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|------------------|--------------------|-------------------|------------------|
| Cravens | Hancock | McLaughlin | Sacks |
| Creal | Hare | McLean | Sandager |
| Crosser | Harness | McLeod | Sasser |
| Crowe | Harrington | McMillan, Clara | Satterfield |
| Crowther | Hart | McMillan, John L. | Schafer, Wis. |
| Culkin | Harter, N. Y. | Maas | Schiffner |
| Cullen | Harter, Ohio | Maclejewski | Schuetz |
| Cummings | Hartley | Mahon | Schulte |
| Curtis | Havener | Maloney | Schwert |
| D'Alessandro | Hawks | Marshall | Scrugham |
| Darden, Va. | Healey | Martin, Ill. | Secombe |
| Davis | Hendricks | Martin, Iowa | Secrest |
| Delaney | Hennings | Martin, Mass. | Seger |
| Dempsey | Hess | Mason | Shanley |
| DeRouen | Hill | Massingale | Shannon |
| Dickstein | Hobbs | May | Sheppard |
| Dies | Hoffman | Michener | Sheridan |
| Dingell | Holmes | Miller | Short |
| Dirksen | Hook | Mills, Ark. | Simpson |
| Disney | Hope | Mills, La. | Smith, Conn. |
| Ditter | Horton | Mitchell | Smith, Ill. |
| Dondero | Hull | Monkiewicz | Smith, Maine |
| Doughton | Hunter | Moser | Smith, Ohio |
| Doxey | Izac | Mott | Smith, Va. |
| Duncan | Jacobsen | Mouton | Smith, Wash. |
| Dunn | Jarrett | Mundt | Snyder |
| Durham | Jeffries | Murdock, Ariz. | Somers, N. Y. |
| Dworschak | Jenkins, Ohio | Murdock, Utah | Sparkman |
| Eaton | Jennings | Murray | Spence |
| Eberharter | Jensen | Myers | Springer |
| Edelstein | Johns | Nelson | Starnes, Ala. |
| Edmiston | Johnson, Ill. | Nichols | Steagall |
| Elliott | Johnson, Ind. | Norrell | Stearns, N. H. |
| Ellis | Johnson, Luther A. | Norton | Stefan |
| Elston | Johnson, Lyndon | O'Brien | Sullivan |
| Engel | Johnson, Okla. | O'Connor | Sumner, Ill. |
| Englebright | Johnson, W. Va. | O'Day | Sumners, Tex. |
| Evans | Jones, Ohio | O'Leary | Sutphin |
| Faddis | Jonkman | Oliver | Sweeney |
| Fay | Kean | O'Neal | Sweet |
| Fenton | Kee | Osmers | Taber |
| Ferguson | Keefe | O'Toole | Talle |
| Fernandez | Kefauver | Pace | Tarver |
| Fitzpatrick | Keller | Parsons | Tenerowicz |
| Flaherty | Kelly | Fatman | Terry |
| Flannagan | Kennedy, Martin | Patrick | Thomas, N. J. |
| Flannery | Kennedy, Md. | Patton | Thomas, Tex. |
| Ford, Leland M. | Kennedy, Michael | Pearson | Thomason |
| Ford, Miss. | Keogh | Peterson, Fla. | Tibbott |
| Ford, Thomas F. | Kilburn | Peterson, Ga. | Tinkham |
| Fries | Kilday | Pfeifer | Tolan |
| Fulmer | Kinzer | Pierce | Treadway |
| Gamble | Kirwan | Pittenger | Van Zandt |
| Garrett | Kitchens | Plumley | Vincent, Ky. |
| Gartner | Kleberg | Poage | Vinson, Ga. |
| Gathings | Knutson | Polk | Voorhis, Calif. |
| Gavagan | Kocialkowski | Powers | Vorys, Ohio |
| Gearhart | Kramer | Rabaut | Vreeland |
| Gehrmann | Kunkel | Ramspeck | Wallgren |
| Gerlach | Lambertson | Randolph | Walter |
| Geyer, Calif. | Landis | Rankin | Ward |
| Gibbs | Lanham | Rayburn | Warren |
| Gifford | Larrabee | Reece, Tenn. | Weaver |
| Gilchrist | Lea | Reed, Ill. | Weich |
| Gillie | Leavy | Reed, N. Y. | West |
| Goodwin | LeCompte | Rees, Kans. | Wheat |
| Gore | Lesinski | Rich | Whelchel |
| Gossett | Lewis, Colo. | Richards | Whittington |
| Graham | Lewis, Ohio | Robertson | Wigglesworth |
| Grant, Ala. | Luce | Robinson, Utah | Williams, Del. |
| Grant, Ind. | Ludlow | Robson, Ky. | Williams, Mo. |
| Green | Lynch | Rockefeller | Winter |
| Gregory | McAndrews | Rodgers, Pa. | Wolfenden, Pa. |
| Griffith | McArdle | Rogers, Mass. | Wolverton, N. J. |
| Gross | McCormack | Rogers, Okla. | Wood |
| Guyer, Kans. | McDowell | Romjue | Woodruff, Mich. |
| Gwynne | McGehee | Routzohn | Woodrum, Va. |
| Hall, Edwin A. | McGranery | Rutherford | Youngdahl |
| Hall, Leonard W. | McGregor | Ryan | Zimmerman |
| Halleck | McKeough | Sabath | |

NAYS—6

| | | | |
|-----------|-------------|------------|---------|
| Alexander | Marcantonio | Thorkelson | Wolcott |
| Crawford | Thill | | |

NOT VOTING—29

| | | | |
|------------|--------------|----------------|---------------|
| Bates, Ky. | Fish | Lemke | Smith, W. Va. |
| Burch | Folger | Magnuson | Taylor |
| Burgin | Hinshaw | Mansfield | Wadsworth |
| Byron | Houston | Merritt | White, Idaho |
| Clark | Jarman | Monroney | White, Ohio |
| Darrow | Jenks, N. H. | Risk | |
| Douglas | Jones, Tex. | Schaefer, Ill. | |
| Drewry | Kerr | Shafer, Mich. | |

So the bill was passed.

The Clerk announced the following pairs:
General pairs:

Mr. Kerr with Mr. Wadsworth.
Mr. Jones of Texas with Mr. Hinshaw.
Mr. Burch with Mr. Fish.
Mr. Merritt with Mr. Shafer of Michigan.

Mr. Houston with Mr. Douglas.
Mr. Bates of Kentucky with Mr. Jenks of New Hampshire.
Mr. Smith of West Virginia with Mr. Risk.
Mr. Byron with Mr. Darrow.
Mr. Taylor with Mr. White of Ohio.
Mr. White of Idaho with Mr. Lemke.

The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

ANNOUNCEMENT

Mr. DOUGHTON. Mr. Speaker, my colleagues the gentlemen from North Carolina, Mr. CLARK, Mr. KERR, Mr. FOLGER, and Mr. BURGIN, are unavoidably absent. If they were present, they would have voted "yea."

Mr. EDMISTON. Mr. Speaker, my colleague the gentleman from West Virginia, JOE L. SMITH, is unavoidably absent. Had he been present he would have voted "yea."

Mr. DISNEY. Mr. Speaker, my colleague the gentleman from Oklahoma, Mr. MONRONEY, is in the hospital on account of an appendicitis operation. I am authorized to announce that if he were present he would have voted "yea."

Mr. PLUMLEY. Mr. Speaker, my colleague the gentleman from New Hampshire, Mr. JENKS, is in the hospital and is detained thereby. If he were present, he would have voted "yea."

Mr. ENGLEBRIGHT. Mr. Speaker, my colleagues the gentlemen from New York, Mr. FISH and Mr. DOUGLAS, are absent on account of official business. Had they been present they would have voted "yea" on the bill just passed.

Mr. LUTHER A. JOHNSON. Mr. Speaker, my colleague the gentleman from Texas, Mr. MANSFIELD, was here earlier in the afternoon but was unavoidably absent at the time the roll was called. If he had been present, he would have voted "yea" on the passage of the bill.

Mr. WALLGREN. Mr. Speaker, my colleague the gentleman from Washington, Mr. MAGNUSON, is unavoidably detained. If he were present, he would have voted "yea."

Mr. FRIES. Mr. Speaker, my colleague the gentleman from Illinois, Mr. SCHAEFER, is in the hospital. If he were here, he would have voted "yea."

Mr. BLAND. Mr. Speaker, my colleague the gentleman from Virginia, Mr. DREWRY, is in the hospital. If he were present, he would have voted "yea."

Mr. PATRICK. Mr. Speaker, my colleague the gentleman from Alabama, Mr. JARMAN, is detained on business. If he were here, he would have voted "yea."

INDIAN LANDS—VETO MESSAGE (H. DOC. NO. 832)

The SPEAKER pro tempore (Mr. WARREN) laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith without my approval enrolled H. R. 5918, which would amend Public Law Numbered 96 of the Seventy-fifth Congress, being an act entitled "An act amending section 2 of Public Law Numbered 716 of the Seventy-fourth Congress, being an act entitled 'An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes and for other purposes.'"

The effect of this act, if approved, would be to subject to taxation by State, county, and municipal authorities from and after June 6, 1936, certain Indian lands that were made tax exempt by the act of June 20, 1936 (49 Stat. 1542), and which continued in that status until the passage of the act of May 19, 1937 (50 Stat. 188). It appears that the scope of the act of June 20, 1936, supra, developed to be greater than the Congress originally intended, and that the tax exemption granted thereby was subsequently limited by the passage of the act of May 19, 1937, supra, to lands falling within two specified classes. In the interim, however, certain lands which were subjected to taxation by the act last cited enjoyed freedom from taxation.

In my opinion, it would be unjust at this late date to place the owners of the affected lands in the position of having to pay taxes for a period during which they had every right to believe that no such obligation would accrue

against them. To impose this burden upon them now might result in undue hardship in some cases if not in the actual loss of their lands through tax sales.

I do not discuss the question of the constitutionality of this retroactive enactment, but it is one worthy of serious consideration.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 11, 1940.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. ROGERS of Oklahoma. Mr. Speaker, I move that the message and the bill be referred to the Committee on Indian Affairs and ordered to be printed.

The motion was agreed to.

ESTATE OF REXFORD M. SMITH—VETO MESSAGE (H. DOC. NO. 831)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 5089, Seventy-sixth Congress, third session, entitled "An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith."

This enactment would confer upon the Court of Claims, notwithstanding the lapse of time or the statute of limitations, jurisdiction to hear, examine, adjudicate, and render judgment under the act of June 25, 1910 (36 Stat. L., ch. 423, p. 551) as amended July 1, 1918, or any other enabling statute of the United States, on the claim of Charles A. M. Wells, as executor cum testamento annexo, under the last will and testament of Rexford M. Smith, deceased, or his successor, as the legal representative of the estate of the said decedent, for the use of or the manufacture by or for the United States within the period of 6 years immediately preceding January 4, 1933, without license of the owner thereof or the lawful right to use or manufacture the same, of a certain invention of said Rexford M. Smith, deceased, described in or covered by Letters Patent No. 1,166,486, for aeroplane, issued by the Patent Office of the United States on January 4, 1916.

The record shows that on July 27, 1937, Charles A. M. Wells, administrator of the estate of Rexford M. Smith, filed suit against the United States in the Court of Claims for the alleged infringement of Patent No. 1,166,488, issued to Rexford M. Smith on January 4, 1916. This patent expired on January 4, 1933, and no claim can be based on its use subsequent to that date. Likewise no recovery is permitted on a claim which arose more than 6 years prior to the filing date of the petition in the Court of Claims. In the suit now pending the plaintiff is, therefore, limited in his proofs to the period between July 27, 1931, which is 6 years prior to the date of the filing of the petition, and January 4, 1933, the date the patent expired.

The object of H. R. 5089 is to waive the statute of limitations so as to permit the claimant to carry his claim back to a date 6 years prior to the expiration of the patent rather than 6 years prior to the filing of his action in the Court of Claims.

The obvious purpose of the present law, which requires a claimant to file his claim within 6 years from the date it first accrued, is to require a claimant to act within a reasonable time.

In my judgment, the facts respecting this claim are such as to impel the conclusion that it is without merit and would establish an undesirable precedent as placing a premium on delay. For the foregoing reasons I withhold my approval of H. R. 5089.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 11, 1940.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. KENNEDY of Maryland. Mr. Speaker, I move that the message and the bill be referred to the Committee on Claims and ordered to be printed.

The motion was agreed to.

BRIDGE OR FERRY ACROSS THE RIO GRANDE AT BOCA CHICA, TEX.—
VETO MESSAGE (H. DOC. NO. 830)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 3138, authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex.

Information furnished by officials of the Federal inspection services indicate that there is no real commercial need for the international facilities authorized by the bill; that such facilities, if established, would be utilized only occasionally by small fishing parties; that the financial success of the enterprise would appear exceedingly doubtful; that there is no provision in the bill to insure that—in the event the enterprise should be successful—the bridge or ferry would ever be operated free of tolls; and that the cost of providing and maintaining the necessary personnel for enforcement of the revenue, immigration, and other laws would be greatly in excess of any probable income from fees or other sources of revenue.

I am withholding approval of the bill in the belief that the public interests are not such as to justify the annual expense to the Government that would be entailed in providing and maintaining Federal inspectional forces to supervise the small volume of international traffic that might be expected to use a bridge or ferry at this proposed location.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 11, 1940.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. COLE of Maryland. Mr. Speaker, I move that the bill and the message be referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

The motion was agreed to.

TRAVEL EXPENSES OF CERTAIN EMPLOYEES OF THE CORPS OF
ENGINEERS—VETO MESSAGE (H. DOC. NO. 829)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

H. R. 9118, entitled "An act to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army," is returned without my approval.

This bill would authorize reimbursement to employees for the expense of reporting for duty at Fort Peck, Mont. Although not shown in the bill or in the Senate and House reports thereon, it has been brought to my attention that all of the employees to be so benefited received, upon reporting for duty at Fort Peck, administrative promotions which could only have been lawfully granted to persons appointed to fill vacancies, since employees continued in the same positions were prohibited from receiving administrative promotions by section 7 of the act of March 3, 1933 (47 Stat. 1515). It is the established rule, on the other hand, that employees must bear all expenses of reporting to their first-duty station under new appointments. Consequently, to permit these employees to receive both increased compensation and reimbursement for travel expenses would give them benefits not accorded to other Government employees. I am informed in this connection that travel expenses have been allowed by the Comptroller