

PROVIDE A GOVERNMENT FOR AMERICAN SAMOA

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in British Samoa; that is, the New Zealand Samoa. Although there are some Catholics and some Mormons and I think some Wesleyans; the great majority of the people are of the London Missionary Society and there has never been any bitter feeling or any fights.

Mr. WILLIAMS. There is no evidence whatever of any bitter feeling between the different denominations—none whatever.

Senator BINGHAM. That is true.

Mr. BEEDY. If the Senator will permit me, I have frequently said in public that I thought our own country might learn something of religious tolerance as we saw it in Samoa. Mr. Chairman, I thought it was only fair to Senator Bingham to put him on notice as to the proposed amendment to the section governing land ownership, which Mr. Houston proposed. I have just sent for my original copy in which I have noted in pencil the proposed changes.

Mr. HOOPER. Is this the same bill that our subcommittee went over last year?

Mr. BEEDY. Yes, precisely. I thought we must keep faith with the Senate and introduced the same bill without change, as that bill had been passed in the Senate at the last session. When the House committee was considering that bill, there was a suggested amendment to the section governing the ownership of or the right to hold land.

Mr. HOOPER. What is that section?

Senator BINGHAM. On page 29, section 49.

Mr. BEEDY. We crossed out everything, beginning with line 18 on page 28. In other words, we crossed out all of section 47. Then we had section 48 to deal with. We thereupon renumbered it 47. We struck out the word "public" and inserted the words "communal or family group; that the communal or family group" in line 1 of this section.

That is on page 29, and in your copies would be line 1 of section 48. Continuing, the section reads:

They shall be administered under such laws as the fono shall enact: *Provided*, That all revenues from or proceeds of the same, except * * *

And we cut out the words "as regards" as surplusage—

such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the government of American Samoa, shall be used solely for the benefit of the inhabitants of American Samoa for educational and other public purposes.

And then we inserted this proviso:

Provided also, That there shall be no restriction on the conveyance of freehold lands except as herein provided.

Section 49 was rereferred to the subcommittee, and that subcommittee, of which Mr. Hooper was chairman, never reported, to my knowledge.

Mr. HOOPER. No; we did not report; but, Mr. Beedy, you appeared before the committee a number of times, if you will remember.

Mr. BEEDY. Before the subcommittee?

Mr. HOOPER. Yes; did you not? And we made, I figure here, something like 100 changes in this bill.

Mr. BEEDY. Did you finally report this change concerning land holding back to the full committee?

Mr. HOOPER. I do not find it in the notes. I think you are correct in what you say; I am not questioning that.

The CHAIRMAN. May I remind the gentlemen of the committee that the Senate meets at 11 o'clock, and the Senator would like to leave.

Senator BINGHAM. May I say in regard to section 48: Section 48 as it stands in the bill was based upon the land laws of the Territory of Hawaii. The land of Hawaii originally belonged entirely to the king. About 1845, acting under the advice of the missionaries and his foreign advisers, he granted a constitution to the people of Hawaii and divided the lands into three parts, retaining one-third for himself, one-third for the chiefs, and giving the common people one-third, the land, generally, that they were living on, with their little farms around it.

When the monarchy passed into the republic, of course, everything that was owned by the king passed to the republic, and when the republic was annexed by the United States one-third of the lands of the islands were public lands. And it was provided that they should be used solely for the benefit of Hawaii for educational purposes.

The way Mr. Beedy has read this, it now applies virtually to all the privately held lands in Samoa, because there is very little public land—almost none—and it would be only that part which might be called the naval station, if the Navy should turn it over, because it is owned by the United States Government. Of course, I realize the House committee will want to make a great many changes in the bill, and after the bill is passed I suppose we will go into conference on it.

Mr. BEEDY. I do not think there is any vital change in this bill except this.

Mr. KNUTSON. There is one with respect to naturalization, to which the Bureau of Naturalization called our attention last year. The bill as it was introduced could be construed, according to the Bureau of Naturalization, as conferring citizenship on any Polynesian regardless of whether he lived in American Samoa or not. We had Mr. Crist before us twice, did we not?

Mr. BEEDY. He came up here once or twice, I remember. There was some question, but I had forgotten.

Senator BINGHAM. That, of course, will be changed.

Mr. WILLIAMS. That will be changed; yes.

Mr. BEEDY. I think we all would want that changed.

The CHAIRMAN. We thank you very much, Senator, for your presence here this morning.

Now I believe we have a representative from the Navy Department who would like to be heard.

Commander LAMMERS. Yes, sir.

The CHAIRMAN. Just give your name and the capacity in which you appear.

STATEMENT OF COMMANDER HOWARD M. LAMMERS, IN CHARGE OF THE OFFICE OF ISLAND GOVERNMENTS, NAVY DEPARTMENT

Commander LAMMERS. Commander. Howard M. Lammers, in charge of the office of island governments, of the Navy Department.

We who have come here from the Navy Department were truly inspired by Mr. Beedy's talk yesterday, in which he stated the spirit

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STATEMENT OF COMMANDER CHARLES J. MOORE, ASSISTANT CHIEF, OFFICE OF ISLAND GOVERNMENTS, NAVY DEPARTMENT

Commander MOORE. I would like to say that I yield to no man any greater interest in American Samoa. I mentioned a few minutes ago that my father had been governor there in the early stages of the American régime. He was governor for three years. I was at school and have not been to Samoa; however, I have heard Samoa all of my life and have been fortunate recently in helping to administer Samoan affairs in the Navy Department, and I feel quite as strongly as Mr. Beedy that the purpose of this legislation is fine. But through the knowledge I have gained from association with people directly concerned with Samoa, and my duties, I feel the committee should thoroughly study the recommendations we have made in regard to this bill, not only in connection with the major points we have mentioned, but many of the less important ones, which are really essential for the proper administration of the islands in connection with the Federal Government.

The CHAIRMAN. Did I understand you to say, Commander, that you had not visited Samoa?

Commander MOORE. Yes; I have not been to Samoa. That is all that I would like to say at this moment.

The CHAIRMAN. We will now hear Commander Baughman for a few minutes.

STATEMENT OF COMMANDER COURTLAND C. BAUGHMAN, OFFICE OF ISLAND GOVERNMENTS, NAVY DEPARTMENT

Commander BAUGHMAN. Mr. Beedy yesterday gave a very nice description of the things down there and of their almost romantic outlook and of the satisfaction with the conditions that exist there, and have existed during the last 30 years. Consequently there has been nothing really to come up which would necessitate a drastic change in the present mode of governing the islands.

The government that exists there now is very largely in accordance with their understanding and their own tribal customs, the governor being the high chief and making the final decision. There are three district governors, all of whom may not agree, or may have differences of opinion as to what is for the benefit of their own district, with the result that it might be impossible to get a real good decision from the three governors themselves when it came to the question of final decision in matters of legislation.

I was down there; I left there in 1930, having been down there nearly 15 months as assistant governor. I was chairman of the budget board and vice president of the bank and captain of the yard. I came in close contact with those people. They came to me freely; the chiefs discussed things with me after they had had meetings of their own and discussed them openly, and a great many times it appeared to me that their principal grievances were at the suggestion of people other than Samoans. That I am quite certain of, due to reading the papers from Honolulu, where certain people were always

agitating what should be done or should not be done, in American Samoa—people who, perhaps, had been there for a short period of time or not at all. I feel there is need of a presiding officer in the fono other than a Samoan—a member of the government.

Relative to Western Samoa, I was there when that bad affair happened. I saw Thomas Essey (?), who was shot, when he got aboard the boat at the naval station and went over there the night before. The feeling in American Samoa was one of satisfaction that they had governors and did not have such conditions as existed in Western Samoa. They talked very openly about it; even those who had agitated as to legal citizenship under the present statutes relative to the United States—which I think should be established—their agitation about that was put in the background, and they were very glad that they had the Stars and Stripes over them instead of the British flag.

Now, on the question of alienation of land, the question of the advisability of changing the present law on the alienation of land, Senator Bingham mentioned there were very few people that would be affected by changing that law as he wanted it so that the half castes could own land. It is not expected that Americans will marry Samoans to the extent that white people must be protected rather than Samoans. The man he spoke of as being married to a Samoan down there was an enlisted man and not an officer. He is at present the agent of the Matson Steamship Line. He studied law and more or less takes it upon himself to talk a great deal and be a lawyer in a small place. A lot of his agitation has not been any too good.

I think if their status was properly established—and they have a bill of rights there now which has been put in in the last year, I believe—and if the alienation of land is straightened out, I think the present form of government would be quite satisfactory and in keeping with their traditions.

The CHAIRMAN. Is there anything further?

Mr. MACGRADY. What do you mean by presiding officer?

Commander BAUGHMAN. I mean some one who would preside at their fono—the governor or his representative.

Mr. MACGRADY. What authority would you vest in him?

Commander BAUGHMAN. Principally to keep the procedure straight and to explain to them what their actions would involve.

Mr. WILLIAMS. An adviser.

Commander BAUGHMAN. An adviser, very largely, and he would preside, also; because they need some one to preside.

Mr. LOZIER. Could not their policies be just as easily directed by communications from the governor with reference to the Budget? Why is the personal presence of the representative of the Navy necessary?

Commander BAUGHMAN. I think if you gave them all a vote, as it is in there now, there would be a great deal of bickering and they would have a hard time getting any place.

Mr. LOZIER. How could that bickering exist if they have respect for their superiors, the aged chiefs? If this condition prevails as has been described, it would simply mean that they would vote in blocks as the leading chief would direct.

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Mr. KNUTSON. As I gather from what has been said here, the great danger lies in breaking down their present set-up, where you destroy respect for constituted authority.

Mr. WILLIAMS. We have had men of the Navy present for over 30 years.

Mr. LOZIER. In other words, you think the aspiration of the people is to have a head chief and he is not to be a Samoan, but must be an American; is that it?

Commander BAUGHMAN. I do not, no sir, think that is their aspiration. Their aspiration is to get as much as they think they should get. It involves salary, too.

Mr. BERRY. Mr. Chairman, the following fact has been omitted from the record: There came to be so great a dissatisfaction with the present situation there among the American Samoans themselves, that a few years ago an opposition party sprang up, called the Mau Party. This party assumed considerable strength and its members in considerable numbers were present at all these hearings. They wore special uniforms to designate them as opposition men who believed that there ought to be a new order of things. And that party assured us that if we granted American citizenship and a few other rights of minor consequence they would disband and go home.

Mr. KNUTSON. I think we ought to have some legislation, but I have been in the Tropics more or less, and I am afraid we are going to set up a government here that is too complicated for the people we seek to help.

(The committee thereupon adjourned subject to the call of the chairman.)

EXHIBIT 10

districts, levee and drainage districts, irrigation, and/or similar districts other than Federal reclamation projects, or to counties, boards of supervisors, and/or other political subdivisions and legal entities, and for other purposes, was announced as next in order.

Mr. GORE. Let that go over for the present.

Mr. DILL. Mr. President, I wish the Senator would not make that objection. This legislation has passed the Senate in the past, and it is greatly needed.

Mr. GORE. Mr. President, as I gather from the title of the bill, it is to lend money to irrigation projects.

Mr. DILL. Yes; irrigation and drainage and all other projects of that kind throughout the country.

Mr. GORE. By the Government?

Mr. DILL. By the Government, on 40-year terms.

Mr. GORE. Let it be passed over for the present.

The VICE PRESIDENT. The bill will be passed over.

SAN FRANCISCO BAY BRIDGE

The bill (S. 3282) to extend the times for commencing and completing the construction of a bridge across the Bay of San Francisco from the Rincon Hill district in San Francisco by way of Goat Island to Oakland was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the times for commencing and completing construction of a bridge across the Bay of San Francisco, at or near the general site from Rincon Hill, in the city and county of San Francisco, to and across Goat Island, in San Francisco Bay, thence to Oakland, in the county of Alameda, authorized to be built by the State of California, by an act of Congress approved February 20, 1931, are hereby extended two and seven years, respectively, from February 20, 1932.

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

SUSQUEHANNA RIVER BRIDGE, PENNSYLVANIA

The Senate proceeded to consider the bill (H. R. 81) granting the consent of Congress to the Catawissa Railroad Co. to reconstruct, maintain, and operate a railroad bridge across the Susquehanna River at or near Catawissa, Pa., which was ordered to a third reading, read the third time, and passed.

PAWCATUCK RIVER BRIDGE, RHODE ISLAND

The Senate proceeded to consider the bill (H. R. 7247) authorizing the Rhode Island State Board of Public Roads and the State Highway Department of the State of Connecticut to construct, maintain, and operate a free highway bridge across the Pawcatuck River near the location of the present Broad Street Bridge between Westerly, R. I., and Stonington, Conn., which was ordered to a third reading, read the third time, and passed.

CHANGE IN SPELLING OF PORTO RICO

The joint resolution (S. J. Res. 36) to change the name of the island of "Porto Rico" to "Puerto Rico" was announced as next in order.

Mr. DILL. Let that go over.

Mr. BINGHAM. Mr. President, may I ask what the objection is? The joint resolution was introduced at the request of the Legislature of Porto Rico.

Mr. DILL. Instead of making geography more difficult we ought to simplify it, and I think it is a ridiculous proposition to go back to an ancient spelling of the name.

The VICE PRESIDENT. The joint resolution will be passed over.

AMERICAN SAMOA GOVERNMENT

The Senate proceeded to consider the bill (S. 417) to provide a government for American Samoa, which was read, as follows:

Be it enacted etc.—

CHAPTER I—GENERAL PROVISIONS DEFINITIONS

SECTION 1. That the phrase "the laws of American Samoa," as used in this act without qualifying words, shall mean the laws of American Samoa in force on the 16th day of October, 1930.

The statute law of American Samoa then in force as set forth in a compilation made by A. M. Noble under the authority of the Governor of American Samoa and published in one volume in 1921, entitled "Codification of the Regulations and Orders for the Gov-

ernment of American Samoa" and the amendments thereto, as certified to by G. S. Lincoln, Governor of American Samoa on October 16, 1930, as "a complete and accurate copy of all existing laws, rules, and regulations which apply to the inhabitants of American Samoa," and in the "Customs, Immigration, and Harbor Regulations of American Samoa," printed in one volume, and certified as a correct and accurate copy on said date by said governor, are referred to in this act as "codification" and "customs regulations." That all laws not appearing in the "codification" and "customs regulations" are hereby repealed.

SEC. 2. That the islands acquired by the United States of America under the act of Congress entitled "Joint resolution to provide for accepting, ratifying, and confirming the cessions of certain islands of the Samoan group to the United States, and for other purposes," approved February 20, 1929, and the act of Congress entitled "Joint resolution extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa," approved March 4, 1925, shall be known as American Samoa.

CITIZENS; BODY POLITIC

SEC. 3. That a provincial government is hereby established over the said American Samoa with its capital at Pagopago (Fagatoga) on the island of Tutuila. That it shall not enter into any treaty, alliance, or confederation. That all persons of full or part Polynesian blood who were inhabitants of American Samoa on February 20, 1929, and their children born subsequent thereto, are hereby declared to be citizens of the United States of America. Those inhabitants of American Samoa of full or part Polynesian blood who, on said date, were residing on the mainland of the United States or in the Territory of Hawaii may, within two years after the taking effect of this act, file declarations in a district court of the United States to record their status as such, and those inhabitants of full or part Polynesian blood then residing elsewhere or engaged in foreign travel similarly may file such declarations with the Governor of American Samoa.

The people of American Samoa, through the legislative authority of that government, shall determine from time to time the qualifications necessary for citizenship in American Samoa, but no person shall be qualified to become a citizen of American Samoa who is not a citizen of the United States, nor shall American Samoan citizenship be denied to any person of full or part Polynesian blood otherwise qualified.

And until otherwise provided by law citizens of American Samoa shall be those persons of full or part Polynesian blood, being citizens of the United States by virtue of this act, who have resided in American Samoa for the five years preceding the taking effect of this act, and all other persons of full or part Polynesian blood who, being American citizens, shall have resided in American Samoa for five years.

They shall constitute a body politic under the name of the people of American Samoa, with governmental powers as in this act set forth, and with power to sue and be sued as such.

BILL OF RIGHTS

SEC. 4. No law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized. No person shall be deprived of life, liberty, or property without due process of law, nor shall private property be taken for public use without just compensation; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself. In all criminal prosecutions the accused shall have the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in American Samoa. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion or imminent danger thereof the public safety shall require it. No ex post facto law shall be passed. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

SEC. 5. That, except as otherwise provided, all the laws of the United States, including laws carrying general appropriations, shall have the same force and effect within American Samoa as elsewhere in the United States: *Provided*, That sections 1453 to 1485, inclusive, and sections 1487 to 1489, inclusive, title 48, United States Code, and the amendments thereof, shall not apply to American Samoa, nor shall there apply to American Samoa any law of the United States dealing with or covering the following general subjects: Public lands, immigration, internal revenue, tariff, and income tax, unless specifically so made applicable by the act of Congress.

The provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port of the United States to another port of

the United States shall not be applicable to foreign vessels engaging to trade between the islands of American Samoa or between those islands and the United States.

Sec. 6. That the laws of American Samoa not inconsistent with the provisions of this act shall continue in force, subject to repeal or amendment by the legislative authority of American Samoa or the Congress of the United States.

Sec. 7. That the laws of American Samoa as set forth in the following sections of the codification and relating to the following subjects are hereby repealed: Codification, section 3, form of government, paragraphs 4, 26, 33, 39, 42, and 45, and last sentence in paragraph 10; section 7, oaths; section 71, alienation of native lands, paragraph 7; section 99, taxation of visitors.

Sec. 8. That the laws of American Samoa as set forth in the following sections of the codification, and relating to the following subjects, are hereby amended as follows: Section 3, Form of government, paragraph 1, delete "The laws of the United States shall be considered to be in force in American Samoa, subject, nevertheless, to the provisions of this declaration and such laws and regulations as shall, from time to time, be promulgated by the Governor of American Samoa, and," paragraph 3, line 7, delete "for enactment by the governor, upon his approval," paragraph 11, delete from the first sentence "and shall hold courts as directed by the governor" and insert at the beginning of the sentence: "Except as otherwise provided," paragraph 17, delete "the jail at the United States naval station" and insert "jail," paragraph 19, delete "and approved of by the governor," in paragraphs 14, 20, and 30 delete the word "natives" and insert "citizens of American Samoa," and delete the word "foreigners" and insert "those not citizens of American Samoa," paragraph 27, delete "governor" and insert "chief justice," paragraph 34, delete "His duties shall be to act as secretary to the governor, to," and insert "The Attorney General shall," and delete "under the instructions of the governor, and shall take the oath prescribed by law upon taking office" and insert "as prosecuting attorney in all felonies," paragraph 35, delete the second and third sentences and insert "The head of the department, with the title of 'public health officer,' shall be appointed by the governor," paragraph 43, delete "in the administration building, naval station," paragraph 46, delete the last sentence and insert "The governor shall call the Fono in extraordinary session whenever in his judgment the public interest requires it," paragraph 47, in line 2, delete "answers to the," in line 3, delete "published in the proclamation and on those," and delete the second sentence; section 8, Pay of native judicial officials, paragraph 1, in lines 9 and 10, delete "the governor shall prescribe" and insert "by law provided," and in line 11 before "compensation" insert "additional," paragraph 2, delete in line 6 "the governor may prescribe" and insert "by law provided," and in the last line delete "governor" and insert "chief justice," paragraph 3 delete "governor" and insert "chief justice"; section 16, Bank of American Samoa, paragraph 4, delete "Navy Department" and insert "governor"; section 17, Births and deaths, paragraph 6, delete "native" and insert "person of Polynesian blood" and delete "foreigner" and insert "person not of Polynesian blood"; section 64, Immigration, paragraph 1, delete "foreign," paragraph 2, delete "a foreign" and insert "any," paragraph 3, at the end of the first sentence add "and until they have made such deposit they shall not be considered to have legally entered nor be entitled to remain in American Samoa," at the end of the second sentence delete "a foreign" and insert "any," and at the end of the third sentence delete "the governor find the person aforesaid undesirable for any reason" and insert "he be convicted of an offense against the laws of American Samoa," paragraph 5, in line 5, insert after "persons" the words "and also those who are not legally entitled to remain in American Samoa," paragraph 6, add "Persons also are undesirable who are not legally entitled to remain in American Samoa because of failure to make said deposit"; section 67, department of education, paragraph 2 (a), delete "the allotments of his department in the budget approved by the governor, and with the orders of the governor" and insert "law," paragraph 3, in line 4, delete "Samoans" and insert "citizens of American Samoa"; section 71, alienation of native lands, paragraph 1, delete "aboriginal natives of the island of Samoa" and insert "citizens of American Samoa," paragraph 2 (as amended), delete "native Samoans" and insert "citizens of American Samoa," paragraph 3, delete "40" and insert "20"; section 73, paragraph 1, delete "native land" and insert "land owned by citizens of American Samoa" and delete "forty (40)" and insert "20"; section 78, marriage, paragraph 1, delete in line 3 "foreigners" and insert "persons who are not citizens of American Samoa," and in line 10 delete "foreigner" and insert "person," paragraph 8, delete "president of the," and delete "who" and insert in place thereof "which"; section 95, dealings between Samoans and non-Samoans, paragraph 1, delete in line 2 "native Samoans" and insert "citizens"; section 98, assessment and collection of taxes, paragraph 2 (as amended), delete "adjournment of the annual Fono" and insert "last Wednesday in October," and delete "in the administration building, naval station," and insert at the beginning of the last sentence thereof "Until otherwise by law provided," paragraph 3, insert at the beginning thereof "Until by law otherwise provided," paragraph 4, line 3, delete "Samoan" and insert "citizen of American Samoa and every male of part or full Polynesian blood who is not a citizen of American Samoa," and in line 4 delete "foreigner" and insert "other male person," paragraph 8, delete "foreigners" and insert "other male persons";

section 100, Traveling parties between American Samoa and Western Samoa, paragraph 3, delete "will then inform the Governor of Upolu, Savaii, and adjacent islands (known at the time of the original enactment of the regulation as German Samoa) of the full particulars of the intended 'malaga,' and upon a favorable reply being received from the Governor of Upolu, Savaii, and adjacent islands (known at the time of the original enactment of this regulation as German Samoa), and delete "but if the Governor of Upolu, Savaii, and adjacent islands (known at the time of the original enactment of this regulation as German Samoa) does not approve of the 'malaga' visiting the places under his rule, then no passes shall be granted"; section 102, Department of Communications, paragraph 3, subparagraph 1-a, delete "the allotments of his department in the budget approved by the governor, and with the orders of the governor," and insert "law"; section 103, Fiscal regulations of the government of American Samoa, delete all of this section, beginning with paragraph 3 of subsection 2, so that the section as amended shall consist of five paragraphs, and delete paragraph 1 of subsection 1 and insert "There shall be a treasurer of the government of American Samoa, who shall be appointed by the governor. He shall furnish a surety bond for the faithful performance of his duties in such sum as the governor shall fix. The premium on the bond shall be paid by the government of American Samoa"; and as set forth in the chapter in the Customs Regulations relating to the subject of customs are hereby amended in paragraph 8 thereof by deleting "the United States merchant marine act of June 5, 1920, applies to American Samoa," and those in the chapter in the Customs Regulations relating to the subject of immigration, which said chapter is section 64 of the codification, are hereby amended in conformity with the amendments above made to section 64.

Sec. 9. That wherever the words "president of the high court" or "an American judge" or "American district judge" or "foreign associate judges" or "foreign officials" or "secretary of native affairs" or "island government of American Samoa" or "regulation" or "declaration," or their equivalents, occur in the laws of American Samoa not repealed by this act, they are hereby amended to read "chief justice" or "other officials" or "attorney general" or "government of American Samoa" or "law" or "section," or their equivalents, as the context requires.

CERTAIN OFFICE ABOLISHED

Sec. 10. That the office of secretary of native affairs is hereby abolished.

STYLE OF PROCESS

Sec. 11. That the style of all process in the courts of American Samoa shall hereafter run in the name of "The People of American Samoa," and all prosecutions shall be carried on in the name and by the authority of the people of American Samoa.

CHAPTER II—THE LEGISLATURE

Sec. 12. The Legislature of American Samoa shall consist of one house, which shall be organized and shall sit according to the laws of American Samoa, as they are now or may be amended or modified: *Provided*, That the governor shall not be a member thereof. The legislature shall be styled the "Fono." It shall be the judge of the selection and qualifications of its own members. It shall choose its own officers, determine the rules of its procedure, not inconsistent with this act, and keep a journal.

Sec. 13. No idiot or insane person, and no person who shall be expelled from the Fono for giving or receiving bribes or being accessory thereto, and no person who, in due course of law, shall have been convicted of any criminal offense punishable by imprisonment, whether with or without fine, shall sit in the Fono or hold any office in or under or by authority of the government, unless the person so convicted shall have been pardoned and restored to his civil rights. No person shall sit in the Fono who is not a citizen of American Samoa and who has not attained the age of 30 years nor resided in American Samoa for at least five years immediately preceding the sitting of the Fono.

OATH OF OFFICE

Sec. 14. That every member of the Fono and all officers of the government of American Samoa shall take the following oath or affirmation:

"I solemnly swear (or affirm) in the presence of Almighty God that I will faithfully support the Constitution and laws of the United States and conscientiously and impartially discharge my duties as a member of the Fono or as an officer of the government of American Samoa (as the case may be)."

YEAS AND NAYS

Sec. 15. That the yeas and nays of the members on any question shall, at the desire of one-fifth of the members present, be entered on the journal.

QUORUM

Sec. 16. That a majority of the number of members to which the Fono is entitled shall constitute a quorum for the conduct of ordinary business, of which quorum a majority shall suffice; but the final passage of a law shall require the affirmative vote of a majority of the number of members to which the Fono is entitled.

Sec. 17. That a smaller number than a quorum may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as the Fono may prescribe.

Sec. 18. That, for the purpose of ascertaining whether there is a quorum present, the chairman shall count the number of members present.

COMPENSATION OF MEMBERS

Sec. 19. That the members of the Fono shall receive no compensation for their services, but may be allowed mileage not in excess of 20 cents a mile each way.

EXEMPTION FROM LIABILITY

Sec. 20. That no member of the Fono shall be held to answer before any tribunal for any words uttered in his legislative functions in the Fono.

EXEMPTION FROM ARREST

Sec. 21. That the members of the Fono shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the Fono and in going to and returning from the same: *Provided*, That such privilege as to going and returning shall not cover a period of over 10 days each way.

DISTRICTS

Sec. 22. That for the purpose of representation in the Fono, American Samoa is divided into the following districts:

The district of Faleilima i sisifo (east), island of Tutuila;
 The district of Faleilima i sasa'e (west), island of Tutuila;
 The district of Manua, the islands of Ofu, Olosega, and Tau;
 Swains Island shall be administered separately.

SESSIONS OF THE FONO

Sec. 23. The first session of the annual Fono shall be held between the 1st and 15th day of November each year at Fagatoga.

The governor may convene the Fono in special session, or in case the seat of government shall be unsafe from an enemy, riot, or insurrection, or any dangerous disease, direct that any regular or special session shall be held at some other than the regular meeting place. All meetings of the Fono shall be open and public.

ENACTING CLAUSE

Sec. 24. That the enacting clause of all laws shall be, "Be it enacted by the people of American Samoa in Fono assembled."

TITLE OF LAWS

Sec. 25. That each law shall embrace but one subject, which shall be expressed in its title.

SIGNING BILLS

Sec. 26. That except as herein provided all bills passed by the Fono shall, in order to be valid, be signed by the governor.

VETO OF GOVERNOR

Sec. 27. That every bill which shall have passed the Fono shall be certified by the presiding officer thereof and shall thereupon be presented to the governor. If he approves it, he shall sign it, and it shall become a law. If the governor does not approve of such bill, he may return it, with his objections, to the Fono.

He may veto any specific item or items in any bill which appropriates money for specific purposes but shall veto other bills, if at all, only as a whole.

PROCEDURE UPON RECEIPT OF VETO

Sec. 28. That upon the receipt of a veto message from the governor the Fono shall enter the same at large upon its journal and proceed to reconsider such bill, or part of a bill, and again vote upon it by yeas and nays, which shall be entered upon its journal.

If after such reconsideration such bill, or part of bill, shall be approved by a two-thirds vote of all members of the Fono, it shall become law if approved by the President of the United States. The President shall in his approval designate the date from which the law is effective. No bill vetoed by the governor and so reconsidered by the Fono shall have any validity unless the President shall so approve.

FAILURE OF GOVERNOR TO SIGN, VETO, OR RETURN BILL

Sec. 29. If the governor neither signs nor vetoes a bill within 10 days after it is delivered to him it shall become a law without his signature, unless the Fono adjourns sine die prior to the expiration of such 10 days. If any bill shall not be returned by the governor within 10 days (Sundays excepted) after it shall have been presented to him the same shall be a law in like manner as if he had signed it, unless the Fono by its adjournment prevents its return, in which case it shall not be a law.

APPROPRIATIONS

Sec. 30. That appropriations, except as herein otherwise provided, shall be made by the Fono.

Sec. 31. That the governor shall submit to the Fono estimates for appropriations for the succeeding period. He may submit also such bills to the Fono as he shall consider to be in the people's interest.

Sec. 32. That in case of failure of the Fono to pass appropriation bills providing for payments of the necessary current expenses of carrying on the government and meeting its legal obligations as the same are provided for by the then existing laws, and until the Fono shall have acted, the sums appropriated in the last appropriation bills shall be deemed to have been reappropriated.

And all legislative and other appropriations made prior to the date when this act shall take effect shall be available to the government of American Samoa.

LEGISLATIVE POWER

Sec. 33. That the legislative power of American Samoa shall extend to all rightful subjects of legislation not inconsistent with the provisions of this act and the laws of the United States locally applicable, but it shall not grant to any corporation, association, or individual any special or exclusive privileges, immunity, or franchise without the approval of Congress; nor shall it grant

private charters, but it may by general act permit persons to associate themselves together as bodies corporate for agricultural, maritime, and industrial pursuits, and for the establishment and conduct of cemeteries. No divorce shall be granted by the Fono, nor shall any divorce be granted by the courts of American Samoa unless the applicant therefor shall have resided in American Samoa for one year next preceding the application; nor shall any lottery or sale of lottery tickets be allowed; nor shall any public money be appropriated for the support or benefit of any sectarian, denominational, or private school, or any school not under the exclusive control of the government; nor shall any debt be authorized to be contracted by or on behalf of the government of American Samoa except to pay the interest on existing indebtedness, to suppress insurrection, or to provide for the common defense, except that in addition to any indebtedness created for that purpose the legislative authority of said government may authorize loans for the erection of penal, charitable, and educational institutions and for public buildings, wharves, roads, harbor, and other public improvements, but the total of such indebtedness incurred in any one year by said government shall not exceed 3 per cent of the assessed value of the property in American Samoa as shown by the last assessment for taxation, and the total indebtedness of the said government shall not at any time be extended beyond 10 per cent of such assessed value; nor shall any such loan be made upon the credit of the public domain or any part thereof; nor shall any bond or other instrument of any such indebtedness be issued unless made payable in not more than 30 years from the date of the issue thereof; nor shall any such bond or indebtedness be issued or incurred until approved by the President of the United States: *Provided, however*, That no issue of bonds or other instruments of any such indebtedness shall be made, other than such bonds or other instruments of indebtedness in serial form maturing in substantially equal annual installments, the first installment to mature not later than five years from the date of the issue of such series and the last installment not later than 30 years from the date of such issue.

CHAPTER III—THE EXECUTIVE

THE EXECUTIVE POWER

Sec. 34. That the executive authority of the government of American Samoa shall be vested in a governor, who shall be appointed by the President, by and with the advice and consent of the Senate of the United States, and shall hold his office at the pleasure of the President and until his successor is chosen and qualified. The governor may be an active, retired, or reserve officer of the Navy or Army or a person from civil life. If the governor shall be such an officer, he shall be entitled to receive as salary any difference there may be between his pay as such officer and the salary attached to the office of Governor of American Samoa. The governor shall be not less than 30 years of age; shall be a citizen of the United States; shall be commander in chief of the militia of American Samoa; and may grant pardons and reprieves and remit fines and forfeitures for offenses against the laws of American Samoa, and reprieves against the laws of the United States, until the decision of the President is made known thereon.

He shall annually, and at such other times as he may be required, make official report of the transactions of the government of American Samoa to the executive department of the Government of the United States to be designated by the President of the United States, and such annual report shall be transmitted to Congress.

ENFORCEMENT OF LAW

Sec. 35. That the governor shall be responsible for the faithful execution of the laws of the United States and of American Samoa within the said islands of American Samoa; and whenever it becomes necessary he may call upon the commanders of the military and naval forces of the United States in American Samoa, or summon the posse comitatus, or call out the militia to prevent or suppress lawless violence, invasion, insurrection, or rebellion in American Samoa; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privilege of the writ of habeas corpus or place American Samoa, or any part thereof, under martial law until communication can be had with the President and his decision thereon be made known.

GENERAL POWERS OF THE GOVERNOR

Sec. 36. That all the powers and duties which heretofore by the laws of American Samoa are conferred upon or required of the governor, not inconsistent with the provisions of this act, are conferred upon and required of the governor, unless otherwise provided and until modified and amended by law.

ATTORNEY GENERAL

Sec. 37. There shall be an attorney general, who shall be appointed by the President by and with the advice and consent of the Senate of the United States, and hold his office at the pleasure of the President and until his successor shall be appointed and qualified. He shall have the nonjudicial power and duties heretofore reposed in or required of the secretary of native affairs under the laws of American Samoa. He shall record and preserve all the laws and proceedings of the Fono, and all acts and proceedings of the governor and promulgate proclamations of the governor. He shall within 30 days after the end of each session of the Fono transmit to the President, the President of the Senate, and the Speaker of the House of Representatives of the United States one copy each of the laws and journal of such session. He shall trans-

mit to the President, semiannually, on the 1st days of January and July, a copy of the executive proceedings and shall perform such other duties as are prescribed in this act, or as may be required of him by law.

ACTING GOVERNOR IN CERTAIN CONTINGENCIES

SEC. 38. That in case of the death, removal, resignation, or disability of the governor, or his absence from American Samoa, the attorney general shall exercise all the powers and perform all the duties of governor during such vacancy, disability, or absence, or until another governor is appointed and qualified. And in case of the death, removal, resignation, disability, or absence of both the governor and attorney general, the President may designate from time to time an officer of the Government of American Samoa to act as governor, and the officer so designated shall exercise all the powers and perform all the duties of the governor during such vacancy, disability, or absence.

APPOINTMENT, REMOVAL, TENURE, AND SALARIES OF OFFICERS

SEC. 39. That the President shall nominate and, by and with the advice and consent of the Senate, appoint the chief justice, who shall hold his office for the term of four years unless sooner removed by the President.

The governor shall, except as herein provided, appoint all officers and boards of a public character that may be created by law. The manner of appointments and removal and the tenure of all other officers shall be as provided by law; and the governor may appoint or remove any officer whose appointment or removal is not otherwise provided for.

The salaries of all officers other than those appointed by the President shall be provided by the Fono, but that of the chief justice shall not be diminished during his term of office.

All officers appointed under the provisions of this section shall be citizens of the United States.

All persons holding office in American Samoa at the time this act takes effect shall, except as herein otherwise provided, continue to hold their respective offices until their successors are appointed or qualified: *Provided, however,* That nothing in this section shall be construed to conflict with authority and powers conferred by section 33 of this act.

CHAPTER IV—THE JUDICIARY

SEC. 40. That the judicial authority of American Samoa shall be vested in one high court and in such inferior courts as the Fono may from time to time establish. And until the Fono shall otherwise provide, the laws of American Samoa heretofore in force concerning the several courts and their jurisdiction and procedure shall continue in force except as herein otherwise provided.

HIGH COURT

SEC. 41. That the high court shall consist of the chief justice and two associate judges, who shall be selected from time to time by the chief justice from among the district judges to sit with him as members of the court. If there be a difference of opinion between the chief justice and his associates, the opinion of the chief justice shall prevail. The governor shall not sit as a judge in any court.

LAWS CONTINUED IN FORCE

SEC. 42. That the laws of American Samoa relative to judicial administration, including civil and criminal procedure, except as amended by this act, are continued in force, subject to modification by Congress or the Fono.

SEC. 43. That no person shall sit as a judge in any case in which his relative by affinity or consanguinity within the third degree is interested either as a plaintiff, a defendant, or in the issue of which the said judge has directly or indirectly, or through such relative, any pecuniary interest; and the Fono may add other causes of disqualification to those herein enumerated.

Unless otherwise provided by law, in case of the disqualification or absence of the chief justice or any judge of any court in any cause pending before the court, on the trial and determination of such cause his place shall be filled by appointment by the governor.

SEC. 44. That the chief justice, when requested by the governor or the Fono, shall render opinions upon questions of law, and upon solemn occasions.

SEC. 45. That the District Court of the United States for the District of Hawaii shall have jurisdiction to review by appeal and thereupon to confirm, modify, or reverse final decisions of the high court of American Samoa in all cases, civil or criminal, wherein the provisions of this act or a statute or treaty of the United States, or any authority thereunder, is involved; in all other civil cases wherein the value in the controversy, exclusive of interests and costs, exceeds \$2,000; in all other criminal cases where the offense charged is punishable by imprisonment for a term exceeding one year or by death, and in all habeas corpus proceedings. That the said district court of the United States shall also have jurisdiction to review the interlocutory orders and decrees of the said high court, and also whenever any record on appeal is manifestly incomplete or insufficient for a satisfactory understanding of the appeal, to inquire further into the matters in controversy. That, in lieu of statutory requirements applicable elsewhere, the said district court of the United States shall provide by its rules the mode of appeals generally, and particularly taking into consideration informality of procedure in the courts of American Samoa, such rules to be approved by the Attorney General of the United States. That for the above purpose special terms of the said district court of the United States shall be held

in American Samoa at such times and in such places as the judges thereof may deem expedient.

CHAPTER V—MISCELLANEOUS

SEC. 46. That until further provision is made by Congress the wharves and landings constructed or controlled by the Government of American Samoa on any seacoast, bay, roadstead, or harbor shall remain under the control of the government of American Samoa, which shall receive and enjoy all revenue derived therefrom on condition that said property shall be kept in good condition for the use and convenience of commerce, but no tolls or charges shall be made by the government of American Samoa for the use of any such property by the United States or by any vessel of war, tug, revenue cutter, or other boat or transport in the service of the United States.

SEC. 47. That except as otherwise provided, the public property ceded and transferred to the United States under the said cessions, shall be and remain in the possession, use, and control of the government of American Samoa, and shall be maintained, managed, and cared for by it, at its own expense, until otherwise provided for by Congress, or taken for the uses and purposes of the United States by direction of the President or the Governor of American Samoa. And any such public property so taken for the uses and purposes of the United States may be restored to its previous status by direction of the President. The President may, from time to time, in his discretion, convey to the people of American Samoa such lands, buildings, or interest in land or other property owned by the United States, and within the territorial limits of American Samoa, as in his opinion are no longer needed for the purposes of the United States.

SEC. 48. That the public lands of American Samoa shall not be sold. They shall be administered under such laws as the Fono shall enact: *Provided,* That all revenues from, or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the Government of American Samoa, shall be used solely for the benefit of the inhabitants of American Samoa for educational and other public purposes.

LAND

SEC. 49. That no person not a citizen of American Samoa shall acquire, by purchase or otherwise, title to land, nor any leasehold interest therein, for a term in excess of 20 years: *Provided, however,* That this prohibition shall not affect the vested rights of persons who, not being citizens of American Samoa or of organizations which were owners of land or held leasehold interests in excess of such term, on the taking effect of this act, nor shall it apply to the conveyance or transfer, approved by the governor, to an authorized recognized religious society of sufficient land for the erection thereon of a church or a dwelling house for the pastor, or both: *And provided further,* That this prohibition shall not apply to the Government either of American Samoa nor of the United States of America. Any transfers of interests in land in violation hereof shall be void.

SEC. 50. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, \$10,000; the attorney general, \$6,000; the chief justice, \$6,000. The governor shall receive annually from the United States in addition to his salary the sum of \$500 for stationery, postage, and incidentals; and his traveling expenses while absent from the capital on official business. The governor is authorized to employ a private secretary, who shall receive an annual salary of \$2,400, and an interpreter, who shall receive an annual salary of \$1,800, both to be paid by the United States. Said officers and said private secretary shall be entitled to transportation for themselves, their immediate families, and their household effects from their homes in the United States to American Samoa upon their appointment, and from American Samoa to their said homes upon completion of their duties. Each said officers and said private secretary shall be granted also a leave of absence, but not oftener than every other year, as may by the governor be arranged, during which he shall be entitled to an additional allowance of \$500, to be paid by the United States.

QUARANTINE

SEC. 51. That quarantine stations shall be established at such places in American Samoa as the Surgeon General of the Public Health Service of the United States shall direct, and the quarantine regulations for American Samoa relating to the importation of diseases from other countries shall be under the control of the Government of the United States. The quarantine stations and grounds at the harbor of Pago Pago, together with all the public property belonging to that service, shall be transferred to the Public Health Service of the United States, and said grounds shall continue to be so used and employed until the station is changed to other grounds which may be selected by order of the Secretary of the Treasury.

The health laws of the government of American Samoa relating to the harbor of Pago Pago and other harbors and inlets from the sea, and to the internal control of the health of American Samoa, shall remain in the jurisdiction of the government of American Samoa, subject to the quarantine laws and regulations of the United States.

SEC. 52. That imports from American Samoa into any State or Territory of the United States, of any dutiable article not the growth, production, or manufacture of American Samoa and imported into American Samoa after February 20, 1929, shall pay the

same duties that are imposed on the same articles when imported into the United States from any foreign country.

That merchandise and articles which are the growth, production, or manufacture of American Samoa coming into the United States from American Samoa shall be entered at the several ports of entry free of duty, and in no event shall any duties be collected on said merchandise or articles.

NATURALIZATION

SEC. 53. That for the purposes of naturalization under the laws of the United States residence in the islands of American Samoa prior to the taking effect of this act shall be deemed equivalent to residence in the United States, and the requirement of a previous declaration of intention to become a citizen of the United States and to renounce former allegiance shall not apply to persons who have resided in said islands at least five years prior to the taking effect of this act, but all other provisions of the laws of the United States relating to naturalization shall, so far as applicable, apply to persons in said islands: *Provided, however*, That no person of Polynesian blood shall be denied the benefit of said laws solely by the fact of such ancestry. The high court of American Samoa is hereby given jurisdiction in naturalization matters, subject to the right of appeal as in this act provided.

SEC. 54. No money shall be drawn from the Treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

SEC. 55. Swains Island shall be considered as part of the naval station of Tutuila, and the affairs of the inhabitants thereof shall be administered by the commandant of that station as nearly as practicable in accordance with the laws of American Samoa locally applicable. The commandant shall make a report thereon annually to the Governor of American Samoa.

SEC. 56. This act shall take effect 60 days from and after the date of the approval thereof, excepting only as to section 32 relating to appropriations, which shall take effect upon such approval.

SEC. 57. This act may be cited as the "Samoa Organic Act."

Mr. LA FOLLETTE. Mr. President, what is this bill?

Mr. BINGHAM. This is the same bill which passed the Senate last year. It was prepared by the Senator from Arkansas [Mr. ROBINSON].

Mr. LA FOLLETTE. Are there any changes in it?

Mr. BINGHAM. No changes.

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

TRANSFER OF LAVACA COUNTY, TEX., TO SOUTHERN DISTRICT

The Senate proceeded to consider the bill (H. R. 6304) to transfer Lavaca County from the Houston division of the southern judicial district of Texas, which was ordered to a third reading, read the third time, and passed.

DISTRICT OF COLUMBIA WORKHOUSE ROADS

The bill (S. 1768) to provide for the opening and closing of roads within the boundaries of the District of Columbia workhouse property at Occoquan, Fairfax County, Va., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to convey to the State of Virginia, or to the county of Fairfax in said State, a strip of land 50 feet wide to be used as a public thoroughfare running southerly for a distance of approximately 1,700 feet from the Fairfax Courthouse Road to the Telegraph Road in Fairfax County, Va., as shown on map No. 1595, filed in the office of the surveyor of the District of Columbia: *Provided*, That the State of Virginia, or the county of Fairfax in said State, shall convey to the District of Columbia for private use as part of the workhouse property a portion of Telegraph Road running southwesterly for a distance of approximately 900 feet from the Fairfax Courthouse Road to the 50-foot strip herein authorized to be conveyed by the Commissioners of the District of Columbia, as shown on map No. 1595, filed in the office of the surveyor of the District of Columbia.

LOANS TO FARMERS FOR THE CROP OF 1931

The Senate proceeded to consider the bill (S. 2265) to extend the time for repayment of certain loans to farmers for the crop of 1931.

Mr. GORE. Mr. President, I do not wish to object to the present consideration of this bill, but I do wish to submit an amendment.

The bill proposes to grant an extension of the seed loans made one year ago. It provides for an extension of one year. I assume that no Senator is astonished that this measure should make its appearance at this time. These extensions follow the original appropriation as the shadow follows the substance. They seem to be inseparable.

The Senate may have gathered that I have a rather decided fixed conviction that the relationship of creditor and debtor never ought to be created between the general government and the private citizen. It is an impossible relationship. It is bound to be fraught, in the long run, with more of mischief than of benefit. If the loan is repaid, it is likely unsatisfactory to the debtor. If it is not repaid, it ought to be unsatisfactory to the Government, unsatisfactory to the creditor. It creates a relationship that can not possibly please both parties concerned.

Whether those loans ought to have been made in the first instance brings up a debatable question, I may avow. Perhaps the extension of those loans is not debatable. I am rather inclined to the view that in this hour of distress loans which have been made, whether wisely made or not, ought to be extended, or that a reasonable policy of extension ought to be adopted. The loans involved in this extension amounted in the first instance to about \$47,000,000. About 45 per cent—less than half—of those loans have been repaid by the farmers. The State making the largest percentage of repayment was Louisiana, 61 per cent. The State making the second largest repayment was Alabama, 60 per cent, perhaps as sorely distressed as any State in the Union. Oklahoma came third with 59 per cent, and I feel a just pride, I may say, in so liberal a showing as to payments made by the citizenship of my State.

I merely wanted to raise the point that some States have repaid only 3 per cent and several only 7 per cent. In the States that have paid 60 per cent of these obligations, what will the farmers think when they realize other States have made repayments to the extent of only 3 per cent? Will they not reach the conclusion that they were "easy marks" and that they took their obligations to their Government too seriously? Will it not discourage repayments in the future?

Those are the observations I desire to make, but I will say that the Senator from Kentucky [Mr. BARKLEY] has perhaps overpersuaded me not to offer the amendment which I had intended. I never had any purpose to obstruct the passage of the measure. I think the loans, whether wisely made or not, ought to be extended in deserving or distressed cases. I have intended to move to strike out the word "application" in line 1, page 4, and to insert the words "upon sufficient and satisfactory showing"; so amended the bill would enable any farmer who makes a sufficient and satisfactory showing to obtain an extension of his loan. I thought that would be a mark of appreciation as well as justice toward those farmers who through self-denial and self-sacrifice have discharged their debts to their Government notwithstanding this depression. The committee in its report says that it assumes that extensions will be made only in deserving cases and upon an ample showing. On the strength of that assumption and upon the request of the Senator from Kentucky [Mr. BARKLEY] I shall not offer the amendment which I had in mind.

I will ask to print in the RECORD a statement showing the repayments made by each State.

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

The statement is as follows:

Collections to January 29, 1932

	Total amount loaned, 1931	Cash and warehouse receipts	Per cent collected, 1931 loans
Louisiana.....	\$3,197,452.04	\$1,965,943.76	61.5
Alabama.....	2,663,370.82	1,628,321.18	60.7
Oklahoma.....	1,608,268.78	1,005,485.29	59.4
Oregon.....	2,737.00	368.55	58.1
Arkansas.....	9,205,857.96	5,351,077.04	58.1
Texas.....	3,052,605.43	1,757,855.47	57.4
Georgia.....	2,527,924.77	1,427,881.30	56.1
Minnesota.....	27,065.00	14,740.86	53.8
North Carolina.....	2,181,286.88	1,165,028.67	53.2
South Carolina.....	982,789.96	493,480.61	49.1
Missouri.....	2,331,063.34	1,096,837.22	46.0
Mississippi.....	4,442,178.75	1,993,647.39	42.0
Tennessee.....	2,313,308.69	971,662.95	40.0
Illinois.....	285,234.93	111,251.82	39.0

employment, and for other purposes; to the Committee on Education and Labor.

By Mr. ROBINSON of Indiana:

A bill (S. 3801) granting a pension to Jane Baile (with accompanying papers); and

A bill (S. 3802) granting a pension to Mary J. Brooks (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3803) for the relief of Edward N. Jerry; to the Committee on Finance.

By Mr. DILL:

A bill (S. 3804) to prevent discriminations against American ships and ports, and for other purposes; to the Committee on Finance.

A bill (S. 3805) to aid the several States in constructing post roads; to the Committee on Post Offices and Post Roads.

By Mr. BROOKHART:

A bill (S. 3806) for the relief of Lottie Naylor; to the Committee on Claims.

A bill (S. 3807) for the relief of the Des Moines & Central Iowa Railroad; to the Committee on Interstate Commerce.

By Mr. SHIPSTEAD:

A bill (S. 3808) to provide for carrying out the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.; to the Committee on Claims.

By Mr. ROBINSON of Indiana:

A bill (S. 3809) granting uniform pensions to widows and children of certain persons who served the United States in time of war, and for other purposes; to the Committee on Pensions.

By Mr. JONES and Mr. DILL:

A joint resolution (S. J. Res. 111) providing for a survey for a standard highway in the Mount Baker National Forest Reserve, Wash.; to the Committee on Agriculture and Forestry.

CROP INSURANCE

Mr. SHEPPARD. Mr. President, I introduce a bill to aid in determining the practicability of crop insurance, and I ask that the bill may be set out in the RECORD, together with a brief analysis of it which I have prepared.

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

The bill (S. 3793) to aid in determining the practicability of crop insurance was read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

A bill (S. 3793) to aid in determining the practicability of crop insurance

Be it enacted, etc., That in order to test the practicability of crop insurance the Federal Farm Board, created under the agricultural marketing act, approved June 15, 1929, is hereby authorized, in its discretion, to enter into reinsurance or excess loss reinsurance contracts with mutual, cooperative, and/or other insurance organizations approved by the board, which insure or may hereafter insure growing crops against groups or combinations of hazards to which growing crops are usually subject, to an amount equal at least to a substantial part of the cost of producing any crop, as determined by the Federal Farm Board. The total amount of such reinsurance shall not exceed \$50,000,000. Such reinsurance contracts shall contain such terms and conditions and be written for such premiums as may be prescribed from time to time by the Federal Farm Board. In the event of a loss arising on account of any such reinsurance contract entered into as aforesaid, the amount thereof shall be paid from the revolving fund provided for in said agricultural marketing act on vouchers approved by the chairman of the Federal Farm Board, as provided for in said act, and all premiums paid for such reinsurance contracts shall be covered into said revolving fund.

Sec. 2. That when the Federal Farm Board is of the opinion that a satisfactory test has been made as to whether crop insurance and reinsurance of crop insurance may be successfully written by private enterprise, the Federal Farm Board shall so report to Congress and thereafter shall not enter into any additional reinsurance

contracts, but until the submission of such a report the Federal Farm Board shall annually report to Congress the work done under this act, with such recommendations as may be deemed advisable.

The analysis of the bill was ordered to be printed in the RECORD, as follows:

ANALYSIS OF PURPOSE OF ABOVE BILL PREPARED BY SENATOR SHEPPARD

Practically every other process of modern production is insured against physical calamities and hazards except the process of producing field crops. It is this factor that constitutes one of the principal causes of the tragic instability and uncertainty of farming, the occupation on which the world depends for its food and clothing. The farmer is thus condemned to carry the chief economic burden of our present civilization. Science and progress have left him, so far as his growing crops are concerned, almost as much as ever at the mercy of physical calamities and hazards. This is a situation which should not be permitted if it can be avoided.

The object of this bill is to determine the practicability of the insurance of growing crops by private enterprise through an experimental system of excess loss insurance or reinsurance contracts by the Farm Board with cooperative and ordinary business organizations for a sufficient time to permit a thorough study and a practical trial of the subject to be made. Reports of progress are to be made from time to time to Congress, and when a complete and satisfactory trial has been made Government cooperation ceases.

PROPOSED ANTI-INJUNCTION LEGISLATION—AMENDMENTS

Mr. HEBERT submitted sundry amendments intended to be proposed by him to the bill (S. 935) to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. ODDIE submitted an amendment intended to be proposed by him to House bill 8397, the Interior Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 73, line 7, strike out "\$45,000" and insert "\$146,000," so as to read:

"Provided, That of this fund not to exceed \$146,000 shall be available for the erection, operation, and maintenance of necessary school buildings and appurtenances on the Boulder Canyon project Federal reservation, and for the purchase and repair of required desks, furnishings, and other suitable facilities; for payment of compensation to teachers and other employees necessary for the efficient conduct and operation of schools on said reservation."

ADDRESSES BY PRESIDENT HOOVER AND REPRESENTATIVE BECK

Mr. FESS. Mr. President, it is my understanding that the House will pass a concurrent resolution to print as a document the proceedings on Monday last commemorating the two hundredth anniversary of the birth of George Washington, which includes the addresses of President Hoover and Representative JAMES M. BECK, of Pennsylvania. I therefore ask that the order made by the Senate on yesterday to print these two addresses as a document be rescinded.

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

GOVERNMENT FOR AMERICAN SAMOA

Mr. JONES. A few days ago I entered a motion to reconsider the vote whereby the bill (S. 417) to provide a government for American Samoa had passed the Senate. It is a bill to provide a government for American Samoa. I will state first the reason why I desire to have the vote whereby the bill was passed reconsidered, and I think there will be no objection to my request. The bill contains a provision under which the coastwise laws are not extended to the Samoan Islands. I desire to propose to that provision of the bill an amendment reading in this way:

Until the President of the United States, after a full investigation of the local needs and conditions, shall, by proclamation, declare that an adequate shipping service has been established to such islands and fix a date for going into effect of the same.

The amendment, if agreed to, would suspend the coastwise laws as to the Samoan Islands until the conditions mentioned are complied with. That is why I ask for the reconsideration of the vote whereby the bill was passed.

Mr. BINGHAM. I hope the request of the Senator from Washington may be granted, Mr. President. I have no objection to it.

The VICE PRESIDENT. In the absence of objection, the votes whereby the bill was ordered to be engrossed for a third reading, read the third time, and passed will be reconsidered. The bill is now before the Senate.

Mr. JONES. I offer the amendment which I have read.

The VICE PRESIDENT. The Senator from Washington proposes an amendment to the bill, which will be stated.

The CHIEF CLERK. After the word "States" in line 16, page 6, it is proposed to strike out the period and insert a comma and the following:

Until the President of the United States, after a full investigation of the local needs and conditions, shall by proclamation declare that an adequate shipping service has been established to such islands and fix a date for going into effect of the same.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Washington.

The amendment was agreed to.

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

TARIFF ON COPPER

Mr. ASHURST. Mr. President, I ask unanimous consent to recur to the order of morning business relating to the presentation of petitions and memorials. I wish to speak for a few moments.

The VICE PRESIDENT. Without objection, the Senator from Arizona is recognized.

Mr. ASHURST. Mr. President, unemployment and continued business depression—the most distressing calamities that could happen to a State—have come to Arizona. The financial structure of the State of Arizona is built upon and around the copper industry. This one industry, directly and indirectly, pays over 50 per cent of the taxes raised in the State and supports about one-third of the population. The collapse of copper mining in Arizona literally means bankruptcy for that State. Copper is mined in 19 of the States of the Union. Arizona is the largest producer, with about one-half of the total output.

Thousands of American copper miners and smelter men in Arizona are now and for many months past have been without employment. Although these men and their families have met this unemployment crisis with brave hearts, it is sadly true that misery and despair all too soon descend upon persons who are long unemployed, and this distress in the copper-producing industry is the result of free trade on copper.

For more than a generation opponents of the Democratic Party have attempted to staple to that party the epithet "free trade." The Democratic Party never was for free trade. It was James Madison—a great Democrat, who assisted in writing the Federal Constitution, who was eight years Secretary of State under President Thomas Jefferson, and who was afterwards for eight years President of the United States—who piloted through the First Congress of the United States the first bill ever passed, and it was a tariff bill. The preamble of that tariff bill, guided, as I said before, through the Congress by the genius of James Madison, recited substantially the following:

Whereas it is necessary for the support of government, for the discharge of the debts of the United States, and the encouragement and protection, etc., that duties be laid on goods, wares, and merchandise imported.

Democrats should assert themselves and vehemently to point out these facts. The lack of a tariff on copper is one of the results of free trade against which I inveigh upon every proper opportunity. Our copper mines are shut, owing partly to the unprecedented rise in foreign production. Our American copper miners and smelter men can not, and should not be required to try to, compete with the cheap insensate copper production of foreign countries such as Africa and South America.

The Republican Party is now in some distress, occasioned partly because it has advocated tariffs to protect the products of the factory, but it has refused in most instances to advocate tariffs to protect the products of the mines, the farm, the field, and the ranch. That party will be further

debilitated unless it fairly stands for tariffs on the products of the mines, the farm, the field, and the ranch as well as on the products of the factory.

Mr. President, on the 16th of last June, before the Globe (Ariz.) Chamber of Commerce, my colleague, Senator HAYDEN, delivered an address showing the necessity for a tariff on copper and pointing out the absurdity and the injustice of free trade in copper. I need not do more than to say that when the superb intellect of my colleague gives attention to a subject what he says is well worth the perusal of every attentive and discerning person in the United States, and I ask unanimous consent at this point to have printed in the Record the pertinent features of that able address which my colleague delivered showing the necessity for a tariff on copper.

There being no objection, the address by Senator HAYDEN was referred to the Committee on Finance and ordered to be printed in the Record, as follows:

AN ADDRESS ON THE NECESSITY FOR A TARIFF ON COPPER BY SENATOR CARL HAYDEN, BEFORE THE GLOBE CHAMBER OF COMMERCE, GLOBE, ARIZ., TUESDAY, JUNE 16, 1931

It would be a waste of effort to present arguments here to show why a tariff on copper is now needed. Every well-informed person in Arizona knows that all of our mines which produce the red metal are either shut down or operating at greatly reduced capacity, that miners are out of work, that the flow of money which was distributed from the mining camps throughout the State has about ceased.

There is no need to tell the story of our distress to men and women who are already feeling its effects. The place to make such a plea is before those who have power to remedy our plight, the United States Tariff Commission, which can officially find the facts, and before the Congress, which can act after the facts are thus formally established. It is, therefore, my purpose to confine these remarks to a plain statement of what has thus far been accomplished, what is now being done, and what remains to be achieved if copper is to be given equal treatment with other metals and manufactures under the national customs laws.

The first question that naturally arises is why copper, as a raw material, does not now enjoy at least some protection from foreign competition. The answer is that for more than a generation no one with authority to speak for the industry has asked for a tariff while tariff bills have been under consideration by Congress.

I have taken part in three general revisions of the tariff. I was a Representative in Congress when the Underwood-Simmons Act of 1913 was passed in the Wilson administration and the Fordney-McCumber Act was passed in the Harding administration. As a Senator I was present during more than a year that the Hawley-Smoot bill was under discussion before President Hoover gave that measure his approval.

At no time when any of these bills were being formulated did any witness appear in person before the Committee on Ways and Means of the House or the Finance Committee of the Senate and ask for a tariff on copper. These are the committees which actually make tariff bills, yet no one even took the trouble to mail in a brief to be included in the record suggesting that Congress grant protection to copper mined in the United States.

There were two controlling reasons for this entire lack of interest. The price of copper from 1912 to 1929 was fair and for a part of the time exceedingly high. Consequently there was no general incentive to seek a better price. So far as the Underwood law is concerned, if a tariff had been granted, it would have had no effect because the World War dominated all markets and the normal courses of trade were set aside. Raw wool was on the free list, yet war prices prevailed.

The second reason was that during all the 16 years following 1913 the United States was producing more copper than could be consumed in our own country. It is axiomatic that an import duty can not affect the internal market value of any commodity the surplus of which must be exported. In all such cases the amount received abroad fixes the price at home. Perfect proof of this is found in the drop in the price of wheat, of which the United States produces a surplus, from \$1.25 to 60 cents a bushel, notwithstanding that there exists an import duty of 42 cents a bushel. Such tariffs are political, not practical.

The tariff is a tax. Congress does not impose tax burdens unless reasons are advanced for doing so. It is indeed a rare industry that has ever been given the advantage of tariff protection without asking for it. Personally I know of no such instance.

The only way that an import duty beneficial to any commodity can be secured is for those interested to make and present a case that justifies their request. The industries that have benefited most by the protective-tariff system have not allowed modesty to interfere with their demands. Silence is unknown to them when tariff legislation is pending in Congress.

The tariff is a tax. But import duties have been levied by Congress under each and every kind of political administration from the very beginning of the American Government. This source of revenue will, no doubt, continue to be utilized until long after we who live to-day have passed away. There never was a tariff bill enacted by Congress which did not have some

2952. By Mr. SPENCE: Petition of the Woman's Christian Temperance Union of Falmouth, Ky., protesting against the repeal, resubmission, or modification of the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

2953. By Mr. SUMMERS of Washington: Petition signed by Mrs. M. J. Rulaford and 13 other adult residents, of College Place, Wash., protesting against the compulsory Sunday observance bill, S. 1202; to the Committee on the District of Columbia.

2954. By Mr. TARVER: Petition of Lena Mason and many other members of the Woman's Christian Temperance Union and other citizens of Ochlochnee, Ga., protesting against the modification or repeal of our prohibition laws and resubmission of the eighteenth amendment to the States; to the Committee on the Judiciary.

2955. By Mr. TURPIN: Petition of citizens of Luzerne County, Pa., protesting against the passage of Senate bill 1202 or any other compulsory Sunday observance bills; to the Committee on the District of Columbia.

2956. Also, petition of citizens of Hazleton, Pa., urging the maintenance of the prohibition law and its enforcement and against any measure looking toward its modification, resubmission to the States, or repeal; to the Committee on the Judiciary.

2957. Also, petition of citizens of Luzerne County, Pa., protesting against the passage of Senate bill 1202 or any other compulsory Sunday observance bills; to the Committee on the District of Columbia.

2958. Also, petition of members of Central Woman's Christian Temperance Union, of Wilkes-Barre, Pa., opposing the resubmission of the eighteenth amendment to the States for a vote, and requesting their representatives in the House and Senate to vote against such a resolution; and for adequate appropriations for law enforcement and for education in law observance; to the Committee on the Judiciary.

2959. Also, petition of citizens of Luzerne County, Pa., protesting against the passage of Senate bill 1202 or any other compulsory Sunday observance bills; to the Committee on the District of Columbia.

2960. By Mr. WHITE: Resolution of the council of the city of Toledo, Ohio, indorsing cooperation of the Federal Government with the several States in relieving the hardship and suffering caused by unemployment; to the Committee on Labor.

2961. By Mr. WYANT: Petition of Trafford Ministerial Association, adopted at a mass meeting of five churches, representing about 1,300 people, in Trafford, Westmoreland County, Pa., opposing resubmission of eighteenth amendment to be ratified by State conventions or by State legislatures, and urging Congressmen and Senators to vote against such resolutions, and to vote for adequate appropriations for law enforcement and for education in law observance; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

SATURDAY, FEBRUARY 27, 1932

The House met at 12 o'clock noon.

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

The Lord God omnipotent reigneth and in His holy hands all things rest. Surely we are encompassed by Thy mercy and no good thing dost Thou withhold from us. Let us feel this day the impulse and the restraint of Thy presence. May our opportunities for public service be held as sacred trusts for Thy glory and for the peace and contentment of our whole country; impress us with a solemn sense of our responsibility. In every way may we be worthy of the very best traditions of the Republic. Enable us above all things to maintain the sanctity of Thy precepts, follow the way of Thy revealed truth, and to love Him who first loved us. Our Father, we pray Thee to hear those whose dumb entreaties are written on their hearts and whose language can not be told. For Thy name's sake. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H. J. Res. 292) entitled "Joint resolution to authorize the Secretary of Agriculture to aid in the establishment of agricultural credit corporations, and for other purposes."

SENATE BILLS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 100. An act to amend section 586c of the act entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions," approved March 2, 1929; to the Committee on the District of Columbia.

S. 207. An act for the relief of James L. Pate; to the Committee on Military Affairs.

S. 417. An act to provide a government for American Samoa; to the Committee on Insular Affairs.

S. 432. An act granting permission to Harold I. June to transfer to the Fleet Reserve of the United States Navy; and

S. 433. An act to authorize the posthumous award of a distinguished-flying cross to Eugene B. Ely; to the Committee on Naval Affairs.

S. 460. An act to give war-time commissioned rank to retired warrant officers and enlisted men; to the Committee on Military Affairs.

S. 462. An act for the relief of certain officers of the Dental Corps of the United States Navy; to the Committee on Naval Affairs.

S. 466. An act for the relief of the Allegheny Forging Co.; to the Committee on Claims.

S. 480. An act for the relief of Peter C. Hains, jr.; to the Committee on Military Affairs.

S. 816. An act for the relief of E. H. Flagg; to the Committee on Claims.

S. 860. An act for the relief of William Girard Joseph Bennett; to the Committee on Naval Affairs.

S. 863. An act for the relief of Edgar Joseph Casey; to the Committee on Naval Affairs.

S. 894. An act directing the retirement of acting assistant surgeons of the United States Navy at the age of 64 years; to the Committee on Naval Affairs.

S. 1047. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Historical Society of Montana, for preservation and exhibition, the silver service-which was in use on the gunboat, No. 9, *Helena*; to the Committee on Naval Affairs.

S. 1088. An act for the relief of Cornelia Claiborne; to the Committee on Claims.

S. 1096. An act for the relief of Nels D'Arcy Drake; to the Committee on Claims.

S. 1205. An act for the relief of Edith Tolerton Lathrop; to the Committee on Claims.

S. 1294. An act for the relief of Harry Flanery; to the Committee on Military Affairs.

S. 1529. An act for the relief of Charles Morton Wilson; to the Committee on Military Affairs.

S. 1839. An act to authorize the creation of Indian trust estates, and for other purposes; to the Committee on Indian Affairs.

S. 1855. An act to provide for the care and maintenance of the Guilford Courthouse National Military Park; to the Committee on Military Affairs.

S. 2200. An act to authorize the presentation of a medal of honor, posthumously, to the late Henry Clay Drexler and the late George Robert Cholister; to the Committee on Naval Affairs.

S. 2242. An act granting six months' pay to Louis Soluri; to the Committee on Claims.

S. 2426. An act to authorize the Secretary of War to convey to the State of Arizona a portion of a National Guard target range near Phoenix, Ariz., for use as a burial plot; to the Committee on Military Affairs.

S. 2496. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia; to the Committee on the District of Columbia.

S. 2915. An act authorizing A. A. Lilly, M. B. Collinsworth, and A. E. Booth, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Big Sandy River at or near where it enters into the Ohio River, and between the cities of Kenova, W. Va., and Catlettsburg, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 2982. An act for the relief of J. G. Seupelt; to the Committee on Indian Affairs.

S. 3027. An act for the relief of James J. Jordan; to the Committee on Military Affairs.

S. 3110. An act authorizing the Secretary of the Interior to arrange with States for the education, medical attention, and relief of distress of Indians, and for other purposes; to the Committee on Indian Affairs.

S. 3222. An act to amend an act approved March 3, 1917, known as the District of Columbia appropriation act for the year ending June 30, 1918; to the Committee on the District of Columbia.

S. 3409. An act authorizing the Secretary of the Interior to sell certain unused Indian cemetery reserves on the Wichita Indian Reservation in Oklahoma to provide funds for purchase of other suitable burial sites for the Wichita Indians and affiliated bands; to the Committee on Indian Affairs.

S. 3443. An act to authorize the Secretary of War to grant a right of way to the Alameda Belt Line across the Benton Field Military Reservation, Alameda, Calif.; to the Committee on Military Affairs.

S. 3514. An act regulating the use of appropriations for the military and nonmilitary activities of the War Department; to the Committee on Military Affairs.

S. 3538. An act for the relief of Nellie McMullen; to the Committee on Claims.

S. 3547. An act to authorize the Secretary of War to acquire, exchange, transfer, and sell certain tracts of real estate, and for other purposes; to the Committee on Military Affairs.

S. 3634. An act to amend section 600 of the act of March 3, 1901 (31 Stat. 1284; D. C. Code, title 5, sec. 122); to the Committee on the District of Columbia.

S. J. Res. 4. Joint resolution to provide for the naming of Montgomery Blair Portal; to the Committee on the District of Columbia.

S. J. Res. 41. Joint resolution granting consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River joint commission and specifying the powers and duties thereof; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 50. Joint resolution to authorize the Commissioners of the District of Columbia to close upper Water Street between Twenty-second and Twenty-third Streets; to the Committee on the District of Columbia.

S. J. Res. 55. Joint resolution to amend section 2 of the act of February 25, 1927 (44 Stat. L., pt. 2, p. 336); to the Committee on Claims.

S. J. Res. 110. Joint Resolution authorizing the distribution of Government-owned wheat to the American National Red Cross and other organizations for relief of distress; to the Committee on Agriculture.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on February 26, 1932, present to the President, for his approval, a bill of the House of the following title:

H. R. 9203. An act to improve the facilities of the Federal reserve system for the service of commerce, industry, and agriculture, to provide means for meeting the needs of member banks in exceptional circumstances, and for other purposes.

HENRY WADSWORTH LONGFELLOW

Mr. PARTRIDGE. Mr. Speaker, to-day is the one hundred and twenty-fifth anniversary of the birth of the poet Henry W. Longfellow. Although born in the city of Portland, Me., he belongs to the Nation. I therefore deem it fitting that this body give some recognition of the day, and I ask unanimous consent to insert in the RECORD two brief proclamations issued by the city council of that beautiful city by the sea. [Applause.]

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

There was no objection.

The proclamations are as follows:

PORTLAND'S TRICENTENARY AND CENTENNIAL, 1932

Proclamation

Whereas the year 1932 is the three hundredth anniversary of the first settlement of Portland by George Cleaves and Richard Tucker; and

Whereas on March 26, 1832, after 200 years of development, Portland was chartered as a city: Now, therefore,

It is urged that 1932 be made memorable by a fitting celebration of this most remarkable coincidence of centennial and tercentenary; and it is now

Resolved, That the citizens of Portland extend not only a general invitation to cities and towns but to organizations, individuals, and native sons and daughters the world over to join with the city of Portland, Me., in recognition and observance on any or all of the 366 days of 1932.

ARTHUR W. JORDAN,
 Chairman Portland City Council, 1931.

PORTLAND, BIRTHPLACE OF LONGFELLOW, THE WORLD'S BEST-LOVED POET

Proclamation

Whereas Portland, Me., is the native city of Henry W. Longfellow, the world's best-loved poet, as well as one of the greatest names in all literature, whose beautiful life and work is a never-ending source of inspiration for young and old as one of the most perfect examples of noble living, of loving and helpful service in all human history: Now, therefore,

The people of Portland and all lovers of Longfellow everywhere are hereby urged to observe each succeeding anniversary of Longfellow's birth, February 27, as Longfellow Day, with flags and decorations, musical and other programs, in such ways and by such means as may suit their inclination and convenience.

RALPH D. BROOKS,
 Chairman Portland City Council, 1930.

"AND THE MULE THAT WAS UNDER HIM WENT AWAY"

Mr. DALLINGER. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech by my colleague Hon. FRANK L. BOWMAN, of West Virginia, before the United Republican Club, Clarksburg, W. Va., on the one hundred and twenty-third anniversary of the birth of Abraham Lincoln.

The SPEAKER. Is there objection?

There was no objection.

Mr. DALLINGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech delivered by Hon. FRANK L. BOWMAN before the United Republican Club, Clarksburg, W. Va., on the one hundred and twenty-third anniversary of the birth of Abraham Lincoln, February 12, 1932, on the subject, " * * * And the Mule That Was Under Him Went Away." II Samuel xviii, 9.

This is the one hundred and twenty-third anniversary of the birth of Abraham Lincoln. A great Nation pays tribute to his immortal name; but no section of the United States is endowed with greater significance of honor and homage than this city—the birthplace of Stonewall Jackson. Abraham Lincoln and Stonewall Jackson represented two contending forces in the field of political thought. The one advocated the preservation of the Union; the other defended the rights of separate States to secede from the Union. The one was endowed with the noble virtues of human sympathy and kindly patience and quiet forbearance inherited from a loving mother, whose first inspirations of life came from the wooded dells and mountain sides of West Augusta. The other was characterized by those noble qualities of a fearless bravery and a rugged courage and a divine consciousness possessed by the pioneer men of the hills. In national life both demonstrated un-

EXHIBIT 11

Mr. O'CONNOR. Mr. Speaker, I was present, but I can not say whether I was listening or not. I vote "present."

Mr. PITTENGER. Mr. Speaker, I would like to vote "aye." I do not know whether I can qualify or not. I think I was in the anteroom.

The SPEAKER. The gentleman does not qualify.

Mr. CANNON. Mr. Speaker, I was in the corridor, but if I had been in the Hall I would have voted "aye."

Mr. EATON of Colorado. Mr. Speaker, I was called from the Hall, but had I been present I would have voted "no."

Mr. FRENCH. Mr. Speaker, I withdraw my vote of "no" and answer "present."

The result of the vote was announced as above recorded.

Mr. SUMNERS of Texas. Mr. Speaker, in the usual order I believe the resolution comes from the Committee on the Judiciary with reference to the appointment of managers.

The SPEAKER. That is correct.

Mr. SUMNERS of Texas. Would the committee be privileged to present a resolution to-morrow?

The SPEAKER. That can be done when the gentleman brings in the report from the committee.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOODRUM. Mr. Speaker, I ask to take from the Speaker's table the bill (H. R. 14458) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Virginia asks unanimous consent to take from the Speaker's table the bill H. R. 14458, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. WOODRUM, Mr. BOYLAN, and Mr. SUMMERS of Washington.

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent that the conferees may have until midnight to file a conference report.

The SPEAKER. Is there objection?

There was no objection.

SECOND DEFICIENCY BILL FOR 1933 AND 1934

Mr. BUCHANAN, from the Committee on Appropriations, by direction of that committee, reported the bill H. R. 14769 (Rept. 2108), making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplementary appropriations for the fiscal year ending June 30, 1933 and 1934, and for other purposes, which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. WOOD of Indiana reserved all points of order.

TO PROVIDE A GOVERNMENT FOR AMERICAN SAMOA

Mr. BANKHEAD. Mr. Speaker, I call up a privileged report from the Committee on Rules for the bill (S. 417) to provide a government for American Samoa, and I want to see if we can not agree by unanimous consent on debate without the adoption of the rule.

The SPEAKER. The gentleman from Alabama asks unanimous consent to consider Senate bill 417 in the House as in Committee of the Whole. Is there objection?

Mr. BANKHEAD. Mr. Speaker, the rule provides for two hours' general debate. I have conferred with the chairman of the committee, and he informs me that it was a unanimous report from the committee, and it is very likely that the requests for debate can be satisfactorily taken care of in the debate on the bill. I would like to ask unanimous consent that the debate be confined to one hour.

The SPEAKER. The gentleman from Alabama asks unanimous consent to consider S. 417 in the House as in Committee of the Whole with one hour general debate. Is there objection?

Mr. EATON of Colorado. Reserving the right to object,

Mr. BEEDY. I knew of no opposition to the bill until a moment ago, when I was asked by the gentleman from Colorado for 10 minutes' time.

Members of the commission on the other side of the aisle are entitled to at least half an hour, and request has been made that I myself, as a member of the commission, take one half hour. If we are to give time outside of that, we may want to run into an hour and 30 minutes. We may not use all of the time, but I hope that the gentleman will modify his request so that we may have at least an hour and 15 minutes.

Mr. BANKHEAD. Mr. Speaker, in view of that, I think we better go through with the rule, and I shall offer an amendment making the time one hour and a half. Mr. Speaker, I call up the rule.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 378

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 417, an act to provide a government for American Samoa. That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BANKHEAD. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 1, line 7, strike out "two hours" and insert "one hour and thirty minutes."

Mr. BANKHEAD. Mr. Speaker, I move the previous question on the resolution and amendment to final passage.

The previous question was ordered.

The amendment was agreed to, and the resolution as amended was agreed to.

ORDER OF BUSINESS

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to proceed for one minute to make an announcement.

The SPEAKER. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Speaker, inasmuch as there is a large attendance of the membership here I think it proper to announce now that when we conclude the consideration of the bill respecting the government for American Samoa, it is the purpose of the gentleman from New York [Mr. O'CONNOR], representing the Committee on Rules, to call up the so-called medicinal whisky bill, an amendment to the Volstead Act.

TO PROVIDE A GOVERNMENT FOR AMERICAN SAMOA

Mr. HARE. Mr. Speaker, how is the time to be divided? The SPEAKER. As the Chair understands, the gentleman from South Carolina [Mr. HARE] is entitled to half the time and the gentleman from Maine [Mr. BEEDY] to the other half of the time.

Mr. HARE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 417) to provide a government for American Samoa.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 417, with Mr. MOREHEAD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARE. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. WILLIAMS].

Mr. WILLIAMS of Texas. Mr. Chairman and gentlemen of the committee, this bill is the result of a visitation to the

Samoa Islands made in 1930 by a committee appointed by the Senate and the House, composed of two Members of the Senate and two Members of the House. The bill has already passed the Senate and was referred to the Committee on Insular Affairs of the House. It was there amended by striking out the bill and rewriting it. If the gentlemen will read the report, so ably written by the gentleman from Maine [Mr. BEEDY], they will see that the bill carries out the recommendations made by the commission. The commission spent approximately two weeks in the Samoan Islands. In addition to the two Members of the Senate and the two Members of the House on the commission there were three chiefs of the island. As I say, the commission visited the islands in the fall of 1930 and spent approximately two weeks holding open hearings, and every man in the islands who wanted to be heard was given a hearing.

The commission unanimously made a report, and on that report and the findings of the commission is based this bill. It provides for citizenship, a bill of rights, an executive department and the judiciary, the ownership of land, and so on. The people who own the Samoan Islands are Polynesians. The land is held communally, controlled by the head of the family; and the matai, the head of the family, is selected by the members of the family. The products of the communal land are held communally.

These people are a wonderful people. This Government has had these islands of Western Samoa since 1900. They were ceded to the Government, and since that time they have been under the control entirely of the Navy. President Roosevelt accepted the islands, and the question is often asked why we want them. In Western Samoa there is the greatest harbor in the South Sea at the island of Tutuila. That is the reason that America accepted the islands. These people have never been granted citizenship. There is no appeal from the findings of the governor of those islands, appointed by the Navy. I do not wish to be understood as criticizing the Navy, because the Navy has done a wonderful work in the Samoan Islands, but the people there are desirous of being made citizens. They are entitled to citizenship. If gentlemen will read the report and the bill, they will find that under the bill a civil government is given the people of Western Samoa, and it is left with the President to appoint the governor from civil life or from the Navy or from the Army. The bill provides for a court of appeal. At the present time there is no court of appeals in the islands of Western Samoa. The expenses under this bill of administering the laws in Western Samoa, with the exception of the executives named in the act, are borne by the citizens of those islands.

It is not like it is in the Virgin Islands, where the government supports the local courts and other local institutions such as schools and such things. The people of Samoa bear that burden. This act protects the Samoans in the ownership of their land, and prevents anyone who is not a full blood or part Samoan, owning or leasing land in Samoa, thereby preventing exploitation of the land as has been done in Hawaii. The act provides for a veto power by the governor, and the act has made no change in the legislative machinery of American Samoa. The legislative body of this island is what is known as the fono. The fono is composed of chiefs, selected by members of the family representative to a certain body of chiefs, and those chiefs select the ones who go to the fono and represent them. When the fono passes a law, the governor has authority to veto it, but under this act they have an appeal to the President of the United States. At the present time they do not have that right. This act provides for a governor, an attorney general, a chief justice, and a treasurer. Those are the only officers provided for under this act. The other officers will be appointed by and under the control of the fono, the legislative body of the Samoan Islands.

I wish to say that when this commission went there and spent approximately two weeks holding hearings, the report of the commission was unanimous. Hearings were held in the Committee on Insular Affairs in the House of Representatives and the report on this bill was unanimous, with the

reservation that there would be some amendments. A resolution was reported to the Rules Committee for a rule, and I am advised that that rule was unanimously granted.

I wish to say in closing, were it possible for you to have seen and known these people as the members of that commission saw them and learned of them, there is no question in my mind but what you would pass this legislation. [Applause.]

I yield back the balance of my time, Mr. Chairman.

Mr. BEEDY. Mr. Chairman, I yield 15 minutes to myself.

Mr. Chairman, Members of this House are tired and worn with the cares and responsibilities of an extraordinary session of Congress. Giving of our strength and drawing upon our fund of patience in our best—though it may be feeble—attempt to meet the problems which confront us, we are further depressed by continued attacks upon Congress by the press, by the undermining influence exerted by the theater, by loose talk upon the street corners, and, alas, too frequently by thoughtless remarks even of our own Members. In the midst of this depression and these discouragements through which we are trying to find our way, it seems at times as though the dark cloud would never lift, and that we should not see the light, but somehow the Ruler of Nations, who chastens the sons of men because He loves them, has in store His richest rewards, which He will bestow in His own good time.

Let us be assured that whatever our troubles, whatever our problems, seemingly insurmountable though they be, we have just as much wealth in this country to-day as we had in September, 1929; we are still a young and virile Nation; there is still the will to find a way out of the wilderness and our Nation will discover it at the very moment when the prospect is darkest.

In this difficult hour I am glad to bring into this fetid Chamber a breath from another world, a cooling breeze, as it were, from islands in the South Seas, inhabited by people who have found the way to social happiness as no so-called great nation with which I am familiar has ever been able to discover it.

The gentleman from Massachusetts just asked me, "Mr. BEEDY, who are these Samoans? What are they?" Let me now try to tell you. The inhabitants, about 10,500 in number, of the Samoan Islands in the South Seas, are Polynesians. The origin of the Polynesian race is shrouded in mystery. Nobody knows where they came from, but the best theory is that centuries ago they came out of the heart of Asia and trekked their way to the Pacific coast. I call them the vikings of the South Seas, because these people made a voyage of exploration, which it seems to me is unparalleled in the history of the world. When they had come to the Pacific Ocean and were looking eastward, they noticed from season to season that birds took their way across the ocean in seasonal flights.

Carving out their hollow log canoes and putting in their scant supplies, they ventured out upon this unknown sea, feeling confident that where those birds had gone they should come to a landing place and so they set forth upon their voyages of exploration. They soon came upon the Fiji group. Sojourning there for a while they observed that the birds took their flights yet farther to the east and to the north, and again venturing on uncharted seas, with no compass but the stars in heaven, they put forth again in their open dug-out canoes, and ultimately accomplished a landing on the Samoan group and later on the Hawaiian group. The Hawaiians, I may say in passing, are Polynesians and brothers of the Samoan people. Not satisfied with that, these brave people of the South Seas went farther, and in their open canoes they at length accomplished a landing upon the shores of South America. There they discovered the coconut and the yam, which they took back across the ocean with them and planted in the South Sea Islands. This, to me, was a revelation, for I had always assumed that the coconut was indigenous to the South Sea Islands. It was well that they transplanted this very useful fruit, for it is not only an important means of livelihood but the sole means of revenue in many of the South Sea Islands. This is espe-

cially true of Samoa. The copra, which is the dried meat of the coconut, is the one thing of value which these Samoan Islands produce.

A valuable oil is extracted from this dried meat of the coconut, which is used as a base for the manufacture of the most excellent toilet soaps. Eastern Samoa produces a copra crop ranging from 1,000 to 1,500 short tons per annum, bringing in an annual income in the neighborhood of \$100,000. Outside of some \$6,000, which is realized by the natives from the sale of souvenirs to visiting tourist ships, this is the sole income of the Samoan people.

Originally the Samoan group was one. Three nations—Great Britain, Germany, and the United States—attempted to assist in their government through consuls.

Undoubtedly due to outside interference internecine strife resulted, and the Samoan people, brave and warlike when their rights are infringed, fought and vied with each other. But, though they were brave in war, they longed for peace, and the day in 1899 came when, out of the dissatisfaction arising from this tripartite rule, a treaty between the three great nations resulted. By its terms Great Britain yielded her rights in the group to Germany and the United States, while Germany agreed with the United States that the dividing line between the possessions of the two nations in this group should be the one hundred and seventy-first degree of west longitude.

Seven small islands in the eastern group west of the one hundred and seventy-first degree west Greenwich constitute what is now American Samoa: Tutuila, Aunuu, Ofu, Tau, Olosega, Swains, and Rose Island. Swains Island is inhabited by a hundred people only. Rose Island is a coral atoll. The largest island in the group is Tutuila, which embraces an area of but 40 square miles.

Thank God, there is not in these islands any wealth to excite the cupidity and greed of the so-called more civilized nations!

Mr. COLE of Iowa. Will the gentleman tell us something about the educational status of these natives?

Mr. BEEDY. I am coming to that in just a minute.

The climate is more or less trying to the white man. While the temperature over a range of years has not exceeded 93° F., or fallen below 72°, yet from December to May there are some intensely uncomfortable days, due to the excessive humidity. All these islands lie low upon the ocean surface. They are volcanic in origin. Around them through the years the coral insects have builded the reefs over which the merchant trader may not come with his ships.

The one thing of value in the islands to the outside world is the beautiful harbor of Pago Pago. It is the crater of an extinct volcano into which the ocean has found its way. Entering this harbor one sees on the shore of what might be termed a huge elliptical bowl perhaps a mile and a half long by three-quarters of a mile wide at its widest point our naval station and the feles which mark the village of Pago Pago.

Under the limitation of armaments treaty, as you know, no islands in the Pacific Ocean may be fortified. These islands of American Samoa are not fortified. I can not say that they would be of great use in time of war, but this harbor of Pago Pago is the most valuable harbor in the South Seas to ships in distress in time of peace. It serves as a refuge from the violent storms and tremendous hurricanes which are prevalent in this quarter of the world.

These islands are located 4,150 miles from our west coast as the ship sails. Hawaii is about halfway to the Samoan group. Thence one sails south by west about 2,100 miles or more, and practically 600 miles below the equator.

In 1899 the people of eastern Samoa, longing for peace and speaking through their chiefs, said: "We recognize in the United States of America a peace-loving Nation. We understand that the people are Christians, as we are; that they are also a just people. Therefore, we desire to give these islands to the United States, because we feel that when the American flag has once been raised here we shall enjoy that peace which we so desire." In 1899 Capt. Benja-

min Tilly, in command of a United States naval ship, sailed into what is now the harbor of Pago Pago, raised the American flag, and began to build the present naval station at Pago Pago.

From that day to this no violence, no war has swept this little group of islands, and the hope of their people in this respect has been fulfilled.

[Here the gavel fell.]

Mr. BEEDY. Mr. Chairman, I yield myself an additional 10 minutes.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. BEEDY. I yield.

Mr. TABER. I am interested to know something about the cost of this proposed government to the islands themselves, how they are going to be able to meet the cost, and what the cost is going to be to this Government; also whether or not it is going to be a desirable thing to shift the government over to a civilian.

Mr. BEEDY. Of course the gentleman wants to know something of costs involved, and if I or some member of the committee did not give it to the House, we would be derelict in our duty. I am coming to it. First, I want you to know the people, because the power we propose to give them should be considered in the light of the character of people who are to be vested with it.

In the first place the Samoans are predominantly Caucasian in type. The color of their skin resembles a beautiful bronze of copper. The men particularly are of impressive physique. Stevenson, who had the wisdom to go to Samoa for the peace and quiet of his later years, and who lived there until he died, tells us that the Samoan men are the finest physical specimens of the human race with one exception, namely the Marquesans, who inhabit a group of islands to the south.

They have an innate dignity, a poise, and a natural grace of bearing which bespeak noble lineage. Back somewhere in the strain was noble blood; and I measure my words to you when I say, without disparaging any other people, that I never was more impressed with the innate worth of a people, nor have I ever more keenly sensed my responsibility in attempting to represent my country aiming to deal kindly and justly with a more lowly people.

Every member of this commission in making recommendations and attempting to draft a bill under which the Samoans might live had this ultimate objective in mind—that we interfere just as little as possible with their customs and civilization; that we keep our hands out of their affairs just as much as possible and give them a measure of power consistent with their development and their life.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BEEDY. Will the gentleman please make a note of the information he desires? Later I shall hope to devote a few minutes to answering questions.

Because this is a world of dollars and cents it becomes important to see what this bill means to us in dollars and cents; and let me say it is the work of many weeks of careful study.

If anybody thinks that the commission which visited the Samoan Islands went on a junket, I wish he might have been with us every moment, because there was never a moment in our working days, even when we were on the sea, that we were not busy with the study of the people and their problems. Hearings were held for four days in Honolulu, where we found a group of about 100 young Samoans. Immediately upon the conclusion of the hearings in Honolulu we sailed for Samoa. In the course of hearings held in various places in the islands we listened to upwards of 70 witnesses. These hearings were open to everybody regardless of station. Because of work on our report, which was continued even by night, we were able to announce our conclusions at once, and we sailed immediately on our return to the United States.

For nearly 30 years this country has failed to recognize the gift of eastern Samoa to the United States. The Samoans have been disturbed by our apparent lack of appreciation. Not until 1902 was the slightest gesture of

acknowledgment made, when President Roosevelt issued a proclamation acknowledging the cession of eastern Samoa by the Samoan chiefs. But no formal acceptance of them was ever made until by resolution passed in the Senate of the United States in 1929.

I understand that the occasion for that resolution was trouble which had arisen in Western Samoa. Western Samoa, still German Samoa, but administered now under a mandate from the League of Nations, is governed by New Zealand. In the 30 years we have governed American Samoa the people have been taught English. In the schools, which are graded up to the eighth grade, children are not only taught English but writing, arithmetic, geography, and the fundamentals of a common-school education.

Mr. DICKINSON. Will the gentleman yield for just one question?

Mr. BEEDY. I yield.

Mr. DICKINSON. What language do they speak?

Mr. BEEDY. The older people speak the Polynesian language, but the coming generation also speaks very good English.

Mr. DICKINSON. And your testimony was taken in what language?

Mr. BEEDY. In Polynesian; and an interpreter was used.

For 30 years Samoan children have been going to these schools, and the Samoans have received nothing from this Government for the support and maintenance of their educational institutions. The Samoan children love to go to school. They besought us to provide funds for a higher education, but upon the theory that a general higher education would be of questionable value in Samoa, we denied them. What do you do with boys and girls who have a higher education in a country where there is no industry? The only thing these boys and girls can do in Samoa is to help with the general work on the family lands and harvest the coconut or the copra crop. If you educate them beyond their needs, they become unhappy and restless; but in these 30 years of their attendance at schools young men have come to ask what kind of government we have been giving them. Well, let us see what kind of government it has been. They have been governed by a naval captain. He embodied the executive, judicial, and the legislative; he combined the three functions. He wrote a pronouncement or a decree and that was law.

True, the Samoans have been permitted to gather in their fonos and present their requests to the governor, but with the years they have asked for things of which the governor disapproved, and as they said, "Our petitions have again and again been thrown into the wastebasket. We appreciate all that the naval government has done for us, but we want some real power in our fonos."

Here I must not omit to say that the United States Navy in the government of these people has done, perhaps, as great a humanitarian work as it ever did or ever will be able to do. There is only one great blot upon the escutcheon of the Navy government which illustrates something of the effect of a tropical climate upon our race. A former Governor of Samoa, a United States Navy captain, injuriously affected by his long service in Samoa, exercised poor judgment. He had one of these Samoan chiefs arrested, preferred charges against him, court-martialed him, and without a jury trial had him hanged within 24 hours.

Fear of some other untoward event—and there has been unrest in eastern Samoa of late—impelled the Senator from Connecticut [Mr. BINGHAM], who was born in the Hawaiian group, and whose grandfather was an early missionary in the South Sea Islands, to introduce the resolution which passed the Senate in 1929, and in pursuance of which the commission referred to by the gentleman from Texas went to these islands.

Mr. MARTIN of Oregon. Will the gentleman yield for a question at this point?

Mr. BEEDY. Yes.

Mr. MARTIN of Oregon. Does the gentleman know that a strong effort is being made now on behalf of the natives of the island of St. Thomas to go back to the former gov-

ernment under which they prospered, and there is a strong effort being made to bring influence to bear on the President elect in favor of going back to their old form of government?

Mr. BEEDY. You can not make any comparison between the Virgin Islands and this group, General. We know the Virgin Islanders became unhappy under what they called Navy rule and they wanted a civil government. The request was granted and it is true that the change has not proven altogether satisfactory. But the problems of the Virgin Islands are not the problems which confront us in Samoa. They are not to be compared.

Gradually through the years there has developed in the minds of the younger Samoans an idea that the government they are getting is not consistent with the spirit of the institutions of the United States. They therefore said to our commission, "We demand nothing of you, but it seems to us that we ought to have some right to make our own laws." They said, "We live in a tiny group of islands, apart from the civilized world. We are children in experience. You commissioners come from a great Nation. You are wiser in experience than we. You are our Christian brothers. You will do nothing to harm us. We appreciate this opportunity to tell you what we would like, but if it is not good for us, you will tell us and we will accept your judgment."

The present Navy government is the most autocratic in the world. It gives the Samoans no citizenship status. It denies them the right to make laws to regulate purely local problems. It gives them no appeal to a higher court when they seek to litigate their rights. It places them under the supreme control of a Navy officer.

The opposition party, composed principally of the younger men, and known as the Mau Party, asks that we grant them American citizenship above all else. This we provide for in the pending bill.

They ask the right of making their own laws in a fono representing the island group and made up according to their own customs. All acts of the fono, however, they agreed should be subject to the governor's veto. The pending bill makes such provision.

They asked for a right of appeal and we provide for appeals to the District Court of the United States for the District of Hawaii.

We provide for a treasurer, who shall take the place of the naval officer who at present takes charge of the island government's funds.

We provide for them an attorney general, upon whom we impose the duty of sitting in counsel with the fono, helping in the draft of their laws, and who must forward to this Government copies of every law that is passed and a complete report of the proceedings of the fono.

To take the place of their present secretary of native affairs, who has served as a prosecutor as well as a judge in criminal as well as civil cases, we provide for a chief justice to be assisted by two native chiefs who now sit as judges in the village courts.

We have devised as simple a government framework as possible. Its cost is not to exceed by \$18,000 a year the cost of the present Government. It is almost impossible for me to tell you just how many dollars the government in American Samoa is now costing. That cost is covered in the general naval administration. We maintain a naval station there with varied activities, including a naval hospital. The health problem has been dealt with by the Navy in a most excellent manner. Naval surgeons give their services to these people, but native nurses have been trained and now serve in the hospitals.

Now, the first thing we want to do is this: The commission believes we owe the Samoan people the obligation of giving them an organic act as we have the people of every other insular possession of the United States.

The CHAIRMAN. The time of the gentleman from Maine has again expired.

Mr. HARE. I will yield the gentleman five minutes.

Mr. BEEDY. Now, I think I ought to take five minutes to answer questions, but right now I want to say two things. In the first place, we decided that it was abso-

lutely essential to guard against the possibility of foreigners coming into Samoa and acquiring land from the Samoan people. Their land is almost their sole possession. We want the Samoans to keep their land. That has been the policy of the Navy government. It is the policy written into the pending bill.

We have seen what happened in Hawaii. The Hawaiians have lost the lands. We want to save the Polynesians in Samoa from any such loss.

Mr. JENKINS. Will the gentleman yield?

Mr. BEEDY. I yield.

Mr. JENKINS. Is it necessary to have section 4 to coordinate with the rest of the bill?

Mr. BEEDY. Section 4 is the citizenship section, which is the one thing the Samoans must have if they are to be satisfied. They now have no citizen status in the world. They feel this very keenly.

Mr. JENKINS. Mr. Chairman, the gentleman from Maine answered definitely that sections 4 and 5, if deleted, will leave the bill imperfect. They are the only two sections that relate to citizenship. As the gentleman knows, that is the principal opposition to the bill. Those who are opposed to it are opposed to the granting of citizenship and that is the basis of my opposition. I wonder if that provision can not be stricken out and still give these people what they ought to have.

Mr. BEEDY. I am sorry, but we might just as well do nothing at all about the bill as to refuse them citizenship. The bill leaves to the local authorities the power to determine the qualifications for Samoan citizenship, with the limitation that nobody can become a Samoan citizen who is not an American citizen. So, with the bestowal of citizenship the bill also insures these limited rights of government. You will see that the bill of rights which is proposed is not as broad as the bill of rights in our own Constitution. They are not yet ready for trial by jury, and we do not propose to give them that right. I repeat, we have endeavored to erect a mere framework of government in the proposed organic act. We have dealt only with essentials to the people of Samoa as we see and understand their needs.

Their civilization is almost purely communal. The family owns the land. The family group consists of anywhere from 50 to 100. As the young folks marry, they bring home the new husbands and the new wives. For each new couple a new fele or house is built in the circle of family feles under the palm trees. Work on the plantation begins in the early morning; and when the sun is high in the heavens, the men come back from the coconut groves to rest until the cooler hours in the early evening. Further work is done in the late afternoon and then the family gathers for the evening meal, after which they gather in open circles about their fires to sing and dance into the late hours of the night. And in Samoa no household starts its daily work until the Matai, the chief of the family group, offers prayers to the Christian God; and no household ever retires for the night until the Matai again offers prayers to the Christian God.

These people are not polygamous, they are monogamous, and the strictness with which the marriage tie is observed is a splendid example to the civilization of the world. The respect of children for old age and the respect of the grown people for their elders is also highly commendable.

Mr. WILLIAMSON. Mr. Chairman, will the gentleman yield?

Mr. BEEDY. Yes.

Mr. WILLIAMSON. I do not see how we are going to add anything to the happiness of these people by the provisions of this bill. If we protect them in their property rights and leave them with their communal government, I believe they will be much better off than if we put a government over them which they do not need and probably do not want.

Mr. BEEDY. There is no question but that the most difficult task for a great nation to perform is to attempt to do something through government to help somebody else. But we are proposing to give them what they asked for with limitations. [Applause.]

The CHAIRMAN. The time of the gentleman from Maine has again expired.

Mr. HARE. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. BEEDY. Mr. Chairman, I have requests on this side for 35 minutes of time.

Mr. HARE. I do not see how it can ever be granted.

Mr. BEEDY. I was afraid of that. I was afraid that I would keep taking up time until I would deprive somebody else of it.

Mr. LAGUARDIA. I would like to have somebody explain just what property laws are to be established. It seems to me that they have solved the property question rather interestingly.

Mr. BEEDY. We have left it just as it was. All the title is in the family.

Mr. HARE. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. WILSON].

Mr. WILSON. Mr. Chairman, ladies and gentlemen of the committee, I favor the passage of this bill providing a government for American Samoa.

My purpose now is to call the attention of the House to the provisions of the bill approved by both branches of the Congress providing for the purchase and use of American materials and products manufactured or produced in America by American labor, in the execution of all Government contracts wherever the United States has jurisdiction. This includes American Samoa.

I am also delighted to make known to the author of this bill, the gentleman from Maine [Mr. BEEDY], and to the Congress, that by a combination of chemical skill from the State of Maine and natural resources in the State of Louisiana, white paper suitable for all purposes may now be manufactured from southern pine in commercial quantities. This has been definitely proven and settled as a result of experiments carried on under the direction of the Southern Advance Bag & Paper Co., of Hodge, Jackson Parish, La., and the Advance Bag & Paper Co., of Howland, Me.

This has been called an industrial miracle. It had been heretofore contended and conceded generally that craft paper was the only commercial product in that line that could be produced from pine grown in the Southern States. But now from this natural resource in Louisiana, skilled chemists at Howland, Me., have shown that white paper of the highest quality in commercial quantities can be produced. It will be available for use in every Government department and in all Government contracts.

I wish to exhibit samples of the products referred to and the first newspaper printed on white paper manufactured from Louisiana pine, and to announce that that means great progress for the South and wonderful use of its natural resources, not heretofore known.

Mr. GREEN. Will the gentleman yield?

Mr. WILSON. I yield.

Mr. GREEN. The gentleman is absolutely correct. In our State there is also one of these paper plants to which the gentleman refers, where long-leaf pine is now being converted into very good pulpwood for use in manufacturing paper.

Mr. WILSON. The pulp and paper business is an important and leading industry in Louisiana. I hope we can establish and continue a national policy whereby the money now sent outside the United States for white paper and other paper materials will be retained and used for the purchase of products produced at home by our own people in our own industries and on our own farms.

Mr. BEEDY. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. EATON].

Mr. EATON of Colorado. Mr. Chairman, the thanks of this House are due the gentleman from Maine [Mr. BEEDY] and the gentleman from Texas [Mr. WILLIAMS] for a study of the question of a government for Samoa, and the result of their work after a visit to those islands. At the time they went to Samoa the Government was nonpartisan. It was handled by the Navy Department. The words of their report are that they unanimously agree to recommend to

Congress that it shall grant American citizenship to the inhabitants of American Samoa, with as little interference as possible with local customs.

The subject to-day is establishing a new government for an old race of people. What has been presented has all been sentimental. Not one word have I heard to indicate how those people are going to be taught to finance themselves. We have had an experiment for the last four years in the Virgin Islands. It is asserted by the proponents of the pending bill that the Samoans do not like their present government. They want some change, and, of course, they want citizenship. In the Virgin Islands the same plea was made; and about four years ago, for a population of about twice the size of the Samoan Islands, 20,000 people, a government was proposed and has been put into effect. As I understand the census figures, there are approximately 10,000 people in all the islands that are known as American Samoa. From the same source the figures are given me for the Virgin Islands, St. Croix, 84 square miles, population 11,413; St. Thomas, 28 square miles, population 9,834. No one has read the bill to us yet. It will be read, of course. It provides that they will have a governor and a judge of the supreme court and an attorney general. They have three judges now. They are going to have what is tantamount to a supreme court. They ask us to impose on these 10,000 people practically a state government—full machinery for a full state government for 10,000 people.

I do not know what representations were made when that same thing was proposed for the Virgin Islands, but I know what the result has been. In the report of June 30, 1932, the governor says:

A question often asked is why should the United States Government continue to make appropriations for the support of the Virgin Islands. The annual Federal appropriation for the Virgin Islands is about \$400,000.

That is exactly what the result would be if this bill provided that government which they are trying to set up in Samoa, except that in the Virgin Islands it is divided between two islands approximately 40 miles apart, by which they have quick communication by airplane, but they have no airplanes.

Mr. WILLIAMS of Texas. Will the gentleman yield?

Mr. EATON of Colorado. I yield.

Mr. WILLIAMS of Texas. There is no comparison between the Virgin Islands and Samoa, as a radical people. The United States pays most of the local expenditures in the Virgin Islands, and this act does not provide for that in Samoa.

Mr. EATON of Colorado. This act does not provide for the exercise of the taxing power to produce a cent by their own government. It leaves it entirely to the Samoans, and if they want to do it, they may. After four years' experience in the Virgin Islands, they have now set up various commissions. You will find the same commissions on both islands. Some have a principal official at St. Thomas and an assistant at St. Croix. They have a health commission; they have a hospital commission; they have a road commission; they have a fire commission; they have a building and street commission; they have a cemeteries commission; they have a department of public works; they have a judiciary department; a department of public welfare. The head of that department made 1,020 visits and conducted 1,092 interviews, according to their report; that makes an average of less than 3 per day. This is a perfect government that you have prepared here.

Mr. WILLIAMS of Texas. But there is no similarity between the two. If the Congress would quit appropriating money for them, they would not have all these commissions in the Virgin Islands.

Mr. EATON of Colorado. The gentleman is right. There is no dispute about that; and if I can not interfere with this Congress starting to appropriate money to send over to Samoa, two or three hundred thousand dollars a year for all of these commissions, so as to bring these islands up and give them a perfect system of roads from one place to an-

other, whether over the ocean or over coral, I am at least going to point it out here to-day to you.

Now, how much do you think they are going to pay the great governor of these islands? Ten thousand dollars per year. They are going to pay him the same salary they pay now to the Governor of Hawaii, the same salary they pay now to the Governor of Puerto Rico, the same salary they pay now to the Governor of Alaska, and because they have half as many people, almost twice as much as we pay the Governor of the Virgin Islands; but I am told a man should not be asked to go over there without giving him at least \$10,000 a year. That money is going to be paid by the United States.

Mr. BEEDY. Most of the offices the gentleman speaks of in the Virgin Islands they have also in Samoa, but they pay all those expenses themselves. The Samoan people, by a process of poll tax, raise the money to support their own local institutions. They will continue to do so under this bill.

Mr. EATON of Colorado. I thank the gentleman for his contribution. As I understand it, the reason for presenting this bill is that the Polynesians are unhappy with their present government. Now, for the life of me, I do not see why our committee did not consider our own unhappiness with our Government and offer to teach the Samoans to arrange some way as we arrange here in the United States to take care of our own unhappiness. Let them have some franchise rights over there; let them choose the man or the group they want to be in power instead of coming to the United States, some 4,500 miles away and holding the United States responsible as the head of a great insular government with palaces and palazzios, and all those things that go to keep great the "face" of the Polynesian people.

I have the greatest respect for those people. There have been some great men over there in that race. They know their business in the islands well enough to at least take care of themselves so that a great group of 10,000 people are on these islands after all these years.

I see the gentleman representing the Philippines here. He must smile as he hears us talk about a government for Samoa. He comes here asking us for a bill to give the freedom to the Philippines, to which they are entitled, and which they are going to have some day. May I ask the Resident Commissioner [Mr. Osias] what the population of the Philippines is?

Mr. OSIAS. Thirteen million.

Mr. EATON of Colorado. Thirteen million. That gives me an illustration for comparison. To pass this bill would be as wise—you might just as well say you are going to give me in my office as Representative of the first district of Colorado a first janitor, an assistant janitor, a clerk, a file clerk, a stenographer, an assistant stenographer—a set-up comprehensive enough to run the United States Capitol. That is what I am trying to point out to you and that is what I want to leave with you. You are proposing governmental machinery sufficient for a State, to govern a population of 10,000, who already have the full protection of the United States but have persuaded our emissaries they would be happier if they had a change. I shall leave the effect of giving citizenship to this Polynesian group to those of you who know most about immigration matters, but I am opposed to it, and I think I am not the only one opposed to it. I am opposed to this grant of power to this people at this time. I think it is a mistake, with all due respect to those gentlemen sponsoring it, and recognizing the pleasure they have had in making a full constitution for a nation.

[Here the gavel fell.]

Mr. OSIAS. Mr. Chairman, will the gentleman from Maine yield me time to ask the gentleman from Colorado a question?

Mr. BEEDY. Mr. Chairman, I yield to the Commissioner from the Philippine Islands one-half a minute.

Mr. OSIAS. In view of the reference that was made to me, I do not want to be placed in the position of appearing

that I am not grateful for the independence legislation this Congress gave the Philippine Islands. I am.

Mr. EATON of Colorado. We know how the gentleman feels.

Mr. HARE. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Chairman, I am sorry I find myself in disagreement with these distinguished gentlemen, the gentleman from Maine [Mr. BEEDY] and the gentleman from Texas [Mr. WILLIAMS]; but we do not disagree on one proposition, and that is that we ought to do everything reasonable for these poor people in the South Seas. **What I am opposed to is taking American citizenship and flinging it halfway around the world, flinging it out to a group of people who are absolutely unqualified to receive it, who can not espouse it fully, who do not need it as a prerequisite to their happiness, and who can not maintain it honestly. This will bring trouble to them and bring trouble to us.**

Mr. GILBERT. Mr. Chairman, if the gentleman will yield, what is the significance of American citizenship in an island? I do not catch what it means. What is its value? What does it bring in; what does it take away?

Mr. JENKINS. I am not stressing that. The gentleman did not get my point. What does American citizenship mean to these people? For instance, the gentleman from Maine [Mr. BEEDY] stressed the point that these people are now happy, that the ruthless hand of the money-maker, the grasping, greedy hand of the American, for instance, has never reached out there. If these people are so much happier than we are, what is the use of our contaminating them by giving to them the most priceless heritage we have?

Mr. GILBERT. They can come into America at any time they want to if we extend citizenship to them.

Mr. JENKINS. Yes; without hindrance at any time. I do not object to that. I have been a restrictionist on the floor of the House all the years I have been here, but I am not the kind of a restrictionist that would keep desirable people from visiting our shores.

I have always contended that when we fling out Americanism to the four corners of the earth we cheapen it. We granted American citizenship to the Puerto Ricans, and what has been the result? There is no place in the world where I have ever been that an American is so unpopular as he is down there. I remember when I was a member of a committee visiting there we went to the University of Puerto Rico. The student body numbered some 1,100, and practically all of them apparently indicated that they were not in tune with American ideals, and they showed conclusively that what we had done for them was not appreciated and that they did not appreciate the American citizenship we had given to them.

With members of the committee we went down to the Virgin Islands and took them, in a more or less formal way, the information that we had conferred American citizenship upon them. They received us loyally, and I felt sorry for them, just as the gentleman has felt for these Samoans. But American citizenship to the people of the Virgin Islands has not helped them, financially or otherwise. They come back and bring us all sorts of stories of political discord and bitterness and factionalism. Samoa would be better off if they were under more or less of a protectorate by the United States. They do not need citizenship, and neither do they need a cumbersome political government. They need the warm, sympathetic help and safe protection of America. But we should not bind ourselves to guarantee to them full rights of American citizenship.

Mr. HARE. Will the gentleman yield?

Mr. JENKINS. Yes; I yield to my distinguished chairman.

Mr. HARE. Dissatisfaction among American citizens is rather general now, is it not?

Mr. JENKINS. Yes; of course it is; and it is unfortunate that is the case in a lot of places, but what is the use, as my good friend from Maine has said, of our contaminating **these poor unsophisticated people** with a whole lot of gov-

ernment that they can not espouse loyally, that they can not handle, and with which they ought not to be inflicted?

I am favorable to doing everything for these people that we can do, and the thing that should be done for them is not to begin at the top and load them down with the political obligations or political power or to give them visions of a new government for themselves such as George Washington fought for. But we should begin at the bottom. They ought to be given protection. Why should we give them citizenship and deny citizenship to the Filipinos who are just a little farther away from us?

Why involve ourselves in all these foreign propositions when it is not necessary? For instance, suppose an American citizen found himself in New Zealand. Here is New Zealand Samoa right against this American section of Samoa. Suppose a controversy arose between American Samoa and New Zealand Samoa and we are involved away down there on the other side of the world over giving citizenship to a little handful of people that need sympathy and need protection, and that is all they do need at this time. [Applause.]

[Here the gavel fell.]

Mr. BEEDY. Mr. Chairman, I yield the remaining time to the gentleman from Michigan [Mr. HOOPER].

Mr. HOOPER. Mr. Chairman, I am not particularly interested to-day in discussing the cost of giving to the people of these islands this skeleton of government. If you care to reduce that amount in committee you can go ahead and do it; but I have been very much impressed with the story that the gentleman from Maine and the gentleman from Texas, whom we are going to miss greatly in this House in the next two years, brought back from these islands.

I want to address myself to the matter of citizenship. From what I have learned from the information these gentlemen brought back from their pilgrimage to these islands, these Samoans are as fine a Christian people as you will find anywhere throughout the world. They are people, although remotely, of the race that sits in the House of Representatives. They are Caucasians. Those who have been tracing back the ethnology of this race for a long time past agree that they have come from the plateaus of Central Asia and are of Caucasian stock.

There are no Al Capones among them. There are no criminals among them. There have been no murderers among these people for many, many years past. **They want American citizenship, and that is about all they do want from us;** and it is a very small boon, it seems to me, for us to give them when we have conferred citizenship upon the people of the Virgin Islands, when we have given citizenship to the mixed people of Puerto Rico, and when we find in every great city of our country people of the yellow race and brown race and the red race and the black race who are citizens of the United States.

There are only 10,000 of these people. They are a rapidly vanishing race. If it means anything to them to have conferred upon them the privilege of American citizenship, **I think we can well waive our racial prejudices and scruples and give it to them.**

Do what you want to do in this matter as far as the cost of this experiment in government is concerned, but it does not seem to me that the Members of the American House of Representatives or the American people generally ought to be very squeamish about conferring American citizenship upon a people of such fine physique and such fine equipment.

Mr. SCHAFER. Will the gentleman yield?

Mr. HOOPER. I yield.

Mr. SCHAFER. If we pass this bill, are they going to have prohibition down in Samoa the same as they have in Puerto Rico and the Virgin Islands?

Mr. HOOPER. I do not know anything about prohibition in these islands, and I wish my friend from Wisconsin would let me proceed with the few remarks I have to make.

Mr. MARTIN of Oregon. On the Pacific coast we are very much interested in citizenship. We have to bear the brunt of that, and the Filipinos we have here now we want to ship back home, and we do not care for any more.

Mr. HOOPER. If the gentleman wants to raise that question with a Filipino delegate sitting beside him, I may say that the Filipino people are not essentially of the Caucasian race; they are Malays; they are people of the brown race; and I want to emphasize here what has been emphasized before, that if you want Caucasians, these people are Caucasians; they speak the same language, with slight variation, from Hawaii clear down to New Zealand; and I want to say to the gentleman from Oregon that the people of the British Empire look upon the Maoris, the people of New Zealand, as among the finest of the native races they have anywhere through the far-flung reaches of the British Empire, and have given them British citizenship.

It seems to me that if these people out there, humble and quiet people, desire the boon of citizenship, if they wish to take their place among Americans as American citizens, it is very little for them to ask and something we can readily grant.

[Here the gavel fell.]

Mr. HARE. Mr. Chairman, I have no further requests for time and I ask unanimous consent that the clerk read the committee amendment in lieu of the original Senate bill.

Mr. STAFFORD. I assume that this request will mean that we will consider the House substitute section by section and not as one amendment.

Mr. HARE. Yes.

Mr. JENKINS. Further reserving the right to object, may I ask a question? Do I understand the gentleman to mean he is going to ask for the consideration of the matter which begins on page 33 of the bill which we have before us?

Mr. HARE. Yes; beginning at page 33 and extending to page 59.

Mr. JENKINS. That is the amendment that was voted out by the committee?

Mr. WILLIAMS of Texas. That is the committee amendment; yes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

SECTION 1. This act may be cited as the "Samoan organic act."

Mr. SCHAFER. Mr. Chairman, I move to strike out the enacting clause.

This is a bona fide motion. It is deplorable in these days of misery and despair, with unemployment existing among millions and millions of our American citizens, that the people's tribunal, the House of Representatives, in the few remaining days of the session should be spending hours of its time considering the pending bill with the idea of taking care of the people of a foreign land.

Particularly is the passage of this bill indefensible, in view of the fact that this very Congress has taken a position to divest the American Government of possessions which formerly came to our Government in about the same manner as those included in this bill. We did not give the Philippine people anywhere near the privileges extended to the people of Samoa under this bill.

This is getting the nose of the camel under the tent, and in the future the overburdened American taxpayers will be called upon to pay tribute in order to take care of these foreign people and pay large salaries for a multitude of officeholders, made possible by the enactment of the legislation.

I am surprised to find a few of our good Republican friends supporting this legislation. This legislation can properly be sponsored and supported by the Democratic majority, which has had control of the House of Representatives, actual paper and working control, for two years, and a working coalition in the other body for more than two years. Why? Because when we study the last Democratic administration all the way down the line we find that foreign nations and foreign nationals came first, and in many of the platform pledges in the campaign last November we found that it was a case of foreign nations and foreign nationals

first and the American Nation and American nationals second, not only with reference to taking billions of dollars of the American taxpayers' money under the last Democratic administration and handing it over to the foreign nations, even after the armistice. We also now observe from news dispatches following the conferences of representatives of foreign debtor nations with the Democratic President elect that it is going to be another administration of taking care of the foreign nations first and the American Nation second.

I expect in the not far distant future the Democratic administration will support a program to reduce, in whole or at least in part, the war debts which foreign nations honestly owe us, nations whom we saved from extinction, including the Republic of France, who was too poor to pay \$20,000,000 this year on her honest debt to us, notwithstanding the fact that she had already been reduced over \$4,683,000,000, and yet a few weeks later she had the money to lend \$14,000,000 to a foreign nation from whom we had saved her. Yet in the name of economy, in the name of balancing the Budget, we are asked to reduce benefits to our disabled American war veterans, who fought and bled on the battlefields of this Republic in her war against the enemy which she recently lent \$14,000,000.

Oh, I sincerely hope that when the roll is called the great majority of the members of the Republican Party, which stands for a protective tariff, which stands for protecting the rights of America and American citizens first and foreign nations and foreign citizens second—the great Republican Party, which stands for an adequate national defense to preserve our American Government and protect our people—will be found in a large majority voting against this simon-pure Democratic plan of taking care of foreign peoples first at the expense of the American people.

[Here the gavel fell.]

Mr. BLANTON. Mr. Chairman, I ask recognition, as I desire to be heard against this bill.

Mr. Chairman, when the time comes I intend to vote against this bill, and I intend to vote for the motion of the gentleman from Wisconsin to strike out its enacting clause as the easiest and most expeditious way of killing it.

This island is more than 4,000 miles west of San Francisco. This is a long way to send American boys to defend hand-made Americans who have never seen the United States. I am not going to ever vote again to send American boys across the sea to fight so-called American battles. I have cast my last affirmative vote on that question. I will vote to let them whip the hell out of any nation that tries to invade our country, but our country is the United States.

It was never intended by the United States that this island should serve any other purpose than to be merely a naval base. I am following my friend from Oregon, General MARTIN, on this question. I think he knows as much about it as any man in the House. I think he has good judgment on this question, and I am not going to vote to make these people Americans and to set up a large bunch of high-salaried officers and put them in positions over there, where eventually all their possible follies and mistakes must be paid out of the tax money of the American-born people of the United States. After they are made Americans we become responsible for their every act and deed. They could scatter over the countries of the Far East and embroil themselves with every kind of foreign entanglement and then expect us to transport armies across the Pacific to defend them. It is simply unthinkable. It is absurd.

I am surprised that this bill is going through here, greased, without any opposition apparently. It seems to be sliding along on roller bearings, and that is just the way most of the bad propositions go through the House. They are not given careful consideration by Members who study legislation closely.

I was one of the few men who voted against the Reconstruction Finance Corporation bill. I was one of the few

who predicted what would happen under it—that there would be big banks, like the Dawes bank, that would get help in \$70,000,000 hand-outs whenever they wanted it, and the little banks that really serve the people, the very lifeblood of the people, would go under.

I predicted when I opposed that bill that it would even-tuate in the United States Government's owning busted rail-roads, and that is exactly what you are going to bring about in the United States; and it is the worst thing on earth that could happen, for the United States to go into the railroad business. You would be held up here every day for some kind of legislation to do something for the railroad em-ployees of the country.

Mr. BEEDY. Will the gentleman yield?

Mr. BLANTON. Yes; I yield to the gentleman from Maine.

Mr. BEEDY. Can the gentleman name one small bank with full and adequate security that has been refused a loan by the Reconstruction Finance Corporation?

Mr. BLANTON. Yes; I am not going to embarrass any bank, but I will give you privately some names. I know of a citizens' national bank that has some of the finest men as officers in the world upon its board of directors, and on account of three years' continuous drought and the con-tinued depression it has been carrying farmers who were down and out, who needed help, and it asked for the sum of a little measly \$140,000, and it has had its officers here for several days trying to get help that would save thousands of people interested in that section, but they can not get it. Oh, yes; Charley Dawes can get \$70,000,000 at a whack for his big bank, with big officials behind it, and then when it gets this tremendous fortune in cash it goes under. I knew that these things would happen and that it would have an army of high-salaried employees, and I voted against it. And I am going to vote to kill this bill.

The CHAIRMAN. The question is on the motion of the gentleman from Wisconsin to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. SCHAFER) there were 23 ayes and 31 noes.

So the motion was rejected.

Mr. GILBERT. Mr. Chairman, I move to strike out the last word. When the Apostle Paul invoked his Roman citi-zenship it gave him certain rights in the court that he did not otherwise have. Now, I would like the attention of the gentleman from Maine. I am asking in all seriousness, What does the term "American citizenship" imply on an island like Samoa other than the right of immigration to continental United States? The question has been raised in debate by the gentleman from Texas about sending our boys down to protect the islands if they are American citi-zens. What greater responsibility will we have by reason of that than we now have? Would we not have to send our boys there now?

Mr. BEEDY. The gentleman is correct. The islands belong to us, and if there should be an attempt to seize them by other nations we would have to make up our minds whether we desired to let them go or to keep them. We are responsible for the islands and the people whether they continue as wards or whether we make them citizens.

The citizenship phase presents a matter for classical dis-cussion rather than a practical problem, because there are not a score of Samoan men and women in the islands who have money enough to get to American shores, and if they came here they would not live here.

Mr. GILBERT. Outside of immigration, are there any rights conferred with American citizenship like there used to be in olden times when the invocation of citizenship carried with it many rights other people did not have?

Mr. BEEDY. That is a pretty broad question. If I un-derstand it, I think the only rights that these people would acquire, if we grant them citizenship, would be the right to participate in their own government. They do not expect to gain anything in the way of immigrating to this country. They do not want to come here. They want to be called American citizens. It is a theoretical proposition more than a practical one.

Mr. GILBERT. Then I would like to ask the gentleman from Ohio [Mr. JENKINS], who opposes this, What is the practical objection to that feature of it?

Mr. JENKINS. American citizenship in one place is American citizenship in another place. Of course a citizen of Oregon can not go to California and vote; there are cer-tain requirements that must be lived up to in each State; but a citizen of the Samoan Islands, if you were to give them American citizenship, would have the same rights in the streets of London as a citizen of Ohio, Oregon, or any other State would have, and the American flag would be behind him and would protect him, regardless of the fact that he can not speak English, regardless of the fact that he can not espouse our constitutional form of government. If we give citizenship to him, he is an American citizen every place and at any time and under all circumstances, and that is what I am against.

Mr. MARTIN of Oregon. The gentleman from Kentucky must realize that this is nothing but a naval base, and here it is proposed to go in there and set up an expensive gov-ernment. Why not let the matter go on as it is?

Mr. GILBERT. I recognize that this country, through its commercialism, has absolutely destroyed the most beautiful islands in the world, the Hawaiian group, and I do not want that repeated; but if the gentlemen of this committee have protected these people in their own islands, I am for this bill.

The Clerk read as follows:

ISLANDS INCLUDED WITHIN AMERICAN SAMOA

SEC. 2. The islands acquired by the United States of America under the joint resolution entitled "Joint resolution to provide for accepting, ratifying, and confirming the cessions of certain islands of the Samoan group to the United States, and for other purposes," approved February 20, 1929, and the joint resolution entitled "Joint resolution extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa," approved March 4, 1925 (U. S. C., title 48, sec. 1431), shall be known as American Samoa.

Mr. JENKINS. Mr. Chairman, I move to strike out the last word. I do not want to be speaking all the time, but I want to bring your attention to the fact that I think this is a very important measure, and I speak particularly to those who have not had time to investigate the matter. We are about to vote on something that we have never done before. We have never flung American citizenship so far away as we are about to do now. The question has been asked, Why compare these Samoan Islands with the Virgin Islands? It has been implied that we made a mistake in giving citizenship to the people of the Virgin Islands. If we made a mistake in giving them citizenship, we will make a colossal mistake in giving citizenship to Samoa. In the Virgin Islands the basic language is English. The people down there are Danish and English. Of course the majority of the people are colored, but they have been brought up under a form of government akin to our constitutional form of government. They are closely associated down there with Puerto Rico. The Virgin Islands are practically within view of Puerto Rico. We took Puerto Rico under cir-cumstances where we were compelled to take care of her, and we gave her people citizenship several years ago. Puerto Rico has a population of 1,500,000. She has colleges, banks, and is modern in every way. Some maintain that we made a mistake at that time, but there is no compari-son between Puerto Rico and Samoa. The Virgin Islands are close to our shores; their people are modern. They have cities and farm sites, much as any country. St. Thomas, on the island of St. Thomas, has one of the most beautiful harbors in the world. A century ago this port was one of the busiest in the West Indian country. St. Croix, the second largest of the Virgin Islands, has two beautiful modern cities. Our own great Alexander Hamil-ton was born in this section of the world and spent his childhood on St. Croix, and was as much a citizen of St. Croix as any person ever born there. When he came to America at the age of 15 to attend college, he left the only home he ever knew. His mother lived and died there, and her body is buried in a little country cemetery on St. Croix.

I do not think we made a mistake in giving citizenship to the residents of the Virgin Islands; but if you have any

qualms of conscience about having given citizenship to the Virgin Islands, which are at our very door, with the same ideas of government that we have, what would you think about voting American citizenship to people clear around the world, away down there as a little dot in the middle of the Pacific Ocean?

You have denied citizenship to the people of the Philippine Islands, who have had able Representatives here in our Congress for years, who are now a strong organization with fine educational and banking institutions, and espousing our form of government. Do we want to embroil ourselves into every controversy that may arise in that country, just out of a little desire to do a fine thing for a few people? The thing we ought to do is to send them a few missionaries if necessary and send them somebody down there as an auditor to audit their business and take care of them, and see to it a good port is kept free for our ships when they travel the south seas. We had the Virgin Islands under the control of the Navy, and many of the people down there want to be returned to that form of government. Under Navy control their rights to own property is protected. Their lives are protected, they are granted every privilege for education that they should have. Nobody has ever accused the Navy Department of tyranny or oppression.

Mr. WILLIAMS of Texas. Does the gentleman recognize the fact that the English language is the language spoken in Samoa, and that there is no comparison between the people of Samoa and the people of the Virgin Islands?

Mr. JENKINS. It was brought out clearly by the gentleman from Maine that they did not speak the English language; that the testimony taken by your commission was taken in another language.

Mr. WILLIAMS of Texas. Oh, of the older ones, but all of the younger generation speak the English language as well as the gentleman does.

Mr. JENKINS. I am glad to hear that.

Mr. BRUMM. Will the gentleman yield?

Mr. JENKINS. I yield.

Mr. BRUMM. Several members of the committee mentioned the fact that these people do not want to come to the United States. On the face of it, of course, that is ridiculous, because nobody knows what they want to do. However, I would like to ask the gentleman, was not the testimony in this session before the Committee on Insular Affairs, of which the gentleman and I are both members, with regard to the Virgin Islands, that a large percentage of them are flooding into the United States as fast as they can come, right now? Was that not the testimony?

Mr. JENKINS. I think so. At least the testimony was given by the gentleman from Maine [Mr. BEEDY] that they took the testimony of 100 at Hawaii. Now, here is the proposition I want to leave with you to-day. If we defeat this bill we do not do any harm to those people. They have our form of government down there fully protected by our Navy. They are happy, and the testimony of all these gentlemen is that they are much happier than we are. The Volstead Act, according to the gentleman from Wisconsin [Mr. SCHAFER] has not reached down there to contaminate them or to help them either. What is the use of involving ourselves when we have enough trouble, when we have so many propositions to consider at home? What is the use of taking up the time of this Congress to reach away out there, because you hear a little voice and there is a chance to show a little sympathy? You can sympathize with a thousand people in two hours after you leave this Capitol who do not have enough to eat. We owe them the obligation that one American owes another. Our first care should be for our own. What is the use of going away out yonder into the south seas? This bill will contribute nothing to the happiness or economic advantage of these people.

Mr. WILLIAMS of Texas. I wish to say it is not sympathy. It is the recognition of doing right, and this Nation owes it to those people. We accepted the island as a gift 30 years ago, and this is the first time we have attempted to do anything for them.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. JENKINS] has expired.

Mr. JENKINS. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. HARE. Mr. Chairman, I yielded back 21 minutes of the general debate, and I must object.

Mr. GLOVER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I have been giving this bill considerable study to-day and prior to this time. I am in doubt as to whether it is the proper time for us to venture on a measure of this kind if we ever do. It has been brought out by two very intelligent addresses, and I compliment those two gentlemen for the most excellent manner in which they have made this investigation, the gentleman from Maine [Mr. BEEDY] and the gentleman from Texas [Mr. WILLIAMS]. They have brought back some valuable information, but I do not believe the information that they bring us justifies the great experiment that we are going to make if we pass this bill.

I tried to get recognition a moment ago to ask the gentleman from Maine about how much this bill would cost us in the beginning. I do not think anybody knows now. I know that in the passage of this bill you will bring an additional burden of taxation upon the people of the United States, which they are not able to bear. It has been said there are about 10,000 people on this island. It is undeveloped. It has been stated that one of our people could not go there and live. It is not desirable. If it is not desirable for habitation and those people are there and satisfied with their condition, why is it that we want to further burden our American people with further taxes to go into an experiment of this kind? As soon as this bill is passed, as soon as they are made citizens of the United States, we become directly responsible for them. That is away in the distance for us. I have seen the last war that I want to see. I want to say to you that you are here authorizing a government to be set up there, with power to legislate, and to create binding obligations upon territory that belongs to the United States, for which our Government would be held responsible.

Further, I want to say that this is a dangerous time for us to venture into new territory. This action in the Far East might be very much misconstrued. I believe that those men who are advocating this are doing it with the very best of purpose, but what will other nations think of us? What will they think our purpose is? It has been said by one of the gentlemen that he would not favor education for those people; that it would not be helpful to them, and that they could not utilize it. He says that all they do in the morning is go out and shake the coconut trees and pick up the coconuts. If that is all they have to do, and if that is all they can do and education would not develop them so that they could advance, I say to you we ought not to go into this experiment now and spend the taxpayers' money in order to help people which education would not help, and that we could help very little by this action.

I believe this bill ought to be defeated. This is not the time to do it. We can maintain it as it is now. They say they do not want to come to the United States, but you are making them citizens by this act. There is nothing that can keep you from letting them come to the United States if they want to. I say to the outgoing administration, to one of the officials, Mr. Doak, that he has done the best service for this Government that any man has ever done in the Cabinet since he has been there, in keeping our Government free from those who are not ready for citizenship in this country. We are ready now to pass a deportation bill for those opposed to our Government, and I think it will be necessary to pass it.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. FRENCH. Mr. Chairman, I rise in opposition to the pro forma amendment.

In my judgment there is more trouble and grief and expense wrapped up in this little bill than in any other bill that has come before this House in many days. I was a member of the Naval Appropriations subcommittee when we had not only the government of American Samoa but the government of Guam and the Virgin Islands before us for consideration. All of these possessions were under the Navy Department. The expenses in connection with the management of the Samoa possession were and are practically absorbed by the administration of the Navy Department out of expenses that would need to be made anyway. The island of Guam, with a population a little more than twice the population of American Samoa, costs us annually approximately \$35,000 under Navy Department administration.

The Virgin Islands, to which reference has been made this afternoon, were under the Navy Department until about two years ago. Now they are under the Department of the Interior. I happen to serve on the Interior subcommittee, so I have had experience with the handling of the Virgin Islands under both committees that have had charge of them and the opportunity of observing the work under the Navy Department and the Interior Department.

It is costing us to-day over \$300,000 a year to administer the government in the Virgin Islands from this great distance; a territory with a population about equal to the population of Guam, where we spend \$35,000, and not greater than the population of any one of many of the small counties in almost any State of the American Union. This was likewise true under naval administration, because of the projects that were carried on under a system in either case where all the activities of an American State are maintained. The Virgin Islands population is constantly trying to push more and more off onto the Government of the United States. In American Samoa there is a population equal to about one-half of the population of the Virgin Islands.

The Samoans are a happy people. They are not asking for this legislation. They are not equipped to assume the kind of government to which our people are accustomed. If we pass this bill, in my judgment, we shall open up American Samoa to exploiters who, in my judgment, if the truth be known, are the ones back of whatever sentiment there seems to be for the passage of this measure.

We ought to retain our possession in Samoa for the purpose for which we acquired it. Let it be under the Navy Department. If we transfer it from the Navy Department and set up an independent government, not only shall we be doing the wrong thing by the people of Samoa who are happy to-day and who, through the years will develop into a more responsible people individually when their interests possibly can be cared for better by themselves. Until then to extend the provisions of the pending measure will be to invite appropriations from the Federal Treasury for the government of the Samoan possession that will not be less than \$100,000, \$200,000, or \$250,000, within another five years. [Applause.]

Mr. DYER. Mr. Chairman, I move to strike out the enacting clause.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri.

Mr. BEEDY. Mr. Chairman, I ask recognition on the motion.

Mr. TABER. Mr. Chairman, I make the point of order that the motion to strike out the enacting clause is not in order.

Mr. STAFFORD. Mr. Chairman, the point of order comes too late.

Mr. TABER. The motion of the gentleman from Missouri has not been discussed.

The CHAIRMAN. The Chair will recognize the gentleman from Maine [Mr. BEEDY], in opposition to the motion.

Mr. TABER. Mr. Chairman, I make the point of order that the motion to strike out the enacting clause is not in order.

Mr. BLANTON. Mr. Chairman, the point of order comes too late.

Mr. TABER. There has been no discussion, Mr. Chairman, upon the motion to strike out the enacting clause.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. BEEDY] to discuss the motion. The gentleman from Maine is recognized for five minutes.

Mr. BEEDY. Mr. Chairman, I was aware that I could have made a point of order against the motion of the gentleman from Missouri, but I have always purposed, in the case of any legislation with which I am connected, that I will never take the attitude of trying to crowd anybody out or cut anybody short, but will give every opportunity to present opposition views. I respect the views of those who oppose me.

I do not want this committee to get the wrong idea of this proposed legislation. I insist that you ought not to place the people of Eastern Samoa in the same category with those of the Virgin Islands or with Guam. It is not a fair comparison and no man who understands the situation would make it.

It is a pity for the gentleman from Idaho [Mr. FRENCH] to stand up here and say that he believes men interested in exploiting these islands are behind this bill. There is not anything in the islands to be exploited. The one refreshing feature of the whole problem is that there is no wealth in the islands to arouse the greed of any capitalist.

This bill does not change the obligation of the United States Government, as I see it, in any degree. These islands are ours. They have been ours for 30 years. We are responsible for them. We are responsible for law and order in them. We are responsible for their people. Inasmuch as we have granted citizenship to the people of every other group of our insular possessions, with the exception of the Philippines, which have been granted independence, why should we withhold citizenship from the Samoans? Why make fish of one people and fowl of another?

Now, let us understand the situation. We are not opening the door to any great expenditure of money. We are not opening the door to any trouble. I would not by my vote increase the possibility of sending any of our men across the Pacific to engage in war. There is no added possibility of any such thing in this bill. It is a shame for these suggestions to be made. It is not fair to these people.

If you do not want these islands, give them back to the chiefs who presented them to us 30 years ago, but if you keep them do not deny their people the same privileges you have given other groups who did not give their islands to us, but whose islands we purchased at the cost of millions.

Mr. BLANTON. Mr. Chairman, will the gentleman yield? Mr. BEEDY. Yes.

Mr. BLANTON. If we give citizenship to these people and make them Americans and then Japan or any other nation were to go over there and impose on them, the gentleman would want American boys to go there, 4,200 miles across the sea, to whip the stuffing out of any nation that went there for that purpose.

Mr. BEEDY. We would have to do it to-day just the same, I may say to my friend. These islands are ours, and we are responsible for the people living on them.

Mr. BLANTON. But there is a difference now, because they are not American citizens. This now is merely a naval station, and that it should remain. We must not involve American citizens 4,200 miles away from home.

Mr. BEEDY. I do not yield further. There is no question about that.

I repeat we have these islands. We are responsible for law and order and for the safety of every soul in them; we have been thus responsible for more than a quarter of a century. There has been no trouble in that time, and this bill does not increase the possibility of trouble there.

Mr. BLANTON. We Americans ought to stay at home and attend to our own business. This bill ought to be defeated.

Mr. BEEDY. This bill provides a measure of justice which we owe the Samoan people. After a prolonged delay of 30 years this Nation ought to be big enough to rise to the occasion and meet its obligation. [Applause.]

Mr. BLANTON. This bill is charged with dynamite and T. N. T.—tons of it—and we ought to strike out its enacting clause.

Mr. DYER and Mr. JENKINS rose.

Mr. DYER. Mr. Chairman, I made the motion to strike out the enacting clause, and the gentleman from Maine has taken five minutes in opposition to the motion. I do not want to debate the motion further, but I do ask for a vote, and make the point that if anyone asks for further time, we are entitled to a vote now upon the motion.

Mr. JENKINS. Mr. Chairman, a parliamentary inquiry. In view of the fact that the gentleman from Missouri [Mr. DYER] does not want to speak in favor of his motion and I do, am I not entitled to five minutes under this situation?

The CHAIRMAN. The gentleman from Ohio [Mr. JENKINS] is recognized for five minutes.

Mr. JENKINS. Mr. Chairman—

Mr. BLANTON. Will the gentleman yield?

Mr. JENKINS. Yes.

Mr. BLANTON. Suppose that we make them Americans, and they set up all this expensive government down there and they begin to build commerce buildings like the one down here on the Avenue costing \$20,000,000, and they begin to build a several million dollar supreme court building, and they begin to involve us with Far East countries, will we not be responsible for it?

Mr. JENKINS. Yes; but they are not going to do that, of course.

Mr. Chairman, let us be serious about this matter. My good friend the gentleman from Maine [Mr. BEEBY] would have you believe there is no possibility of any trouble on account of the citizenship of these people. Let me read you one section on page 35:

Any person of full or any part Samoan blood who was an inhabitant of American Samoa before the effective date of this act, was residing outside of American Samoa or was engaged in foreign travel on such date, and is not a citizen, subject, or national of any foreign country, if he desires to be a citizen of the United States—

And so forth, may do so.

Suppose one of these fellows is down in Sumatra or out in South Africa or in Norway or in Sweden or in Siberia or Japan or England or wherever he may be, if he is not too far to write a letter back home to these people, he can become an American citizen without any formality, and where is our responsibility then?

Does this not give responsibility to the American Nation to look after such a person wherever he may be? It is preposterous. It is absolutely unreasonable to take the time of this great Nation of ours and this Congress of ours at this time to pass a piece of legislation that will take us 4,500 miles into the South Seas, that most of us do not know anything about and most of us do not care very much about, and put up the American flag and establish an American government and American responsibility.

I say to you that now is as good a time as any to beat this measure. Let us all vote in favor of this motion to strike out the enacting clause and send it back to the committee. Then the fine, sensible statesmen, the gentleman from Maine and the gentleman from Texas can bring in a bill here that will do exactly what we want done and keep American citizenship to ourselves.

The gentleman from Texas [Mr. WILLIAMS] asked me a question a while ago, and here is the question as I got it. He implied that these people may have some rights with respect to American citizenship.

Mr. Chairman, nobody has a right to American citizenship except a man born in America.

Mr. WILLIAMS of Texas. I did not intimate that. That was not the intimation of the gentleman from Texas. I said that this legislation was right. That is what I said.

Mr. JENKINS. All right; I accept the gentleman's correction. I will take it from that standpoint.

I want to continue this thought. Nobody has a right to become an American citizen except a native-born American, but aliens have the privilege of becoming American citizens, and this is a gracious privilege which we have extended to

them. We have extended this gracious privilege to various people, but we have denied this privilege to the Filipinos, with whom we have been in close association for 35 years. We have denied this to them and they have not asked for it in the recent plan for independence. We have denied this privilege to the Japanese and the Chinese and the Indians from India and to the inhabitants of the Malayan Archipelago, and yet we reach out and find one little island where we have a little naval base and we want to give them American citizenship. We can give them everything they need, which is what they have now, and if they need any improvement in their government, let us give that to them, and let them be happy down there by themselves. Let us not load upon them the responsibility of American citizenship. They can not take it. They do not know anything about trial by jury, and that is very fundamental and the cornerstone of American civilization and American citizenship. They are not able to espouse trial by jury and they can not do this in Puerto Rico or in the Virgin Islands, and some believe we made a mistake in giving them full American citizenship. I say to you that this is a right that we ought to circumscribe with safeguards and is something that should never be given except as a privilege, and let us not give it to these people until they are able to appreciate the privilege. [Applause.]

Mr. BLANTON. After we make them American citizens, and they are living there about 4,200 miles west of San Francisco, we are too far away to know what they may do, or what kind of controversies they will embroil us in, and whatever they may do, we would be responsible, for they would be American citizens, and would have the right to demand of us protection, no matter how scattered they were over other countries. For when they become Americans they will have the right to go where they please. And we will be responsible for them. And for one, I am not willing to assume such responsibility.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri that the committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The question was taken; and on a division (demanded by Mr. BEEBY) there were 72 ayes and 26 noes.

So the motion to strike out the enacting clause was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOREHEAD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (S. 417) to provide a government for American Samoa, had directed him to report the same back to the House with the recommendation that the enacting clause be stricken out.

Mr. DYER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the recommendation of the Committee of the Whole.

The question was taken, and the motion was agreed to.

A motion by Mr. BLANTON to reconsider the vote whereby the motion was agreed to was laid on the table.

The SPEAKER. The Clerk will inform the Senate of the action of the House.

LEGISLATIVE APPROPRIATION BILL

Mr. SANDLIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14562) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1934, and for other purposes, and agree to the Senate amendments.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were read.

The Senate amendments were agreed to.

MEDICINAL LIQUOR

Mr. O'CONNOR. Mr. Speaker, I call up House Resolution 382, making in order the bill H. R. 14395, relating to the prescribing of medicinal liquor. The resolution provides for

EXHIBIT 12

duly authorized agent, in such numbers, and at such times as they shall be requested by such commission or any such agent, and upon payment to the United States of the face value of such coins.

BILL PASSED OVER

The bill (S. 3022) to amend an act entitled "An act to amend sections 3 and 4 of an act of Congress entitled 'An act for the protection and regulation of the fisheries of Alaska', approved June 26, 1906, as amended by the act of Congress approved June 6, 1924, and for other purposes", was announced as next in order.

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

The PRESIDING OFFICER. The Senator from Mississippi [Mr. STEPHENS], who introduced and reported the bill, is not present.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SETH B. SIMMONS

The bill (H.R. 3072) for the relief of Seth B. Simmons was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Seth B. Simmons, who was a member of Company M, Fifth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 15th day of December 1908: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

ROBERT GRAY FRY

The Senate proceeded to consider the bill (S. 101) for the relief of Robert Gray Fry, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 5, after the word "Fry", to insert the word "deceased", so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, benefits, and privileges upon honorably discharged soldiers Robert Gray Fry, deceased, shall be held and considered as having been honorably discharged from the military service of the United States on July 31, 1865, late of Company H, Twenty-eighth Regiment Iowa Volunteer Infantry: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Robert Gray Fry, deceased."

WALTER E. DANDY

The Senate proceeded to consider the bill (H.R. 257) to authorize full settlement for professional services rendered to an officer of the United States Army, which has been reported from the Committee on Military Affairs with amendments, on page 1, line 3, to strike out "Secretary of War" and insert "Secretary of the Treasury"; and in lines 5 and 6, after the words "out of", to strike out "the appropriation 'medical and hospital department, 1928'", and insert "any money in the Treasury not otherwise appropriated", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Dr. Walter E. Dandy the sum of \$1,000 out of any money in the Treasury not otherwise appropriated in full settlement for professional services rendered on November 26, 1928, to Maj. Frank V. Schneider, Infantry, United States Army, who was suffering from a rare and obscure disease contracted in the line of duty, the said services resulting in the cure and restoration to full duty of the said Maj. Frank V. Schneider.

Mr. McKELLAR. Mr. President, will the Senator from Texas explain this bill.

Mr. SHEPPARD. Mr. President, this officer underwent two or three operations by distinguished surgeons abroad for wounds received in line of duty in the World War, without favorable results. After periods of observation at Walter Reed Hospital the conclusion was reached that his was not a case for further surgical intervention. Assured by surgeons at Johns Hopkins that an operation they had devised would effect a cure, he obtained sick leave and took

the suggested operation at Johns Hopkins, which resulted in recovery. This measure is to pay the bill for the last-named operation. Technically it cannot be paid out of War Department funds because he was operated on in a private hospital. This officer is now on active duty.

The amendments were agreed to.

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

CUMBERLAND RIVER BRIDGE, TENNESSEE

The bill (S. 2953) granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a free highway bridge across the Cumberland River at or near Carthage, Smith County, Tenn., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Highway Department of the State of Tennessee to construct, maintain, and operate a free highway bridge and approaches thereto across the Cumberland River, at a point suitable to the interests of navigation, at or near Carthage, Smith County, Tenn., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

GOVERNMENT FOR AMERICAN SAMOA

The Senate proceeded to consider the bill (S. 1574) to provide a government for American Samoa.

Mr. KING. Mr. President, will the Senator from Maryland explain the difference between existing law and the proposed measure?

Mr. TYDINGS. Mr. President, similar bills have twice before passed the Senate. It will be recalled that some years ago a commission, of which the distinguished Senator from Arkansas [Mr. ROBINSON] was a member, went to the Samoan Islands, and this bill is a result of that visit. The bill is designed to give to the Samoans, who number about 10,000 people, some measure of local self-government in the islands. That briefly is the purpose of the bill.

Mr. ROBINSON of Arkansas. Mr. President, the American Samoan Islands contain a population of about 10,000 people. Those islands have been governed for more than 30 years under a very peculiar form of government. A naval officer appointed by the President has almost unlimited authority. He virtually makes the laws, interprets them—or appoints officers who do interpret them—and administers and enforces them. This bill is designed to give to the American Samoans a civil form of government. It was very carefully worked out by a commission.

As stated by the Senator from Maryland, similar bills have twice passed the Senate but have failed of action in the body at the other end of the Capitol. That body has proposed a number of amendments, which have, however, never come to the Senate. When I say "that body", meaning the House of Representatives, I mean Members of the House of Representatives. I think the bill should be passed.

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

Be it enacted, etc.,

TITLE I—GENERAL PROVISIONS

SHORT TITLE

SECTION 1. This act may be cited as the "Samoa organic act."

ISLANDS INCLUDED WITHIN AMERICAN SAMOA

SEC. 2. The islands acquired by the United States of America under the joint resolution entitled "Joint resolution to provide for accepting, ratifying, and confirming the cessions of certain islands of the Samoan group to the United States, and for other purposes", approved February 20, 1929, and the joint resolution entitled "Joint resolution extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa", approved March 4, 1925 (U.S.C., title 48, sec. 1431), shall be known as American Samoa.

ESTABLISHMENT OF THE GOVERNMENT

SEC. 3. The citizens of American Samoa shall constitute a body politic. A government is hereby established over American Samoa with its capital at Pagopago on the island of Tutuila. The government of American Samoa shall have the powers set forth in this act and shall have power to sue and be sued by such name. Such government shall not enter into any treaty, alliance, or con-

federation. The government of American Samoa shall be under the supervision of such executive department of the Government of the United States as the President may direct.

UNITED STATES CITIZENSHIP

SEC. 4. (a) All persons of full or any part Samoan blood born in American Samoa after the effective date of this act are hereby declared to be citizens of the United States.

(b) All persons of full or any part Samoan blood who are inhabitants of American Samoa on the effective date of this act, and their children born subsequent thereto, are hereby declared to be citizens of the United States of America: *Provided*, That any such person who is a citizen, subject, or national of any foreign country and who remains in American Samoa may preserve such status upon filing with the Governor of American Samoa, within 1 year from the effective date of this act, a declaration of his decision to preserve such status.

(c) Any person of full or any part Samoan blood who (1) was an inhabitant of American Samoa before the effective date of this act, (2) was residing outside of American Samoa or was engaged in foreign travel on such date, and (3) is not a citizen, subject, or national of any foreign country, if he desires to be a citizen of the United States may, at any time within 2 years after such date, file with the Governor of American Samoa, or with the District Court of the United States for the District of Hawaii or any district court of the United States, a declaration to that effect on a form to be prescribed by the Commissioner of Naturalization. Such declaration shall set forth the status of such persons with respect to the qualifications required by this subsection, and shall be sworn to before an officer authorized by law to administer oaths. If the Governor or such court finds that such declaration satisfactorily establishes the qualifications required by this subsection, such person and his spouse, if of full or any part Samoan blood, and minor children shall be citizens of the United States, and the Governor or the clerk of such court, as the case may be, shall issue a certificate of citizenship to such person which shall contain the names of the spouse and the minor children of such person.

(d) Any person who has preserved his status as a citizen, subject, or national of a foreign country pursuant to the proviso in subsection (b) of this section, if he desires to become a citizen of the United States, shall file with the Governor of American Samoa or with the District Court of the United States for the District of Hawaii or any district court of the United States a declaration on a form to be prescribed by the Commissioner of Naturalization. Such declaration shall set forth facts showing that such person was qualified to have become a citizen under subsection (b) of this section and that he preserved his status as a citizen, subject, or national of a foreign country, and that he desires to renounce such preserved allegiance. Such declaration shall be sworn to before an officer authorized by law to administer oaths. If the Governor or such court finds that such declaration substantially establishes the qualifications required by this subsection, such person, upon taking the oath of allegiance to the United States, shall be a citizen of the United States, and the Governor or the clerk of such court, as the case may be, shall issue a certificate of citizenship to such person.

(e) Any person of full or any part Samoan blood who (1) is not a citizen of the United States, (2) has resided in American Samoa for a period of 1 year last preceding the filing of his declaration hereunder, and (3) marries an American citizen of full or any part Samoan blood, shall be deemed a citizen of the United States. Any such person may file with the Governor of American Samoa a declaration on a form to be prescribed by the Commissioner of Naturalization. Such declaration shall set forth the status of such person with respect to the qualifications required by this subsection and shall be sworn to before an officer authorized by law to administer oaths. If the Governor finds that such declaration substantially establishes the qualifications required by such person by this subsection, he shall, when such person has taken the oath of allegiance to the United States, issue a certificate of citizenship to such person.

AMERICAN SAMOAN CITIZENSHIP

SEC. 5. The people of American Samoa through the legislative authority of the government thereof shall determine from time to time the qualifications necessary for citizenship in American Samoa, but no person shall be qualified to become a citizen of American Samoa who is not a citizen of the United States and is not of full or any part Samoan blood.

APPLICATION OF THE LAWS OF THE UNITED STATES TO AMERICAN SAMOA

SEC. 6. (a) Except as otherwise provided in this act, all the laws of the United States, including laws carrying general appropriations, shall have the same force and effect within American Samoa as in the United States.

(b) The laws of the United States dealing with or covering the general subjects of public lands, immigration, naturalization, quarantine, internal revenue, tariff, and income tax shall not apply to American Samoa, unless specifically so made applicable by an act of Congress, except that the laws dealing with or covering the general subject of immigration shall apply to the travel of persons not citizens of the United States from American Samoa to the United States.

(c) The provisions of law of the United States of which sections 1453 to 1489, inclusive, of title 48 of the United States Code, as amended and supplemented, are *prima facie* evidence, shall not apply to American Samoa.

(d) The provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the islands of American Samoa or between those islands and other ports under the jurisdiction of the United States.

LAWS OF AMERICAN SAMOA

SEC. 7. (a) The phrase "the laws of American Samoa", when used in this act without qualifying words, shall mean the laws of American Samoa in force on the effective date of this act.

(b) The laws of American Samoa, except as amended by this act, are hereby continued in force, subject to modification or repeal by the Congress of the United States or the Fono, and all laws of American Samoa inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

(c) Whenever occurring in the laws of American Samoa not repealed by this Act—

(1) The words "president of the high court" or "an American judge" or "American district judge" or "foreign associate judges" are hereby amended to read "chief justice";

(2) The words "foreign officials" are hereby amended to read "other officials";

(3) The words "secretary of native affairs" are hereby amended to read "attorney general";

(4) The words "island government of American Samoa" are hereby amended to read "government of American Samoa";

(5) The word "regulation" is hereby amended to read "law"; and

(6) The word "declaration" is hereby amended to read "section."

BILL OF RIGHTS

SEC. 8. (a) No law shall be enacted in American Samoa respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

(b) The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

(c) No person shall be deprived of life, liberty, or property without due process of law, nor shall private property be taken for public use without just compensation; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself. In all criminal prosecutions the accused shall have the right to a speedy and public trial; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in American Samoa.

(d) The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion or imminent danger thereof, the public safety shall require it.

(e) No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

(f) No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

(g) Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

TITLE II—THE LEGISLATURE

SCOPE OF LEGISLATIVE POWER

SECTION 20. (a) The legislature of American Samoa shall consist of one body, which shall be organized and shall sit according to the laws of American Samoa in force on the effective date of this act and as amended or modified after such date. The legislature shall be styled the "Fono."

(b) The legislative power of American Samoa shall extend to all subjects of legislation not inconsistent with the provisions of this act and the laws of the United States applicable to American Samoa, but it shall not grant to any corporation, association, or individual any special or exclusive privileges, immunity, or franchise without the approval of Congress; nor shall it grant private charters, but it may by general act permit persons to associate themselves together as bodies corporate for agricultural, maritime, educational, ecclesiastical, charitable, fraternal, and industrial pursuits, and for the establishment and conduct of cemeteries. No divorce shall be granted by the Fono, nor shall any divorce be granted by the courts of American Samoa unless the applicant therefor shall have resided in American Samoa for 1 year next preceding the application. No lottery or sale of lottery tickets shall be allowed.

ORGANIZATION AND MEMBERSHIP OF THE LEGISLATURE

SEC. 21. (a) The Fono shall be the judge of the selection and qualifications of its own members. It shall choose its own officers and determine its rules and procedure. The Governor may attend the meetings of the Fono and take part in the deliberations of that body in an advisory capacity. He may authorize the

attendance of, and similar participation by, other officials of the Government of American Samoa. He may, in his discretion, preside over the meetings of the Fono.

(b) No idiot or insane person, no person who has been or may hereafter be expelled from the Fono for giving or receiving bribes or being accessory thereto, and no person who shall have been convicted of any criminal offense punishable by imprisonment for a term exceeding 1 year, whether with or without fine, shall sit in the Fono or hold any office in, or under, or by authority of, the government unless the person so convicted shall have been pardoned and restored to his civil rights. No person shall sit in the Fono who is not a citizen of American Samoa and who has not resided in American Samoa for at least 5 years immediately preceding the sitting of the Fono in which he seeks to qualify as a member.

OATH OF OFFICE

SEC. 22. Every member of the Fono and all officers of the government of American Samoa shall take the following oath or affirmation:

"I solemnly swear (or affirm) in the presence of Almighty God that I will faithfully support the Constitution and laws of the United States and conscientiously and impartially discharge my duties as a member of the Fono or as an officer of the government of American Samoa (as the case may be)."

COMPENSATION OF MEMBERS

SEC. 23. The members of the Fono shall receive no compensation for their services, but may be allowed mileage in such amount as the Fono may fix by law, not, however, in excess of 15 cents a mile each way going to and returning from each session of the Fono.

EXEMPTION FROM LIABILITY AND ARREST

SEC. 24. (a) No member of the Fono shall be held to answer before any tribunal other than the Fono itself for any speech or debate in the Fono except as provided in this section.

(b) The members of the Fono shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the Fono and in going to and returning from the same. Such privilege as to going and returning shall not cover a period of over 10 days each way.

DISTRICTS

SEC. 25. For the purpose of representation in the Fono, American Samoa is divided into the following districts:

The Eastern District of Tutuila;
 The Western District of Tutuila; and
 The District of Manua, including the islands of Ofu, Olosega, Tau, Rose Island, and Swains Island.

SESSIONS OF THE FONO

SEC. 26. The regular session of the annual Fono shall be held between the 1st and 15th days of November each year at Pago-pago unless that body shall by law select a different time or place. The Governor may convene the Fono in special session at such time and place as he may deem it necessary. All meetings of the Fono shall be open to the public.

SIGNING BILLS AND VETO BY GOVERNOR

SEC. 27. No bill passed by the Fono shall become law until signed by the Governor. Every bill which shall have passed the Fono shall be certified by the attorney general and shall thereupon be presented to the Governor. If the Governor approves it, he shall sign it and it shall become a law. If the Governor does not approve of such bill, he may return it, with his objections, to the Fono. He may veto any specific item or items in any bill which appropriates money for specific purposes, but shall veto other bills, if at all, only as a whole.

RIGHT OF PETITION

SEC. 28. The Fono shall have the unrestricted right to petition the President of the United States in any matter affecting the government or the welfare of the Samoan people. The Governor shall forward such petition without delay with such comment as he may consider appropriate.

APPROPRIATIONS

SEC. 29. (a) Appropriations, except as otherwise provided in this act, shall be made by the Fono.

(b) The Governor shall submit to the Fono estimates for appropriations for the succeeding fiscal year as fixed by the Fono. He may submit also such bills to the Fono as he shall consider to be in the people's interest. The Governor is empowered to suspend the expenditure of funds appropriated by the Fono whenever by reason of disaster or economic disturbance such action is necessary or desirable in the public interest.

(c) In the case of failure of the Fono to pass appropriation bills providing for payments of the necessary current expenses of government and meeting its legal obligations, and until the Fono shall have acted, the sums appropriated in the appropriation bills last enacted shall be deemed to have been reappropriated.

(d) All legislative and other appropriations made prior to the effective date of this act shall be available to the government of American Samoa.

TITLE III—THE EXECUTIVE

THE EXECUTIVE POWER

SECTION 30. (a) The executive authority of the government of American Samoa shall be vested in a Governor, who shall be appointed by the President, by and with the advice and consent of the Senate of the United States, and shall hold his office at the pleasure of the President and until his successor is appointed and

qualified. The Governor may be an active, retired, or reserve officer of the Navy or Army or a person from civil life. The Governor shall be not less than 30 years of age and shall be a citizen of the United States.

(b) The Governor shall be commander in chief of the militia of American Samoa, and he may grant pardons and reprieves and remit fines and forfeitures for offenses against the laws of American Samoa, and reprieves for offenses against the laws of the United States until the decision of the President thereon is communicated to the Governor. He shall annually, and at such other times as may be required, make official report of the transactions of the government of American Samoa to the executive department of the Government of the United States designated by the President of the United States under section 3 of this act, and such annual report shall be transmitted by such department to Congress.

ENFORCEMENT OF LAW

SEC. 31. The Governor shall be responsible for the faithful execution within American Samoa of the laws of American Samoa and of such laws of the United States as have force and effect within American Samoa. Whenever it becomes necessary he may summon the posse comitatus or call out the militia to prevent or suppress lawless violence, invasion, insurrection, or rebellion in American Samoa; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, call upon the commanders of the naval and military forces of the United States in American Samoa to suppress such rebellion or invasion, or suspend the privilege of the writ of habeas corpus, or place American Samoa, or any part thereof, under martial law until communication can be had with the President and his decision thereon be communicated to the Governor.

ATTORNEY GENERAL

SEC. 32. (a) There shall be an attorney general of American Samoa who shall be appointed by the President by and with the advice and consent of the Senate of the United States, and hold his office at the pleasure of the President and until his successor shall be appointed and qualified. The Attorney General may be an active, retired, or reserve officer of the Navy or Army, or a person from civil life.

(b) The attorney general shall have the nonjudicial power and duties now reposed in or required of the Attorney General of American Samoa. He shall record and preserve all the laws and proceedings of the Fono, and all acts and proceedings of the Governor, and shall promulgate proclamations of the Governor. He shall, within 30 days after the end of each session of the Fono, transmit through the Governor of American Samoa to the President of the United States, who in turn shall transmit the same to the Congress of the United States, copies of all laws enacted during the session, and copies of the journal of the session. He shall transmit to the President of the United States through the Governor of American Samoa, annually, copies of the reports of the departments of the government of American Samoa, and shall perform such other duties as are prescribed for him by this act, or as may be required of him by law. When requested by the Governor or the Fono, the attorney general shall render opinions upon questions of law.

(c) In case of the death, removal, resignation, or disability of the Governor, or his absence from American Samoa, the attorney general shall exercise all the powers and perform all the duties of Governor during such vacancy, disability, or absence. In case of the death, removal, resignation, disability, or absence of both the Governor and the attorney general the President may designate from time to time an officer of the government of American Samoa to act as Governor and the officer so designated shall exercise all the powers and perform all the duties of the Governor during such vacancy, disability, or absence.

THE TREASURER

SEC. 33. (a) There shall be a treasurer of American Samoa who shall be appointed by the head of the executive department of the Government of the United States having supervision of the government of American Samoa. The treasurer may be an active, retired, or reserve officer of the Navy or Army, or a person from civil life.

(b) The treasurer shall be custodian of all funds of the Government, and be held to a strict accountability for the same. He shall furnish a surety bond for the faithful performance of his duties in such sum as the Governor of American Samoa shall stipulate. The premium on such bond shall be paid from the funds of the government of American Samoa.

APPOINTMENT, REMOVAL, TENURE, AND SALARIES OF OFFICERS

SEC. 34. (a) The Governor shall, except as provided in this act, appoint all officers and boards of a public character that may be created by law. The manner of appointment and removal and the tenure of all other officers shall be as provided by law and the Governor may appoint or remove any officer whose appointment or removal is not otherwise provided for. All officers appointed under the provisions of this act shall be citizens of the United States. The salaries of all officers, except the salaries of officers whose payment is provided in section 51, and except the salaries of those officers provided for by the Federal Government, shall be paid from the funds of the government of American Samoa.

(b) All persons holding office in American Samoa at the time this act takes effect shall, except as otherwise provided in this act, continue to hold their respective offices until their successors are

appointed and qualified. Nothing in this section shall be construed to conflict with authority and powers conferred by section 20 of this act.

TITLE IV—THE JUDICIARY THE COURTS

SECTION 40. The judicial authority of American Samoa shall be vested in one high court and in such inferior courts as may have been or hereafter may be established under the laws of American Samoa. The Governor shall not sit as a judge in any court.

HIGH COURT

Sec. 41. (a) The President shall nominate and, by and with the advice and consent of the Senate, appoint the chief justice of the high court, who shall hold his office for the term of 4 years unless sooner removed for cause by the President.

(b) The high court shall consist of the chief justice. The chief justice shall select from time to time two of the district judges to sit with him in a purely consultative capacity.

PROCEDURE

Sec. 42. (a) The chief justice shall prescribe the rules of procedure to be followed in the courts of American Samoa.

(b) No person shall sit as a judge in any case in which his relative by affinity or consanguinity within the third degree is interested either as a plaintiff or as a defendant, or in the issue of which such judge has directly or indirectly any pecuniary interest. The Fono may add other causes of disqualification to those herein enumerated. Unless otherwise provided by law, in case of the disqualification or absence of the Chief Justice in any cause pending before the court, the Governor shall designate a person to act as chief justice in the trial and determination of such cause.

(c) The style of all process in the courts of American Samoa shall hereafter run in the name of the government of American Samoa, and all prosecutions shall be carried on in the name and by the authority of the government of American Samoa.

APPEALS

Sec. 43. (a) The District Court of the United States for the District of Hawaii shall have jurisdiction to review by appeal and thereupon to confirm, modify, or reverse final decisions of the high court of American Samoa in all cases, civil or criminal, wherein any provision of this act or a statute or treaty of the United States, or any authority thereunder, is involved; in all other civil cases wherein the value in controversy, exclusive of interest and costs, exceeds \$2,000; in all other criminal cases where the offense charged is punishable by imprisonment for a term exceeding 1 year or by death; and in all habeas corpus proceedings. Such district court shall also have jurisdiction to review the interlocutory orders and decrees of the High Court in cases in which it has appellate jurisdiction, and also, whenever any record on appeal is manifestly incomplete or insufficient for a satisfactory understanding of the appeal, to inquire further into the matters in controversy.

(b) Such district court shall provide by its rules the mode of appeals, taking into consideration the informality of procedure in the courts of American Samoa. For the purposes of this section special terms of such district court shall be held in American Samoa at such times and in such places as the judges of such court may deem expedient. Incident to its appellate jurisdiction, such court may grant a change of venue to a district court of the United States within the State of California.

TITLE V—MISCELLANEOUS LAND

SECTION 50. (a) The Governor of American Samoa, with the approval of the Fono, may from time to time convey to the United States such lands, buildings, or interests in lands or other property owned by the Government of American Samoa, as he may deem necessary for the purposes of the United States. No such conveyance shall be made in violation of the provisions of subsection (c) of section 8 of this act. The President may from time to time reconvey to the Government of American Samoa such lands, buildings, or interests in lands, or other property owned by the United States, and within the territorial limits of American Samoa, as in his opinion are no longer needed for the purposes of the United States.

(b) Except as provided in subsection (a) of this section the public, communal, and family group lands of American Samoa shall not be sold, leased, or otherwise alienated. They shall be administered under such laws as the Fono shall enact.

(c) No person who is not a citizen of American Samoa shall acquire title to land or any leasehold interest therein by purchase or otherwise: *Provided*, That this prohibition shall not affect the vested rights of persons or organizations who or which own lands or hold leasehold interests therein on the effective date of this act; nor shall it apply to the conveyance or transfer, approved by the Governor, to a recognized religious, philanthropic, or educational society, of sufficient land for their necessary purposes: *Provided further*, That in case land or lands so conveyed or transferred under approval of the Governor cease to be used for religious, philanthropic, or educational purposes they shall revert to the original owner: *And provided further*, That either the Government of American Samoa or the Government of the United States may acquire by purchase or otherwise such land or lands as it may require for public purposes.

(d) All transfers of interests in land shall be passed upon by the attorney general, and if in violation of the provisions of this act shall be void.

SALARIES OF OFFICERS

Sec. 51. (a) The following officers shall receive the following annual salaries, to be paid by the United States: The Governor, \$10,000; the attorney general, \$6,000; the chief justice, \$6,000; the treasurer, \$6,000. If the Governor, attorney general, or the treasurer shall be an active, retired, or reserve officer of the Navy or Army, he shall be entitled to receive as salary under this act any difference there may be between his total pay and allowances as such officer and the salary attached to the office of Governor, attorney general, or treasurer, as the case may be.

(b) The Governor shall receive annually from the United States, in addition to his salary, the sum of \$1,000, for stationery, postage, and other incidental and contingent expenses. The Governor is authorized to employ a private secretary, who shall receive an annual salary of \$2,400. There shall also be an official interpreter, who shall act in that capacity for all agencies of the government of American Samoa, as the Governor may direct, and who shall receive an annual salary of not to exceed \$1,500.

(c) The attorney general is authorized to employ a private secretary, who shall receive an annual salary of \$2,400.

(d) The chief justice is authorized to employ a clerk, who shall also act as official court stenographer, at an annual salary of \$2,400.

(e) All of such salaries shall be paid by the United States. Such officers and such employees shall be entitled to transportation at the expense of the United States for themselves, their immediate families, and their household effects from their homes in the United States to American Samoa upon their appointment, and from American Samoa to their homes upon completion of their duties: *Provided*, That such return transportation shall not be paid unless the officer or employee shall have served in American Samoa for a period of at least 2 years. Such officers and employees shall be entitled to 3 months' leave of absence not oftener than every other year. During such periods of leave of absence any such officer or employee shall be paid at the rate provided in this act, and shall be entitled to reimbursement for travel expenses not to exceed the sum of \$500, to be paid by the United States. During such part of any leave of absence taken as is in excess of the periods fixed herein he shall not be entitled to any compensation as an official of the government of American Samoa. The period of leave of absence shall in every case be arranged by the Governor.

PUBLIC HEALTH

Sec. 52. Subject to the laws of American Samoa, the maintenance and operation of the public-health service of American Samoa shall be under the direction of the Governor, who shall establish quarantine stations at such places in American Samoa as he may deem necessary, and shall promulgate quarantine regulations for the protection of American Samoa against the importation of disease. The costs of all activities of the public-health service, sanitation, medical relief, and quarantine service of American Samoa shall be borne by the United States.

IMPORTS AND EXPORTS

Sec. 53. (a) Imports from American Samoa into any State, Territory, or insular possession (except the Philippine Islands) of the United States, of any article not the growth, production, or manufacture of American Samoa or of the United States shall be subject to the same duties that are imposed on like articles when imported into the United States from any foreign country: *Provided*, That the duty paid upon importations into any State, Territory, or insular possession (except the Philippine Islands) of the United States of such articles shall not exceed the duty prescribed by law for importation of such articles into the United States less any duty which has been paid to the government of American Samoa upon importation into American Samoa.

(b) Articles which are the growth, production, or manufacture of American Samoa coming into any State, Territory, or insular possession (except the Philippine Islands) of the United States from American Samoa shall be entered at the several ports of entry free of duty.

TITLE TO LAND IN TERRITORIES

The Senate proceeded to consider the bill (S. 1699) to prevent the loss of the title of the United States to lands in the Territories or Territorial possessions through adverse possession or prescription.

Mr. KING. Mr. President, I should like to ask the Senator from Maryland if it can be contended validly that the statute of limitations runs against the sovereign.

Mr. TYDINGS. Mr. President, it is disputed in some quarters. Three departments of the Government—the Department of the Interior, the Department of the Navy, and the Department of War—have all expressed their approval of the bill. It is to keep down controversies and lawsuits and make it definitely of record that the Government is relinquishing its rights to these lands that this bill was introduced. Does that answer the Senator's question?

Mr. KING. Mr. President, it is a rather novel doctrine that the Federal Government may lose title by adverse possession. What I am afraid of is that if we pass this bill, persons in other sections or other parts of the United States

may set up claims and say that this law is a sort of recognition of the fact that anterior to this time adverse possession might cause the loss of title.

Mr. TYDINGS. May I say to the Senator from Utah that in many instances in continental United States the Government has proved that it does not lose title to the land by adverse possession; but in Puerto Rico, Alaska, and other places the question has not been decided, and the Department thinks it wise for the legislative branch of the Government to make this commitment that they do not intend to have the title of those lands even questioned. All three of the Departments I referred to have signified their approval of this bill.

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

Be it enacted, etc., That hereafter no prescription or statute of limitations shall run, or continue to run, against the title of the United States to lands in any Territory or possession or place or territory under the jurisdiction or control of the United States, including the Philippine Islands; and that no title to any such lands of the United States or any right therein shall be acquired by adverse possession or prescription, or otherwise than by conveyance from the United States.

BONDS OF JUNEAU, ALASKA

The bill (S. 2811) to authorize the incorporated city of Juneau, Alaska, to issue bonds in any sum not exceeding \$100,000 for municipal public works, including regrading and paving of streets and sidewalks, installation of sewer and water pipe, construction of bridges, construction of concrete bulkheads, and construction of refuse incinerator, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the incorporated city of Juneau, Alaska, is hereby authorized and empowered to issue its general-obligation bonds in any sum not exceeding \$100,000, to be used for the following purposes, namely: The sum of \$51,400 for regrading and paving of streets and sidewalks, the sum of \$2,750 for installation of sewer and water pipe, the sum of \$5,000 for bridge construction and replacement, the sum of \$12,850 for the construction of concrete bulkheads, the sum of \$25,000 for construction of refuse incinerator, and the sum of \$3,000 for engineering supervision and overhead on all of the above-mentioned works, the cost of the necessary materials, as well as of installation and construction, to be paid out of the sums above specified. All of said improvements are to be made in the said city of Juneau, Alaska, except said refuse incinerator, which may be placed without the corporate limits of said city.

Sec. 2. That before said bonds shall be issued a special election shall be ordered by the common council of the said city of Juneau, at which election the question of whether such bonds shall be issued shall be submitted to the qualified electors of said city of Juneau whose names appear on the last assessment roll of said city for municipal taxation. Not less than 20 days' notice of such election shall be given by publication thereof in a newspaper printed and published and of general circulation of said city before the day fixed for such election. That the registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued only upon condition that not less than a majority of the votes cast at such election in said city shall be in favor of the issuance of said bonds.

Sec. 3. The said bonds, when issued, shall bear the written signature of the mayor and clerk of the city of Juneau, and shall have impressed thereon the official seal of said city at the time of their issuance. The bonds may be sold at either public or private sale, as the common council of Juneau shall direct. The bonds above mentioned, when authorized to be issued as herein provided, shall bear interest at a rate to be fixed by the common council of the said city of Juneau, Alaska, before the issuance of such bonds, and said interest shall not exceed the rate of 6 percent per annum, payable semiannually, and the bonds shall be sold at not less than par, plus accrued interest. Said bonds shall be in denominations of \$1,000 each, or, if purchased by the United States through the Federal Emergency Administrator of Public Works or any other department or agency of the United States Government, in such other denominations as shall be satisfactory to the Federal Emergency Administrator of Public Works, or to such other agency of the United States as may have charge of the matter. The principal of said bonds shall be due within 25 years from the date thereof: *Provided*, That the common council of the said city of Juneau shall have the right to call and pay such bonds, or any portion thereof, at any time, at par, plus accrued interest; but if said city of Juneau shall exercise the option to pay such bonds before the date of their maturity, it shall pay first the bonds held by the Government of the United States or by any department or agency thereof, if any, the last maturities of said bonds to be paid first.

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Sec. 4. The principal and interest of said bonds shall be payable in such funds as are, on the respective dates of payments of the principal of and interest on the bonds, legal tender for debts to the United States of America, at the office of the city treasurer of the city of Juneau, Alaska, or at such bank or banks, or at such place or places as may be designated by the common council of the city of Juneau, such place or places of payment to be designated in each of the several bonds issued.

Sec. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this act. Nothing herein contained shall be so construed as to prevent the issuance and sale of said bonds for any one or more of the purposes and in the respective amounts hereinbefore specified. Said bonds shall be sold only when and in such amounts as the common council of the city of Juneau shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the orders and directions of the said common council from time to time as the same may be required for the purposes hereinabove set forth.

Sec. 6. The city of Juneau is hereby authorized to accept hereunder such loan and grant as may be awarded to it by the Federal Emergency Administration of Public Works acting under and pursuant to title 2 of the National Industrial Recovery Act and any amendments, additions, and supplements thereto.

BONDS OF SKAGWAY, ALASKA

The bill (S. 2812) to authorize the incorporated city of Skagway, Alaska, to issue bonds in any sum not exceeding \$40,000, to be used for the construction, reconstruction, replacing, and installation of a water-distribution system, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the incorporated city of Skagway, Alaska, is hereby authorized and empowered to issue its general obligation bonds in any sum not exceeding \$40,000 to be used for the purpose of constructing, reconstructing, replacing, and installing a water-distribution system to replace the present system now owned by the city of Skagway.

Sec. 2. That before said bonds shall be issued a special election shall be ordered by the common council of the said city of Skagway, at which election the question of whether such bonds shall be issued shall be submitted to the qualified electors of said city of Skagway whose names appear on the last assessment roll of said city for municipal taxation. Not less than 20 days' notice of such election shall be given by posting notices of the same in three conspicuous places within the corporate limits of the city of Skagway, Alaska, one of which shall be at the front door of the United States post office. That the registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued only upon condition that not less than a majority of the votes cast at such election in said city shall be in favor of the issuance of said bonds.

Sec. 3. The said bonds, when issued, shall bear the written signature of the mayor and clerk of the city of Skagway, and shall have impressed thereon the official seal of said city at the time of their issuance. The bonds may be sold at either public or private sale, as the common council of Skagway shall direct. The bonds above mentioned, when authorized to be issued as herein provided, shall bear interest at a rate to be fixed by the common council of the said city of Skagway, Alaska, before the issuance of such bonds, and said interest shall not exceed the rate of 6 percent per annum, payable semiannually, and the bonds shall be sold at not less than par, plus accrued interest. Said bonds shall be in denominations of \$1,000 each, or, if purchased by the United States through the Federal Emergency Administrator of Public Works or any other department or agency of the United States Government, in such other denominations as shall be satisfactory to the Federal Emergency Administrator of Public Works, or to such other agency of the United States as may have charge of the matter. The principal of said bonds shall be due within 25 years from the date thereof: *Provided*, That the common council of the said city of Skagway shall have the right to call and pay such bonds, or any portion thereof, at any time, at par, plus accrued interest; but if said city of Skagway shall exercise the option to pay said bonds before the date of their maturity, it shall pay first the bonds held by the Government of the United States or by any department or agency thereof, if any, the last maturities of said bonds to be paid first.

Sec. 4. The principal and interest of said bonds shall be payable in such funds as are, on the respective dates of payments of the principal of and interest on the bonds, legal tender for debts to the United States of America, at the office of the city treasurer of the city of Skagway, Alaska, or at such bank or banks, or at such place or places as may be designated by the Common Council of the City of Skagway, such place or places of payment to be designated in each of the several bonds issued.

Sec. 5. No part of the funds arising from the sale of said bonds shall be used for any purposes other than those specified in this act, and said bonds shall be sold only when and in such amounts as the common council of the city of Skagway shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the orders and directions of the said