

Governor Alfred M. Landon relief matters correspondence

Section 46, Pages 1351 - 1380

Relief correspondence received and created by Governor Alfred M. Landon from 1933-1937. It largely concerns the appropriation of federal relief funds for Kansas relief projects and programs as part of President Franklin Roosevelt's New Deal program during the Great Depression.

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RECONSTRUCTION FINANCE CORPORATION
WASHINGTON

File
69

June
Twenty-eighth
1 9 3 3

Honorable Alf M. Landon
State House
Topeka, Kansas

My dear Governor:

I have your letter of June sixteenth, stating that you believe it will be a mistake if the President should name an Administrator of Public Works in the different states.

In accordance with your request I have placed your letter in the hands of Mr. Louis McH. Howe.

With every good wish, I remain

Sincerely yours,

Carroll B. Merriam
Carroll B. Merriam

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A REVIEW OF SOME OF THE ACTS AND PROPOSED
ACTS OF OTHER STATES RELATING TO
STATE QUALIFICATION UNDER
FEDERAL STATUTES OF
73RD CONGRESS FROM
APRIL 16, 1933
TO JUNE 16,
1933.

(Prepared for the Kansas State Legislative Council by
Franklin Corrick, Kansas State Revisor of Statutes
Department, August 12, 1933.)

The law makes it the duty of the Revisor of Statutes to assist in the preparation of legislative bills upon the request of any member of the Kansas Legislature. One of the Revisor's duties is to collect available information relating to any matter that may be the subject of proposed legislation.

Through the cooperation of the American Legislators' Association, Chicago, Illinois, the legislative reference bureaus of different states, and others, copies of acts and proposed acts recently enacted or introduced by state legislators have been obtained from several of the states. In addition, ten copies of each of the three federal laws (H.R. 5661, H.R. 5755, and S. 510) referred to in the letter calling the Council into Session on August 15, 1933, have been obtained from the Superintendent of Public Documents, Washington, D.C.

This material is available to members of the Council and may form a basis to work from after a study of the legislation needed for our

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state has been made. Time may be saved by studying the bills and acts of other states. Communications and proposed ^adraft have been received from the National Recovery Administration and are as follows:

"NATIONAL RECOVERY ADMINISTRATION

Washington, D.C.

August 5, 1933.

Mr. Franklin Corrick,
State of Kansas,
Topeka, Kansas.

Dear Sir:

Enclosed is mimeographed copy of the tentative act submitted by this Department to the various legislatures for use in conforming their legislation to the National Industrial Recovery Act.

As you will note by General Johnson's letter, this Act is not intended as verbatim legislation, but rather as a suggestion of the results to be accomplished.

You may have in your state constitution some provision which suggests modification of this matter. You are in much better position to judge the needs of your particular state than we.

Very truly yours,

John M. Keating,

Assistant Counsel.

Enclosure:

Copy of Tentative Act.

JMK:CMR"



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"NATIONAL RECOVERY ADMINISTRATION"

*Property of
Franklin Corvick
State Library
Topeka, Kans.*

To the Governor of _____:

The National Recovery Administration is deeply interested in the passage of State legislation providing for state cooperation with the National Recovery Administration and the elimination of any conflicts in the carrying out of the purposes and policies of the National Industrial Recovery Act which might arise by virtue of existing state laws.

The National Recovery Administration does not presume to give definite advice as to the particular provisions which such legislation should include in any particular state which elects to cooperate by the enactment of such a statute. However, it is thought that a substantial uniformity in the character of the various acts of the several states would prevent confusion and conflicts and aid in the coordination of the efforts of the nation and the states. With this thought in mind, the following is submitted as a form for a statute which provides for full cooperation with the National Recovery Administration in this emergency. This may be used as an aid in drafting, or in any way you see fit.

Hugh S. Johnson
HUGH S. JOHNSON
National Recovery Administrator.

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AN ACT

TO ENCOURAGE STATE AND NATIONAL INDUSTRIAL
RECOVERY BY COOPERATING WITH THE NATIONAL
GOVERNMENT IN FOSTERING FAIR COMPETITION
AND FOR OTHER PURPOSES.

Section 1. A state-wide emergency productive of widespread unemployment and disorganization of industry, which burdens commerce, affects the public welfare, and undermines the standards of living of the people of this state is hereby declared to exist, and it is hereby recognized that such an emergency exists throughout the nation. It is hereby declared to be the policy of this state to provide for the general welfare by cooperating with and assisting the national government in promoting the organization of industry for the purpose of cooperative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanctions and supervision, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present productive capacity of industry, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and conserve natural resources, and otherwise as announced in the Act of Congress entitled: "An Act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes" approved June 16, 1933, and commonly known as the "National

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Industrial Recovery Act."

Section 2. To effectuate the policy of this Act, the Governor is hereby authorized to consent to the President of the United States utilizing State and local officers and employees in effectuating the policies of the National Industrial Recovery Act in accordance with the provisions of Section 2 (a) of that Act.

Section 3. (a) No person, natural or artificial, shall refrain from complying with the provisions of any code of fair competition, agreement or license, approved, prescribed, or issued under the terms of the National Industrial Recovery Act on the ground that he is not engaged in transactions in, or affecting "interstate or foreign commerce" as defined in paragraph (d) of Section 7 of Title I of the National Industrial Recovery Act.

Section 3. (b) The terms and conditions of any Code of fair competition, agreement, or license approved, prescribed, or issued under the terms of the National Industrial Recovery Act for any trade or industry or subdivision thereof, shall be considered as the standards of fair competition for such trade or industry or subdivision thereof in all its transactions within this state. The violation of such standards by any person engaged in such trade or industry or subdivision thereof within this state shall be deemed the use of unfair methods of competition.

Section 4. (a) When a code of fair competition has been approved or prescribed by the President under the National Industrial Recovery Act, any violation of any provision thereof in any transaction within

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this state not in or affecting "interstate or foreign commerce" within the definition of paragraph (d) of Section 7 of Title I of the National Industrial Recovery Act, shall be a misdemeanor and upon conviction thereof an offender shall be fined not more than five hundred (\$500.00) dollars for each offense, and each day such violation continues shall be deemed a separate offense.

Section 4. (b) Any person subject to and complying with the terms and conditions of any code of fair competition, agreement, or license, approved, prescribed, or issued under the terms of the National Industrial Recovery Act for any trade or industry or subdivision thereof within this state, or any.....attorney of this state may institute a suit to prevent and restrain any violation of any provision thereof in any transaction within this state not in, or affecting "interstate or foreign commerce" within the definition of paragraph (d) of Section 7 of Title I of the National Industrial Recovery Act. The.....
..... courts of this state are hereby invested with jurisdiction to entertain such suits.

Section 5. While this Act is in effect, (or in the case of a license while paragraph (a) of Section 4 of Title I of the National Industrial Recovery Act is in effect), and for sixty days thereafter, any code of fair competition, agreement, or license approved, prescribed, or issued under the terms of the National Industrial Recovery Act, and any action complying with the provisions thereof (including the acts of any person or persons interested in any trade or industry or subdivision thereof in meeting, conferring or agreeing upon any code of fair competition or agreement) taken during such period, shall be exempt from the provisions of the anti-trust laws of this state, or any court order or decree issued

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thereunder, whether or not such trade or industry or subdivision thereof is engaged in transactions in or affecting "interstate or foreign commerce" as defined in paragraph (d) of Section 7 of Title I of the National Industrial Recovery Act.

Section 6. In furtherance of the purposes and policies of this Act and of the National Industrial Recovery Act, any department of this state and the governing body of any subdivision, municipal corporation or district and any public officer or person charged with the letting of contracts for (1) the construction, alteration or repair of public works or (2) the purchasing of materials or supplies for public use, shall let such contracts only to those persons, natural or artificial, who agree in and by the terms of such contracts to use or supply only articles, materials and supplies mined, produced, manufactured or supplied by a person who is a party or subject to a code of fair competition, agreement, or license, approved, prescribed, or issued under the terms of the National Industrial Recovery Act in every case where a code of fair competition, agreement, or license has been approved, prescribed, or issued under the terms of the National Industrial Recovery Act for the trade or industry or subdivision thereof mining, producing, manufacturing or supplying such articles, materials or supplies. Any practices in violation of such terms of such contracts shall be deemed the use of unfair methods of competition within the meaning of this Act.

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Section 7. This Act shall cease to be in effect on June 16, 1935, or sooner if, as provided in paragraph (c) of Section 2 of Title I of the National Industrial Recovery Act, the President shall by proclamation or the Congress shall by joint resolution declare that the national emergency recognized by the National Industrial Recovery Act has ended.

Section 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Section 9. This Act is hereby declared to be an urgent emergency measure necessary for the immediate preservation of the general welfare of the people of the state and shall, therefore, go into effect immediately to promote cooperation with the national government in the enforcement of the National Industrial Recovery Act.

Section 10. This Act may be known and cited as the State Industrial Recovery Act.))

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Some of the subjects and matters that may need consideration ^{and study} are set out below in five parts, viz: Anti-trust laws, Public Works, National Employment System Act, Federal Home Owners' Loan Act, Federal Emergency Relief Act and the Federal Banking Act of 1933.

The acts or proposals which are of some length appear below in the form of synopses. But most of the measures are quite brief and are copied verbatim in their original or amended form. It is probable that some of them have been further amended or that new measures have been substituted since all but ^{two} ~~one~~ of the bills (Rhode Island ^{and Ohio}) were pending in the legislatures.

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PART I.--ANTI-TRUST LAWS.

OHIO (Passed).

(House Bill No. 705 passed July 1, 1933, approved by the Governor, July 12, 1933.)

The title:

"AN ACT to provide for the cooperation of this state with the federal government and its officers and agencies in effectuating the policies of the national industrial recovery act of the congress of the United States and the act of congress entitled "An act to relieve the existing national economic emergency by increasing agricultural purchasing power," etc., approved May 12, 1933, in order to encourage industrial recovery, to reduce unemployment, to foster fair competition, to eliminate unfair competitive practices, and to stimulate the marketing of agricultural commodities, by the enactment of legislation of like nature relating to transactions in the state of Ohio including those affecting intrastate commerce only."

This is an act to bring the anti-trust laws of Ohio into harmony with the federal act in particular, Title I of H.R. 5755, 1933, Ch. ___, 48 Stat. Said Title I attempts to go further than to control interstate and foreign commerce since it attempts to give the federal government jurisdiction over ^{intrastate} interstate commerce when it affects in any way interstate commerce. This may be unconstitutional. Even if the federal act is valid, the states can facilitate the objectives of Title I by passing legislation in harmony with it.

The Ohio act in section 1 declares it to be the policy

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of the state to cooperate with congress in furthering the purposes of section (1) of Title I of the industrial recovery act (H.R. 5755, 1933, ch. __, 48 Stat.) and Title I of the ^{federal} agricultural adjustment act (1933 ch. 25, 48 Stat.)

In section 2 of the Ohio act, broad powers are given to the governor and state agencies to cooperate. Section 3 suspends the statutory and common law "with respect to contracts in restraint of trade or commerce, or of competition," and makes lawful code agreements, etc. by individuals and others.

Section 4 specifies the conditions which each code of fair ~~competitive~~ competition shall contain.

Section 5 prescribes penalties for violations of code agreements and section 6 vests court jurisdiction and makes it the duty of the attorney-general and prosecuting attorneys to prevent and restrain violations.

Section 7 relates to the licensing of business enterprises in order to make the codes effective, with power to suspend or revoke licenses for violations. The power is vested in the governor.

Section 8 is a saving clause relating to certain Ohio laws, viz; milk marketing commission, hours of labor and contracts of employment.

Section 9 defines "person," -- "interstate and foreign commerce," "intra-state commerce," and the term "processing."

Section 10 states that section ⁷ (the licensing provisions) shall cease to be in effect as to certain associations or producers and other persons immediately after certain provisions in Title I of the Agricultural Adjustment Act (May 12, 1933, ch. 25, 48 Stat.) ceases to be in effect. It also provides all of the remaining

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provisions of the Ohio act "shall cease to be in effect sixty days after Title I of the National Industrial Act (June 16, 1933, ch. ___ 48 Stat.) shall cease to be in effect."

WISCONSIN-- Industrial Recovery Bill.

(Assembly Bill No. 944 by Mr. Fox)

The first section (§109.04) of this bill provides that the governor may issue licenses to Trade Associations complying with certain conditions as therein set out. The conditions are substantially the same as found in Section 3, Title I, of the National Industrial Recovery Act. (H.R. 5755, 1933, Ch. ___, 48 Stat.)

The next section (§ 3109.05) relates to Codes of Fair competition and Business Practices. It follows in general the outline set forth in section 3, Title I, of the National Recovery Act. As in the Ohio act, penalties are imposed for violations and the jurisdiction of the courts and prosecuting attorneys are prescribed.

Section 109.07 provides for exemptions from the Wisconsin anti-trust laws so long as the exemptions from the United States anti-trust laws prevail.

Section 109.09 provides for state cooperation with the federal government and gives the governor power to authorize the President to utilize state officials and employees provided that no extra expense is incurred by the state, and that the industries so supervised do a substantial portion of their business in Wisconsin.

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PART II.--PUBLIC WORKS

CONSTRUCTION

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(1) Generally.

The National Industrial Recovery Act in Title II authorizes the granting of federal moneys to state municipalities or other public bodies to cover 30% of the cost of the labor and materials used to construct, repair, or improve public works. (See Section 203, H.R. 5755, June 16, 1933, ch. ___ 48 Stat. for pertinent clauses.)

How to finance the remaining 70% for the public works is a problem *omit* for the state legislatures to solve. The NIRA provides two methods other than tax revenues and the public sale of bonds, viz.; (1) The President is authorized "to acquire by purchase, or by exercise of the power of eminent domain, any real or personal property in connection with the construction of such project, and to sell any security acquired or any property so constructed or acquired." (2) "Or to lease any such property with or without the privilege of purchase: Provided, That all moneys received from any such sale or lease or the repayment of any loan shall be used to retire obligations issued pursuant to section 209 of this Act, in addition to any other moneys acquired to be used for such purpose." (Section 203, NIRA, Title II.)

Legislation to enable states to secure their full quota may take either one, or both, of two forms: A state may authorize and finance state projects, or it may clear away any legal obstacles so that the state or municipality may act.

The state of Kansas ^{*as such*} cannot contract debts for public improvements in the aggregate in excess of one million dollars, except by referendum of the electors at some general election. Nor can the state ^{*as such*}

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be a party to carry on the work of internal improvements except that it can maintain a state highway system, but can only levy special taxes on motor fuels for such purposes. (Kansas Constitution, Art. 11, §§ 5,6, 8,9.)

Of course, the above constitutional restrictions do not prevent the legislature from authorizing counties, cities, etc., or individuals to carry on works of public improvements. (see *Leavenworth Co. v. Miller*, 7 Kan. 298.)

The state of Rhode Island at the Special June 1933 Session of its legislature passed an act creating an Emergency Public Works Commission and provided for the borrowing of money for public works, etc., and the exercise of the power of eminent domain. (Chapter 2078, R.I. Pub. L. June, 1933.) Similar bills have been introduced in Massachusetts (Mass. House No. 1570, July 12, 1933.) California. (Calif. Assembly Bill No. 2438, July 21, 1933), and Illinois (58th G.A. S.B. No. 758, 1933.) Another Illinois bill relating to political subdivisions is set out in full below.

While these bills as drawn in those states (except, ^{possibly} the Illinois bill set out below) may be constitutionally objectionable if so drafted for Kansas, they contain several features that may be worthy of consideration after studying them in connection with our constitution and present statutes. For example, section 9 of the Rhode Island law is as follows:

"Sec. 9. For the purpose of financing any project or projects approved as hereinbefore provided, any municipality may issue its notes, without regard to any legal limitations upon its incurring of indebtedness, provided, however, that no municipality shall issue any notes which but for this section would increase its indebtedness above its legal limit of indebtedness unless the issue of such notes shall be approved by the commission. Such notes issued with the approval of the commission shall not at any time be included in the indebtedness of the municipality in determining whether such indebtedness exceeds its legal debt limit, and shall not be affected by any other restriction specially applicable to the notes of municipalities."

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Statutory debt limitations may constitute legal obstacles to public municipal construction with federal assistance. Where this is true, the borrowing power of the governmental subdivisions might be expanded. For example, loans might be exempted from the debt limit statutes if they were secured from the federal government for a project under the National Industrial Recovery Act. From reliable sources it is learned that the new Michigan act is of this character, although this law is not yet available for study.

Possibly, the borrowing procedure should be simplified if the state should decide to permit Kansas municipalities to participate in the remaining 70 per cent which must be repaid to the federal government. There does not appear to be any Kansas statute expressly authorizing cities to borrow the 70 per cent from the federal government.

There is, it should be stated, the provision in the National Recovery Act (section 203A) which authorizes the President to extend the benefits of the public work title to a state, county or municipality, and in doing so, may "consider whether action is in process or in good faith assured therein reasonably designed to ^{bring} the ordinary current expenditures thereof within the prudently estimated revenues thereof." However, there is reason to believe that such funds will be granted first to states or municipalities which are in a position to give adequate legal security for them.

In addition to the above suggestions, if it should be decided that a legislative program should be formulated to authorize Kansas to come within the provisions of Title II of the National Recovery Act, proposals authorizing, in substance, the following courses of action might be presented:

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(1) Sale of bonds or other property and delivery of bonds
to the federal government.

(2) Lease of property to the federal government.

above referred to
The Illinois Bill (58 G.A.S.B. No. 716, 1933) was amended ~~three~~ times
in the House and is shown here with the amendments in their proper place.
Final action on the bill had not been taken on August 10, 1933. The
provisions of the bill are as follows:

" A BILL for an Act to authorize public agencies, political subdivisions,
public municipal instrumentalities, and municipalities, public corpora-
tions, boards and commissions to apply for grants and make loans from
and contracts with the federal emergency administration of public
works as and when the same is created under an act of congress to
aid in financing any public works program authorized by federal, state
or municipal law.

Be it enacted by the People of the State of Illinois, represented in the
General Assembly.

Section 1. That the public authorities, public agencies, political
subdivisions, public municipal instrumentalities and municipalities,
public corporations, boards and commissions (all of which are herein
called municipalities) are hereby authorized to apply for grants and make
loans from and contracts with the Federal Emergency Administration of
Public Works or such officers and agencies as and when the same are
created or empowered to act under an Act of Congress entitled, " An Act
to encourage national industrial recovery, to foster fair competition,
and to provide for the construction of certain useful public works, and
for other purposes," to aid in financing any public works program
authorized under Federal, State or municipal law. Such loans or contracts
to be made by said municipalities through the purchase by the Federal

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Emergency Administration of Public Works of the securities of such municipalities or otherwise or by pledging the securities of any of said municipalities and all such municipalities are hereby authorized and empowered if deemed necessary or desirable to sell or pledge their securities for the purpose in this Act specified.

Sec. 2. That any and all contracts let for construction projects and all loans made and grants procured pursuant to the provisions of said Act of Congress shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed on any such project; (2) that except in executive administrative and supervisory positions so far as practicable, no individual directly employed on any such project shall be permitted to work more than thirty hours in any one week; (3) that all employees shall be paid just and reasonable wages which shall be compensation sufficient to provide for the hours of labor as limited, a standard of living in decency and comfort; (4) that in the employment of labor in connection with any such project, preference shall be given, where they are qualified to ex-service men with dependents. Then in the following order:

(a) To bona fide residents of the political, subdivision or county in which the work is to be performed, who are either citizens of the United States or aliens who have declared their intentions of becoming citizens, and

(b) To bona fide residents of the State, territory or district in which the work is to be performed who are either citizens of the United States or aliens who have declared their intentions of becoming citizens,

Provided, that no securities shall be so sold or pledged by any such municipality except such securities as are authorized to be issued by laws of this State (other than this Act) in force prior to August 1, 1933.

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Provided that these preferences shall apply only where such labor is available and qualified to perform the work to which the employment relates and (5) that the maximum of human labor shall be used in lieu of machinery wherever practicable and consistent with sound economy and public advantage.

Sec. 3. That the proper authorities of any such municipality be, and they are hereby, authorized to make applications for grants and loans from and contracts with the Federal Administration of Public Works in aid of any public works program authorized by Federal State or Municipal law, and to make any loan or enter into any contract which may be approved by the Federal Emergency Administration of Public Works or such officers and agencies empowered to act on such terms and conditions as may be prescribed and may authorize the doing of all things and acts, and the execution of such documents and instruments, and adopt such resolutions and ordinances in connection therewith, that may be required by the Federal Emergency Administration of Public Works or such officers and agencies empowered to act to effect any sale or pledge of the warrants issued in anticipation of the collection of taxes or of the bonds of such municipalities or to procure grants in order to obtain financial aid."

(2) Highway Construction

P Section 204, Title II of the National Recovery Act authorizes grants to the state highway department, Subdivision (2) (a) states that such grants shall be available for the construction of "secondary or feeder roads, on which projects shall be submitted by the state highway department and approved by the Secretary of Agriculture." Subdivision (2) (b) states that these grants need not be matched by the states and may also be used in lieu of state funds to match unobligated balances

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of previous apportionments of regular Federal-aid appropriations."

Consideration and study may be advisable to determine whether or not the Kansas State Highway Commission can under the constitution (Kans. Cons't, Art. 11, § 8) ^{or statutes} construct "secondary or feeder roads" as a part of the state highway system.

PART III.--NATIONAL EMPLOYMENT SYSTEM ACT.

The Wagner-Peyser bill (Act of May 12, 1933, ch. 30, 48 Stat.) creates a new federal employment bureau in the United States Department of Labor. Money appropriated by congress is apportioned among the states according to population. To secure this money a state must:

- (1) Accept the provisions of the federal act by legislative action (sec. 4.)
- (2) Designate or create a state agency with powers necessary to cooperate with the federal employment service. (sec.4.)
- (3) Organize state advisory councils composed of both men and women representing employers and employees in equal numbers (sec. 11a.)
- (4) Match the amount of the federal allotment by a state appropriation or otherwise (sec. 5a.)

Section 10 of the act provides that money may be temporarily expended for employment offices in any state where the director may deem it necessary without formal state legislation. Payments under this section will cease, however, on June 30, 1935.

The following suggested draft of an act to accept the federal employment system law has been furnished by the United States Department of Labor:

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AN ACT to accept the provisions of the Act of Congress approved June 6, 1933, entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes," and making an appropriation therefor.

The people of the State of _____, represented in Senate and House of Representatives, do enact as follows:

SEC. 1. The State of _____ hereby accepts the provisions of the Act of Congress approved June 6, 1933, entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes."

SEC. 2. The State Department of Labor is hereby designated and constituted the agency of the State of _____ for the purposes of such act, with full power to cooperate with all authorities of the United States having powers or duties under such act and to do and perform all things necessary to secure to the State of _____ the benefits of such act in the promotion and maintenance of a system of public employment offices.

SEC. 3. The sum of \$ _____ is hereby appropriated for the purpose of maintaining public employment offices under the supervision of the Department of Labor and for the purpose of cooperating with the United States Employment Service.

SEC. 4. This Act shall take effect _____."

The first draft of the proposed Wisconsin act is as follows:

"The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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SECTION 1. A new section is added to the statutes and a new subsection is added to section 20.57 of the statutes to read: 101.37
Acceptance of Federal Act relating to public employment offices.

(1) The legislature hereby accepts the provisions of an act of Congress, approved June 6, 1933, entitled "An act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system, and for other purposes."

(2) The industrial commission of Wisconsin is hereby authorized and directed to cooperate with the United States Employment Service in the administration of said act and in carrying out all agreements made thereunder.

(3) All funds made available to this state under said act shall, upon receipt thereof, be paid into the general fund and are appropriated therefrom to the industrial commission to be expended as provided in subsection (5) of section 20.57.

(20.57) (5) FEDERAL FUNDS FOR PUBLIC EMPLOYMENT OFFICES.
All moneys made available to the state and accepted by the legislature pursuant to section 101.37 are, as such moneys become available for public employment offices, to be distributed and expended as required by the act of congress making such funds available and the rules and regulations issued thereunder.

SECTION 2. This act shall take effect upon passage and publication. #

PART IV.--FEDERAL HOME OWNERS' LOAN ACT.

(Act of June 13, 1933, ch. __, 48 Stat.)

The attention of the Legislative Council is called to the following proposed Massachusetts Act (H.B. 1560, July 10, 1933) to authorize banks to participate in the purpose of the Home Owners' Loan Act of 1933. The provisions of the bill read as follows:

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"AN ACT to authorize Banks and Credit Unions to cooperate in Action under the Federal Home Owners' Loan Act of 1933.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

In connection with assistance being given during the period limited by the Federal Home Owners' Loan Act of 1933 to any home owner by the home owners' loan corporation created by said act under subsection (a) or subsection (d) of section four thereof, and notwithstanding any other provision of law, any savings bank, cooperative bank, credit union or trust company, with the approval of its officers, board, committee or majority thereof, authorized by law to approve loans secured by mortgage of real estate, and subject to such terms and conditions as such officers, board, committee or majority may require in each case, may accept in exchange for any real estate, as defined in said subsection (d), held or owned by it as the result of the foreclosure of a mortgage thereon, or in exchange for, or in consideration of the discharge of, any home mortgage as defined in said subsection (c) or other obligation secured by real estate and eligible for acquisition by said home owners' loan corporation under subsection (d) of said section four, in addition to any other lawful consideration, bonds of said home owners' loan corporation, and may compound any loan secured by such home mortgage or other obligation eligible for such acquisition and receive such bonds as the consideration, in whole or in part, for such compounding. All savings banks, co-operative banks, credit unions and trust companies are hereby authorized to exercise any powers and to do any and all things incidental or necessary to give effect to any such transaction."

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PART V.--FEDERAL EMERGENCY RELIEF ACT.

(Act of May 12, 1933, ch. 30, 48 Stat.)

The attention of the Council is also called to the following proposed Massachusetts Act (S.B. No. 481, July 17, 1933,) relative to application of moneys received under the emergency relief act of the current year. Legislation may not be needed or advisable in Kansas in connection with this federal act or the one mentioned in PART IV, although no study has been made of these two federal ^{acts,} ~~acts.~~

"An Act relative to the Receipt and Disposition of Funds received by the Commonwealth under the Federal Emergency Relief Act of 1933.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The emergency finance board created under chapter forty-nine of the acts of the current year is hereby authorized and directed to distribute to the cities and towns of the commonwealth in such amounts and under such conditions as it may determine and conformably to such rules, regulations and instructions as the federal government may issue, all moneys received by the commonwealth as a grant under the Federal Emergency Relief Act of 1933. The state treasurer shall receive all moneys so granted, and all disbursements thereof shall be upon the certification of said board.

SECTION 2. From such information as he may receive from said board, the commissioner of corporations and taxation shall determine and certify to any city or town seasonably before the fixing of its tax rate for the current year the amount received or anticipated to be received from such

Governor Alfred M. Landon relief matters correspondence

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grants during the current year, which said assessors shall treat as an estimated receipt in fixing said rate.

SECTION 3. Section two of chapter three hundred and seven of the acts of the current year is hereby amended by adding at the end thereof the following new sentence:--

In determining whether or not the financial affairs of any such city or town justify the board in approving a loan under this or the following section, the board shall take into consideration the amount which such city or town has received or may receive from grants made under the Federal Emergency Relief Act of 1933.

SECTION 4. Section eight of said Chapter three hundred and seven is hereby repealed."

PART VI.--FEDERAL BANKING ACT OF 1933.

(Act of June 16, 1933, ch. ____ 48 Stat. H.R. 5661)

No act or proposed act of any state has been received which would qualify state banks under the Glass-Steagall Bill (H.R. 5661.) In a letter received from Hon. Henry W. Toll, Director of the American Legislators' Association, Chicago, which was written by Mr. Hubert R. Gallagher, Research Consultant, the following pertinent comment was made:

"I have one comment to make and that is that it is probably unnecessary, and possibly unwise, to draft state legislation to conform to the Glass-Steagall Bill (H.R. 5661). This bill, I understand, has been found unworkable and will, no doubt, be redrafted at the next session of Congress. In fact it seems to be the general consensus of opinion that our entire banking system and bank law will be completely revised during the next session of Congress. The Glass-Steagall Bill at this time is looked upon as little more than a stop-gap."

Respectfully submitted,
— FRANKLIN CORRICK.

Governor Alfred M. Landon relief matters correspondence

BURTON SINK, PRESIDENT

BERT DIETZ, VICE PRESIDENT

GEO. E. CAVANAUGH, SECRETARY

IVAN FROST, TREASURER

The Jewell County Farmers' & Merchants' Club

ESBON, KANSAS,

23-May-33

COMMITTEES

EXECUTIVE:

CARL HENDRICKSON
C. S. HERSHNER
ED. ELLIS
LEO HARTZLER
JOHN CONRAD
GEO. E. CAVANAUGH
D. F. STANLEY
BERT DIETZ
J. C. BOWMAN
GUY WARNER
EDGAR KINDLER
WALTER FRICKER

LEGISLATIVE:

J. C. BOWMAN
D. F. STANLEY
C. O. HENDRICKSON

ENTERTAINMENT:

E. W. PEROUTEK
ED. ELLIS
TOM CAVANAUGH

Hon. Alf. M. Landon,
Topeka, Kansas.

My dear Governor:-

With further reference to the White Rock Creek water conservation-flood control proposition which we have taken up with you direct and also thru our friend Dr. James M. Scott, we are pleased to enclose copy of telegram which we received this afternoon from our congresswoman.

You have a committee appointed, charged with developing projects for Kansas to come under the big public works program soon to be passed by our National Congress. We hand you this one signed, sealed and delivered almost, or at least with national recognition and with the OK of Director Fechner of the Re-forestation program. Obviously, this recognition should be sufficient support for the project that your committee can include it in their state program. We enclose a few letters from various sources to include in your file.

The White Rock Creek is all of 60 miles long. There is a veritable maze of feeder creeks emptying into it. It heads over in Smith County, traverses Jewell County and empties into the Republican over in Republican County. A series of properly constructed dams along it's course, either in the main channel or in the feeder creeks or both would go far toward correcting flood conditions in the Republican. Normally the creek is dry, but several times a year the water get's out of it's banks which are exceptionally high along most of it's course. Dams could be so located that they water impounded could feed wells that might furnish the water supply for the towns along it's course.

Doctor Scott is familiar with the situation and can give you any information that you might seek.

It would be our idea that this be made a model project. There are numerous other creeks in the western half of Kansas that could receive the same treatment, such as the Prairie Dog and Sappy, and you may be assured that the people of Western Kansas will call anyone blessed who is instrumental in getting results in the program of impounding water and planting trees in every case around the water.

May we not have prompt assurance that this project will be included by your committee for the state in our Public Works program? We wish to advise our Congresswoman

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San Wilson?

Governor Alfred M. Landon relief matters correspondence

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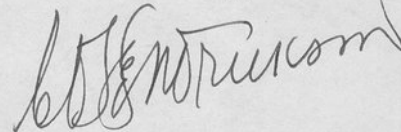
TOM CAVANAUGH

#2 Gov. Landon,

and Director Fechner that this project which has their OK and which is too extensive as we view it to come under the reforestation act alone, will have your support for inclusion in the public works program. Materials will be needed and competent engineers will be needed to make the necessary surveys. It is a project that requires more than Pick and Shovel men.

You will note by enclosed correspondence that Mrs. McCarthy has been diligently at work on this proposition, and it's inclusion in our state program for public works by your committee will, we are confident, find her more than willing to give her valuable support.

Yours very truly,





Governor Alfred M. Landon relief matters correspondence

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TELEGRAM	FULL RATE
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NIGHT MESSAGE	CABLE LETTER
NIGHT LETTER	WEEK END LETTER

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WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

Form 1206 A

NO.	CASH OR CHG.
CHECK	
TIME FILED	

Send the following message, subject to the terms on back hereof, which are hereby agreed to

WASHINGTON D. C.
May 23

CARL HENDRICKSON
ESBON KANSAS

CONFERENCE TODAY WITH FECHNER SAYS WATER CONSERVATION
AND REFORESTATION ON WHITE ROCK POSSIBLE IF WORK CAN
BE DONE BY TWO HUNDRED PICK AND SHOVEL MEN. GET OWNERS
ADJACENT LAND TO SIGN APPLICATION FOR PROJECT AND FORWARD
TO ME AT ONCE TWENTY-FIFTH IS DEAD LINE

KATHRYN O MCCARTHY

Governor Alfred M. Landon relief matters correspondence

KATHRYN O'LOUGHLIN
(Mrs. D. M. MCCARTHY)
6TH DIST. KANSAS

Congress of the United States
House of Representatives
Washington, D. C.
April 10, 1933

Mr. Carl Hendrickson,
Esbon, Kansas.

Dear Mr. Hendrickson:

I have your letter in regard to the White Rock Creek project and I am for it one-hundred percent. However, you may know that Landon's committee did not get much encouragement from the Department of Labor in regard to any local work to be done in Kansas. Mr. Knapp called at our office after his conference with Miss Perkins and the army engineers, and he was very much disappointed with the outlook.

The allotment is based on population, and, according to the estimates presented, not more than two hundred men in Kansas will be benefited by the reforestation program.

However, I am not content to let the matter rest here, and will, personally, call on Miss Perkins this week and acquaint her with the conditions and needs of arid western Kansas and the possibility of improving the situation in certain localities without great cost.

I was disappointed that Dr. Scott did not call in to see me, as Mr. Knapp had told me that he would do so.

Assuring you that I will do everything possible to assist in the White Rock Creek development, I am

Sincerely yours,

Kathryn O'Loughlin McCarthy
Kathryn O'Loughlin McCarthy.

KOM:EB

P. S.

Your 'ads' are constructive and to the point.
There is a possibility that the reforestation program will be turned over to the war ^{KOM} department & if so Woodring will try to get some work done in Kansas.

*Land Leasing
Nashville
into ponds
75 acres
for
flow*

Governor Alfred M. Landon relief matters correspondence

KATHRYN O'LOUGHLIN
(MRS. D. M. MCCARTHY)
6TH DIST. KANSAS

Congress of the United States
House of Representatives
Washington, D. C.

April 25, 1933

Mr. Carl Hendrickson,
Esbon, Kansas.

Dear Mr. Hendrickson:

I regret the delay in answering your letters in regard to the various water conservation projects, but I have been with-holding an answer until a definite policy was announced in regard to the part Kansas would play in the reforestation program, and until I could determine what course to follow in aiding to obtain some of the benefits of the reforestation program for such projects as you have brought to my attention.

Like you, I believe that water conservation projects are important, and I intend to make every effort to obtain funds and labor for such projects as the White Rock creek plan under the unemployment plan. However, I must first get my information organized so that my efforts will be effective. I have made appointments with Seth Gordon, of the American Game Association, Members of the Kansas Delegation, and plan to get additional information from Secretary Woodring and Secretary Perkins, and when I have determined what course to follow I will communicate with you.

It is very difficult for Kansas to obtain benefits under the present program, as the smallest unit of workers is composed of two hundred men, and there are very few projects which can employ that large a force. But Kansas is allotted approximately four thousand, when the quota is complete, and that many men can build a lot of lakes and plant many trees, if the regulations can be sensibly altered to suit Kansas conditions.

Assuring you that I shall cooperate with you, and that I will determine upon a definite plan of action as soon as possible, I am

Very truly yours,

Kathryn O'Looughlin McCarthy
Kathryn O'Looughlin McCarthy

KOM:B