failed to recognize, but condemn the manner and idea in which the Indian Bureau has made selection of a few Indians and appointed them as councilmen, some of which are trying to act as dictators among the people. Why should such a thing be allowed to continue on the reservation? Why such discrimination to cause ill-feeling between the Indians? We have made protests by letters and petitions against such, and we even sent delegations to Washington to plead for fair adjustments for our people. Have other Indians as much right to live and enjoy privileges as the Indian Bureau favored Indians?

We resolve that we will not, while acting according to all rights and privileges given to us by the Constitution of the United States and of the laws of the States, recognize the present Indian Bureau's handpicked council which Commissioner Collier has okayed and forcing upon our people in an unlawful way. These handpicked men are not the choice of our tribe as a whole to represent them in any tribal meeting, and for this reason we, the Navajo Tribe demand of the Secretary of the Interior and the Commissioner of Indian Affairs to grant to our tribe an impartial but open and free election by votes for councilmen who will represent the people, and thus reestablish a really representative tribal council as soon as possible in order that confidence, peace, harmony, and trust may be restored among our people. That is our plea. That is our program.

#### NAVAJO CONSTITUTION

In connection with the statement made concerning the handpicked council, we again fail to recognize, and vigorously condemn a so-called Navajo constitution drafted by a few Indians under the advisement of a few white persons at Window Rock, which is now being kept secret from our people. It has been reported, in roundabout way, that the said constitution is to be presented to the Secretary of the Interior for his approval, and that he would put it into effect at once, without the knowledge and consent of our people. A few favored Indians mentioned above are the authors of the constitution. We would have no objection to such document if it was the work of a representative council and approved by the tribe. As it is now we cannot help but feel that it is purely a communistic plan by which to suppress the freedom of the Indian people. We protest and defy such an idea and scheme, therefore, we humbly ask that no such document be considered by the Indian Affairs Committees of Congress lest it be approved by the Navajo people as a whole, and the work of a representative duly elected council of the people's choice.

#### IS OUR TREATY A LAW?

We would like to be enlightened definitely on the matter of our treaty made with the United States Government in 1868 at Fort Sumner, N. Mex., on June 1, 1868. According to the provisions of the treaty there would be no subdivision of land made but only by the consent of three-fourths votes of the adult Indians favoring it.

In 1933 Commissioner Collier condemned the six jurisdictions we had then on the reservation with a superintendent in each to take care of the Indian problems and needs, because he said it was bad business and too many superintendents and bosses. What did he do? He did not keep our reservation as one but divided it into 18 districts and placed in each a district supervisor; under these supervisors he has placed cowboys to help the supervisors. All this took place without our consent of three-fourths vote of the people. It has come to our understanding that most of these said cowboys are carrying revolvers along with them wherever they go on the reservation. Now, what about our treaty? Is it nothing more than just a scrap of paper as some say it is, or is it still a law? Why should Commissioner Collier push all this upon us when we, as a tribe, have been living up to the treaty since it was made?

#### TAKING INDIAN HOMES

Referring back to the treaty once more, we would like to know why Commissioner Collier's district supervisor, stationed at a place called Pinon, Ariz., has taken some kind of a law into his own hand and driven some Indian families out of their own homes in which they had lived for 50 years and has put a Government fence around the whole area, including every hogan (home), cornfields, and water the Indians have developed many years ago. They have been turned out in the cold with their children and are forbidden to cut any timber to build other hogans for the protection of their families during these cold winter days. What right has Collier and his agent, Fryer, to instruct their employees to do such things? We would like to have the Secretary of the Interior be informed of this matter and ask that those people near Pinon, Ariz., be given back their homes and improvements. More information can be given on this particular incident if so desired.

#### LAW-AND-ORDER CODE—INDIAN POLICE

Since the Navajo Tribal Council has been dissolved by Commissioner Collier 2 years ago, there has been introduced mysteriously a law-and-order code which simply has intoxicated the whole Indian police force with the power given into their hands.

Instead of educating the Navajos to learn to respect such law and order, through negligence they became unreasonable and began to abuse their duties as peace officers by being severe with the Navajo people. The Indian court judges and police force should be reorganized for the good of the tribe. The said code has never been accepted by the people through their tribal council because there is no tribal council today. We believe in better law-and-order system than we have now.

#### DEMAND FULFILLMENT OF PROMISE

In about the year 1934 some real representatives of the Indian Service officials made a specific and definite promise to assign land under irrigation in 20-acre tracts on the Fruitland project; and while this was not according to treaty agreement, which provides 160 acres of land to each head of the family, our people were glad and were preparing for the new offer. But this promise was soon spoiled when a new man came—E. R. Fryer, the present agent with a dictatorial authority, acting under the instructions of Commissioner Collier, and denied our people the right to receive the land as promised to them. This has aroused the Indians' feeling, and the land today is still idle. Now, we venture to say that if this denial, coupled with stock reduction, continues, in the very near future starvation will be upon the Indians, especially in the northeast corner of Arizona and northwest corner of New Mexico, once the most prosperous self-supporting people in the United States.

We wonder how Commissioner Collier and Agent Fryer would answer before the Almighty's judgment seat when questioned what they have done to the Navajo Indians. Would they answer that they had starved them by taking away their sheep, cattle, and their farm lands? We want the assignment of land at the Fruitland project as promised to us.

We hope that the Congress of the United States, in whose hands lie all power of the Government in our great land, will consider the problems we have presented in our humble way and that they may enact some reasonable legislation that would eliminate all fear from the minds of our Navajo people, the majority of which are yet to be educated.

We have stated to you very abruptly only those matters that have been exercised over our people by the iron rules of the present Indian Bureau. We have been holding out patiently and hopefully and without grudge against any individual, but what we complain about is of the fact that some gross injustices have been inflicted upon our Navajo people. We have been pleading with the Indian Bureau people that we need some just consideration in all tribal matters affecting our people, but it seems futile and hopeless to continue our pleas to them.

We feel that we are being punished by the Indian Bureau officials because we are trying to defend our rights, and also because we have turned down the self-government idea under the Wheeler-Howard Act. Now, the way we view the whole situation is that by such drastic measures as stock reduction, land and school questions, etc., we are to submit under the pressure of starvation. We will continue to fight for our rights and privileges which we have under the Constitution of the United States; therefore we are appealing to you for help by this petition.

In the days before Columbus discovered the Western Hemisphere, our Navajo people made their living in their own way, and they can do it again any time without the tyrannous rule of the Indian Bureau. What we ask for is justice and opportunity to move along forward and not backward. We would have you know that while we are natives of this great country and of this great Government, all that we ask is equal justice under law. To submit ourselves to any foreign idea of government is out of question, even if pressure is put upon us by starvation.

We who sign this petition are purely representatives of our Navajo Tribe. We realize the Indian Bureau will come back and say that we have been stirred up by some agitators or troublemakers, but 'be it far from us, for we speak for our people. We have written to you in our best way and hope you will help the Congress to understand the situation out here, and we know that the Congress will take action to correct some of the unfair dealings according to their wisdom. We trust that you will rely on these facts to be true, for we have spoken from our hearts and consider these matters very serious to our people.

Respectfully submitted,

BOO MARTIN (and others).

#### REPORTS OF COMMITTEES

Mr. NORRIS, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 239) authorizing the Federal Trade Commission to make an investigation of the Tennessee Valley Authority, reported it with an amendment.

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (S. 2777) for the benefit of the Goshute and other Indians, and for other purposes, reported it with an amendment and submitted a report (No. 1308) thereon.

He also, from the same committee, to which was referred the bill (S. 2870) for the relief of Margaret Turney and Bertha Turney LaMotte, heirs of Theresa Turney, reported it without amendment and submitted a report (No. 1309) thereon.

Mr. HATCH, from the Committee on Indian Affairs, to which was referred the bill (S. 2827) to authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, N. Mex., reported it without amendment and submitted a report (No. 1310) thereon.

#### BILLS INTRODUCED

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

By Mr. CLARK:

A bill (S. 3293) to amend section 1101 of the Social Security Act; to the Committee on Finance.

By Mr. GUFFEY:

A bill (S. 3294) for the relief of Dravo Corporation; and

A bill (S. 3295) for the relief of Dravo Corporation; to the Committee on Claims.

By Mr. PEPPER:

A bill (S. 3296) to provide for a permanent Bureau of Fine Arts; to the Committee on Education and Labor.

A bill (S. 3297) to provide for the construction of a Merchant Marine Academy; to the Committee on Commerce.

By Mr. REYNOLDS:

A bill (S. 3298) for the relief of Claude B. Robinson; to the Committee on Naval Affairs.

#### AMENDMENT TO INDEPENDENT OFFICES APPROPRIATION BILL

Mr. McKELLAR submitted an amendment intended to be proposed by him to House bill 8837, the independent offices appropriation bill, 1939, which was ordered to lie on the table and to be printed, as follows:

On page 67, after line 12, to insert the following:

"No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States (except persons now in the employ of the Government), the rate of which is \$4,000 or more per annum, who shall not have been appointed by the President, by and with the advice and consent of the Senate."

#### AMENDMENT OF RULES—COMMITTEE ON AIR COMMERCE AND CIVIL AVIATION

Mr. BYRD submitted the following resolution (S. Res. 225), which was referred to the Committee on Rules:

Resolved, That rule XXV of the Standing Rules of the Senate be, and the same is hereby, amended by inserting, on page 30, after the third line of paragraph 1, the following:

"Committee on Air Commerce and Civil Aviation, to consist of 12 Senators."

#### TENNESSEE UNEMPLOYMENT COMPENSATION DIVISION, SOCIAL SECURITY BOARD

Mr. McKELLAR submitted the following resolution (S. Res. 226), which was referred to the Committee on Finance:

Resolved, That there is hereby created a special committee, to be composed of five Senators, to be appointed by the President of the Senate, which committee is hereby authorized and directed to make a full and complete investigation into the administration, activities, and operations of the Tennessee Unemployment Compensation Division of the Social Security Board. The said committee shall report to the Senate as early as practicable the results of its investigation together with recommendations as to the advisability or necessity of amending the Social Security Act so as to provide for the appointment of personnel on a merit basis.

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, recesses, and adjourned periods of the Senate in the Seventy-fifth Congress, 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 25 cents per hundred words. The expenses of the committee, which shall not exceed \$2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

#### ORDER OF BUSINESS

Mr. BILBO, Mr. TRUMAN, Mr. HILL, and other Senators addressed the Chair.

The VICE PRESIDENT. A number of Senators apparently wish to insert matters in the RECORD. The Senator from Mississippi [Mr. BILBO] has given notice that he desires recognition. He is entitled to recognition. The Chair would

recognize other Senators for the purpose of asking unanimous consent, provided no Senator would take advantage of his recognition to hold the floor. With that understanding, the Chair will recognize Senators for routine matters.

#### CHRISTMAS IN A DEMOCRACY—ROUND-TABLE DISCUSSION WITH SENATOR GREEN

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a round-table discussion, broadcast over Columbia network, between Senator Green, Miss Frances Farmer, Mr. Burgess Meredith, and Mr. and Mrs. Chester Allen, at a dinner in New York City, December 23, 1937, which appears in the Appendix.]

#### TOO MANY TAXES—ARTICLE BY SENATOR DAVIS

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article entitled "Too Many Taxes," written by Senator DAVIS, and published in the magazine Freehold, of the issue of January 15, 1938, which appears in the Appendix.]

#### RESPONSIBILITIES OF THE UNITED STATES AS A WORLD POWER—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. POPE asked and obtained leave to have printed in the RECORD an address delivered by Senator THOMAS of Utah before the Thirteenth Conference on the Cause and Cure of War, held at Washington, D. C., January 20, 1938, which appears in the Appendix.]

#### JACKSON DAY DINNER ADDRESS AT DALLAS, TEX., BY HON. JESSE H. JONES

[Mr. HILL asked and obtained leave to have printed in the RECORD the Jackson Day dinner address delivered by Hon. Jesse H. Jones, Chairman of the Reconstruction Finance Corporation, at the Adolphus Hotel, Dallas, Tex., on January 8, 1938, which appears in the Appendix.]

#### TRIBUTE TO THE LATE JUDGE C. C. DICKINSON

[Mr. CLARK asked and obtained leave to have printed in the RECORD a tribute from the Clinton Daily Democrat to the late Judge C. C. Dickinson, formerly a Member of the House of Representatives from Missouri, which appears in the Appendix.]

#### SOCIAL-SECURITY PROGRAM IN TENNESSEE

[Mr. BERRY asked and obtained leave to have printed in the RECORD several letters and telegrams relative to the social-security program in Tennessee, which appear in the Appendix.]

#### PREVENTION OF AND PUNISHMENT FOR LYNCHING

The Senate resumed the consideration of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

Mr. BARKLEY. Mr. President, I desire to make a brief statement for the information of Senators with reference to the procedure in the immediate future.

It is perfectly obvious that at the snail's pace we have been making in regard to the consideration of this bill, there is no way to predict how much longer its consideration will require. I, of course, am interested in facilitating the consideration of the Senate's business, and I regard it as my duty to cooperate and assist in any way possible to have whatever legislation is reported by committees given the consideration to which it may be entitled.

I do not say that in criticism of anybody, and I am not the keeper of any man's conscience, and it is not for me to question the motives or the procedure of any Senator who may resort to any technical rule or device which may occur to him either in furtherance or in opposition to legislation. But the committees of the Senate are beginning and will continue to report important measures for consideration from now on; and it is obvious that if they are to be considered, the matter now constituting the unfinished business of the Senate must be in some way disposed of at an early date.

Looking to that end, Mr. President, I wish to notify the Senate that beginning on Monday next I shall ask the Senate to convene at 11 o'clock a. m., and, beginning on Mon-

day, I shall ask the Senate to sit at night, in order that we may consider the pending bill as speedily and effectively as is possible. I wish also to say that it is not contemplated that we shall have a session tomorrow. We shall recess at 5 o'clock today, and I hope we may meet at 11 o'clock on Monday and continue in session from day to day, beginning at that hour.

Mr. McNARY. Mr. President, those of us who are desirous of seeing this measure come to a final vote realize that we must press forward with renewed aggressiveness. I am happy to join the able Senator from Kentucky, the Democratic leader, in carrying on this fight more aggressively in the future.

Mr. CONNALLY. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas desire recognition?

Mr. CONNALLY. The Senator from Texas desires recognition on the same subject on which the other two Senators have been recognized.

The VICE PRESIDENT. It is the duty of the Chair to protect the Senator from Mississippi [Mr. Bilbo]. If his right to the floor will not be jeopardized, the Chair will be glad to recognize the Senator from Texas.

Mr. CONNALLY. Mr. President, in announcing prospective night sessions the Senator from Kentucky evidently is expressing the thought that those of us who are debating this bill and are opposed to it are seeking to obstruct the public business of the Senate.

I desire to say that we have no objection to night sessions, and I hope Senators will be here at night a little more faithfully than they have been here during the day. There are a number of Senators who as yet have had no opportunity at all to discuss the bill. They want that opportunity and they are going to embrace that opportunity.

In fairness to those who are opposed to the bill, I think it ought to be said that so long as the proponents of the bill are using every resource of manpower and parliamentary skill and tactics to cram this bill down our throats, we shall likewise use what resources we have of manpower and parliamentary procedure to see that they do not cram it down our throats.

We have seen here the spectacle of rules being invoked on account of this bill that are never invoked on other legislation, all sorts of technicalities and theories that Senators cannot put matter in the Record without taking the speaker from the floor, that Senators cannot secure the attendance of quorums without taking the speaker from the floor, and so on. If tactics of this kind are legitimate for the proponents of the bill to employ, they are also legitimate for the opponents of the bill to employ. If the Senator from Kentucky and others desire to have public business transacted, all they have to do is to go ahead and transact public business by taking up such legislation as they think ought to be considered.

Mr. President, I think I speak not alone for myself but for a considerable group of Senators opposed to this bill; and that is going to be our attitude. We are going to discuss the bill. Many Senators so far have had no opportunity to do so; and we are going to employ whatever parliamentary rules are necessary to insure a thorough discussion of this measure by the Senators who have not discussed it.

Mr. BARKLEY. Mr. President, in that connection, if I may say just a further word, the step which I have announced is not only not for the purpose of preventing Senators from addressing the Senate on the pending measure but is to facilitate their ability to do so.

I shall not enter into any controversy as to who or which side has resorted to more technicalities here, either in furtherance of the proposed legislation or in opposition to it. Let the Senate be the judge on that subject.

Mr. BILBO. Mr. President, I am not yet a filibuster; it is not my purpose to make a filibustering speech today; but in all seriousness I want to discuss with my colleagues and the country at large the tremendous issues suggested by the pending measure. I want to announce, however, that while

this is not a filibustering speech, because I am not going to detain the Senate so very long on this occasion, yet if it becomes necessary to defeat this unthinkable, un-American, and undemocratic piece of legislation, I am ready to speak 30 or 60 days or longer. To defeat this measure, so help me God, I would be willing to speak every day of the year 1938. Once upon a time I did speak 10 hours a day for 6 months, and I am ready and prepared to do it again.

For the sake of democratic ideals, for the preservation of the scheme of our great American Government, and for the protection of the wives, mothers, daughters, and sweethearts of Dixie, I am ready to say that if it is humanly possible, this monstrous bill shall not pass. Like General Grant when trying to take Richmond, we will fight it out along this line if it takes all summer.

I take no stock in the declarations or threats that if this undemocratic, unconstitutional, un-American, and insulting indictment against my State and section is, through and by the power of numbers, crammed down my throat and the throats of all southern men and women, my people will desert the Democratic Party. We are not Democrats because we live in the South. We are not Democrats because of the race question. We are Democrats through conviction and belief that the principles and policies of government espoused by the great Democratic Party from the days of Jefferson and Jackson down to this good hour constitute the hope of the American people. Some of our northern brethren and northern Democrats may desert us. They may desert the principles for which the Democratic Party has stood for more than a century; but as for me and mine, we are still going to be Democrats.

It has been 73 years since the Civil War closed; and during all these years the South has had to carry the black burden brought about by the emancipation of the black man who resided in our midst. With wisdom, charity, and statesmanship we have handled this problem well. Why is it now, after three-quarters of a century, at the instance of a few politicians, a few negrophilists or Negro lovers, and a handful of mulatto Negro voters, that an attempt is made at this late date to cram down the throats of the South this insulting, undemocratic, and un-American piece of legislation? Why, even Thaddeus Stephens and his clique of southern haters in the days of bitterness born of a bloody Civil War would not now dare to try to pass such a law. Let me tell the great host of mulattoes, octoroons, quadroons, and time-serving politicians, many of whom I have seen in the galleries of the Senate from day to day since this measure has been under consideration, who are demanding that this piece of legislation be passed by the Senate, that they do not know what they are doing; and I could well say of them what Christ said of those who crucified Him: "Father, forgive them; for they know not what they do."

But I want to tell the advocates of the bill one thing: If you succeed in the passage of this bill, you will open the flood-gates of hell in the South. Raping, mobbing, lynching, race riots, and crime will be increased a thousandfold; and upon your garments and the garments of those who are responsible for the passage of this measure will be the blood of the raped and outraged daughters of Dixie, as well as the blood of the perpetrators of these crimes that the red-blooded Anglo-Saxon white southern men will not tolerate.

Mr. President, before proceeding further with the discussion of the pending measure I want to make a very definite announcement, followed by a very definite proposition to my colleagues on this floor who are urging the passage of the pending measure. No Senator on this floor is more loyal and devoted than I am to the Democratic Party and to Democracy's great and matchless leader, Franklin D. Roosevelt. No one is more anxious to see the administration's full and complete program enacted into law. For 3 years I have loyally and faithfully stood by the administration in all things for the welfare of our country. No man or woman on this floor can question my loyalty and fidelity to the administration's ideals, purposes, and objectives. I am just as anxious as is any Senator here to see a farm bill enacted, for which

the farmers of America are clamoring. I want to see a wage and hour bill finally passed by the Congress. I am for the \$16,000,000 housing program. I am anxious to see the reorganization bill recommended by the President put into effect.

I am ready to stay here and carry out all the major recommendations of our great leader, Franklin D. Roosevelt. But, Mr. President, there are some things in life that are priceless. There are some things that are more precious than gold and silver or material welfare. The purity and virtue and womanhood of the mothers, wives, daughters, and sweethearts of Dixie, and constitutional government, are more precious to me and mine, and mean more to my people than every measure recommended by the incomparable leader of our party and our Nation.

I know that every farmer of the South wants a farm bill; but I know that I speak for each and every one of them when I tell you that they had rather have no farm bill at all than to see this damnable law passed by Congress.

I trust the Senator from Oregon [Mr. McNARY], who leads the Republicans, will listen to this proposition: I suggest this gentleman's agreement to my colleagues on the floor of the Senate who seem so anxious to secure the passage of this unthinkable piece of legislation:

I will agree, and I am sure my colleagues who are opposing this measure with me will agree, that when these administration measures are ready for consideration by the Senate further consideration of the antilynching law shall be laid aside and the Senate shall proceed with the discussion and disposition of really worth-while legislation. When all this work shall have been finished the Senate may, if it sees fit, take up again for discussion the antilynching bill. Let me say to you gentlemen of the opposition, if you are not willing to accept this proposition or enter into this gentlemen's agreement, you will by your acts say to the country that you had rather secure the passage of the monstrous and damnable antilynching bill than to pass the measures submitted and recommended by President Roosevelt. I want the country to know that the responsibility will be yours and not ours; and let me say further that if you are not willing to enter into this agreement, I for one—and I believe that my associates in this fight will stand with me—will stand here and oppose the passage of this undemocratic and un-American and unconstitutional piece of legislation "till hell freezes over."

Mr. President, in voicing my opposition to House bill 1507, commonly referred to as the Federal antilynching bill, I want it distinctly understood that I am personally as bitterly opposed to the crime of murder in any form as the most enthusiastic antilyner on this floor. I am opposed to murder by the individual, by the mob, by the gangster, by the racketeer, or murder in any other form. I am even opposed to capital punishment or the taking of human life by organized society. I could never qualify for service on a jury trying a case in which the punishment would be capital punishment. To my mind and to my conscience it is all murder, and no law or governmental enactment by a legislature or by Congress justifies it or keeps it from being a deliberate and definite disobedience of the divine commandment from God on high, "Thou shalt not kill."

For 8 years I was Governor of the great and glorious Commonwealth of Mississippi, and during that term of service, it is true, I refused in a few cases to interfere with the verdicts of juries and decisions of our courts where the death penalty had been imposed under the laws of my State; yet in every case brought before me during the 8 years I sought every legal and justifiable excuse to commute from death to life imprisonment. I am happy today that I prevented the judicial murder of many human beings, both black and white, during these 8 years, for which I have no regrets, my only regret being that I could not find some excuse to save the life of every human being who was condemned to die under the laws of my State during these 8 years.

Whether admitted or not by the proponents of the pending measure here on the floor or by those on the outside

who insist upon its passage, it is generally understood that this proposed Federal law is intended to put a stop to lynching only, and especially in the South, where the great majority of the 12,000,000 Negroes in the United States now reside. The individual advocates of this measure, if frank and honest, and even the press of the country, will not hesitate to say that the underlying purpose is to prevent the lynching of members of the Negro race in the South by the white citizens of that great section of the United States. All the press agrees to that.

I resent this measure as an insult to the law-abiding men and women of the South and to the officials of the county, city, and State governments of the South. It is a damnable and unjustifiable indictment against their efficiency and their loyalty and fidelity to righteous and constitutional government. I know that I voice the sentiment of all the right-thinking and Christian men and women of the land of Dixie when I state that there is no sentiment in favor of lynching in the South among the best people of the South.

I have talked to men, good citizens of the South, who have possibly in the past been swept off their feet, whose reason has been dethroned, whose passions have been so thoroughly roused when some vicious, desperate, crazed Negro brute, controlled by animal instincts only, has raped some sweet and innocent white girl or some good mother that they joined in a mob to deal out immediate and summary justice to the rapist, when they themselves are opposed to mob law.

The ministers of the Christian churches, the good women of the South, the good men of the South, have for years been striving to build up a wholesome and controlling sentiment against lynching. Our Governors, sheriffs, and all other law-enforcing officers of the South now know that they will have the sympathy and support and backing of the controlling sentiment of every county in the South when they use every effort, even to the extent of risking their lives, to prevent the taking of human life by a mob. There is not a Governor in the South who will hesitate for one moment to call out the armed forces of the State to prevent a lynching not only upon the party committing the crime, before the criminal has been apprehended, but it is no uncommon thing to see the National Guard of the State called out to protect the prisoner while he is being tried in the courts of our land.

So strong has become this sentiment against mob violence of every sort and kind that we have been able, as has been told so many times in this debate, to reduce the number of lynchings to almost a minimum, there being only 8 lynchings in the whole United States during the year 1937, whereas in former years lynchings sometimes reached 250 to 300 each year. Then why such insistence on the part of some Members of Congress and some misguided and misinformed leaders on the outside to enact this miserable, unconstitutional, and monstrous piece of legislation?

I accord sincerity to my colleagues and to those who insist upon the passage of this law. It may be that their intentions are good, and the members of the Negro race who are insisting upon this legislation from the North or from the South may believe that they are rendering a worth-while service to the Negro race, that the proposed law would result in obliterating lynchings altogether, but I want to make the prophecy that if such a law is put upon the Federal statute books there will be witnessed a large increase of lynchings, not only in the South, but throughout the Nation. This bill could be properly denominated "a bill to increase lynchings," instead of a measure to prevent mob violence, because that is certain to be the effect.

Yes; the people of the South are sincerely against mob violence. Day by day the sentiment against lynching has been crystallized, until it would be a hard matter to find any man or woman south of the Mason and Dixon's line who would try to defend it.

Woodrow Wilson was right in what he said on July 26, 1918, in a proclamation from the White House in his appeal to his fellow countrymen to cooperate, not passively merely,

but actively and watchfully, to make an end of this disgraceful evil. Here are the words of President Wilson:

I say plainly that every American who takes part in the action of a mob or gives it any sort of countenance is no true son of this great democracy, but its betrayer, and does more to discredit her by that single disloyalty to her standards of law and right than the words of her statesmen or the sacrifices of her heroic boys in the trenches can do to make suffering peoples believe her to be their savior.

It is a well-known fact that President Franklin D. Roosevelt has taken no part in the fight to pass this Federal antilynching bill. Although he has many times expressed himself against lynching, he has not recommended the passage of a Federal antilynching bill, so let the world know that this is not an administration measure. On December 6, 1933, President Roosevelt, addressing a meeting of the Federal Council of Churches of Christ in America, said:

This new generation, for example, is not content with preachings against that vile form of collective murder—lynch law—which has broken out in our midst anew. We know that it is murder, and a deliberate and definite disobedience of the commandment, "Thou shalt not kill." We do not excuse those in high places or in low who condone lynch law.

In his annual message to Congress, January 3, 1934, he said:

\* \* \* crimes of organized banditry, cold-blooded shooting, lynching, and kidnaping have threatened our security.

These violations of ethics and these violations of law call on the strong arm of Government for their immediate suppression; they call also on the country for an aroused public opinion.

It will be noted that he did not refer to the Federal Government.

Addressing the Attorney General's crime conference on December 10, 1934, he said:

I ask you, therefore, to do all in your power to interpret the problem of crime to the people of this country. They must realize the many implications of that word "crime." It is not enough that they become interested in one phase only. At one moment popular resentment and anger may be roused by an outbreak of some particular form of crime, such, for example, as widespread banditry; or at another moment, of appalling kidnapings; or at another of widespread drug peddling; or at another of horrifying lynchings.

I state in this connection that my State has a very strong statute protecting the man who is sought by the mob, and penalizing the sheriff to the extent of removing him from office if he does not exercise due care and is not faithful in the performance of the duties of his office in protecting the man whom the mob is seeking. That is the law of Mississippi.

Mr. President, it might be of interest and pertinent to this discussion at this time to briefly review the origin of the term "lynch law." Students of this subject generally agree that the term "lynch law" is traceable to the actions of an extralegal court established during the Revolutionary War in Bedford County, Va., and presided over by Charles Lynch, justice of the peace, and the elder brother of John Lynch, for whom the city of Lynchburg, Va., was named, and the home of our beloved and distinguished senior Senator from Virginia [Mr. GLASS].

It is said that owing to the unsettled conditions prevailing at that time the Honorable Charles Lynch, justice of the peace, undertook to punish lawbreakers of all kinds. In 1780 his court tried and sentenced the participants in a loyalist conspiracy, and when this matter was brought before the Virginia Legislature 2 years later, Judge Lynch and other members of his court were exonerated—and this is the striking thing about this exoneration, it being held by the Virginia Assembly that the acts of Judge Lynch and his associates, though "not strictly warranted by law" were "justifiable from the imminence of the danger."

This same justification, "justifiable from the imminence of the danger," although unwarranted by law, has furnished the excuse for all the lynchings that took place in the wild and woolly West in the early days of its settlement.

Whipping was the usual sentence imposed by Judge Lynch, and the word "lynching" originally signified merely a summary whipping executed without customary legal processes.

It was later applied to tarring and feathering and other minor punishments. However, the term is now used almost solely to describe the killing of a person by a mob, although it may also mean simply the injury of a person through mob action.

Many States have made lynching a special statutory crime, and there are many definitions in these statutes of what constitutes lynching. Minnesota says by her laws that a lynching is the killing of a human being by the act or procurement of a mob. Down in Kentucky a lynching occurs only when the person killed by a mob was in the custody of officers, which is a very happy solution; while in North Carolina lynching is defined as entering or conspiring to enter a jail for the purpose of killing a prisoner. In good old Ohio a lynching is an act of violence upon the body of a person by a mob.

In these special statutory enactments for the various States the minimum number of persons comprising a mob varies from one in Alabama, Indiana, and Kansas to three in Kentucky, but it takes five to make a mob in Illinois, New Jersey, and West Virginia.

Some State laws are more general in specifying the number to make a mob by merely stating a collection of persons. Since there have arisen so many legal quibblings in the definition of mobs and lynchings, the Southern Commission on the Study of Lynching, carried out under the supervision of the School of Law of the University of North Carolina, has concluded that legislatures should not try to formulate a scientific definition of lynching or of a mob, but, rather, that there should be a generalization broad enough to allow each case to be decided on its individual aspects. The following generalization was included in a proposed model antilynching act: "Lynching is the killing or aggravated injury of a human being by the act or procurement of a mob."

The bill before us, section 2, says that—

Any assemblage of three or more persons which shall exercise or attempt to exercise, by physical violence and without authority of law, any power of correction or punishment over any citizen or citizens, or other person or persons, in the custody of any peace officer, or suspected of, charged with, or convicted of the commission of any offense, with the purpose or consequence of preventing the apprehension or trial or punishment by law of such citizen or citizens, person or persons, shall constitute a "mob" within the meaning of this act.

And, further—

Any such violence by a mob which results in the death or maiming of the victim or victims thereof shall constitute lynching within the meaning of this act.

Mr. POPE. Mr. President—

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

Mr. BILBO. I yield.

Mr. POPE. Does the Senator know why the number three was selected in the present bill? Are there a number of State laws which define a mob to consist of three or more persons?

Mr. BILBO. I do not know why the number three was selected, because I was not in on the drafting of this bill. The number used in various State laws vary. In some the number is as high as five. In other States it is lower.

The most amazing and astounding part of the definition of mob and lynching in the bill under consideration is the proviso set out in lines 10 to 16 on page 7, which reads as follows:

*Provided, however,* That lynching shall not be deemed to include violence occurring between members of groups of lawbreakers such as are commonly designated as gangsters or racketeers, nor of violence occurring during the course of picketing or boycotting or any incident in connection with any labor dispute, as that term is defined and used in the act of March 23, 1932 (47 Stat. 70).

In other words, the coauthors of this bill, who hail from the States of New York and Indiana, have no objections if 25 racketeers or gangsters organize and proceed forthwith to hang or to drown, or shoot, or cut the heads off, or in some other way destroy the lives of 5 or 10, or more or less, human beings who may be classed as racketeers. In other words, by inference the license is given to racketeers and gangsters, no matter what kind of racketeering they may be engaged in, to

go out and mob, without any danger of violating the proposed Federal law against lynching, and the poor wives and children of the mobbed and murdered racketeer shall be denied the right to sue for two or ten thousand dollars because the bread-winning racketeer has been summarily passed on to the happy hunting ground.

Oh, yes, the authors of this bill insist and demand that the wife and children, or the next of kin, of a vicious, black, crazed Negro, who rapes a pure and innocent white woman and murders her, shall be paid \$10,000 of the innocent taxpayers' money, but the racketeer who may be engaged in some more or less questionable racket such as selling liquor, when lynched or mobbed by his competitors in the racket, leaves nothing for his destitute family as the result of his passing on to the other world at the hands of a mob composed of his competitors.

In other words, if you want to leave your wife or next of kin an estate of \$10,000 cash, you must commit murder or rape. Under the provisions of this bill it is perfectly all right for 75 or 100 laboring people, belonging to the American Federation of Labor or the C. I. O., to go down and find a half dozen or more discharged and aggrieved employees of a local labor union, who are picketing one of the business houses of Washington, take them out on the hills of Virginia, across the Potomac, and murder them, either by hanging, shooting, or decapitating, and that will not be a violation of the so-called antilynching bill proposed by the gentleman from New York and the gentleman from Indiana.

An ignorant, illiterate, black man, crazy with his animal passion, can violate the chastity and destroy the virtue of a sweet little white girl in her teens and then murder her and throw her lifeless form into the chilly waters of the Potomac, and by so doing compel the innocent taxpayers to pay his wife or next of kin \$10,000. But the wives and next of kin of the half dozen harmless, discharged laborers, aggrieved at the mistreatment of their employer, on one of the streets of Washington, receive nothing, but are left to struggle on in rags and starvation, lulled to sleep in the evening tide by the howl of the lonesome wolf of hunger at their doors.

We are indebted to the Honorable James Harmon Chadbourn, assistant professor of law of the University of North Carolina, for his analysis of antilynching laws existing in the States.

I place it in the RECORD as a matter of history and as information for the public which reads the record of this discussion. It is a very able presentation of the antilynching laws which now obtain in the various States of the Union. He made the following observations:

Antilynching legislation is broadly of two types. It is punitive or prophylactic, seeking on the one hand to punish when a lynching has occurred—on the other to anticipate and prevent lynchings. If, however, the philosophy underlying punishment is prevention rather than retribution, then the division is pragmatic only. At least it is convenient to make it for purposes of discussion.

What I now quote from this analysis by Professor Chadbourn relates to State legislation:

The main types of punishment in antilynching legislation are: (a) Punishing lynchings by making lynching and mob violence statutory crimes; (b) fining counties and cities in which lynchings and mob violence occur; (c) removing delinquent peace officers. Other and more sporadic ones are penalties for (1) failing to respond to an officer's summons for aid in protecting a threatened person; (2) violating safety zone established by officers; (3) failure on the part of the proper officer to prosecute lynchings; (4) refusing to testify in a lynching investigation; (5) publishing a printed or moving picture portraying a lynching; (6) failing to call special term of court. Often special procedures are set up to facilitate the infliction of these penalties, such as prosecution on information in lieu of indictment, prosecution by the State's attorney general, and provisions for offering rewards and hiring detectives.

In my State we have several of these provisions and have a great desire to put a stop to the crime of lynching.

The most familiar types of legislation designed to prevent lynchings by anticipating them are provisions for (a) employing military force to guard a threatened person—

I have done that myself on occasions as Governor of the State—

(b) changing the venue of his trial—

I have seen that done in my own State—  
(c) calling a special term of court to try him—

That is frequently done—  
and (d) removing him to the jail of an adjoining county.

That is resorted to almost universally in the South. The sheriff takes a prisoner to an adjoining county, perhaps 300 miles away, in order to save him from lynching, to defeat the purpose of the mob.

I wish to say to the Senators who are espousing this bill that if the bill is passed, which makes it possible for the sheriff of a county to be subjected to a penalty of \$5,000 or 5 years in the penitentiary, it will be found that no sheriff in any county in any Southern State will ever receive from another sheriff a prisoner who is being sought by a mob. If one sheriff should try to put the prisoner in the hands of the other sheriff for safekeeping he would find that that sheriff would refuse to take possession of the prisoner. If I were the sheriff of one county and the sheriff of an adjoining county asked me to take charge of his prisoner for safekeeping, does anyone suppose that I as sheriff would jeopardize myself and my family and my job by taking charge of the prisoner the mob was chasing? Certainly not. Let each sheriff take care of his own prisoner and put him in the jail in his own county.

The majority of this antilynching legislation has been enacted during the past decade and a half. Much of it has been sponsored by Negroes. This is true of the Ohio law, which was introduced by Representative H. T. Eubanks. The Minnesota law is reported to have been engineered by a Negro clubwoman, Mrs. W. T. Francis, of St. Paul, who persuaded Representative Theodore Christianson (white) to introduce it. H. J. Capehart, the colored member of the house of delegates, is reported to have drawn and sponsored West Virginia's law. To win his own party to it he reduced the county forfeiture from \$25,000 to \$5,000. The bill was fought by a Democratic minority. The Pennsylvania law was drafted by Representative Andrew Stevens (Negro). All the house Democrats are reported to have supported it. The single negative vote was a Republican one. The first use of this law was by the wife of a Klansman killed in a riot resulting from a Ku Klux Klan parade.

That was in Pennsylvania.

The New Jersey law is reported to have been passed at the behest of Negroes. While the Republicans claim credit for the bill's introduction and passage, it was approved by a Democratic Governor. A committee of colored citizens is credited with the Kentucky law. A Negro representative introduced the Nebraska law.

One of the most amusing things we see in American political life is how in the States where there is a handful of Negro votes Democratic and Republican politicians vie with each other to see which one can do the most for the Negroes in order to get the votes.

Quite often this legislation represents the sublimation of a militant antilynching sentiment aroused by a recent lynching which has shocked the local conscience. The Columbia (S. C.) Record, June 29, 1931, states: "Lynchings at Marion, Ind., last year caused the Indiana Legislature to write a drastic antilynching law, which Governor Leslie has signed." So also the lynching of Montgomery Godley at Pittsburg, Kans., on Christmas Day of 1902 seems to have prompted the enactment of the Kansas law in 1903. And doubtless some of the statutes enacted in the past decade are the answer of proponents of States' rights and local self-government to the post-war agitation for a Federal law to curb lynching. The press, for example, so considered the Virginia law.

I am informed that the State of Virginia has possibly the best law with respect to prevention of lynching and mob violence of any State of the Union. That is due to the efforts of our own colleague [Mr. BYRD].

Antilynching legislation has been repealed in at least two States. Alabama passed an act in 1868 penalizing counties in which mob murders took place. A special session of the Texas Legislature in 1897 created the crime of "murder by mob violence" and provided for the removal of peace officers delinquent in protecting prisoners taken from their custody and killed.

Lynching and mob violence under the common law have no technical signification. To the legal mind the terms connote a hodgepodge of numerous crimes—riot, rout, unlawful assembly, murder, assault and battery, etc.

"Lynching has no technical legal meaning. It is merely a descriptive phrase used to signify the lawless acts of persons who violate established law at the time they commit the acts. \* \* \* The offense of lynching is unknown to the common law."

So much for the information contained in these splendid observations about State laws on lynching, but we are now



primarily concerned with the question of whether it is advisable, necessary, and possible to enact a Federal antilynching law to regulate mob violence and lynching within the powers granted to the Congress under our Constitution.

It shall not be my purpose to devote much time to a discussion of the power and authority of Congress to enact laws that are most certainly an invasion of the States' rights to regulate and punish crimes within the jurisdiction of the various States. This phase of the bill has been ably and unanswerably covered by the several distinguished Senators who have preceded me in this discussion.

I am informed that the Senator from Idaho [Mr. BORAH] contemplates, before this discussion is over, giving the Senate a very full and elaborate presentation of this question.

It is the contention of those who oppose the proposed bill that such a measure is clearly unconstitutional, and if and when, if ever, this bill before us is enacted, I make the prophecy that the Supreme Court, when and if the provisions of this bill are ever brought before it for decision, will promptly and unceremoniously strike it down and throw it out the window.

Then we who are opposing this legislation might be asked why we are fighting it so hard, and why are we going to stay here all year to defeat it if we believe that the Supreme Court eventually would declare it unconstitutional. I entertain the fear that it will possibly be a decade before a case would ever get to the Supreme Court. Before I get through with this presentation I will discuss with Senators how this measure is going to operate, with respect to its enforcement, and I think I will be able to show Senators that there is only a remote possibility of a case coming before the Supreme Court under this measure. If such a case comes before it, I am sure the Supreme Court will declare the measure unconstitutional, following the decisions of the past. There may be some phases of this bill upon which the Court has never passed. But I know there must be some members of that Bench who will hold it to be unconstitutional. I am persuaded to believe that all the members will help throw it out the window. Its provisions are repulsive and unthinkable to every man who has the slightest conception of our dual form of government. This Congress would have just as much right to pass a law to punish horse stealing, cow stealing, arson, chicken stealing, rape, gambling, murder, or fishing on Sunday as it would have to pass a law to punish the citizens of a State for violating the law in shooting or hanging some criminal that has violated some law of that State.

The State in the surrender of its power to the Federal Congress most certainly reserved the right to regulate its own internal affairs, enact laws for its own internal protection, and to punish violators of such laws.

Since the year 1891 various and sundry attempts have been made in Congress to pass a Federal antilynching law. Hon. David O. Walter, professor of Cornell University, has written a splendid history of these sporadic attempts to secure the passage of such legislation during the last 46 years. I am pleased to submit his observations, because I believe this information will be interesting to Members of this Senate and the country at large.

I quote from Professor Walter, of Cornell University:

A spectacular series of lynchings in Maryland, California, Missouri, and Tennessee last year (1933) called Nation-wide attention to an alarming increase in mob violence. When Governor Rolph, of California, openly condoned the San Jose affair, it was clear that the machinery of the State would not be used effectively to punish the mob. Under such circumstances it was only natural that besides the wave of denunciation of Governor Rolph there should be a demand for some action by the Federal Government when the States permit such activities. In response to this agitation, in the first 6 weeks of the recent session of Congress (1933-34), nine bills were introduced and were later under consideration by the Judiciary Committees of the House and Senate.

Such efforts, however, are not novel, but are only part of a series of attempts to have the Federal Government deal with this problem. The movement for a Federal antilynching bill received its first active support in the recommendation of President Harrison in December 1891, that Congress pass a law to protect aliens from mob violence. This was a direct result of the difficulties arising from the outbreak in New Orleans in March of that year, when 11 Italians awaiting trial were taken from the jail and lynched. Louisiana made no effort to apprehend or punish the

leaders of the mob. Since three of the victims were Italian citizens, their Government protested under the terms of the treaty of 1871. The United States was forced to reply that it had no authority even to speak in the matter, since under our Federal system the States had jurisdiction over such crimes. This failed to satisfy the Italian Government and strained relations ensued until Secretary Blaine offered compensation to the families of the lynched men.

That is, the Italians who had been lynched.

Following out the President's request, Senator Sherman, of Ohio, introduced a resolution instructing the Committee on Foreign Relations to draw up a bill to protect the treaty rights of aliens. Such a bill was submitted, providing that where acts which were crimes under the laws of the States were committed against aliens in violation of their treaty rights, the offenders should be prosecuted in the Federal courts; but that the statutes of the State should define the crime, prescribe the punishment, and regulate the rules of evidence, procedure, etc.

Senator Gray, of Delaware, led a powerful attack on the bill on the grounds that (1) it drew its authority from the treaty-making power, but treaties are subject to the same constitutional limitations as are laws and may not invade the field reserved to the States; (2) in adopting State laws there would be an unconstitutional delegation of the legislative power of the Federal Government to the States; (3) there would be different punishments for the same crime in each of the 44 States, according to the variations in State laws, which seemed inequitable; (4) such a law would give aliens an advantage over citizens, in the provision for removal of cases to Federal courts; (5) there would grow up a considerable machinery for the enforcement of Federal jurisdiction over the large number of aliens, paralleling State jurisdiction over citizens; (6) citizens would be subject to double jeopardy for the same crime; (7) the Constitution contains no specific grant of such power to Congress.

Senators Morgan, of Alabama—

Here was a southern man contending for an antilynching law—

and Hiscock, of New York, defended the bill on the following grounds: (1) Congress has the constitutional power to pass laws to enforce treaties; (2) the Federal Government was granted by the Constitution jurisdiction over cases involving aliens; (3) it has been a long-established practice for Congress to adopt State laws, even though they vary in specific content; (4) this subjecting of persons to trial by both State and Federal sovereignties for the same act has been held not to be double jeopardy; (5) this bill was limited in application to those aliens claiming a right under a treaty; (6) the bringing of these prosecutions in Federal courts was not essentially different from the right of Federal officers to remove suits brought against them from the State to the Federal courts. However, interest in the measure died down and it never came to a vote.

What interest Congress had in the lynching problem for a quarter of a century centered mainly on the protection of aliens in their treaty rights. Bills for this purpose were introduced in the Senate in 1893, 1899, and 1908, and in the House in 1900, 1902, 1903, 1905, and 1907; but, in spite of frequent Presidential recommendations, no action was taken until 1908. In December of that year the House passed a bill recommended by the Department of State. Its provisions differed from those of the earlier bill by providing that "if two or more persons conspire to injure, oppress, threaten, or intimidate any alien in his free exercise of any right secured to him under any treaty of the United States, or because of his having so exercised the same, they shall be fined not more than \$5,000 or imprisoned not more than 10 years, or both."

We can appreciate the wisdom of such a law.

Although less doubt of its constitutionality was expressed than had been the case 16 years before, the bill passed only by the deciding vote of the Speaker. In the Senate it was referred to the Committee on the Judiciary and there died. The proponents of the bill introduced similar measures in 1909, 1915, 1917, 1919, and 1920, but no action was taken. Finally the Dyer bill of 1922 included a clause for the protection of aliens, adopting the form suggested in 1892, and since then the protection of aliens has usually been combined with general antilynching proposals.

Until 1921 similar measures on behalf of American citizens, particularly Negroes, had even less success. Referring to the problem of lynching in his annual message for 1892, President Harrison urged, this time in the interests of the colored race, that so far as such acts could be made the subject of Federal jurisdiction—

President Harrison was aware of the constitutional limitations—

the strongest repressive legislation was demanded. But the Congress to which this message was directed took no notice of the President's recommendation.

Apparently the first suggestions for a Federal law to protect Negroes specifically against lynching were presented to Congress in 1892 in the form of petitions from the colored people of Riley County, Kans., and from the Religious Society of Friends of New York and Vermont.

In 1894 petitions for investigation of a lynching were sent to both Houses of Congress, and a resolution for such an investigation

was introduced into the lower house. In 1900 Representative White, of North Carolina, a Negro, introduced a bill for the protection of all citizens of the United States against lynching; and in the following year Representative Moody, later Associate Justice of the Supreme Court, introduced similar bills. In the same year, 1901, Senator Hoar, on request, proposed such a measure, while expressing doubts of its constitutionality, and later for the Committee on the Judiciary reported it adversely. Senator Gallinger's resolution in 1902 for an investigation of lynching met the usual fate and was laid on the table.

The subject did not again come before Congress until 1918, when race riots in Washington itself—

Perhaps Senators have forgotten the race riots in Washington—

and highly inflamed race feeling in the South and Midwest brought the problem once more into prominence. In 1918 Representative Leonidas C. Dyer, of Missouri, introduced a bill to protect citizens of the United States against lynching in default of protection by the States. Similar bills were introduced in the succeeding Congresses by Mr. Dyer, as well as by Representatives Moores, Gahn, Dallinger, and Anson. On October 31, 1921, Mr. Dyer reported favorably from the Committee on the Judiciary the so-called Dyer bill (H. R. 13), based on the various bills introduced, and similar in form to that proposed by Moody in 1901. Later proposals have followed closely the provisions of the Dyer bill. In its final form the bill (1) defined a "mob or riotous assemblage" as an assemblage of three or more persons acting in concert for the purpose of depriving any person of his life or doing him injury, without authority of law, as a punishment for or to prevent the commission of some actual or supposed public offense; (2) declared that any State or governmental subdivision which failed, neglected, or refused to provide protection for any person within its jurisdiction against such a mob should be deemed to have denied to such person the equal protection of the laws; (3) provided that any State or municipal officer who had the duty or possessed the authority to protect such person and who failed, neglected, or refused to make all reasonable efforts to protect him or to apprehend or prosecute those participating in such a mob, should be guilty of a felony and so punished, as well as such officers who conspired with a mob; (4) provided that those participating in lynchings might be tried in the Federal district court according to the laws of the State on evidence to the court that the officers had failed, neglected, or refused to punish such participants, or that jurors in State courts were strongly opposed to punishing lynchings; (5) made the county in which the person was lynched, or (6) in which he was seized, liable to forfeit \$10,000, to be recovered by the United States through its courts for the use of the family or dependent parents of the victim of mob action; and (7) incorporated the usual provision regarding the treaty rights of aliens.

It will be seen from this history that the pending bill has its antecedents, which were brought forward several years ago.

Opposition to this bill was vehement, almost entirely among the southern Democrats. In a series of speeches, obviously intended for home consumption, they attacked the policy and expediency of the bill. Much more cogent were the attacks on the constitutionality of the measure. Of course, if the Federal Government is to deal at all with the problem of lynching, it must be in pursuance of some grant of power in the Constitution. This the supporters of the bill attempted to find mainly in certain provisions of the fourteenth amendment:

"SECTION 1. \* \* \* Nor shall any State \* \* \* deny to any person within its jurisdiction the equal protection of the laws.

"SEC. 5. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."

In other words, if the proponents of this measure cannot hang their hopes upon the fourteenth amendment, they know they have no hope of establishing the constitutionality of the measure in any court of the country; and I am afraid they are going to have to ask the court to stretch the Constitution more than Jefferson did when he made the Louisiana Purchase before they will ever "get by" with the fourteenth amendment to sustain this proposed legislation.

The opponents of the bill declared it to be an unconstitutional invasion of the reserve powers of the States, being an act of the police power. It was pointed out that in a long line of cases construing the fourteenth amendment, the Supreme Court has held it to apply only as a prohibition on State action, not on the action of individuals. Therefore the fourth section of the bill was clearly unconstitutional. Further, when sheriffs fail to afford reasonable protection to prisoners, they are usually violating duties imposed by State laws, and so cannot be considered agents of the State.

Hence, even if there is a denial of equal protection, it is not the State which acts. The prohibition of State denial of equal protection is not a grant of power to Congress to assure equal protection; the failure of a State to act to assure equal protection is not such denial; otherwise, the failure to punish any crime would amount to a denial of the equal protection of the laws (which is obviously not the sense of the fourteenth amendment). Habitual exclusion of Negroes as such from jury lists has been held to amount to a law denying equal protection. But while admitting

that equal protection may be denied by unequal, unfair, and discriminatory administration of executive power, Mr. McSwain pointed out that the failure of officers to protect prisoners is exceptional and not habitual. Further, he asserted that the penalty imposed on a county was a tax, and thereby unconstitutional as being laid on a subdivision of a sovereign State.

Those advocating the measure stressed the necessity of Federal legislation to punish the crime of lynching, pointing out how rarely any effective action is taken to punish lynchings and urging that some means is necessary of putting the resources of the National Government in play to prevent mob violence. On constitutional grounds, however, the supporters of the Dyer bill had more difficulty. They cited some of the same cases interpreting the fourteenth amendment to show that a State may deny the equal protection of the laws by administrative and judicial acts as well as by legislation; and that where a State does so, the Federal Government may pass corrective legislation. In addition, the failure of a State to protect persons within its jurisdiction is tantamount to a denial of protection. The failure of a sheriff to protect persons from mob violence, while a violation of his statutory duties, is still to be considered the act of the State. Also, the penalty on the county is a fine, not a tax, and so is not forbidden by the rule regarding taxation of Government instrumentalities. Since the United States may sue a State, it may sue a subdivision of the State and enforce on it the judgments of the Federal courts.

On January 26, 1922, after 5 weeks of consideration, the bill passed the House of Representatives by a vote of 231 yeas, 119 nays. Though the vote was not completely partisan, the opposition was mainly from the southern Democrats. Furthermore, it was a group of southern Senators who forced the withdrawal of the bill from consideration by the Senate, using filibustering methods which Senator Underwood openly avowed were intended to prevent a vote on it.

Since the failure of the Dyer bill in the Senate, there have been no successful efforts to pass such legislation in either House. With the exception of a committee report in 1924 on which no action was taken, measures introduced in 1923, 1925, 1927, 1929, and 1933 were merely referred to the Judiciary Committee in the lower House. A measure proposed in the Senate in 1925 was treated similarly.

That closes the review by Professor Walter, of Cornell University, of the attempt to pass a Federal antilynching law.

In the Seventy-fourth Congress on January 4, 1935, the late Senator from Colorado, Edward P. Costigan, and the distinguished Senator from New York, ROBERT F. WAGNER, both members of the Democratic Party, jointly introduced Senate bill 24. This bill was debated from April 25, 1935, to May 1, when the bill was replaced for consideration by the bonus bill.

In this connection it will be not only interesting but pertinent to this discussion to call the attention of the Senate and the country to the splendid and convincing observations made by Mr. Justice Black, of the United States Supreme Court, who at the time of the consideration of the Costigan-Wagner bill was a distinguished Member of this body. You will note that Mr. Justice Black maintained that the passage of such a bill would serve to increase lynchings, and would be harmful to labor. Here, in part, is what the then Senator Black had to say on the Costigan-Wagner bill:

I claim that the Costigan-Wagner bill could well be designated a bill to increase lynching—

I digress to observe that that is exactly what every Senator who represents a Southern State is telling you today. If you pass this bill, you will find out that our guess is right—

a bill to suppress labor unions, a bill to punish and prosecute sheriffs and peace officers who fail to perform satisfactorily the duties which owners and operators might claim they should perform in the case of a strike. I claim that it is not only a bill which would subject the sheriffs to prosecution in the Federal courts for neglect to protect persons from injury but it goes still further and would subject every sheriff in this Nation to a penalty not in excess of 25 years if he failed to exercise that diligence which the coal operators, for instance, thought he should exercise in order to protect their property in case of strike.

That is the Costigan-Wagner bill which Mr. Justice Black is discussing.

I do not claim that the Senator from Colorado and the Senator from New York intended to introduce a bill which would have that effect, but I assert that there never has been a self-respecting court in this Nation that could hold to the contrary of the views I have expressed with reference to this particular measure. I base that statement on the measure itself and on the report submitted by the Judiciary Committee, and particularly upon the brief in support of the report.

Therefore I assert that if the bill should become a law it would have an accentuating effect like unto that of the fourteenth amendment. There were many who believed that it was necessary to adopt the fourteenth amendment in order to protect colored citizens of the country from an infringement of their rights. Some

were honest and sincere in that belief. They believed that the amendment would serve to effectuate such a purpose. I submit that if at that time it could have been known that over a period of 10 years, out of 529 cases coming under the amendment, 509 would have been decided in a way to protect vested interests in their predatory special privileges in this Nation, the amendment would not have had easy sailing, even at that time.

The Costigan-Wagner bill is a lineal descendant of the measures which were enacted as laws in this country and about which the great historian Claude G. Bowers has written that magnificent book entitled "The Tragic Era."

There is nothing new in the proposal, except that today, to him who will read it, it is plain that it goes much further than its proponents in earlier days ever intended it should go, and that it is boldly placing in the Federal courts of the Nation, in courts presided over by men appointed for life, the unquestioned right and privilege of penalizing every sheriff, every peace officer, every judge, and even every Governor of every State, if he fails, forsooth, to be as diligent as the owners think he should be in protecting the property of those whose employees are out on strike.

I deny that this is an "antilynching" bill. The public, the great body of the citizens of the country, have been led to believe that we have in this bill a simple measure against lynching. I assert that if the bill should become a law, not only would it affect the so-called "14 lynchings" which occurred in the country in 1934 but I assert that in the first year of its operation there would fall under the terms of the proposed law more than a thousand cases arising all over the Nation which would not even remotely in any sense of the word touch a lynching.

Let me make an observation aside at this point. I am reading from Mr. Justice Black. I desire to say that some of the Senators who are such great friends of the labor organizations had better beware what they are doing in trying to pass the bill which is now pending.

Let us suppose, as has frequently happened, that a strike has occurred. An individual miner or trainman—and I have tried both of them on such charges—may be charged with injuring a strike-breaker. It is charged that three of them were present. Suppose a prosecuting attorney should decide the man was not guilty. Would he dare to tell the jury so? He would not. Would that prosecuting attorney dare to rise from his chair and tell the jury, "I believe that the killing of this miner was justified"? He would not. Why would he not? Because he would know that his Government, the Government of the United States, a democracy, had passed a law which subjected the prosecuting attorney to 5 years' imprisonment and to have the stigma of felony put upon his brow if he neglected to do anything he could to convict that man.

Let all who desire secure any political advantage they may think is theirs from attempting to force such a bill upon the American people. If it should pass, time will tell who was right. I state that there is no class in America which would be more injured by this bill than those who belong to the colored race, whose wages have frequently been so low as to be a crime against civilization and against decency, and whose wages have been raised more by organization of men than by any other method, and, practically, that has been the only method by which their wages have been raised, until the present administration began to secure the enactment of its legislative program.

In this connection I desire to state that it is my belief that the great majority of the intelligent, thinking, leading Negroes of the South are opposed to this antilynching bill. They know what it means. They know what its enactment will mean to them and to their race.

At this point I wish to insert in the RECORD part of an article by one of the professors of the Alcorn Agricultural and Mechanical College, State of Mississippi. I received it in the morning's mail. The title of it is, "A Negro Looks at the Lynching Bill."

A Negro of the South. Let me read from this contributed article by a leading Negro of my State:

It is a matter of common knowledge with students of moderately recent history that government of the States by the national administration at Washington in the interest of a particular group has been tried once, and with most disastrous consequences to the group in question. Much of the bitterness, animosity, and racial antipathy from which the Negroes at present suffer are the fruits of that unfortunate period of our social and civic life. And it is most unfortunate that just at the time when we seem just on the verge of a clearer understanding and of more mutual good will there should arise this specter of undemocratic threat of force to disturb the present growth and development of our erstwhile splendid promise of mutual respect and appreciation.

This is a Negro speaking from the South, an educated Negro, a leader among the Negroes:

In this fight there are two distinctly American ideals at war with each other; one, the right of every person accused of crime to be given a fair and impartial trial before a jury of his peers before condemnation or punishment; the other, the free autonomy

of the sovereign States in the exercise of all power and control over matters within their respective borders not specifically delegated by the States to the National Government.

But I have often reflected upon the unfortunate circumstances that whenever and for whatever cause a Negro was lynched, the batteries of denunciation from the Negro pulpit, press, and platform were almost invariably loosed, not in support of investigation to determine whether or not there was ground for the charge of unsocial behavior that had been alleged against the individual; not in condemnation of the act which had brought on the lynching; not in laying their services at the disposal of the forces of law and order to run down the guilty culprit and thus place the responsibility where it rightfully belonged, even if it was on a Negro; but always in unsparing denunciation of the illegal act of lynching on the part of the frenzied mob.

Here is a Negro who has the right conception of how to handle public sentiment, to control mob lynching, anywhere in this country. We know that it is a heinous crime, such as murder or rape, that is the cause of mobbing in a great majority of cases; and this Negro says, instead of denouncing the mob, instead of denouncing lynching, we should spend our time denouncing the crime which the victim had committed.

What we want is a cessation of this inhuman practice against the members of our helpless group; and I have often felt that the shortest road to that objective would be, instead of venting our rage against the mob, to go the other way around. Let it be known on which side we stood with regard to the alleged offense against the social order; place our services at the disposal of the forces of law and order; forget group identity in searching out and laying bare all the actual evidence within our possession or within our power to get; and in rendering an impartial judgment on all matters touching the case in hand.

This Negro goes on to say:

There are many encouraging signs of a growing sense of fairness toward the Negro throughout the South on the part of the ruling classes today. Many are the honest efforts being made by different agencies to help him find himself and take his place and live his life as a free man in this the most complex of any civilization of which the records of the past furnish any account. For all of this the Negro is duly grateful.

On his part he has many who have tried to deserve the confidence of the people by whose side under God he has been privileged to live and strive to work out his salvation. He has filled every schoolhouse that has been opened for his training. He has tried to fit himself into the scheme of American industry, working where he could to make an honest living for him and his. He has uncompromisingly made the supreme sacrifice for America and American ideals whenever he has been called. And for upwards of 300 years he has been standing at the bar of the American public conscience, in one way or another pleading for justice and fair play; and he is standing there today awaiting the response.

THE SOUTH MUST BE FAIR

I do not expect the antilynch bill to be passed during this session of Congress nor by this Congress.

This shows he is smart.

In the words of the immortal Lincoln, "Fondly do we hope, fervently do we pray" that this cup shall not be pressed to the lips of the South. For our own sakes we, the Negroes of the South, may well pray that this bill may not pass. But for the South this is the most portentous gesture that has been made at thoroughly undemocratic practices since Reconstruction days; and this is made by the Democratic Party.

He means by part of it:

The white South sets the standards of civic righteousness in the several States and prescribes the qualifications for participation in the discharge of civic duties. There should be no prejudice against the Negro in the discharge of those duties when he has met the prescribed qualifications. If they are not sufficiently high to sift out the unworthy on a fair and honest count, then they should be raised to where they will; and no power can prevent the whites from raising them if they will do so. The Negro is perfectly willing to meet any test prescribed for participation except the test of color, over which it is known that he has no control.

But whether this bill passes in the Congress or not, the South should take fair warning. The forbidding shadows of this ominous threat of the use of Federal authority in matters purely local should serve as a reminder to them that they cannot, in the name of democracy, continue to deny to others who have met every qualification prescribed, the right which they so vehemently claim for themselves in the name of that same democracy.

MUST MAKE HIS CASE

But again, whether this bill passes or doesn't pass, the Negro of the South must make his case with the South. His hope for anything like permanent and worth-while relief from Washington for his ills is a forlorn hope and is doomed to end in disappointment.

Oh, yes; we can go to Harlem, we can go to Chicago, we can go here in Washington, and we will find 9 out of 10 of the mulattoes, the quadroons, the octaroons, and all the rest of the mongrel breed, yelling for the passage of the antilynch bill, when the leaders in the South, where the law would be put into effect, in the section for which it is intended, are trying to eradicate the crime of lynching, for the protection of the whites and Negroes. The trouble is that a lot of these mongrels, mulattoes, and once in a while assisted by a worthless white man, organize into societies and fraternities and collect money from the colored race to carry on this kind of propaganda, to carry on this kind of campaign, and they are using the propaganda for political purposes.

I wish now to read from the newspaper Afro-American, in this connection. This is a Washington paper, and I read from the issue of January 22, 1938. On the front page is—The Week's Editorial.

Why not talk Senator BAILEY's language?

Let me acquaint the Senate with the controlling sentiment, the objectives, the feeling of the Negro organizations which are demanding the passage of the pending bill. This is what this Negro paper says in this week's editorial:

WHY NOT TALK SENATOR BAILEY'S LANGUAGE?

The North Carolina Committee on Colored Affairs this week addressed a letter signed by Chairman Hosea V. Price to its Senator, JOSIAH BAILEY, chief filibusterer against the antilynching bill.

It called attention to the fact that colored people are a minority in the South and are loyal to the Government.

It advised him that he is not representing the best interests of all his constituents and that he is appealing to class hatred and race prejudice.

I deny that for the Senator from North Carolina. I heard his speech and I read it.

The Senator probably knows this as well as the committee which, in our judgment, has an opportunity now to tell him one thing more.

This is a bunch of Negroes in North Carolina telling the Senator from North Carolina something:

The committee should advise both Senator BAILEY and Senator REYNOLDS that when they come up for reelection, all the committee's influence with both races will be used to defeat them.

That is the only kind of language BAILEY understands.

Mr. President, this is a Negro conglomeration talking to the Senator from North Carolina [Mr. BAILEY].

I continue reading from this Negro professor of one of the State colleges of Mississippi:

But again, whether this bill passes or doesn't pass, the Negro of the South must make his case with the South. His hope for anything like permanent and worth-while relief from Washington for his ills is a forlorn hope and is doomed to end in disappointment.

I repeat, the leading Negroes of the South do not want this bill, because they know what would happen if it were enacted. They know that hell's gates would be opened and that the difficulties of the situation intended to be corrected would be increased a thousandfold.

Listen to this:

He in the South must make his case with the South. Make it in industry; make it in thrift; make it in increased intelligence; make it in honesty and personal integrity; make it in known dependability; make it in better use of American opportunity; in visibly lessened crime, personal worth, social service, and civic righteousness. And practically all of these are within his own reach and subject to his own will. And when and if he makes achievement in these fields his first concern, no power on earth can long hinder him in the realization of all that he deserves in any other realm of his life. Accordingly, let the Negro's home, his church, his school, the Negro press, and all of the agencies that lay any claim to be working for the improvement of his status in this country and in the South become more sensitively conscious of their opportunity in the above-mentioned fields and center their fire on these objectives; and it is my faith that there will then be small reason to complain of denial of rights in any other matter that counts.

That is the conclusion of the best thought of the Negro race of the South.

Mr. President, I now quote further from Mr. Justice Black:

I realize that someone may say, "Well, there has been some kind of a recommendation of this bill by organized labor." That is

wholly immaterial. I make the assertion that if this bill should become a law, within 2 years from the date it was signed and went into operation there would be the greatest change in the position of organized labor this country has ever known in a like period of time, because this law would crucify organized labor, and the man in the ranks would know what was the matter.

Senators may vote for the bill in the belief that they are representing labor, but after the direful effects have been made known labor will not excuse those who vote for it for not knowing any better. They will censure those Senators because they did not know better, since they are the leaders on the floor of the Senate. That is why a man who attempts and dares to lead the people at any time should first decide whether a proposition is inherently right. He may go along with the crowd, and the crowd will follow, and he may be wrong; but when the crowd finds out that they are wrong, the crowd will get right and blame the leaders because they should have known better. So lead in the right way, though no one follows. After a while others will follow.

Justice Black said further:

I do not yield to any man on this floor in my loyalty to the ideas of good working conditions for the people of this country, white or black, or any other type. I yield to none in the desire to see that they receive an honest compensation for an honest day's work. If I had my way about it, I would make the minimum wages higher than they now are. I yield to none in my desire to see that they have good working conditions as to hours and the conditions in which they toil. But I state that nothing could be more absurd or more ridiculous than for people to come here at one session of Congress and fight and become elated over a victory which prevents the issuance of injunctions by Federal courts against strikers and at the very next session of Congress come and offer to pass a bill which makes a mob of any three or four strikers who gather together, as a consequence of whose actions somebody is injured or killed.

It is interesting to note the theory upon which the right to impose a penalty on a county is based. Several years ago, in reading Macaulay's History of England, I found the beginning of the idea of imposing a penalty upon a county. It came into England from Denmark. The idea at that time was that when the hue and cry was raised every citizen had to respond and make an arrest. There were few sheriffs and few officers charged with the duty of apprehending criminals.

When the Normans conquered England it was found, as had always been the case, that there was great antagonism between the Normans and the Saxons and the original natives of England. The result was that there were a great many Normans who were found murdered from time to time; and since they were in control of the country in those days, which some of us might now call primitive, a law was enacted which imposed a fine upon each hundred, the hundred being somewhat similar to the present township. The theory was that those citizens must apprehend the criminal.

That law did not work very satisfactorily, because it was found that in the poor hundreds usually one man or two men had to pay the entire penalty, men who had nothing whatever to do with the affair and knew nothing about it until after it had occurred.

That is exactly what is being sought in the pending bill.

Justice Black continued:

Since the law provided that the penalty must be imposed when anyone of French descent was found murdered, the result was that the bodies were mutilated, and it became impossible to determine, from the dead body, whether it was that of a Frenchman, a Norman, a Saxon, or a native Englishman. So that law was amended and there was used the prima facie clause which we have in the pending measure, and it was provided that if any dead body was found it should be presumed to be that of a man of French descent. Before very long it was found that did not work, some of the books stating that an individual would simply disappear, and no body could be found. So the law was repealed.

Just as there will be a demand for repeal if by some hook-a-ma-crook the pending bill shall be enacted into law. One of the great writers on law says that since those primitive times—he uses that term—a more equitable system of imposing punishment has been adopted, and that an effort has been made to punish those who commit the crime rather than to punish the innocent.

In the pending bill we find that a fine is to be imposed upon a county, and if the county is unable to pay, those who claim to be injured can levy on the courthouse or jail—and the hospital, I assume. They probably would take them all. If there happened to be a county hospital, of course, it would be far more important to have the judgment paid than to operate a hospital for the benefit of the sick and the needy. It would be far more important to have the judgment paid than to keep the doors of the courthouse open. Everything sinks into insignificance in the minds of those who have brought before the Congress a bill which is the lineal descendant of those pernicious measures which cursed the very people they were intended to benefit after the War between

the States. They were a curse alike to those against whom they were directed and those for whose alleged benefit they were passed.

Before I conclude my observations on this proposed legislation it is my purpose to analyze the provisions of this bill, its inconsistencies, its loopholes, its hardships, its unreasonableness, its absurdities, its ridiculousness, its monstrosities, its unthinkableness, and its foolishness. It shall be my purpose to show the abuses that will result in the attempt to enforce it, the futility of its enforcement and the certainty of its bringing about an alarming increase of the crime which it seeks to prohibit. I shall attempt to show that by passage of the bill the poor, deluded Negro leaders and the misinformed authors of the bill will do more harm to the Negro race than anything that has happened to it since the Civil War.

I propose to prove by analysis of the workings of this proposed law, that if it be enacted the sponsors of this legislation in and out of Congress will prove to be the worst enemies that the Negro race has ever had. We might as well be frank with each other and put the cards on the table. This is a race issue. This is a race question. This is race legislation. It has been brought here to the floor of the Senate because you are trying to meet the insistent demands of Negro lovers, Negro sympathizers, Negro leaders, and Negro voters. I do not hesitate in making the statement that if every Negro north of the Mason and Dixon's line had on yesterday been moved south of the Smith and Wesson line; this bill would not receive a dozen votes on the floor of the Senate.

The Republican Party for 50 years has fooled, promised, and bamboozled the Negro voters by every sort and kind of promise, and chief among these promises has been a Federal antilynching law; but, be it said to the credit of the Republican Party and its leaders, they have been too wise to ever try seriously to carry out this promise, and it is regrettable in the extreme that after the Democratic Party has been placed in power in both branches of Congress that a serious attempt has been made by the Democrats to pass this piece of legislation, which is in violation of our great dual scheme of government and in my judgment violates the very spirit and underlying principle of our great scheme of democracy.

Ever since the Negro was brought from the jungles of Africa by northern slave traders and sold to the southern planters, the Negro in our midst has presented serious problems to solve. His presence in our midst has been a constant source of trouble, always presenting problems to be met and solved, and will continue to present problems as long as the two races try to live side by side.

The first great problem that drenched this country red with blood in the war between the States over the question of his freedom was only the beginning of more and more trouble. The regrettable thing about this piece of legislation is that it is conceived and sponsored by people who know practically nothing about the race question in the South. This great black burden has been handled more successfully by the white people of the South than it was ever handled by any branch of the Caucasian race anywhere in the world when forced to live side by side with another race. We have made a good job of it.

The attempt to pass this unthinkable and unconstitutional piece of legislation, which violates every suggestion of our dual scheme of government, is only the forerunner of legislation that will be demanded from time to time by the Negro voters who in a great many States hold the balance of power. As long as the politician and office seeker needs the Negro vote to win his elections, the Negro is going to demand full pay for his political support by exacting laws to further his ambition for alleged protection and a full enjoyment of every right—political, social, economic, and otherwise. Give him this law and then he will demand something else.

Let me say to the Senate and to the country before I proceed any further with a discussion of this bill, before I express my honest and deep-seated convictions of the issues that this kind of legislation properly suggests, that in doing

so I do not want to leave the impression that I am unfriendly to the Negro or his race. I have been a candidate for public office in my native State, where a majority of its population is colored, for close on to 30 years. I represent the only State in the Union where the Negroes are in the majority. We have over 15,000 more Negroes in my State than whites.

I have held public office by the will of the majority of my constituents for nearly 20 years, and in all these years I have never sought to win an election by trying to arouse or appealing to race prejudices. I have been a friend to the colored man in my State, and I am glad to say that I enjoy his good will and friendship.

When I was elected to the Governor's office in 1916 for the first time, I received hundreds of letters and telegrams from the leading colored people of my State congratulating me on the fact that I had won the Governor's race without ever saying one word about the Negro or the race problem. I did not try to ride into public office on the Negro question. It is gratifying to me to know that I have enjoyed the moral support and good will of practically all the Negroes in every campaign.

The PRESIDING OFFICER (Mr. LEWIS in the chair). Will the Senator from Mississippi permit the Chair to interrupt him at that point to ask him a question?

Mr. BILBO. Certainly.

The PRESIDING OFFICER. Did the Senator say something as to the relative proportion of population between the colored people and the white people in Mississippi? Did the Senator from Illinois, who is now temporarily presiding over the Senate, correctly understand the Senator from Mississippi to say that there were 15,000 more Negroes than white people in the State of Mississippi?

Mr. BILBO. Yes. The latest census so shows, and I think the situation in that respect is getting worse.

It was gratifying to me to know that in some of my campaigns the Negroes held prayer meetings in their churches praying for my election because they knew that they had a friend in me. They had every reason to believe that I would give them a square deal, and I have not disappointed them.

It is true that a very few Negroes exercise the right of franchise in Mississippi. In fact, very few of them have any desire to take a part in the white man's political parties. Mississippi has been good to the Negro. Very few of our colored race have any desire to engage in politics in Mississippi. We give them justice in our courts. We provide schools for the education of their children. We have one of the best Negro colleges south of the Mason and Dixon's line, supported by the State, where the ambitious Negro girl or boy can secure a college education. We have several denominational and privately supported academies and colleges for the Negro. The solution that I shall advance for the handling of all the racial troubles that we now have and many more yet to come, may be considered by some rather drastic and radical, but, believe me when I say that the authentic history of 6,000 years proves conclusively that it is the only permanent solution to this great national racial problem.

I predicated my observations on this phase of my address by telling of the relationship that I as public official have had with the Negro, as their friend, because I did not want the Negro to think that what I am saying is because of any personal feeling of bias that I may have against the Negro or his race or his color. I am offering this as a solution, not only with respect to this bill but with respect to all the bills that are going to come up in years to come.

We today have about 12,000,000 Negroes in the United States out of a population of about 125,000,000. It is essential to the perpetuation of our Anglo-Saxon civilization that white supremacy in America be maintained, and to maintain our civilization there is only one solution, and that is either segregation within the United States, or by deportation or repatriation of the entire Negro race to its native heath, Africa.

We have today in round numbers 12,000,000 Negroes in the United States; more than 8,000,000 of the 12,000,000 live in

the South, and have lived there since the Negro was brought from the jungles of Africa and sold to the southern farmers. It has been the southern white man who has had to deal with and attempt to solve this great and perplexing black or race problem. As I have stated before, he has handled it well, without any help from the Federal Government or anyone else.

Of course, we all know the disgraceful story of what took place after the close of the Civil War and during that period known as the reconstruction days of the defeated South. This black burden was made heavy for the southern white man to carry by the policies adopted by the Congress, under the leadership of Thaddeus Stevens and other leaders, filled with war-engendered hate for the white South, as they sought to punish and humiliate the proud spirit of their Anglo-Saxon brothers of the conquered territory.

I may observe that I am sure that the wise, patriotic, and right-thinking men of the North, as they look back upon those gloomy, dark days of the South, do not approve of all that was done here in Washington at that time.

The carpetbaggers, or racketeers, from the victorious North flocked to the Southland from all parts of the North and the East and for profit and boodle, through false and foolish promises, aroused the poor, ignorant, illiterate, liberated slaves to turn against their former masters and real friends.

True to the spirit of the Caucasian or Anglo-Saxon race, the white men and women of the South, in spite of the policies born in the bitterness and hatred of a bloody civil war, strove to maintain white supremacy and the sacred ideals and institutions that only the white race has created and given to the world. True to their Anglo-Saxon brothers in all parts of the world during every period of history they strove to maintain the purity and integrity of their race; and notwithstanding all the schemes, devilment, and machinations of transplanted enemies within their borders and war-crazed enemies from the outside, they won a great victory, not only for themselves but for all the people of the United States. They maintained and bequeathed to their posterity and to the Nation a pure race and the true ideals and institutions of their race.

They drew the color line and said to the black man, "We shall be neighbors; we will live together in peace; we will be your friends; we will help you in your new-found freedom, but you shall not drag us down to your level as has been done in all history when the white man has attempted to live with the black man upon equal social and political terms, or where amalgamation and miscegenation have been tolerated between the races. You shall not cross the line we have drawn."

It is absolutely essential to the perpetuation of our Anglo-Saxon civilization that white supremacy in America be maintained, and to maintain this civilization the experience of 6,000 years of authentic history conclusively proves that we must do one of three things—first, draw the color line between the white man and the black man while we live together, denying to the colored man social and political equality, and under no conditions permitting intermarriage or miscegenation or amalgamation of the two races at any time or in any place.

Mr. President, this week I introduced a bill prohibiting marriages between members of the two races in the District of Columbia and all the possessions of the United States. The second thing is segregation of the Negro race in some chosen territory within the United States or on some islands of the sea, where none but the black man shall live; and, third, repatriation or the deportation of the entire Negro race to its native heath in Africa.

This third solution, in my judgment, will be the most certain, permanent, feasible, and satisfactory solution of this great racial and national question. I believe that the wise and influential leaders of the Negro race will join wholeheartedly in this solution.

Why should not the wise, sensible, thinking Negro want to go back to his fatherland in Africa—back to the Republic of Liberia, if you please, where millions of acres of rich and fertile lands have been already set apart and dedicated by the Republic of Liberia for the colonization of the American

Negro? Why should the black man want to live in the United States, where his race numbers only 12,000,000 out of 130,000,000; where he knows that he has been, is, and will always be looked upon as the inferior race; where he knows that he will never have equal opportunities with the white man; where he is, in every State in the American Union, whether it is admitted or not, discriminated against—socially, economically, and politically; where he knows that in every trade and profession and industrial plant he is the last or second choice? Oh, yes; he is permitted to vote in some States, but, as a rule, what does it profit him? With the exception of Harlem, New York, and Black Belt, Chicago, he is always in the minority. He has got to be a follower; he has got to play second fiddle in every game of life in this country. The politicians play with him, hold out false promises to him, bamboozle him, try to corrupt him. He knows so long as he lives in this country that he will be the drawer of the water and the hewer of the wood. Oh, there may be a few exceptions, but these exceptions only emphasize the almost universal condition of the black man in this country as I have described it.

Why should not the Negro everywhere want to go to the home of his fathers and establish a home on the rich and fertile lands of Africa, where he could live under a government of his own people; where there would be no discriminations; where he would have equal opportunities in all things; where his sons and daughters could dream dreams of great renown and success in a country of their own; where the president of the Association for the Advancement of the Colored Race, who has been hanging around this Congress all these weeks trying to pass this damnable antilynching bill could be elected President of Liberia and then have all the damnable lynching laws that he wanted passed for the alleged protection of the members of his race in the jungles of Africa; where he could impose a fine of \$10,000 upon the citizens of the jungles of Africa when his cannibalistic brethren mobbed and feasted upon the carcass of a member of his race.

It strikes me, if these Negro leaders have so much love, concern, and sympathy for their race that they would voluntarily organize and move the whole 12,000,000 American Negroes back to the land of Africa, where there is such a great opportunity for the advancement and improvement of the members of their race in that country, where they could bestow upon the illiterate and benighted members of their race there the imposed education and culture that have been given to them by the Caucasian whites in this country.

In this connection I wish to read from a Negro newspaper published in my State, the Greenville Leader, of the issue January 15, 1938:

**"HITLER OF AFRICA" CASTS SLUR ON NATIVES IN VISIT TO BELGIAN CONGO**

LEOPOLDVILLE, BELGIAN CONGO.—Natives here and throughout the provinces this week took sharp exception to the recent utterances of Oswald Pirow, minister of defense, and dubbed the "Hitler of Africa," on the occasion of his visit to the Belgian Congo. Reported purpose of his visit was to discuss with officials a plan to organize the white people in Africa in event of a native uprising, which he declared was likely if another European war started, and especially if Japan succeeds in driving western powers out of the Far East.

Reports quoted the minister of defense as saying: "In South Africa there can be no equality for natives. For us, South Africans who are living under a climate favorable to the whites and under which conditions a white man is able to work, the future of our race requires a radical separation between the races."

That is a reported statement of the Belgian Minister of Defense.

I wish to read another observation in this connection by Mrs. Ellie Walls Montgomery under the title of "A Black God." It is also published in the Greenville Leader of January 15:

Speaking to a group of Houston College students last week, Dr. H. H. Jones, self-sent missionary to Africa, stressed the opportunities which await trained Negroes in Liberia. Dr. Jones graduated from Jackson College in 1898—

That college is in the capital city of my State, Mississippi—and went to Liberia in 1902. Finding that he could do more effective work with a knowledge of medicine, he returned and

studied medicine at Meharry Medical College. He combines preaching, teaching, medicine, and dentistry—

Some Negro!

Dr. Jones said that the temperature in Liberia ranges between 64 and 98 degrees and that he plants sweetpotatoes 12 times a year—once each month. The country offers great opportunity for farming and business.

He insists on teaching Africans to think black and to this end was instrumental in barring from all schools textbooks to be used by persons up to the fourth grade and planned by the Hampton conference in 1927 all faces of white persons. He told an interesting story of an African woman convert who told the story of having seen a handsome black man (God) instead of the characteristic little white man seen by Negro converts of a generation ago.

Evidently that convert had seen Harlem's black "god," Father Divine, referred to by the Senator from Louisiana [Mr. ELLENDER] in his speech.

The report of Dr. Jones, from which I have read, is directly from Liberia. It states that the climate there ranges from 64 to 98 degrees and that sweetpotatoes can be planted every month in the year. I understand Liberia is a very fertile country, and I am sure that there is not a Negro farmer in America who would not be happier in this new territory.

Mr. President, there is nothing unusual, wild, visionary, fantastical, or extraordinary in my suggestion. It is exactly what Abraham Lincoln had planned to do and was striving to do when he was, unfortunately for the welfare of the South and the Nation, assassinated in the old Ford Theater by John Wilkes Booth. The South, as well as the Negro, lost their best friend in Lincoln's death. Just as surely as there is a God in heaven, if the Negro race is permitted to live side by side with the white man in the United States, in the years to come amalgamation is certain to follow, and, when amalgamation has been consummated, our boasted Anglo-Saxon American civilization will begin to decay and this Nation will cease to be a strong, virile, progressive leader among the nations of the earth.

Personally, I think that those who are responsible for the policies and success of our Government and those upon whom depends the perpetuation of our boasted civilization are dumb and short-sighted when they fail to meet this problem face to face and solve it aright once for all.

It was Pope who said:

Vice is a monster of so frightful mien,  
As to be hated needs but to be seen;  
Yet seen too oft, familiar with her face,  
We first endure, then pity, then embrace.

The ravishing of our Constitution and the destruction of our dual form of Government by the passage of this so-called antilynching bill is only one of the many steps that we are foolishly and blindly taking that will lead us all on to that day when miscegenation or intermarriage between the races will be universally accepted and practiced, which will be the final step that will in time bring about the amalgamation of the white man with the black man, and then our doom is sealed.

Already 19 States, namely, Connecticut, Illinois, Iowa, Kansas, Maine, Michigan, Massachusetts, Minnesota, New Hampshire, New Jersey, New Mexico, New York, Ohio, Rhode Island, Pennsylvania, Vermont, Washington, Wisconsin, and Wyoming, have, by their laws, permitted the whites and blacks to intermarry and, to the everlasting discredit of the wisdom, patriotism, statesmanship of the Congress of the United States, even in the District of Columbia, on the banks of the beautiful Potomac, where nestles the Nation's great Capital, the seat of this great white man's country, negroes and whites are permitted to intermarry. I have introduced a bill to put a stop to this unthinkable, unpardonable, and disgraceful thing taking place here in the heart of the Nation's Capital. And let me express the hope that no committee will let this bill be buried in its files, but will report it out favorably or unfavorably and let the roll be called so as to give every Member of this Congress, both in the House and the Senate, an opportunity to save our Anglo-Saxon, Caucasian civilization for generations yet unborn.

Let the District of Columbia, whose laws are fixed by the Congress itself, hoist the banner of white supremacy and a white man's civilization high in the heavens as a shining model and example to the 48 States of this now glorious Republic.

I do not believe that white men who vote for a law which permits the races to intermarry personally endorse it. I do not believe that they personally would permit such intermarriage in their own families. If they are not willing to do that, why do they vote for such a law? I make the statement that any white man who would vote to permit whites and blacks to marry ought not to object if a Negro wants to marry into his own family. I want a roll call on the bill I have introduced before the present Congress adjourns.

Let the politicians pass this monstrous bill, originally sponsored by the ill-advised negro leaders of an admittedly inferior race, and then we will be called upon to pass a Federal law regulating marriage and divorce; in fact, such a bill has already been introduced in the House of Representatives, and is now pending. My God, are we going to wipe out every State line at one fell swoop? And then you will be called upon to put in this Federal marriage bill a provision legalizing marriages between the white and colored races in every nook and corner of the United States, and then will follow a demand for the repeal of Jim Crow laws, and for the enactment of a law to admit the colored man to the white man's barber shop, the white man's hotel, the white man's school, the white man's church, the white man's restaurant, and finally a seat at the table in the home of every white man in the Republic.

I understand the State of Pennsylvania has already enacted a law compelling every hotel, restaurant, and barber shop to serve colored people on equal terms with whites; they cannot be rejected.

I repeat, if we are going to preserve our civilization the races must be segregated, separated, and, best of all, the Negro must be returned to his fatherland in Liberia, Africa, where the black man will be happy in his own native land, where he can work out his own salvation, free from the discriminations about which he complains so much in this white man's country, and where he will have an opportunity to pass on to his own race the imposed culture, education, civilization, and training that the creative genius of the Anglo-Saxon civilization has given him during his sojourn in this country.

Mr. President, in advocating this solution for the troubles that now confront us and troubles yet to come as a result of the presence of the Negro race in America, I verily believe that the great majority of the Negroes of this country will gladly accept my suggestion. It is the thing that they want to do, for be it remembered that at the beginning of this depression, when the first appropriation was made for the relief of unemployed, 1,000,000 Negroes filed a petition with President Roosevelt, which petition is on file in the White House today, pleading with President Roosevelt to use a part of this fund—that is, relief money—in meeting directly such initial expenditures as the launching of whatever plans might be involved in being transported back and colonized upon the public lands of Liberia, which lands are held in trust for just such a colonization.

In other words, in advocating the deportation of the Negro back to Africa I already have a million names on a petition filed during the past few months in the White House, in which the signers are now asking to be sent back to Africa.

In thus solving this great racial and national problem the Government would not be pursuing a new policy, because we all remember that in the early settlement of America the Indians were segregated, and whole tribes were moved from one section of the country to another section, in order that they might have a country all their own, where they could live unmolested by the advancement and development of the white man's civilization.

We moved the Indians. We moved them by tribes, by tens and hundreds of thousands, from one part of the country to the other. Then why can we not move the Negro in the same way? Of course we can.

It may be of interest to you to know that just recently a great many Negroes of Chicago, Ill., organized a society for the purpose of creating the forty-ninth State, whereby all the Negroes of the United States could be carried to some chosen section, somewhere out in the West, where fertile lands are plentiful and opportunities are unexcelled, and there form a Negro State where none but the Negro would be permitted to live, where they would have a government all their own, with a Negro Governor, Negro Senators, Negro Representatives, Negro schools, Negro society, Negro everything.

That society was organized not long ago in Chicago. They are anxious to segregate themselves. The thinkers among the Negroes realize it, because they know they are not getting a square deal. They know they are not going to get a square deal until a few hundred years from now; but I will tell you in a minute when they will get a square deal.

Of course there would be some objectors; but I believe I am speaking the dream and the hope of the great majority of the Negro race in this country. Whether or not the Negro admits it, you know he is not happy. He is not satisfied. He is not contented. He knows that in no State or section, as long as he is compelled to live side by side with the white man, will he enjoy equal opportunities in all things.

The politicians may cajole the Negro, they may make nice speeches to him, they may promise him a great deal, especially in campaign years, but the Negro is getting wise. He knows he is not getting a square deal. He knows he is being discriminated against; and if he has enough sense to get out of the rain, he is ready to move.

The Negro is not free, nor will he be free until several hundred years from now—oh, maybe thousands of years from now—when he will be absorbed and amalgamated by the white race in this country; and when that time arrives he will have dragged the white man, with his creative genius, down to the level of the Negro, and the whole civilization of our country will fail because of its amalgamation and deterioration.

The solution I am now advancing for the antilynching law and all the delicate and dangerous problems we are yet to face in the future, because of the presence of 12,000,000 Negroes in the United States, is especially pertinent at this time, when we are appropriating billions of dollars of the peoples' tax money to take care of the unemployed of this country through the W. P. A. and other governmental agencies. The 12,000,000 Negroes of America could be deported at once, and I verily believe with their consent, without disturbing the economic conditions of the country—if at all, only temporarily—and without any danger of creating a shortage of labor in this country such as would prevent us from carrying on.

In the pioneer days of the country, when we had an army of unemployed, they were absorbed by the new and undeveloped territory of the West; but now we have no new territory to conquer and develop. We have no new fields for the adventurous spirit of the American laboring man or the unemployed. Our industrial centers are becoming congested. The age of machinery is enlarging our unemployment rolls. Labor organizations and governmental agencies have told us from time to time recently that from eight to fifteen million persons in America are out of employment. Deport our 12,000,000 members of the African race, and there will be a white man waiting for every job made vacant by such a deportation.

Of course, in advancing the suggestion of repatriation of the colored man, it is understood that in carrying out this suggestion, there would be no such thing as an immediate and wholesale exodus; but the removal would be gradual, and there would be plenty of time for the adjustment of the economic and labor conditions which such a removal would bring about.

Some of the labor racketeers and corporations of the South that have been profiteering on the low wages paid to the black man in the South might object, as they have

objected to the wage and hour bill, as is evidenced by the tens of thousands of dollars that have been spent and the trainloads of propaganda they have disseminated to create a sentiment against such legislation, and to influence this Congress.

I am told that on the night before the vote was taken in the House of Representatives on recommitment of the wage and hour bill the head of one corporation in my State took up the telephone and had practically every corporation in the State flood the congressional delegation of the State with telegrams against the wage and hour bill. Look at the vote there, and you will see the result of the propaganda.

Oh, yes; some of the racketeers and profiteers of Harlem, New York, and Black Belt, Chicago, and other large centers that have preyed upon the weaknesses and duplicity of the colored race for their own profit, may object; but I am sure I voice the real sentiment, feeling, heart, and mind not only of the great majority of the Negro race, but of all the white men and women, South, North, East, and West, when I suggest such a solution of this ever-perplexing problem.

Send these 12,000,000 Negro citizens of America back to their fatherland, and there will be a job for every white man and woman in America, and there will be no need for spending any more billions of the taxpayers' money to take care of the unemployed of our country and all will be quiet along the Potomac and the country will be well.

Our Negro race problem, arising from the presence and the increase of the Negro in our midst, must be solved sooner or later—solved in a peaceful, agreeable, and statesmanlike way, lest we find ourselves headed for real and serious trouble in the days to come. If the problem is not solved right—and I assure you that I have no desire to exaggerate—our boasted Republic will go the way of all other republics of the past; not only republics, but kingdoms and empires.

Let us face this problem and solve it now. We owe it to our posterity. We owe it to our race.

We also have an Asiatic colored problem, the yellow peril, and also one due to our ever-closer contact with the mixed breeds of Latin America and the importation of the hybrid and mongrel races from all parts of the world; but the Negro problem overshadows all others, both in gravity and in interest.

Scientific research has done much toward establishing the following propositions:

First, the white race has founded all civilizations worth while.

Second, the white race, remaining white, has not lost its civilization.

Third, the white race, become hybrid, has not retained its civilization.

It is regrettable that there is not throughout the world a unanimity of opinion among the various groups of the white race as to the proper attitude of the white man toward the colored man. This difference of opinion has not only resulted in harm to the white man, but certainly has never worked permanent advantage to the colored races. A close and extensive study of all world-wide race or color problems reveals the fact that the white race is divided into two schools of teaching with regard to the proper attitude toward the colored races. Those who live apart from the colored races maintain one attitude, while those who are forced to live side by side with the colored races entertain another attitude. This fact is demonstrated right here on the floor of the Senate.

Consequently, different policies are advanced and practiced in dealing with this difficult problem; and one of the strange facts is that there is a general agreement and sympathy of views and policies entertained by the white man who is separated from the other races, no matter in what part of the world he lives, concerning the treatment of the Negro or any other colored race; and there is a like agreement on the policies and treatment that obtain with the white man who is forced to live side by side with the Negro, whether it is the white man in the South or the white man in Africa, Asia, or anywhere else on the face of the earth;



That is one of the strange things in the world—how well they who dwell with the Negro agree upon the attitude that should be taken toward the colored race.

History conclusively establishes the fact that the white man and his government, in every attempt to regulate and control members of his race remotely, where such members of the race are forced to live side by side with the black man or the yellow man in colonial possessions, have insisted upon intermarriage, miscegenation, and amalgamation. This handling of the race problem has always resulted disastrously, breaking down and destroying the white man's culture and civilization. This can be thoroughly established by the attempts of England, Germany, France, Holland, and many other nations of the white race as they have tried to solve the race problem in every part of the earth in their colonial possessions, especially in South America and Africa, where they have established colonies of the white man in lands peopled by the red man, black man, and yellow man.

For many thousands of years the three great divisions of mankind—white, yellow, and black—existed substantially as they were at the dawn of civilization; and wherever any group of these divisions changed their abodes they carried with them whatever they had of intellect and culture.

Mankind grouped in race divisions has always been in a state of flux, moving, countermoving, conquering, amalgamating, and as a result no continent is today inhabited exclusively by any one race. Europe is not altogether a white man's continent; neither is Asia wholly occupied by the yellow man. Africa is not, nor in the past has it been, a black man's land. It can be truthfully stated that the white race in numbers predominate in Europe, the yellow in Asia, and the black in Africa, but in all of these old countries we find a large percent of the mongrel races resulting from the amalgamation of the definite types—whether white, yellow, or black—with other races. When two races come into permanent contact, there is always blood amalgamation, creating a mongrel race, and I am bold to make the prophecy that unless the solution I have already offered for the Negro race problem in America—namely, deportation—is religiously and uncompromisingly adopted, in the far-away future the United States will be dominated and controlled by a mongrel race. God grant that our wisdom and statesmanship will prevent the coming of that hour in the life of this Republic.

If there is any doubt about the amalgamation that is taking place, let anyone get into a car and ride over the streets of Washington. He will find one-third of the population Negroes, octoroons, mulattoes, quadroons, mongrels. If he will drive out to one of the Washington schools when school is letting out, he cannot tell whether it is a white school or a Negro school.

It is said that the white man is to blame for the intermingling. It is not the legal intermingling that is bringing about the amalgamation now; it is the illegal, illegitimate interbreeding that is taking place, and it is taking place rapidly. There is not so much of it in the South as there is in certain cities of the North.

Some historians claim that with the Caucasian race civilization first dawned upon the Nile and the Euphrates, and after many centuries its center was shifted to Greece, but, before Socrates and Plato taught, the Nordics had transplanted Caucasian culture along the Indus and the Ganges, and had penetrated through India to Oceania. Rome, Carthage, and Greece struggled for supremacy and Rome prevailed. After five centuries of conflict Rome's control or scepter passed to Germanic hands, and since that time, with the exception of temporary ascendancy by the Moslem Arab, Teutonic people have dominated the progress of the world.

This is a brief summary of the shifting of higher culture centers of the past 10,000 years, all of which owe origin and sustenance to Caucasian people.

The Caucasian race alone has proven its right and claim to superiority over all the races of the earth, because it is

only through it and its creative genius, which is not found in the black man, the yellow man, the red man, or any mongrel race, that progress, culture, and civilization have been made and maintained. Culture and civilization have not arisen in any portion of the world, in all the authentic history of the human race, where the white man has not been.

Historians are agreed that North Africa was occupied by the Caucasian people more than 10,000 years ago. The Egyptians of the great civilization were a white and not a colored race. The negroid features, so prevalent among the present inhabitants of Egypt, are the result of the white Egyptians' absorption of Negro blood. The Caucasians of Egypt, through thousands of years, pressed down upon Negro Africa and drove the Negro into the heart of Africa, his present location; but in this contact with the Negroes on the upper stretches of the Nile throughout this period interbreeding or amalgamation was going on between the white Caucasian Egyptian and the Negro, creating a mixed-breed population, which today inhabits most of Africa north of the Equator, some of this mixed breed migrating from the east coast to Capetown, at the lower extremity of the continent of Africa.

Such amalgamation is taking place in the United States today. Whites and blacks are interbreeding, not legally, but illegally, a fact which cannot be denied. People should open their eyes and see what is taking place. When such intermingling continues for a few hundred or a thousand years, there results a mongrel race, just as happened in Egypt. Of course, there are some public leaders who do not look beyond their lifetime. They do not care anything about the future. They are unctious, and happy, and satisfied, and they take care of their own existence.

As in the present day the French are recruiting Negroes in Africa to be used as soldiers, so in Egypt about 2,000 years B. C., we find the celebrated inscriptions of Prince Uni mentioning the Negroes who were levied and drilled by the tens of thousands for the Egyptian Army. From this contact with the Caucasian 5,000 or more years ago, the Negro in some degree acquired Caucasian culture. He was taught the use of the white man's weapons. He received the white man's domestic animals, and the Egyptian civilization was disseminated far and wide throughout Negro Africa. From Egypt there gradually spread through Negro Africa religious beliefs, the use first of stone and then of metal weapons, musical instruments, the art of weaving, and possibly canoe making or boatbuilding. So we see how the white men from Egypt drove the Negro from his home on the Nile deep into the heart of Africa, south of the Sahara, into the Congo Basin, and to the hinterland of Equatorial Africa.

The white race, or Caucasian, has three well-marked divisions—Nordic, Alpine, and Mediterranean. These three races of Europe constitute what is properly called the Caucasian or European race. The three, led by the Nordic, especially in modern times, have contributed to civilization all its higher achievements. The Nordics might be termed the aristocrats of the human race. As I have stated, the Nordics have given to the world its higher achievements, but this branch of the human race, with its creative genius, is always endangered when in competition with the colored races.

The Teuton, which is a branch of the Nordic race, has for 2,000 years played the chief role in history and in civilization, and it is for the preservation of this race, its ideals, its culture, its institutions, its civilization, I am making this plea today.

I know that the Negro is not responsible for being in our midst. We brought him to the shores of America, through the Yankee slave traders, against his will. But slavery is nothing new to the Negro race, because it has been visited upon them for the past 10,000 years. It brought great hardships on them in this country, but it is through slavery the Negro has had his chief advantage. It is true he has been worked, disciplined, taught, and saved by invading races of the Northern Hemisphere, as well as by the slave traders

from the New World. The Negro himself has from ancient times held the weaker of his race in slavery, and the mongrel races that surrounded the Negro in Africa have always enslaved him. The Portuguese started the slave trade in Europe by first buying slaves from their Negroid masters, rather than by slave raiding in the jungles of Africa. It is said that our Yankee friends were the first to practice capturing the Negro in his native jungles.

This country is now a white man's country. The Caucasians in America captured this continent from the red race, and now we have lost a great part of it to the black race. The question before us now is whether the white man, who has conquered a continent from the red man—and he paid a dear price for it—whether the white man, who has already excluded the yellow man, is still to share the continent with the black man.

I agree with the principle enunciated by Stephen A. Douglas, that "this Government was made by the white men for the benefit of the white men and their posterity forever."

The white men of this country must recognize our racial problem, as well as the economic problems which go hand-in-hand with it, for always when races are in contact the two problems are inseparable. The economic problem is to prevent the black man's standards from replacing those of the white. The racial problem is to prevent the black man from replacing the white. To prevent the black man from lowering the economic standards of the white, the latter may provide a uniform scale of wages for both races, but by providing equal wages for both races the lower race will have in reality a better chance to sustain itself and increase its kind. The higher race by saving itself economically will endanger itself racially. In order to save itself racially it must have economic advantage. The loss to one race will carry with it a corresponding success to the other. It is just as true that the success of one will entail a relative loss to the other. These are results of racial competition, from which there can be no escape.

All students of eugenics, anthropology, and ethnology, and all wise and far-seeing statesmen, agree on the proposition that the white and black races cannot live together without injury to the white race. The problem which confronts America today demands the repatriation or deportation of the Negro race. This is the one hope for the Negro. Complete segregation or deportation or a drawing of the color line is the only hope for the white race. Upon this one question there must be perfect unification and agreement among the whites of the South, the North, the East, and the West.

The Great Emancipator, Abraham Lincoln, said:

There is a physical difference between the white and the black races, which I believe will forever forbid the two races living together on terms of social and political equality.

After Lincoln was killed his party became smarter than he had been. They had arranged for political equality, but his party and some Democrats are now busy carrying out the rest of the program, providing for social equality.

Thomas Jefferson, another President, father of the Democratic Party, said:

Nothing is more certainly written in the book of fate than that these people are to be free; nor is it less certain that the two races, equally free, cannot live in the same government.

De Tocqueville said:

There are two alternatives for the future: The Negroes and the whites must either wholly part or wholly mingle.

I appreciate the almost Herculean task, because the results of not doing it are so far in the future, of trying to interest the Senate or newspapers or the American people in doing a thing which all history shows must be done. I repeat, the Negroes and the whites must either wholly part or wholly mingle; and if they wholly mingle, there will be amalgamation, there will be a mongrel race, there will be a Negroid race, which will cease to be creative, which will not be able to maintain or sustain the white man's civilization which has been produced in this country.

Madison Grant said:

If the purity of the two races is to be maintained, they cannot continue to live side by side, and this is a problem from which there can be no escape.

During the last 6,000 years of authentic history there are recorded the rise and fall of great civilizations, given to the world by the white Caucasian race, which have perished when black blood was commingled with the white. Stagnation results when the yellow mingles with Caucasian strains. The problem is before us, and sooner or later we shall have to solve it. Why not now?—

One of these races must drive out the other or be absorbed. The time has come when we must look the facts in the face and discard our sentimental point of view in favor of drastic measures. Unless some remedy is found, the Nation is doomed to mongrelism.

This is the conclusion of Madison Grant, one of our great national ethnologists.

If the history of 6,000 years has established the fact that our race is not to become mongrel, and that our civilization cannot be sustained and maintained by a mongrel race, then why not resort to any means for a solution which will save the civilization and save the race, especially when the solution we suggest is the best for the Negro himself? Over a million are now asking that they be sent back to Liberia.

Dr. William McDougal, professor of psychology of Harvard University, says:

I am convinced that the policy of voluntary segregation of the colored people of the United States is the only sound one. Whether the American Nation should provide a territory for them within its own borders or should seek to secure a suitable territory in Africa or elsewhere is a question upon which I have no decided opinion. If the latter can be shown to be practicable, it would no doubt be preferable. In any case, the American Nation owes a great act of justice and reparation to its African population, and that debt can in my opinion be discharged only by the expenditures of large sums of money and philanthropic efforts in the endeavor to carry through a wisely planned policy of segregation.

Mr. President, he urges deportation of the Negroes. The Government does owe the Negro race a debt, and in this gradual process of deportation back to the rich fertile land of Africa, the Negro's fatherland, the Government should be willing to stand the expense. The Government should contribute the money for the Negro's transportation, for his colonization there, and give him that attention and supervision we gave to the Cubans and that we gave to the Filipinos while they were getting on their feet, getting organized, their Government becoming systematized. I think the Government ought to do that in the solution of this problem.

Dr. I. F. Lewis, professor of biology of the University of Virginia, says:

The drag of the Negro on our civilization is blinked by the large class of falsely sentimental and is consciously ignored by many who see in him one who by his cheap and willing service helps to relieve the daily burden of living.

Persons will be found all over this country who will denounce the suggestion of deporting the Negroes to Africa, because they are profiting by the cheap labor of the Negro. The Negro is a good servant. They say, "We cannot part with our servant. We can get his cheap labor. We need it. We are making money on him." Such men and women are selfish. Such men and women think of their own personal comfort in life, and do not look forward to see what trouble lies ahead, and what will be the ultimate result of the attempt of these two races to live side by side.

As to the greatest danger probably of amalgamation, there is a conspiracy of silence.

In other words nothing will be said. Nothing will be made public. They will treat the question with silence because they are afraid to deal with the question. The Negro himself should take the lead in forcing this matter on the American public. He should make the move for deportation. I make the plea for the Negro as well as for the white race.

I shall now attempt to give Senators proof positive from the pages of authentic history, covering a period of over 6,000 years, that there are but two solutions to the problem arising from the contact of the whites with the blacks in the United States, or perhaps I should say two results, amalgama-

tion of the races or the separation of the races. The one or the other will eventually be realized, whether we want that to happen or not.

If the judgment and opinions of Madison, Jefferson, Clay, Lincoln, Monroe, Jackson, Webster, Douglas, Grant, and a great host of farseeing scientists and statesmen will not convince Senators that we should proceed with the adoption of a constitutional amendment as proposed by Abraham Lincoln, which would give to Congress the power to repatriate the American Negro, then will Senators be convinced by the experiences of the past, that unless we effect a separation by segregation or deportation or repatriation that our civilization and this great Republic is certain to perish from the face of the earth in the journey of time.

The Senate and the country is indebted to the Senator from Louisiana (Mr. ELLENDER), who for 6 days discussed this question and gave to the country proof conclusive along this same line when he in detail developed what had happened in various countries.

Let us see what happened to the boasted civilization of Egypt through her contact with the colored races. All will admit that Egypt once boasted of her greatness and her civilization; in fact, it is said that civilization dawned upon the banks of the Nile. This civilization and culture were preserved and blessed the human race for nearly 3,000 years. On the upper stretches of the Nile and to the south of the Sahara was the land of the African Negroes, called the Nubians. During the reign of the Pharaohs and the marvelous progress of the white man's civilization for 3,000 years the Egyptians made contact with the Nubians and Negroids of the south.

Transportation on the River Nile was perfected when one of the Pharaohs built a canal around one of the cataracts, and then there was a constant stream of Negroes pouring into Egypt, and Egyptians, in turn, invading the Negro regions. Year by year the relationships between the white Egyptians and the Nubian Negroes became closer and closer. Like the white man and Negro in Pennsylvania and New York, intermarriage between the two races set in. Many thousands of Negroes from the Negro lands south of Egypt were brought in and became slaves, laborers, or soldiers for the Pharaohs. And in the course of time the once proud, progressive, cultured, highly scientific, creative Caucasian Egyptian people became thoroughly amalgamated with the Negroes, and this Negro blood made the proud Egyptian a mongrel, and progress in Egypt ceased. Stagnation overtook this great people and its civilization perished, reaching a climax finally in the elevation of a Nubian mongrel to the Egyptian throne, and thus the mulatto Taharka became a Pharaoh of Egypt. The sister of this Nubian mulatto became the divine head of the Egyptian religion and his Negroid mother became the Queen Mother Napata, before whom all bowed to the ground.

The strong, virile, Caucasian nation from Assyria defeated the mongrel nation under leadership of the mulatto Pharaoh, Taharka, and drove him from his throne. The Egyptian civilization was gone and the land lapsed into a semibarbaric condition.

Maspero, in his History of Egypt, makes the following statement about the southern provinces of the Egyptian Empire:

The large number of black women found in the harems of the rich, and even in the huts of the common people, quickly impaired the purity of the race even among the upper classes of the nation, and the type began to resemble that of the Negro tribes of Equatorial Africa. The language fared no better in the face of this invasion and the written characters soon became as corrupt as the language. The taste for art decayed; technical ability began to deteriorate. The morale and intellectual standards declined and the mass of the people showed signs of relapse into barbarism.

This sad story of the perishing of the Egyptian civilization by the amalgamation of the White Egyptian with the negroids of Nubia and Northern Africa, is the story that will be written of this Republic some day unless we are brave and courageous enough to solve our race problem and solve it right.

Weale, in his Conflict of Color, says that—

Where the white man has not absolutely cleared the ground of his colored rival, he may be bred down to a position of inferiority.

That always happens.

Let me now prove to the Senate how two great and glorious civilizations, established by the creative and inventive genius of the white Aryan race, were destroyed in India by the amalgamation of the white with the colored races of that great country—because these white Aryans failed or refused, in their stupidity and ignorance of what would happen, just as we today are shutting our eyes and turning a deaf ear to the proper solution of the great racial question in white America with the presence of 12,000,000 Negroes in our midst.

In population the Caucasian race leads the world with about 800,000,000 souls. Nearly 300,000,000 of these, however, are of the darker branches of the race and live in Asia, 220,000,000 of them being Aryans of India.

Many historians contend that the Aryan white race, or I might say the parent white race of all white races, originated in India, and it was there, it is claimed, that the first great civilization was established in practically prehistoric times.

I shall not take up the time of the Senate in giving Senators a narrative account of the journey of the white races of Europe into the land of India, but there is enough known about the history of this great country to show that when this branch of the white race invaded India many thousands of years ago and captured the mongrels there, they came into contact with this original white man's civilization which had decayed and was in its last stages as a result of the previous or original white Aryan or Caucasians having interbred with the yellow and black mongrels of that country.

India had two civilizations, and both of them were destroyed in the same way.

The whites, which produced the earlier and first culture, had become submerged in the black mass about them and the newcoming Aryan found that the "melting pot" had prepared India for an easy conquest.

These new Aryans, by reason of their race and culture, inventive and creative genius, became the ruling aristocrats of India. It is true their numbers were but small when compared with the mongrel and colored multitudes about them.

These conquering whites proceeded to build upon the ruins of their ancestors' former civilization a new, great, and glorious civilization, but they, as their predecessors, made the fatal mistake of trying to maintain their civilization and the purity of their race by resorting to laws, regulations, caste, and religion, just as we, in our weak, ignorant, and cowardly policies, are dealing with the Afro-American in our midst today.

Our revolutionary fathers, when they conquered this country from the Indians, took no chance with losing or even jeopardizing the white man's civilization by fraternizing, living with, or tolerating the red man in their midst. Our fore fathers expelled the red man. They drove him out of the country. They dared not live side by side with him. In this way has been maintained the purity of our race so far as the red man is concerned. Thus was prevented an amalgamation of the white man with the red man to any appreciable extent.

But when we found that the black man, as a slave, was profitable, we imported him from Africa and we planted him side by side with the white men and women of the country. As a slave we have set him free, and we are now engaged in a vain and foolish attempt, despite his admitted racial inferiority, lack of creative and inventive genius, to make him an equal of the white man socially and politically. Through political cowardice and the politician's desire to profit by his political support, day by day we are breaking down all the barriers—social, political, and otherwise—even to the extent of permitting the miscegenation or intermarriage between the white race and the black race.

England, to a large extent, has been responsible for this long, fatal, and disastrous policy of trying to handle the American Negro. Thank God, the English people have learned their lesson. They have seen the error of their way. But a great many of our American citizens are still woefully at fault, however sincere, in trying to solve this racial problem. The great majority of them are at fault because they do not know the Negro as he really is; they never stop to analyze his traits, his weaknesses, his limitations, and the dangers that are in the offing.

As some of our Christian missionaries in China and Africa and other parts of the world have unwittingly sowed the seeds of discord and racial friction in their attempt to spread the Christian religion, so right here in our country a great many church people have insisted upon a relationship and a treatment in dealing with and handling the Negro that are responsible for a great deal of the friction and misunderstandings between the whites and blacks in all parts of this country. Of course, they are sincere, but they have never understood; they have never dreamed of the great harm that they are doing to our great American civilization and to the white man and to the black man.

If our forefathers protected the purity of their race and prevented the break-down and failure of our Caucasian civilization by expelling the red man from his own country, then why should we hesitate to save our civilization for our children yet unborn by providing in a peaceful way, a fair and equitable way, for the return of the Negro to his fatherland? We drove out the Indian; we removed him; why not the Negro, when the Negro wants to go?

Such a removal of our 12,000,000 Negroes back to their fatherland would not only be a blessing to the white men and women of this country in staying all the troublesome problems that are sure to arise so long as the Negro remains with us—saving in the end the purity of our race; perpetuating our ideals, institutions, culture, and civilization; by preventing amalgamation if he stays—but it would be best for the Negroes themselves. The Negro cannot stand up against the competition of the Anglo-Saxon white man.

I care not what the well-meaning philanthropist may say; I care not what the ambitious politician may promise him; I care not what the negrophilist or Negro lover may say—the Negro will never have his place in the sun in white America.

Here is what is happening in New York today, and as time goes on this will happen in every nook and corner of this great Republic:

Assemblyman hits telephone-firm violation.  
Andrews acts to curb discrimination against Negro workers.

This is from Harlem, New York:

(By Clara Ash, Daily Worker, Harlem Bureau)

Assemblyman William T. Andrews, vice chairman of the New York Temporary Commission on the Conditions of the Urban Colored Population, strongly requested the public service commission to file action against the New York Telephone Co. for violation of the State civil-rights law, resulting from testimony brought to light December 15, it was learned yesterday.

In the recent hearings held in Harlem, Peter D. Lowrie, auditor for the Bronx and Westchester division, and Walter D. Williams, telephone traffic manager for Manhattan, blandly admitted—

Let the Negroes in the galleries listen to this—

that the New York Telephone Co. systematically denies employment to Negro girls as switchboard operators or clerical workers.

"It shall be unlawful for any public utility, as defined in the public-service law, to refuse to employ any person in any capacity in the operation or maintenance of a public service on account of race, color, or religion of the person," Assemblyman Andrews said, quoting the civil-rights law, section 42.

Oh, yes; the Negroes have such a law in New York, but what good is it doing them?

He charged the company with "flagrant, persistent, and unmitigated violation."

Even though the clause does not have a penalty for the violation, Andrews declared that the public service commission is given full power to "act against" the Telephone Co. in this instance.

"The commission can conduct its own hearings," he stated, "and if the results justify it the body can issue a desist order against the company. It can be further acted upon, if the company ignores the order, by promulgating criminal proceedings through the district attorney's office."

"Such an anti-Negro policy on the part of the New York Telephone Co. must be stopped. The most effective way of stopping it is for the public service commission to do its duty when the facts are presented to them. So I am giving you this testimony so that you can cause to be instituted proper proceedings against the New York Telephone Co.," Andrews concluded.

I have finished reading the story of what the telephone company is doing to the Negro, even in Harlem, in New York, in the land of social and political equality, the home of one of the authors of the pending bill.

Yes, the poor, ignorant, deluded Negro of the South has been led to believe that when he crosses the Mason and Dixon's line and lands in the North he will be treated like white folks and will be the equal to the white in all things. But in nine cases out of ten he is soon deluded and ready for the return trip back to Dixie where the white man understands him; where the white man draws the color line in all things; where the white man is his real friend, and no one knows this better than the southern Negro, who has sojourned in the North for a little while. My advice to the southern Negro when he starts North is to buy a round-trip ticket.

All the trouble and demands upon lawmakers for protection and extension of political and social rights for the Negro do not come from the real Negro, the thoroughbred, but from the half-breeds and mulattoes who would, if they could, deny their own race.

It is exceedingly interesting to note with reference to the difference in color of the Negroes in this country—that a yellow Negro does not like a black Negro and a black Negro does not like a yellow Negro. I am told that here in the city of Washington there is a church where no one goes or belongs except white Negroes; black Negroes are not wanted. That is true throughout the country. No one is harder on his own race than is the Negro who has moved up just a step by the introduction of a little white man's blood into his veins.

As I was saying a while ago, when the white Aryans from northern Europe invaded India they strove to protect the purity and integrity of their race. They established caste—these were white folk—by dividing the population into four divisions—warriors, priests, agriculturists, and merchants, and then laborers. The first division was composed of those of the purest Aryan descent, while the last was made up mainly of subjugated mixbreeds with whom the Aryan was in immediate contact. There were even large groups of the conquered population whom the Aryans did not even honor with caste. These were referred to collectively as outcasts and recognized barely as human beings. Intermarriage of the pure white was positively prohibited.

How to preserve the white man's breed and at the same time utilize inferior peoples to do their labor was the problem confronting the Aryan. The answer to their problem was caste, enforced by law and religion. But with all their precaution the scheme did not work. The peril to the color line in India, as it is in the United States today, was not legal interbreeding of the races, but it was the illegitimate interbreeding that finally destroyed India's second great white man's civilization.

Drawing the color line will postpone amalgamation for a while but not for long.

In other words, we southerners are drawing the color line. We will not have amalgamation as soon as it will come about in New York, Illinois, and the North. The Anglo-Saxon of the United States, like his early kinsmen in India, will retain comparative purity for many generations, and this seems to satisfy a few of our American leaders today; but, remember, like our ancient relatives, we cannot always draw the color line.

Already we are breaking down the barriers; already in some sections marriages between the races are being legalized, and, too, we have a religion which, instead of opposing interbreeding with the colored races in our midst, is interpreted by a large number of whites in such a manner as to minimize or abolish the colored line.

I repeat, again, races dwelling in common territory will eventually amalgamate. If this statement be doubted, open your eyes and look over your country today. You do not even

have to leave Washington in order to be convinced. The whites and blacks, on all hands, legally or illegally, are gradually going through the process of amalgamation. In spite of all that we have done and have tried to do, there is happening in this country today just what happened in India, in Egypt, in the white colonies of Africa, and in the Latin Americas. So long as we live side by side amalgamation is as certain as death, and in the end it is death to civilization.

Yes; these cousins of ours in India, the white Aryans, resorted to law, religion, and caste to prohibit amalgamation. They created the most carefully devised agencies the world has ever known, but listen to me—the human intellect has never proven equal to the task of regulating sex relations. Separation is the only remedy; repatriation or deportation of the Negro is our only hope.

Oh, you may be satisfied with conditions today, but are you so unthoughtful of your children and your children's children yet unborn that you will, stupidly, ignorantly, or cowardly delay the solution that is imperative so that they will not be denied the blessings of our great, glorious, Anglo-Saxon culture, ideals, institutions, and civilization?

After several hundred years the second great white man's civilization perished in India through amalgamation. As they began to wake up to what was happening to their race and their civilization they became embittered. They became cruel, even to the extent of issuing an order to their soldiers to go out and slay, without mercy, the half-breeds of their country. But it was too late; the great majority of their population had become a race of mongrels, and, as a result, became an easy prey to the Nordics and Teutons of England who conquered them, and, though living thousands of miles away, are today ruling them, exploiting them, using them for their own profit and gain.

The amalgamation of the white with the colored races has destroyed the civilization of the Caucasian race not only in Egypt and India but in Abyssinia, Nigeria, Uganda, Mashonaland, Babylonia, Phoenicia, Persia, Cambodia, Ceylon, Java, New Zealand, Polynesia, northern China, Korea, Portugal, Spain, Italy, Greece, the Balkans, Mexico, Yucatan, Peru, and Haiti; and today the same curse of amalgamation between the white and colored races is threatening the destruction of the civilizations in practically all of the Latin Americas and many of the colonial white possessions in Africa. Civilizations in some instances may have been overthrown by armed invasions; but if the victors were of the same race as the vanquished, they assimilated the vanquished or were assimilated by the vanquished, and the world did not suffer such a permanent loss. For instance, Greek culture was appropriated by Roman culture, Roman culture by the Germans, and Holland's high place was well filled by the English.

It is not when the fit replace the fit that civilization suffers an irretrievable loss, but when the fit are replaced by the unfit. It is not when a creative people succumb to the forceful measures of a people of their own race that culture decays, but when a creative people are submerged by a non-creative people.

Someone has said that all the works of man worthy of record have, with few or doubtful exceptions, emanated from the large and much convoluted brain of the white homo caucasus.

Originally the Chinese, through the leadership of the Caucasian element in China several thousand years ago, had a wonderful civilization; but as they became amalgamated with the inferior races they ceased to be a progressive people over 2,000 years ago, and today, with their close on to 500,000,000 population, they seem almost helpless as the Japanese, who long ago adopted the western culture, seek to conquer and rule them.

China lost her leadership and civilization because she was blind to the certain destruction which overtakes any nation that permits amalgamation with the inferior colored races, which have never been shown to possess any inventive and creative minds.

Mexico and parts of Central America were once inhabited by a Caucasian strain of the human race. They developed a great civilization, the remains and ruins of which are now being daily brought to light by the archeologists. They, too, made the fatal mistake of becoming amalgamated with the inferior colored races and were an easy prey to the adventurous Spaniards who sought gold and adventure in a new world.

One writer, in discussing the certain destructive forces of amalgamation, has dared to prophesy that because on our southern-western frontier there are still a large number of culturally inferior people, wholly alien to our race and institutions, some day the United States will absorb Mexico and then will crumble to pieces.

Peru suffered the same sad fate as Mexico. If the white man in America is to remain white, he must draw the color line against all other colors. He certainly must deport the 12,000,000 Negroes from our midst. As long as the Negro remains there will be a color problem. Our future is clouded by such problems. They will not grow less but ever greater, and our children's children will bear them as intensified burdens. The history of all higher culture of the world will reveal that all those which are properly called civilizations may be traced in origin to the white race, while the history of the contact of races will reveal that the civilizations of the white man have never survived contact with the colored races.

Yes, as I have said before, the English, because of their negrophilism, at a great cost of blood and treasure, forced upon the white colonials of their own race, who were the custodians of civilization among the colored races, the theory of equality of the races, but after years of experience they were convinced that they were all wrong. Many of England's colonies, before they would share control of their governmental entities with the mixed breeds that had been brought about by intermarriage or amalgamation, quietly, gladly, and willingly relinquished their right to home government and surrendered all government to the British Government in England. By placing themselves under control of the British Crown the white colonials have eliminated the Negro as a political factor in colonial affairs. The colonials preferred to be wholly subject to a distant white man's government rather than share control with the mixed breeds and local blacks.

In this connection it is pertinent to remind you that the Romans, once rulers of the world, were bastardized with Levantine mongrels, and that the change in race gradually wrought a change in institutions is clearly recognized by Madison Grant in his book entitled "The Passing of the Great Race," in which he says:

In the last days of the republic, Caesar was the leader of the mob, the Plebes, which by that time had ceased to be of Roman blood. Pompey's party represented the remnants of the old native Roman aristocracy, and was defeated at Pharsalia, not by Caesar's Plebian clients but by his Nordic legionnaires from Gaul. Cassius and Brutus were the last successors of Pompey and their overthrow at Philippi was the final deathblow to the republican party. With them, the native Roman families disappear almost entirely. The abjectness of the Roman spirit under the Empire is thus to be explained by a change in race.

Let me remind you gentlemen from the North who are trying to invade the South with this monstrous and damnable lynching bill, in an attempt to tell us of the South how to regulate our conduct, when we have been struggling to solve and adjust the race problem as best we could since the Civil War and all the troubles that our northern friends gave us through the reconstruction days, that the source of nine-tenths of our trouble and friction with the Negro race does not come from the pure-blood Negro, because he understands his place in our political and social and economic set-up and is willing to occupy his place uncomplainingly, mindful of his limitations and inferiority. It is the mixed breeds and mongrels of the Negro race that have been the source of friction between the whites and the blacks in all the countries of the world. It was the half castes of Haiti who fomented the murder of the whites. The mixed breeds of Haiti, as the mixed breeds elsewhere, turned to the blacks

when refused equality with the whites. The pure Indian and genuine Negro give but little trouble to the whites anywhere. The aliens of unrest, the trouble breeders, the agitators, are the disgruntled and touchy mixed breeds. If you give the mixed breed equalization with the white, he will become a cruel oppressor of the black—the true Negro.

This was true in South and Central America, in Africa, and notably true in the United States in slavery days, when an increasing number of mulattoes, quadroons, and octoroons became slave owners in the South. They became the fiercest upholders of slavery, and were cruelest to their slaves. If you deny the partly black man full and unrestricted access to the white man's homes and daughters, you transform him into the bitterest enemy of the white man.

Were it not for the supersensitive mongrels of North America, there would be no clamor for equality of races, nor would there be any eminent Negroes. Booker T. Washington was a mulatto. Frederick Douglas was a mulatto. Bruce, Turner, Dubose, Miller, De Priest, White, Mitchell are not Negroes except in the sense that one drop of Negro blood in a white man's veins makes him a Negro. Were they white men, they would be obscure; but by social custom and by law they are recognized to be Negroes, and as such they stand at the head of their race.

When the mulattoes, quadroons, octoroons, and mixbreeds multiply and become more numerous, then you negrophilists or Negro-lovers will think, indeed, that Pandora's box has been prized wide open. They will make the politician squirm and dance at their very beck and whim. The offspring of the men upon the floor of the Senate today will hear the echo of the tread of mulattoes and mixed breeds here on the floor of the Senate as they will try to direct the destinies of a white man's civilization. In fact, by giving the Negro rein and a little assistance from a few ambitious carpetbaggers in reconstruction days, Mississippi did furnish a Negro Senator. His name was Bruce. His picture is on the wall up there. He was in the great steal of the Presidency from Tilden, you remember.

Yes; these things will come about; and do you contemplate with pleasure the day when you, by your stupidity and refusal to meet and solve the question aright, will have a mulatto President at the other end of Pennsylvania Avenue? It will not happen in your time; it will not happen in your children's time; but it will happen to your country, for which you are now responsible.

See what is happening in the Latin American countries, where the few remaining white men divide themselves into factions; where the whites, in their bitter enmity, seek aid from the mixbreeds. Step by step the white man is losing control of his governmental affairs, while the near-white leaders, leading the mixbreeds, take control of the affairs of the country.

This is where your troubles start. This is what is happening now, right here, in some of the nations south of you:

The Latin American nations have had the Negro longer than we have. The Spaniards and Portugese brought Negro slaves to their colonies in 1502. It is said that between 1759 and 1903, 642,000 Negroes entered Brazil, and between 1792 and 1810 Cuba received 89,000 Negroes.

As a matter of fact, it is claimed that as a pure black the Negro does not exist in the Latin-American countries or in Cuba today.

Australia is one of the few countries that have maintained white supremacy almost in perfection, and it is because they have immigration laws which forbid that any colored individual shall come into the country as a settler. Australia has dedicated an entire continent to the white race and its institutions forever.

I am urging now that we dedicate a great, fertile part of Africa to the Negro race. Let him have his country. The American people owe him a debt. We have the money to spend to pay his way, to colonize him, to get him organized, to get his country going. That was the dream of the founder of Liberia when it was organized into a republic. That was the dream of Abraham Lincoln when he was assassinated.

That has been the dream of every man who has ever taken time to think and try to understand the great racial problem that we have here because of a few time servers who never think beyond their own generation.

In the city of Washington a few nights ago newsboys were seen running hither and thither along the streets, lustily crying "Extra! Extra! All about the walk-out!" I wish to apologize to the Senate for bringing to their attention the dirty, slimy, contemptible sheet they were selling to the citizens and sojourners of the District of Columbia. The name of this paper is the Washington Afro-American. In boxcar letters of flaming red it proclaimed to the world:

Senators walk out on antilynching filibuster.

Then, on the first page, under the caption "Chamber Is Empty for BORAH Talk," it states:

Members of the Senate not only walked out on Senator WILLIAM E. BORAH during the filibuster against the antilynching bill which continues this week, but they did the same thing to Senator MCKELLAR, of Tennessee, who took up the rest of the afternoon session Friday.

On the same page, under another caption entitled "The Week's Editorial," I find these lines:

Senators walk out on BORAH. The grizzled Republican was the "ace in the hole" of the small group of some 15 or more southern Democrats. Instead of remaining there to cheer the Idahoan, Members of the Senate fled out one by one until only 13 were left. It was the most devastating rebuke that Senators can administer, and BORAH felt it keenly. He deviated from his discussion of lynching as a question of law enforcement to discuss it as a race problem and to justify it as a punishment of rape. One by one Senators got up and left him talking to empty benches. Nobody asked him a question. The lion roared and the walls of the empty Chamber echoed the sound. He ended his address and sat down. There was no handclapping, no hurrahs. The speech was a "dud." Bitterly Texas TOM CONNALLY arose and addressed the Chair. Said he: "I suggest the absence of a quorum."

This is the account of the speech of the Senator from Idaho [Mr. BORAH] on the floor of the Senate in the Afro-American, a Negro paper published in the city of Washington, a speech proclaimed by the Caucasian press of the Nation as the greatest oration in defense of constitutional government and States' rights that has been delivered upon the Senate floor since the days of Clay and Calhoun.

On the same page of the Afro-American, under still another big-typed heading, I find these words:

The filibuster against the bill can be beaten if the voters back home continue to write and telegraph their Senators, urging them to stand fast and not give in to the filibuster. Therefore, it is of the utmost importance that a constant stream of telegrams and letters reach Senators in Washington urging them not to weaken.

To whom is this saddle-colored mulatto, whose intellectual status does not rise to the low level of a lousy ape, appealing? Echo answers: The negrophilist, the miscegenationists, the hybrids, quadroons, and octoroons of the city of Washington, the District of Columbia, the Black Belt of Chicago, and Harlem, in New York City. In substantiation of the truth of this declaration, I have only to quote from an editorial appearing on the fourth page of this same paper, which editorial is entitled:

Senator BORAH seeks revenge; BORAH is hitting back; he seeks revenge.

This diabolical fiend, it will be noted, does not do the distinguished Senator from Idaho the common courtesy of addressing him by the title he has won and has borne with becoming dignity for almost a quarter of a century. I quote further:

The fond ambition of the Progressive war horse in 1936 to become the Presidential candidate of the Republican Party was thwarted by the opposition of colored Republicans. But for this opposition the nomination would surely have been his. They told him plainly that he could not get the colored vote.

This brazen Hottentot and unfumigated troglodyte of the District of Columbia relegates to his color the power to name Presidential nominees and thereby control the political destinies of the Caucasian race and the American people. There can be no doubt, then, but what he is calling upon the hybrids of his race, strategically segregated, to arouse themselves lest they sleepeth. To quote further from the slimy

sewage that percolates through the columns of this disreputable sheet:

Supporters of the bill in the Senate are lining up their forces to speak for it, and many Senators already have written the speeches they intend to deliver.

Are we to infer that gentlemen upon the floor of the Senate who are the proponents of this abortive act are informing this tar-brushed Senegambian that they are writing their speeches, or is it to be inferred that these written and carefully prepared documents have been submitted to this ravisher of truth, this defamer, and public enemy of Caucasian supremacy for his approval and unqualified endorsement? I for one cannot concur in the implication which is here so clearly indicated.

I now desire to read for the information of Senators an editorial—or kind of editorial—signed by one Ralph Matthews, entitled "Watching the Big Parade." If any Caucasians now present in the Senate Chamber have any doubt about the attitude of this half-breed, mongrel, negroid race which we are permitting to grow up in this country, let me read to them this article, which appeared in the Afro-American on January 15:

#### THE CIVIL WAR IS STILL ON

It isn't until one sits in the gallery of the Senate that it is brought forcibly to one's consciousness that after a half century and more the Civil War is still being fought.

This is apparent on really every issue that arises, but is more pronounced when such legislation as the antilynching bill is being debated.

This bill may pass, only after the little colonels have worn out their larynxes, but from the trend of events in the early sessions of the debate Thursday and Friday it was apparent that the secessionists were still holding their own on all fronts.

This is an article by a Washington Negro feature writer, referring to the United States Senate and to Senators:

The reason for the almost assured success of the rebels is that they have a pretty solid front, wherein the union defenders seemed not only divided, but pretty darned unconcerned about the whole business.

That is a compliment to those who have been supporting the bill.

Mr. McKELLAR. Mr. President—

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

Mr. BILBO. I yield.

Mr. McKELLAR. Is this article responsible for the notice we received this morning that there are to be night sessions next week?

Mr. BILBO. I had not reached such a conclusion, and I see no connection. But I read on, and we will find just what is taking place:

The northerners are definitely on the spot. All day Thursday and most of Friday Senator BOB WAGNER, of New York, was making a valiant effort to stave off the army of Robert E. Lee all by himself with the aid of Corp. HAMILTON LEWIS, of Illinois, lending what moral support he could from behind his bright red whiskers, but other than these the ranks of the Abraham Lincoln brigade seemed pretty thin.

But Alabama's Dixie Graves was in there every minute doing yeoman service behind the onslaughts of Florida's CLAUDE PEPPER, Texas' TOM CONNALLY, and their western ally, Idaho's BILL BORAH.

PEPPER carried the colors Thursday, asking such asinine questions as did the gentlemen from New York and Chicago seek to make the world safe for gangsters by exempting them from persecution when they bumped off a fellow racketeer.

The southerners constantly made an effort to becloud the issue by injecting the question of sectionalism.

The antilynching bill, they insist, is unfair because it seeks to curb the favorite pastime of the South, lynching, while permitting the North to indulge in its prohibition-time recreation, gangsterism.

In this very argument they expose their most vulnerable parts, because it is a known and accepted fact that gang rule was never really crushed in the bigger municipalities until the Federal Government through broadened powers of the Federal Bureau of Investigation took this evil in hand.

That is a news item. I did not know it had been crushed.

Cities and States, steeped as they were in politics and corruption, were incapable of coping with the situation. It was the long arm of Uncle Sam that put the Capones and the Dillingers behind the bars and in their graves.

In like measure, the southern communities steeped in prejudice and intolerance, are incapable of coping with the lynching evil and a detached, uncontaminated force, backed by public opinion and the integrity of the Federal Government is necessary for the stamping out of the lynch crime.

This is a Washington Negro talking:

It has always been conceded that the North is more intelligent, although less dogmatically astute, than the South in its handling of both the racial and economic problems.

Many subscribe to the belief that the Union's winning of the Civil War was an empty victory in the fact that it only latched on to a great nation a part it would have been better off without.

If the lines that divided the Union and the rebels had been left to stand and the Dixieites left to stew in their own juices, and admitted to the better half of the Nation through immigration channels only, the real America would be better off.

This is what the mongrels, the half-breeds, the Negroids, the octoroons, the quadroons, the mulattoes, who are behind this bill and who are demanding that the bill be passed, are saying about the South. I read on:

This goes for crackers of both the colored and white variety. If the darker citizens of Jeff Davis' nation had been compelled to remain where they were instead of streaming across the Union border to the freedom of the North, which they have contaminated, they would have probably gotten up guts enough by now to shed a little blood on their own behalf.

This is a mulatto Negro talking about the black Negro of the South. I read that again:

This goes for crackers of both the colored and white variety. If the darker citizens of Jeff Davis' nation—

That is, the South—

had been compelled to remain where they were instead of streaming across the Union border to the freedom of the North, which they have contaminated, they would have probably gotten up guts enough by now to shed a little blood on their own behalf.

But instead they took the long way out by running away. And because of the laxity of the North, which was too willing to forgive and forget, their cowardly masters came crawling across our borders also seeking to enjoy the hospitality of their betters.

The northerners beat their swords into plowshares and settled down to put together the Nation that was powerful enough to kick the best of Europe around in the last big scuffle, but the rebels neither stopped fighting nor tried to forget.

Every day in every way they grew worse and worse, sabotaging every scheme that the more intelligent element of the Nation conceived.

Today, in spite of a patronizing indulgence on the part of the North, they still have the poorest houses, the lowest wages, the worst conditions, the lowest educational facilities of the country.

In short, they are little more than a poor relative who was invited in for a visit and has tried to bring the whole household down to his standard.

What America really needs is another good war—

This is Negro doctrine, this is hybrid doctrine—

What America really needs is another good war to drive the die-hards back where they came from.

The war is on now in a sub rosa fashion.

Instead of using bayonets they are doing their scuttling by word of mouth, blocking wage and hour legislation and championing the cause of lynching, all of which should be abolished from a great democracy.

Sitting up here in the Senate gallery—

He is up there now—

one cannot help but feel that the northerners, because of their lethargy, are practically asking for the licking they are about to get.

Many of the upper crust think it all right to let their Dixie brothers have a little thing like lynching privileges, as it isn't really important, anyway.

Personally, I'm all for letting the rebels solve their problems all by themselves, encouraging the two races to annihilate each other as quickly as possible. It would be good riddance.

This would give us a chance to concentrate on making the North a better place to live in, where there is at least a semblance of hope for better things.

In other words the writer in this Washington Negro newspaper is urging a war between the blacks and whites in Dixieland in the hope that we will destroy each other, so that the high mulattoes, octoroons, quadroons, mix-breed mongrels of the North can have their way, and it will be a better land for them. That is the class the friends and supporters of this bill are catering to in the attempt to have the bill pass.

I bring to Senators' attention, especially, a paragraph appearing on page 4 of this newspaper, written by its star columnist of the District of Columbia. The caption under which this base mongrel vomits his bilious chunks of putridity is entitled, as before stated, "Watching the Big Parade."

The paragraph is as follows:

Alabama's Dixie Graves was in there every minute, doing yeomen service behind the onslaughts of Florida's CLAUDE PEPPER, Texas' TOM CONNALLY, and their Western ally, Idaho's BILL BORAH.

If this anthropoidal ape were to rear up on his hind legs south of the Smith and Wesson line, and speak the name of his beloved daughter of Dixie, without attaching thereto her proper title and insignia of respect, his own race would join in twining the sea grass around his neck, hanging him higher than Haman, and the foul birds of the air would feast upon his contaminating carcass somewhere in the swamps of Alabama.

I quote further from this mental prostitute:

The antilynching bill, they insist is unfair because it seeks to curb the favorite pastime of the South. It has always been conceded that the North is more intelligent than the South in its handling of both the racial and economic questions. Many subscribe to the belief that the Union's winning of the Civil War was an empty victory because of the fact that it only latched on to a great Nation a part it would have been better off without.

To quote further:

If the lines that divided the Union and rebels had been left to stand and the Dixieites left to stew in their own juices, and admitted to the better half of the Nation, through immigration channels only, the real American would be better off.

Mr. President, does not that statement cause your blood to boil in mutiny? Do these words convey to your mind any conclusion other than that the leaders of the Negro race aspire to nothing less than to place black heels upon white necks? To quote still further:

Every day in every way they grew worse and worse, sabotaging every scheme that the more intelligent element of the Nation conceived.

Listen to this and mark its significance. The bigoted brute says:

What America really needs is another good war to drive the die hards back where they came from. The war is on now in a sub rosa fashion.

In conclusion, he says further:

I am for letting the rebels solve their problems all by themselves, encouraging the two races to annihilate each other as quickly as possible. It would be good riddance. This would give us a chance to concentrate on making the North a better place to live in, where there is at least a semblance of hope for better things.

I wish I had some "thunder word" which would be printable properly to designate and at the same time befittingly describe this cowardly blackguard who would befoul the southern people and deify the Negro rape fiend. Unfortunately there is no such word or combination of words that can be used, either by the grace of inflection, or poetic license, to answer my purpose.

I now direct the Senate's attention to a discussion and endorsement of the Mitchell bill, found on page 4 of this newspaper. The editor says:

The bill—

Meaning the Mitchell bill—

intended to prohibit the segregation of interstate passengers on account of race, color, or religion, introduced in the House of Representatives last week by Congressman ARTHUR W. MITCHELL, of Illinois, is significant. By its terms, Jim Crow is forbidden not only on trains, Pullman cars, buses, steamboats, and all other public carriers, but also in railroad stations, waiting rooms, lunchrooms, and dining cars. The Mitchell bill, if passed by Congress, would make suits in individual States unnecessary. It ought to receive Nation-wide support, even if it takes 25 years to put it over.

Mr. President, I may inquire, what Senator who today occupies a seat upon the floor of the United States Senate is so blinded by his prejudices, so befuddled in his mental operations, so incapacitated in the exercise of his intellectual faculties that he cannot see and, if seeing, will not understand that the underlying motive of the Ethiopian who has inspired this proposed legislation, the antilynching bill, and desires

its enactment into law with a zeal and frenzy equal if not paramount to the lust and lasciviousness of the rape fiend in his diabolical effort to despoil the womanhood of the Caucasian race, is to realize the consummation of his dream and ever-abiding hope and most fervent prayer to become socially and politically equal to the white man, and overthrow every barrier restraining him from the enjoyment of all the privileges bought by the blood of the Caucasian race. When once the flat-nosed Ethiopian, like the camel, gets his proboscis under the tent, he will overthrow the established order of our Saxon civilization. The Negro hates the white man and tolerates all other races having a semblance of color. He is unfitted by nature, by heredity, for peaceful and unharmed placement in the white man's scheme of civilization. Whatever traces of culture are to be found among the Ethiopians since the dawn of time have been imposed upon them by the white man, and that culture so imposed lingers with his race only so long as he receives its continual baptism, for, when left to his own resources, the culture of the ages will slowly trickle through his noncreative mind.

Getting back to the printed expressions of this Ethiopian mind that dwells within the shadow of the Capitol of the Nation, I wish to direct the Senate's attention to an editorial entitled "The Case for Japan." I shall read it in its entirety, but may pause for comment as I pass along. I quote:

It is plain now that the objective of the Japanese Government is to boot the white races out of China and set up an Asiatic Monroe Doctrine, through which Japan can control the destinies of the Far East.

And without in any way endorsing the Japanese line-up with Nazi Germany and Fascist Italy—

There is a thought. He does not endorse Japan's lining up with and seeking the help of the white man in Germany and Italy.

And without in any way endorsing the Japanese line-up with Nazi Germany and Fascist Italy, the Afro-American (that is the name of this paper) believes that Japan is fully justified in the foregoing objective.

For, if the United States, the strongest nation in America, is justified in setting up a Monroe Doctrine, Japan, now the strongest nation in the Far East (thanks to our Admiral Perry), is justified in setting up a similar doctrine in Asia.

There are other fundamental reasons why Japan is justified in her behavior in the present world crisis. Most white nations of the world have Japanese exclusion acts which forbid the immigration of yellow races. The United States, whose State Department is now all het up over Japanese bombing of the *Panay*, has been especially guilty of exclusion insults on the Pacific coast.

Right here I want the Senators from the Pacific coast to sit up and take notice, and all other Members of this body to catch the sarcastic reference to our State Department, which the writer claims is all "het up" over the bombing of the *Panay*.

Continuing to quote:

While barring Japan from entrance into our own country, American and European nations have gone to China, undoubtedly a Japanese sphere of influence, parceled out territory over which fly our flags, set up extraterritorial courts to try their own citizens, taken control of the industrial and commercial resources of China, and exploited the Chinese for the benefit of the intruding nations.

What an indictment is this against the Government of the United States. Exploiting China, a yellow race—a race not purely white, for the benefit of the people of the United States, a white democracy.

And to quote further:

The situation might have a different tinge if China, like Japan, had set about the business of developing her own defenses against aggressor nations. But the Chinese have become a kind of "Uncle Tom" of Asia. Their leaders have kowtowed to the white exploiters, licked their boots and allowed themselves to become footstools of western conquerors. As we see it, Japan is kicking China in the pants to make it stand up straight and be a man.

Let me here make this observation. When the United States become a little more Ethiopianized, when the Negro has grown from 12,000,000 to 100,000,000, and is given equal political and social rights in this country, I doubt not that if and when that unfortunate day arrives and an estranged relation should develop between the United States and Japan or any other race not of the Caucasian strain, you will find



the influence of the Ethiopian in America on the side of the colored races of the foreign countries.

To quote still further:

Japan's alliance with Italy and Germany may seem unfortunate—

How deeply does this Negro deplore this alliance with the white man—

but since most of the democratic nations have their hands in China's pie, there were no other alliances for Japan to make.

In the World War Japan fought Germany in the Far East. There is no reason for anyone to suppose that the sons of Nippon agree with Nazi ideology. There is every reason to believe that they do not.

The extreme love of Japanese for their country and their ruler shows that the people there must have a more satisfactory, if not more democratic, form of government than we have in some of the so-called democracies.

What sort of loyalty to the principles of democracy, democratic ideals and ideology is here exemplified by the statement that the Japanese have a more satisfactory form of government than the government under which the writer of this editorial, a confessed traitor, lives and moves and has his being through the sufferance of his misguided superiors. If the hybrid who penned the lines I have just read lived in a Southern State and dared to print these words of treason and distribute them among the citizens thereof, I doubt not that his mongrel carcass would mar the beauty of a southern magnolia tree before the ink upon his damnable sheet had time to congeal. Yet, within the very shadow of the dome of this Capitol, this mental pervert, the shining avatar of social and political equality, of the intermarriage of the two races, plies his treason trade and promotes, with all his might and main, the advent of another tragic era in this country.

Mr. President, this mulatto mongrel, coated with a thin veneering of a civilization imposed upon him by the white man, utilizing a freedom of the press conceived by the brain and bought by the blood of the Caucasian—this clay-bank colored Senegambian, through the possession and operation of a printing press, given to mankind by the creative genius of Johann Gutenberg, of the German race, with newsprint manufactured from the tall pines of the Canadian forests, by processes that the inventive mind of the white men perfected, with the use of a language of Caucasian origin and to which he has made no contribution; this cursed blight upon the District of Columbia, looking wiser and knowing less than a stuffed prophet, lays this scurrilous sheet, the Afro-American, in the laps of United States Senators, and unmolested and unafraid, impugns the motives of United States Senators, and insults the southern people who took him as a savage, running naked in African jungles, worshipping dried lizards and subsisting on his own lice. In denouncing his benefactors, he is but running true to racial instinct. Nothing better, however, could be expected. You cannot gather grapes of thorns nor figs of thistles. You can not make a purse out of a sow's ear or a gentleman out of a knave or one of Nature's noblemen out of a Negro. His mentality is in no wise akin to that of the white man.

The editor and publisher of the Afro-American, along with all others of his race, owes more to the South, the Southern white men, than to any other class of people on earth. They have taught him the use of tools; they have made accessible to him schools and colleges, and all the avenues of knowledge. They have lifted him out of the bogs and sloughs of savage ignorance, and have supplanted his fetish worship of things that creep and crawl with the Christian religion. They have built hospitals for his sick, pulpits for his preachers, and tried to teach him the ways of righteousness and that the paths of sin lead to death. In the olden days there was a soft spot in our hearts for Uncle Remus and the old black mammy with her crooning lullaby and her corn-cob pipe; but those old darkies have passed away; they live alone in memory, and we are now confronted, not by these faithful, obedient servants, but by rising generations of discontented and trouble-making hybrids, mulattoes, quadroons, and octoroons, seeking the elective franchise and conniving with deluded whites, negrophilists and mis-

cegenationists, for the balance of power in determining political issues and the solution of the race problem on the grounds of political and social equality and the intermarriage of the two races.

I hold that the presence of the Negro race has been the greatest curse that has ever been visited upon the South. The shadow of the Ethiopian that has been cast across the white fields of Dixie, has been darker and more ominous than the fatal night that passed over Egypt. He has caused privation, suffering, and shame beyond the power of omnipotence to measure. He has cost that section of the country more than all the wars it has waged and added a desolation and retardation of growth and development beyond that yet accomplished either by flood or fire. All the plagues of Egypt were not a greater curse to that country than the presence of the Negro has been to the South. The time has been when no white maid was secure beneath her father's roof. The Ethiopian is the one obstacle that has stood in the way of industrial development of the South. A land so blessed with natural resources; a land so favored with soil fertility; a land renowned for its genial climes; a land threaded with rolling rivers and laved and lashed by the warm waters of southern seas, is preeminently fitted by every known requisite for unsurpassed industrial development; but the Negro has been the bar-sinister against any form of industrial progress. I wish to say to you gentlemen from the North, more especially those who profess so much interest and concern in the welfare of the Negro race, that you need not have any fear of the South's becoming your industrial competitor so long as the Ethiopian maintains a population in that section almost the equal of the white. The fear that you have recently professed to entertain that northern industry would move to the South because of the cheap labor in that section may be dismissed. The wage and hour bill, which so many Southern gentlemen oppose on the theory that it will be detrimental to the industrial development of the South when enacted, as most certainly it will be, will have no appreciable effect in retarding the growth of the South along industrial lines.

It is possible that some improvement may follow, because when industry is forced to employ higher-priced labor it will select the white man instead of the Negro, leaving the Negro to resume the role he has occupied in the past, becoming laborers on the farm, hewers of wood, and drawers of water. No country can become industrially prosperous whose Negro population approaches anywhere near its Caucasian population. The South, at this time, is exerting a herculean effort to develop industrially, and the North has become somewhat jittery over the possibility of losing some of its industries on account of this aggressive movement of the South. Let me say to gentlemen of the North you may keep your smokestacks, you may keep your industrial plants, you may hold fast to all that you possess in industrial wealth and equipment, but send to us your white men and women—men and women who are bone of our bone, blood of our blood, and flesh of our flesh—men and women who are of pure and unadulterated Caucasian extraction, and let us give you two Negroes for every white that you send us until we have sent to your industrial centers the last Ethiopian that treads upon southern soil—the last black heel that crushes clods in a cotton row—and I will show you that in less than a century the Southland will grow and develop into the greatest industrial region beneath the ridgepole of heaven, while your smokestacks will have fallen and crumbled into dust and the owls and the bats will have made their nests in the windowless remains of your idle factories.

As I myself and others have endeavored to show from a painstaking review of the nonachievements of the colored race and the effect its presence has had upon the greatest civilizations of the world, it is the consensus of the leading ethnologists and anthropologists and all others who have given scientific study to race questions that the Negro race is utterly destitute of a creative faculty—he just does not possess it—and that he is incapacitated, through hereditary inhibitions, to produce or originate or make contribution to

a creative culture. One drop of Negro blood placed in the veins of the purest Caucasian destroys the inventive genius of his mind and strikes palsied his creative faculty. It is true the Negro can use, with some degree of dexterity, the machine created by the Caucasian; he can use his plow, his gun, his automobile, and perhaps his flying machine; but he can never add anything of improvement to what already exists. The Caucasian alone is endowed with the creative faculty, in its highest efficiency, if, indeed, he is not sole heir to all creative culture. Therefore, it may be stated that the Caucasian race can continue to progress, to advance through the exercise of its God-given creative faculties so long as his blood is not tainted, deadened, atrophied by the lifestream of the Ethiopian. Our civilization can be perpetuated and kept rising to new heights of achievements only by maintaining and forever keeping inviolate and unsoiled the purity of the Caucasian blood. The exchange that I propose of the 8,000,000 Negroes in the Southern States for 4,000,000 white men and women in the North would forever settle the race problem and all of its attending evils in the South.

Though it were to cost a half billion dollars to close the deal, I do not doubt that in 5 years following its consummation, there would be added ten times that amount to the taxable values of the Southern States. The vacancy caused by the exodus of the black cloud that has hung above our heads for almost a century would be filled with worthy, respectable, white immigrants, who have, for all these years, avoided the South because of the Negro. Whatever backwardness in modern progress may be charged to the South as compared with other sections of the country, is due exclusively to the presence of the Negro race and by that presence, its unflinching and eternal tendency to hold back and retard the onward march of our southern civilization.

The antilynching bill, before this body for consideration, has running through it one underlying purpose. Those who support it and who have participated in its drafting have in mind that same underlying purpose. Is that underlying purpose to humiliate and insult the South? No; but the bill does that. Is that underlying purpose to prevent the recurrence of lynching in the South to a less degree than in the past, or to eliminate it entirely? No, it is not. The underlying purpose, frankly stated, is to control votes. If you will deprive the Black Belt of Chicago of the right of suffrage; if you will strike the ballot from the black hand of Harlem, I dare say this filibuster would end and the antilynching bill would be withdrawn from further consideration before the sun goes down today. What purpose other than this could Democrats of the North—men of the South's political faith—have in imposing upon the people of the South this injustice? Upon what other theory and for what other cause do they express so much concern and sympathy for a black brute who dares to violate the purity and sanctity of an Anglo-Saxon home. Upon what other principle or statement of facts do they show such kindly consideration for the black shadow of lust and brutality that has sought to imperil the lives of the daughters of the South? Why is it, pray tell me, that gentlemen of the same political faith, faithfully adhered to by the solid South for more than half a century, insist upon showing such deep interest in a beast from the African jungles that has been transplanted into southern civilization like the "worm of the Nile" between Cleopatra's glowing breasts? The most charitable reason that I can assign for the action of those Democrats in the North giving support to this measure lies in their belief that the Negro holds the balance of power and by his vote can determine their defeat or election. If gentlemen of the North want to stamp out mob violence in the South; if they desire to bring about the dethronement of Judge Lynch, why do they not attack the crime, or rather pass some law that would check the crime that causes mob violence? Why do they not advocate a bill making it a capital offense to commit rape; place the strong arm of the Government behind its enforcement, and bring to sure and certain punishment every criminal, be he black or white, who commits the crime of rape. The trouble with such a law, I concede, is that it

would not appeal to the Negro vote north of the Mason and Dixon's line.

Mr. President, I wish to call the attention of the Senate to the Washington Daily News—I have a copy of it in my hand—printed August 10, 1937. I find an article by the United Press from New York entitled "One Arrested Every 6 Hours for Sex Crimes; Mayor Demands Action." Let me read what the United Press has to say about it:

Mayor F. H. LaGuardia took charge today of a drive to end a wave of sex crimes against minors. He learned that a man was arrested in New York City every 6 hours for some offense involving sexual depravity.

LaGuardia suggested incarceration for life of insane sex offenders after Police Commissioner Lewis J. Valentine confessed he did not know how to halt depredations which have resulted in 1,460 arrests and the murder of two small girls this year.

Police records showed that not a day passes in New York without at least one person being arrested for impairing the morals of a minor, indecent exposure of person, attempting criminal assault on a child, or abuse of a minor. They showed that since 1931 six girls in an area of Brooklyn with 1,000,000 population, had been killed by sex fiends; that 1,460 arrests had been made this year with few of the offenders going to prison.

That is the account.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield.

Mr. CONNALLY. Does the article state that in New York City alone there were 1,460 arrests in a single year for sex crimes?

Mr. BILBO. I will read the statement.

They showed that since 1931 six girls in an area of Brooklyn with 1,000,000 population had been killed by sex fiends; that 1,460 arrests had been made this year with few of the offenders going to prison.

Mr. CONNALLY. Against that, I should like to call the attention of the Senate to the fact that there were only eight lynchings in the entire United States last year.

Mr. BILBO. I appreciate the contribution of the Senator from Texas.

Mr. CONNALLY. Mr. President, will the Senator yield for another question?

Mr. BILBO. I yield.

Mr. CONNALLY. Does the Senator find anything in this bill which is advanced by its authors which would deal with these 1,460 flagrant cases in the city of New York?

Mr. BILBO. Oh, no.

Mr. CONNALLY. They are indifferent to that, but are very much concerned about the eight lynchings.

Mr. BILBO. They are indifferent to the victim of the rapist, but they are very considerate of \$10,000 to the family of the man who commits the rape.

I take the position, and I contend, that rape is worse than murder. If the victim is killed, he passes on to the happy hunting ground, "to sleep; perchance to dream"; but when some innocent, virtuous woman is raped, her life is wrecked. Her happiness is gone. Everything is gone. An eternal nightmare hangs over the life of the outraged woman.

Mr. President, did you know that last year, in 74 American cities having populations of 100,000 or more, 1,682 rapes were committed? That is what occurred in 74 cities having a population of 21,000,000 persons, one-sixth of our population. If the same ratio held in the other cities and towns and the rural regions of the United States, where the remainder of our population is found, it means that every year between 8 and 10 thousand American women are raped, and in 5 years 50,000 American women are raped. I say rape is worse than murder; and instead of spending our time in trying to solve a question which has been practically solved by the South, reduced to a minimum, here we are face-to-face with a crime which to my mind is a great deal worse—rape, a crime of which there are eight or ten thousand instances in 1 year in the United States!

Something can be done about it. The advocates of this bill denounce the mob. They denounce the southern white man who tries to protect the integrity and virtue of his family, his wife, his daughter, his sweetheart, his mother. They say it is a horrible thing for him to kill the criminal

who has outraged one of them. I think such a criminal has committed a crime that is worse than murder, and justifies the penalty of death. But there is one thing that some of you overlook, one of the reasons why there are mobs when a Negro outrages a white woman, whether in the South or in the West or anywhere else.

No man wants his wife, his daughter, his sister, or his sweetheart dragged into court before a jury of 12 men, with a curious crowd present, there to describe in all their minuteness the details of her defilement, her rape by some Negro brute, and submit herself to the cross-examination of the attorney defending the rapist. That is one of the underlying reasons why there has been a desire on the part of some persons to take this route to get rid of the Negro when he violates the chastity and virtue of the womanhood of the South.

Rape is a sex crime, whether committed upon a child or a grown person. The record of sex crimes that I have read is not for New York State. It is for the city of New York, the home of the senior Senator from that State, the home of one of the authors of the antilynching bill. If my State had such a record of sex crimes, and no mob violence had been resorted to therein, I should hesitate to point the finger of rebuke to any other section of the country composed of 12 or more States, and including the whole Nation, wherein there had been only eight lynchings during the year 1936. It might be well for some of us to extract the beam from our own eye before attempting to remove the mote from another.

One of the principal reasons urged for the passage of the antilynching bill by its proponents is that the rapist is murdered without due process of law. That phrase, "due process of law," has figured for half a century as justification for some of the greatest crimes that have been perpetrated against society.

Is any one so foolish as to think that this bill will guarantee to the rape fiend a hearing in the courts where due process of law will be obtained? What is there in the provisions of this bill, if it should become a law, to prevent the sheriff and his deputies from going frantically about the search of the accused and at the same time pursuing a trail leading apart from and nowhere near the suspect, thereby affording the gathering mob, bearing sea grass, every opportunity to seize and hang the offender? Self-preservation is the first law of nature; and do you suppose that a sheriff and his deputies would willfully ignore it? What incentive would there be for the police force of any county or municipality to capture an individual charged with the crime of rape when he knows he would also be capturing a responsibility that it might mean the cost of his life to discharge; a responsibility that might cause his incarceration, or deprive him of moneys needed for the support of his wife and children? Would he not be inclined, in his own heart, to say, "Let the mob have him," or, "Perhaps he will flee to some other county, where he will become the responsibility of some other sheriff." To pursue a course of this kind most certainly would defeat any possibility of due process of law.

Furthermore, what is there in this bill to prevent the sheriff and his deputies from seeking with all diligence the accused, and finally apprehending him and attempting to seize him, but, in doing so, shooting him dead upon the spot and then claiming that the alleged rapist resisted capture, or fled in an effort to escape, and it was necessary to pump lead into him, either as a matter of self-defense or to arrest his flight?

This method of dealing with an individual charged with rape also defeats any procedure furnishing "due process of law," also obviates the activities of an enraged mob, and furthermore relieves the sheriff and his county from all liability either as to the cost of a prolonged trial, or as to a fine imposed upon the county, or a prison sentence upon the sheriff.

The sheriffs are not going to take the risk of having to pay a fine of \$5,000 and going to the penitentiary for 5 years, being charged with a felony and tried in the Federal courts of the country. They are not going to take the chance.

They are either going to go some other way until the mob has had time to lynch the Negro, or whoever committed the crime, or else they are going to fetch him in dead, and your law is going to defeat the very purpose you are trying to attain. That is merely self-preservation.

Another thing: The people of the South are aroused over the prospect of the passage of this bill. They know what it means, and they will resent it. Senators who are lawyers, do you not know that cases brought under this bill must be tried in the Federal district court? Do you not know that that court must get its juries from the same body of men, the same county, the same territory in which a mob committed an outrage? The same jurors must do the indicting; they must do the convicting. They must destroy their own sheriff. They must impose taxes upon themselves and their fellows in a suit growing out of any crime connected with lynching—\$10,000 to be paid to the wife of the man who has outraged some southern man's daughter, or wife, mother, or sweetheart.

Do you think you will get a verdict from a jury in that way in a million years? Never. I am telling you, the more you think about it, the more you will realize that there is nothing in it but an effort to pacify a certain bunch of voters in this country.

To my mind, the most reprehensible feature of this measure is the compensation to be paid to the nearest kin and heirs of the rapist whose life has been exacted by a mob. What an incentive is here given to the rape fiend! In addition to the satisfaction he craves as a result of his savage lust, the penalty for which he knows is death and indescribable torture, he envisions the huge benefits that are given to his own family while he roasts in the unquenchable fires of hell.

On the front page of the Washington Afro-American, the contents of which paper I have had occasion heretofore to discuss, is found the picture of a Negro and his family, William Allen, wearing a \$5,000 smile because of a reward that was paid him for testifying in the Lindbergh case. Would it be an exaggerated assumption to say that as a result of the passage of the antilynching law, some day this selfsame paper and others publishing the same sort of tripe will carry a picture of those of nearest kin to some despoiler of womanly virtue, wearing a \$10,000 smile?

O tempora, O Mores! Pitifullest blunder of all the ages, most damning infamy ever perpetrated since the dawn of time; fearfullest penalty brave men ever had to pay! Well, indeed, might the South say to the Ethiopian, as Prospero said to the son of Sycorax:

I have used thee,  
Filt' as thou art, with human care \* \* \*  
I pitied thee \* \* \* when thou didst not, savage,  
Know thine own meaning, but wouldst gabble like  
A thing most brutish, I endow'd thy purposes  
With words that made them known. But thy vile race,  
Though thou didst learn, had that in't which good natures  
Could not abide to be with.

In conclusion, Mr. President, the South may submit sometime to the eradication and final elimination of the color line separating the Negro from the Anglo-Saxon race. The South may accept, if legally imposed, the principle and practice of miscegenation, the intermarriage of the black and white races. In some nebulous age yet to dawn, in the dim vistas of succeeding eons, more distant than the prophetic eye can now envision, the South may subscribe to the social and political equality of the two races. It may be that some day the South will acquiesce in the provisions of this damnable pernicious measure, the antilynching bill, to deprive her of her God-given and constitutional right to control by legislative declaration, without Federal interference, her own destiny as pertains to the race problem.

It is also not altogether improbable that she will eventually permit, under the requirements of a Federal statute, the Negro to eat at her lunch counters, her cafeterias, and dining rooms and drink from her fountains; to commingle with the Caucasian; to sit in her church pews by the side of white mothers holding white babes in their arms while listening to a black pulpiteer explain the plan of salvation; to

sleep, perchance to dream, in berths of Pullman palace cars adjoining those occupied by the fair daughters of her sunny clime. But, Mr. President, this will come to pass only at such an astronomically remote time as when the Prince of Darkness shall have folded his wings on the gravestone of God.

#### SAFETY IN DRIVING ON THE HIGHWAYS

Mr. LONERGAN. Mr. President, I desire to call to the attention of the Senate the enthusiastic efforts now being made by Members of this Chamber, and also by Members of the House, to prevent the appalling loss of life and the increasing number of injuries resulting from automobile accidents in the use of our public highways.

It was my pleasure to note that the Senator from Missouri [Mr. TRUMAN] introduced in the RECORD of Thursday, January 20, a reference to an amendment which he and the junior Senator from Arizona [Mr. HAYDEN] had offered to House bill 8838, relating to safety in driving on the highways of the United States, and I commend this measure and the amendment to the attention of all Senators.

The Senator from Missouri also referred to his measure—S. 589—now on the Calendar of the Senate, and inserted in the RECORD a radio interview with the Senator from Arizona which ably points out the hazards of our modern highways, and also discusses in an interesting way the amendment proposed to House bill 8838.

Other Senators have highway safety measures pending, and I hope they will have opportunity in the near future to discuss them and join hands with those of us who are making a special effort to have adequate laws enacted and provisions made for cooperation between the Federal Government and the States in eliminating these hazards.

Since coming to the Senate in 1933 the highway safety program has been one of my major interests. Because of the great volume of other emergency legislation it has been difficult, until recently, to gain a sufficient audience before committees and in Congress to advance the objectives of the measures in which I am interested. I hope that by cooperative efforts of all the Senators interested in this subject we may achieve effective results during the present session.

The problems incident to the highway safety program are numerous and complex. It will not be possible for Congress alone to offer a complete remedy. The solution rests also with the States and local enforcement agencies, as well as with the automobile industry and with the public. For that reason Senators and Representatives interested in the legislation have usually pursued a remedy for some particular hazard. After making a complete survey of the situation, as a member of the Interstate Commerce Committee, and after receiving extensive reports in 1935 from the Bureau of Public Roads, and other governmental sources, I was impressed that the most appalling disasters have occurred at grade crossings and drawbridges. With the help of other Senators I was able to secure the passage of a bill in the first session of the Seventy-fifth Congress which is now pending in the House—S. 18—which would establish a Safety Standards Commission, composed of representatives of the War Department, the Interstate Commerce Commission, and the Bureau of Public Roads. This commission would adopt uniform standards of safety for approaches to grade crossings and drawbridges, with which it would be necessary for States and applicants for bridge permits to comply before becoming eligible for allocations of Federal-aid highway money, licenses, or other benefits. To make the principle effective, an amendment was also inserted by me in the Federal Aid Appropriations Act which requires compliance by the States with the standards of safety established by the Bureau of Public Roads, for approaches to drawbridges and grade crossings, before qualifying for Federal-aid funds.

Other measures of the Seventy-fourth and Seventy-fifth Congresses included appropriations to the Bureau of Public Roads for a special study of highway accidents, and for the accident prevention conference held under the direction of the Secretary of Commerce. The money for this work was well spent, and much important information concerning the

causes of accidents compiled, although there is still a great need for a census, or a uniform system of recording the nature and causes of all automobile accidents.

Congress has also been giving consideration recently to measures requiring the annual or semiannual inspection of automobiles, so that dilapidated machines may be removed from the streets. It is my contention that many cars now on public thoroughfares are as dangerous to their occupants and to others as are many other things which menace the health and welfare of the community. We should seek to remove them from the streets as quickly as we would remove a ferocious beast that was loose in our midst. We spend money to eliminate disease germs and other menaces to health, while overlooking defective automotive equipment that may, at any time, cause death to operators or pedestrians.

These trends for highway safety measures in Congress, which are daily gaining force, are the result of an aroused public consciousness. Dramatic events have been occurring in all parts of the country in the last 2 years which have crystallized public sentiment. Accidents in which large groups of school children and other patrons of busses have been killed at grade crossings, have aroused the most attention, but the average type of accident in which an automobile and a pedestrian, or an automobile and another object, are involved, has also been receiving more attention. As the Senator from Arizona so ably pointed out in his radio address to which I have previously referred, more men, women, and children were killed in traffic accidents on our streets and highways during 1937 than the total number of American soldiers who were killed in battle in France in 1917 and 1918. Certainly the Nation cannot continue to overlook such a situation. The automobile industry itself has become aware of the great need for designing its cars to conform to the best possible safety standards. Safety is being featured in the cars for 1938. Engineers of the industry are also being requested to cooperate with Federal, local, and independent agencies in adopting safety measures. Engineering design is but one of the problems, and engineers are trying to meet it by establishing a greater degree of visibility in automobiles and by making brakes and other important parts of the car stronger and better in every way possible.

Numerous agencies, such as the automobile associations, the Automotive Safety Foundation, 366 Madison Avenue, New York City, and State and local organizations, are cooperating in the safety movement. The problem has become one of coordination of their efforts, to prevent overlapping of activities and useless waste of energy in seeking the remedies which we all recognize as necessary.

One of the most recent remedies for prevention of accidents on the highway which has been suggested to me is the construction of a system of express highways for long-distance travel to be constructed and operated on a self-liquidating basis, financed by toll charges. Such highways would be of boulevard width, to permit a safe separation of traffic in different directions, and would be designed to eliminate the use of headlights, or to prevent the glare of headlights. Such roads would also avoid railroad intersections and cities and would offer such opportunities for uninterrupted travel and safety as would attract a sufficient volume of traffic to finance them at a toll rate of not exceeding 1 cent per mile.

The Bureau of Public Roads is now making a survey of traffic volume throughout the country and has completed most of this work, except in Connecticut, New York, New Jersey, and Delaware. These data will be available to Congress within a relatively short time, I am informed, and will likely show that it will be possible to establish two or perhaps three long main lines on a self-liquidating basis.

To win traffic from competing free roads, toll highways, even along the lines of heaviest movement, must offer distinct advantages, including complete protection by the elimination of all intersections at grade. It would also probably be necessary to acquire and absorb in the toll facility ex-

isting parallel, high-type, four-lane divided highways wherever possible. This necessity and avoidance of the construction of additional competing free highway links of high type make it very desirable to have a prompt decision of the question of toll express highways, especially in view of the pending Federal-aid appropriation measures.

Express highways would draw sufficient fast traffic from other roads to diminish highway accidents on those roads also. Construction of express highways, on a substantial scale, would create much employment, and would enlarge the objectives of roadside beautification and thus perhaps offer an opportunity for expansion of Civilian Conservation Corps activities. Many benefits would follow the adoption of such a program; and I think that now may be the time to undertake such work, in view of the great emphasis upon safety activities, and also in view of the President's recommendations for curtailment of the regular Federal Aid Highway Act. Since the express highways would be self-liquidating, they would fill the gap without cost to the Government of any reduction made in Federal-aid highway appropriations.

Inasmuch as the subject of express highways is a comparatively new development of the safety program, I ask permission to insert in the RECORD an article by Dr. J. G. Van Zandt, Los Angeles, Calif., international inventor of safety and engineering devices, and a lecturer and writer on safe driving, who recently made a 10,000-mile automobile tour of superhighways of European countries. I regard his description of these express highways abroad as most enlightening on this subject.

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

**SAFETY SPEEDWAYS—A SUCCESSFUL EXPERIMENT WITH HIGHWAY CONSTRUCTION IN EUROPE FROM WHICH WE MAY LEARN A VALUABLE LESSON**

There is a real demand in America for higher speeds with greater safety on through highways. The answer has been found in the special speedways of Europe, which have been used by thousands for several years with remarkable records of both high speeds and safety. We can have the same advantages in this country if we demand them. When we mix all speeds of the highest and lowest on single-lane highways, as is our present practice, the problem becomes too complicated from any viewpoint for simple solution. The demands made on our highways have been too great and the overload has brought on the inevitable, but as surely avoidable, wholesale slaughter of today. If the unreported minor accidents were added to the totals we would be astounded at the figure, proving that we are paying more than the cost of the needed speedways every year. If we really want high speed with safety we cannot afford to hesitate longer—and we can stand the cost of these desirable speedways better than war-torn Europe can, where these superhighways are now actually demonstrating their efficiency.

A recent tour over the "auto-stradas" of Italy and the "autofahrbahn" systems of Germany have convinced the most skeptical that this problem can be solved easily. The wonder is that we in America have not kept up with them in separating high-speed vehicles from slow trucks and horse-drawn carts and protecting our pedestrians by high standards of safety. The superhighways in Europe are for high-speed passenger automobiles only—a feature never attempted in America. They are a joy to the tourists as well as the businessmen of the Continent. One may drive all day at over 60 miles per hour and be as "fresh as a daisy" at night from the fact that there is no nervous tension and no strain or worry at the wheel. All these "auto-stradas" are protected by high walls or fences on both sides, so that no cattle, dogs, or pedestrians can enter. The four- or six-lane runways are widely separated, and each lane has an individual super-elevation at all curves designed for the speed of that lane. Passing on curves is impossible, as curbs separate all lanes at curves. All intersections are provided with bridges, separating the grades, and "clover leaf" turning connections are provided to eliminate left-hand turns, with extra speed-up lanes at approaches from other highways or village connections.

Imagine, if you can, such a speedway from New York City to San Francisco, without a single intersection at grade, nor a dog, horse, truck, bicycle, nor pedestrian! Think of this superhighway all enclosed with a pair of woven wire side fences 12 feet high, topped with barbs and high-voltage electric wires making them even cat and squirrel proof. Picture at least two concrete lanes in each direction, according to the demands of traffic, all separated by wide flower gardens, and the curves super-elevated scientifically for the speeds expected in each individual curbed lane. Dream of roses on the wire fences covering all signboards and illuminated signs, and only the traffic lights telling of turn-outs visible, and no headlights' glare, since invisible, indirect illu-

mination from frosted curb lights make only parking lights necessary, and, therefore, the glare is prohibited. This is a practical picture of the present Safety Speedways of Italy as found, for example, from Torino, the Detroit of Italy, to Milan, which boasts the slogan "the safest city in the world." The same is found in the continuation to Lake Como and many other parts of the "Roman Peninsular" country, including, of course, that model of all, the "Rome to the Lido" causeway, so popular on summer nights and having such an enviable record of safety. One should add a word about the flowers along the way and on the overhead bridges which add a note of beauty and charm which only Europe knows how to produce.

The two double lanes are for fast and extra fast traffic, with only minimum speeds specified. In the extreme right-hand lane vehicles capable of sustained speeds of about 50 miles per hour or over are permitted. Before entering the inner lane a speed of over 60 miles per hour must be reached and sustained during the occupancy of the lane. Frequent change-over places are provided and plainly marked, which must be used after due caution is taken and signals made to notify others on both lanes of intention to take the other lane. In emergencies brief stopping on the oiled shoulders is permitted, but turn-outs to filling stations for tire changes and fuel are sufficiently frequent so that shoulder stops are practically never used. In making such a stop at a filling station turn-out a sign indicates the beginning of an extra lane for slowing down, and the driver turns out into that lane which leads between special fences around to the right, passing over an open grill, dog-proof stockguard to a gate at which a watchman is stationed, who punches the ticket—a sort of mileage scrip-book form of special road tax for the speedway. He then opens the gate and permits the driver to pass out into the village or filling station. Similarly one may reenter the speedway by the same process, only he is required to show his "ticket" again and on it an O. K. indicating that while taking on gasoline an authorized and expert bonded mechanic has tested his brakes and inspected his car and guarantees the mechanical fitness of this car for high speed.

Also, if the motorist appears to be incapacitated by reason of any disability, as fatigue, drowsiness, illness, drunkenness, or for any good reason, the watchman is required to investigate and, if necessary, refuse admission to the speedway until a physician, bonded and authorized, has passed on his fitness for high-speed motoring. Any motorist on the speedway is pledged to leave when sleepy or unfit, and to make a report against any fellow motorist on the speedway who drives unsafely or violates any requirements. When a watchman receives such a report he telephones to the next watchman and the driver is stopped or an officer is sent after him from the opposite direction. Any watchman, officer, or bonded mechanic permitting an unfit car or driver to enter the speedway is subject to fine or more severe punishment. Any tavern keeper selling intoxicants to a motorist and permitting him to leave before sober is also subject to fine. There are some automatic devices for puncturing with slow leak any tire that goes over the metal plates in the road where crossing is not allowed or for exceeding speed limits in controlled areas. One hears a hiss and takes the next turn-out for repairs. This is a very effective means of preventing violations, as one soon learns to obey or be delayed, and while the expense is slight the inconvenience is great.

These speedways have given very satisfactory results. Of course, statistical reports should always be on the same bases if comparisons are made. All accident reports should be reduced to normal man-hour foundations for fair comparison. Some recent bad examples of improper statistical methods may be found in reports based on population, which would indicate that the most dangerous occupation is farming and the most dangerous place for the farmer is in bed, since most deaths occur there. But excluding the very abnormal conditions of illness, infancy, old age, etc., and reducing all data to the normal man-hour basis as far as possible, our last year's accident rate was between two and three times as high as any of the 23 countries reporting in Europe. In other words, today it is more than twice as dangerous to motor in America as anywhere else in the civilized world.

Furthermore, the records of the countries with the most speedways show a drop of over 30 percent in all accidents by this device. In spite of the increase of accidents to tourists who have always enjoyed the distinction of being the worst drivers on the continent, the rate of total accidents per auto-gallon (which has been shown to vary almost exactly as per man-hour) has decreased every year since the speedways were opened. In Germany, where the Autofahrbahn runs along the Rhine for over 150 miles, high speeds have been used with a record of no fatality in 4 years, and only 11 minor accidents under exceedingly heavy traffic. On the old roads near these speedways (now used only by trucks at low speeds and by horse-drawn vehicles) there has also been a decrease (of both fatalities and property damage due to accidents) which has exceeded 15 percent since the removal of high-speed autos.

This item of importance to existing highways due to the attracting away from them to the speedways of the high-speed traffic has hardly received the consideration it deserves in connection with the economics of the problem. In fact, the "fourth E" of the "four horsemen" of "highway safety" is "Economics," which has often been the controlling element.

In the United States, speedways can be self-supporting, self-liquidating, or in fact revenue-producing safety devices if properly controlled and reasonable tolls charged as in the countries of Europe. The time has come for us to profit by the successful

experience of Italy, Germany, Poland, and several other European countries which are now developing efficient speedway systems throughout their domains.

#### THE TENNESSEE VALLEY AUTHORITY

Mr. McKELLAR. Mr. President, if I should begin the remarks I desire to make on the T. V. A. at this late hour, I could not conclude this evening, and I therefore hope the Senate may take a recess until Monday, when I can begin and finish what I have to say. I understand that under the new rule laid down I could not start this afternoon and proceed on Monday.

Mr. BARKLEY. Mr. President, I have no desire to insist that the Senator proceed at this hour and speak for the remainder of the day, and it is entirely satisfactory that a recess be taken.

Mr. McNARY. Mr. President, I inquire of the Senator from Tennessee whether it is his purpose to begin his speech upon the convening of the Senate on Monday.

Mr. McKELLAR. That is my intention.

Mr. McNARY. Let us have that understood, because the Senator from New Hampshire [Mr. BRIDGES] desires to be present when the Senator speaks.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). If there be no reports of committees, the clerk will state the nominations on the calendar.

#### WORKS PROGRESS ADMINISTRATION

The legislative clerk read the nomination of Miss Gay B. Shepperson to be State administrator for Georgia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### COLLECTOR OF INTERNAL REVENUE

The legislative clerk read the nomination of Rufus W. Fontenot to be collector of internal revenue for the district of Louisiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

This completes the nominations on the executive calendar.

#### RECESS TO MONDAY

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. on Monday next.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate took a recess until Monday, January 24, 1938, at 11 o'clock a. m.)

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate January 21 (legislative day of January 5), 1938*

#### WORKS PROGRESS ADMINISTRATION

Miss Gay B. Shepperson to be State administrator in the Works Progress Administration for Georgia.

#### COLLECTOR OF INTERNAL REVENUE

Rufus W. Fontenot to be collector of internal revenue for the district of Louisiana.

## HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 21, 1938

The House met at 12 o'clock noon.

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

*Thy lovingkindness, O Lord, is in the heavens; Thy faithfulness reacheth unto the skies; Thy righteousness is like the mountains of God; Thy judgments are a great deep.*

Heavenly Father, may we wait patiently for Thee and incline our hearts at Thy altar. We pray that our delibera-

tions may be a protest against all movements or agencies which work injury to the ideals of our free and representative government. Pour out Thy spirit upon our whole land and keep it far away from that gross materialism which has confined other nations. Save us, blessed Lord God, from wandering afar from the fresh spiritual fields of moral supremacy. For Thy name's sake, hear us and let the people praise Thee, O God; let all the people praise Thee. In our Savior's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### EMPLOYMENT OF LABORER

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### House Resolution 404

*Resolved*, That the Clerk of the House hereby is authorized and directed to employ a laborer to be paid from the contingent fund of the House at the rate of \$1,260 per annum until otherwise provided by law.

The resolution was agreed to.

#### EXTENSION OF REMARKS

Mr. WILLIAMS asked and was given permission to extend his own remarks in the RECORD.

Mr. McCLELLAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address I delivered before the Mississippi Valley Flood Control Association.

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

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an item appearing in the New York World-Telegram regarding the Public Health Service.

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

There was no objection.

Mr. DUNN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a bill I introduced this morning.

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

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a short letter.

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

There was no objection.

#### ADMINISTRATION OF SUGAR ACT OF 1937 AND CROP PRODUCTION AND HARVESTING LOANS

Mr. TAYLOR of Colorado. Mr. Speaker, by direction of the Committee on Appropriations, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 571) making appropriations available for administration of the Sugar Act of 1937 and for crop production and harvesting loans.

The Clerk read the joint resolution as follows:

*Resolved, etc.,*

#### DEPARTMENT OF AGRICULTURE

Sugar Act of 1937: That for an additional amount to enable the Secretary of Agriculture to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937 (50 Stat. 903-916), including printing and binding, and the employment of persons and means in the District of Columbia and elsewhere, as authorized by such act, there is hereby appropriated for the fiscal year ending June 30, 1938, out of any money in the Treasury not otherwise appropriated, the sum of \$39,750,000: *Provided*, That from this appropriation and the appropriation of \$250,000 for this purpose in the Third Deficiency Appropriation Act, fiscal year 1937, there shall not be obligated during the fiscal year 1938 for the following respective purposes sums in excess of the following amounts: For personal services in the Department of Agriculture in the District of Columbia, \$115,000; for personal services in the Department of Agriculture in the field, \$350,000; for miscellaneous administrative expenses