

The name of Edward Stephens, late of Company K, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of William T. Murphy, late of Company G, Thirtieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Charles F. Gilroy, late of Company F, First Regiment Rhode Island Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William Ellison, late of Company B, Ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Eli Gusdonowicz, alias Eli Guedonowicz, late of Company L, Fifteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Robert Henkel, late of Company E, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of William F. Fogarty, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of James T. Breen, late of Troop I, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Jacob Copeland, late of Company F, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Isaac J. Burk, late of Company E, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Jonathan F. Titus, jr., late of Battery F, Fifth United States Light Artillery, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ellis O. Greely, late of Company H, Fourteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George Casseboom, late of Company A, First Regiment California Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Henry Simpson, late of Company L, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John Weiss, late of Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Walter W. Brunn, late of Company E, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Nicholas Vincent, late of Company E, First Regiment Montana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William D. Mickley, late major Fourth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Eleanora Sharpe, widow of Andrew Sharpe, late of Company E, Ninth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Louis E. Wichman, late of Troop D, First Regiment United States Cavalry, and Ordnance Department United States Army, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frederick W. Duden, late of Troop D, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of McDonald Wells, late of Company M, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of William E. Davis, late of Company D, Twenty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John Maloy, late of Company E, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Greer T. Neal, late of Company L, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$40 per month.

The name of Ellsworth G. Beers, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Tony Verrosso, late of Company H, First Regiment Delaware Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of William V. Richardson, late of Company I, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Michael Levi, late of Troop A, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jobe C. Walton, late of Company I, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Charles Michener, late of Battery F, First Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of George Polletti, late of Troop D, Seventh Regiment United States Cavalry, Regular Establishment, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Roscoe W. Barker, late of Company A, Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Frank J. Brolley, late of Company D, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James Grantham, late of Battery I, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of General G. Burriss, late of Company C, Forty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Loue Thompson, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Irvan P. Cammaro, late of Company B, Second Regiment Ohio Volunteer Infantry and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Christine Neubert, dependent mother of Herman Steinfurth, late of Company K, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Eliza L. Ellis, helpless and dependent daughter of William West, late of Capt. M. Huntington's company, North Carolina Militia, War of 1812, and pay her a pension at the rate of \$12 per month.

The name of Fred E. Kies, late of Company G, Third Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Katharina Bamberg, widow of Nicholas Bamberg, late of Company G, Thirty-first Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of the minor child of the said Nicholas Bamberg until she reaches the age of 16 years.

The foregoing bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 407. Charles A. Wilkerson.	H. R. 10490. Wedding Colgate.
H. R. 595. George C. Williams.	H. R. 10546. George Plewacki.
H. R. 610. Frank A. James.	H. R. 10684. Charles E. Keck.
H. R. 1138. Dillard Piman.	H. R. 10809. Isaac F. Lanham.
H. R. 1579. Edward A. Ward.	H. R. 10951. George W. Burchard.
H. R. 1773. Herman Platz.	H. R. 11224. Edward Stephens.
H. R. 1815. Charles N. Benson.	H. R. 11286. William T. Murphy.
H. R. 1911. Noah Collins.	H. R. 11380. Charles F. Gilroy.
H. R. 1958. Michael S. Kane.	H. R. 11469. William Ellison.
H. R. 3481. John H. Caldwell.	H. R. 11474. Eli Gusdonowicz,
H. R. 4087. James P. Kennedy.	alias Eli Guedonowicz.
H. R. 4153. Taylor Hubbard.	H. R. 11509. Robert Heukel.
H. R. 4174. Jacob C. Wright.	H. R. 11821. William F. Fogarty.
H. R. 4221. Charles H. Jackson.	H. R. 11959. James T. Breen.
H. R. 4407. Floyd L. Green.	H. R. 12005. Jacob Copeland.
H. R. 4421. James E. Kennedy.	H. R. 12121. Isaac J. Burk.
H. R. 4544. Sylvester P. Martin.	H. R. 12181. Jonathan F. Titus, jr.
H. R. 4590. John J. Camac.	H. R. 12243. Ellis O. Greely.
H. R. 4708. Phoebe J. Lincoln.	H. R. 12291. George Casseboom.
H. R. 5038. Howard L. Burnett.	H. R. 12398. Henry Simpson.
H. R. 5041. Rufus Adamson.	H. R. 12475. John Weiss.
H. R. 6217. Oliver Freeman.	H. R. 12482. Walter W. Brunn.
H. R. 6393. Grover Colter.	H. R. 12494. Nicholas Vincent.
H. R. 6767. Albert W. Arkney.	H. R. 12500. William D. Mickley.
H. R. 7123. George Hall.	H. R. 12570. Eleanora Sharpe.
H. R. 7528. James Lee.	H. R. 12593. Louis E. Wichman.
H. R. 7717. William H. Hill.	H. R. 12675. Frederick W. Duden.
H. R. 7954. Orville H. Mills.	H. R. 12678. McDonald Wells.
H. R. 8035. James Lynch.	H. R. 12689. William E. Davis.
H. R. 8122. John W. Smith.	H. R. 12745. John Maloy.
H. R. 8200. James M. Connor.	H. R. 12792. Greer T. Neal.
H. R. 8407. William S. Whitley.	H. R. 12828. Ellsworth G. Beers.
H. R. 8514. Charles H. Jessec.	H. R. 12993. Tony Verrosso.
H. R. 8603. Arthur D. Warden.	H. R. 13218. William V. Richardson.
H. R. 8741. Carl N. Nelson.	H. R. 13292. Michael Levi.
H. R. 8810. Jeremiah H. Worthley.	H. R. 13314. Jobe C. Walton.
H. R. 8842. Silas Clyde Whitcomb.	H. R. 13336. Charles Michener.
H. R. 8908. James V. Smith.	H. R. 13476. George Polletti.
H. R. 9025. John F. Hazelrigg.	H. R. 13489. Roscoe W. Barker.
H. R. 9040. Andrew J. Briggs.	H. R. 13490. Frank J. Brolley.
H. R. 9074. John A. Falvey.	H. R. 13668. James Grantham.
H. R. 9351. Thomas J. Cook.	H. R. 14211. General G. Burriss.
H. R. 9398. Katherine Carter.	H. R. 14744. Loue Thompson.
H. R. 9522. William J. Walker.	H. R. 14805. Irvan P. Cammaro.
H. R. 9651. Marion Rosser.	H. R. 14815. Christine Neubert.
H. R. 9740. Nels Christensen.	H. R. 15069. Mrs. F. L. Ellis.
H. R. 9936. Clark P. Hoskins.	H. R. 15070. Fred E. Kies.
H. R. 10016. John J. Ludwig.	H. R. 15080. Katharina Bamberg.
H. R. 10062. John F. Massberg.	
H. R. 10328. Herbert B. Holloway.	
H. R. 10488. Harold A. Salisbury.	

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

On motion of Mr. TILLMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

VALIDATION OF CERTAIN WAR CONTRACTS—CONFERENCE REPORT (NO. 1057).

Mr. FIELDS. Mr. Speaker, I call up the conference report on the bill H. R. 13274, and ask unanimous consent that the statement be read in lieu of the report.

Mr. STAFFORD. Mr. Speaker, I think the report is more informing than the statement.

Mr. FIELDS. Very well.

The SPEAKER. The Clerk will read the report.

Mr. GARRETT of Texas. Mr. Speaker, this is a very important matter, and I make the point there is no quorum in the House.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. DENT. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Almon	Drukker	Kennedy, R. I.	Sanders, Ind.
Anthony	Dupré	Kettner	Sanders, La.
Ashbrook	Eagan	Key, Ohio	Sanders, N. Y.
Barkley	Eagle	Kless, Pa.	Saunders, Va.
Birch	Esch	Kinkaid	Schall
Bland, Ind.	Estopinal	LaGuardia	Scully
Booher	Farr	Langley	Sears
Borland	Ferris	Lobeck	Sells
Bowers	Fess	Longworth	Shackleford
Brumbaugh	Flynn	Lundeen	Shouse
Burnett	Fordney	McAndrews	Sims
Butler	Francis	McCormick	Smith, C. B.
Caldwell	Gandy	McLaughlin, Mich.	Smith, T. F.
Campbell, Pa.	Gillett	Maher	Snook
Cantrill	Godwin, N. C.	Miller, Minn.	Snyder
Caraway	Goodall	Montague	Steenerson
Carlin	Graham, Pa.	Moon	Stephens, Nebr.
Carter, Mass.	Gray, N. J.	Mudd	Strong
Chandler, N. Y.	Greene, Vt.	Neely	Sullivan
Cleary	Griest	Nichols, Mich.	Swift
Coady	Hamill	Norton	Tague
Costello	Hamilton, Mich.	O'Shaunessy	Taylor, Ark.
Cox	Hamilton, N. Y.	Padgett	Templeton
Curry, Cal.	Haskell	Park	Tinkham
Dallinger	Haugen	Parker, N. J.	Vare
Darrow	Hayes	Phelan	Venable
Davey	Heaton	Pou	Waldow
Davis	Heintz	Pratt	Walsh
Decker	Helm	Price	Walton
Delaney	Helvering	Rayburn	White, Ohio
Denison	Hensley	Reavis	Wilson, Ill.
Dewalt	Husted	Riordan	Winslow
Dill	Hutchinson	Roberts	Wood, Ind.
Dooling	Igoe	Rowland	Woods, Iowa
Doremus	Johnson, Ky.	Rubey	
Drane	Kelley, Mich.	Russell	

The SPEAKER. On this vote 286 Members—a quorum—answered to their names.

Mr. FOSTER. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Illinois moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors, and the Clerk will report the conference report.

The Clerk read the conference report.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment, insert the following:

"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, when such agreement has been performed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That in no case shall any award either by the Secretary of War or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a reasonable remuneration for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That this act shall not authorize payment to be made of any claim not presented before June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly ap-

pointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall exist against the executors, administrators, heirs, successors, and assigns, of any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statute of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That in all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers, and letters, or other documents; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

"SEC. 2. That the Court of Claims is hereby given jurisdiction on petition of any individual, firm, company, or corporation referred to in section 1 hereof, to find and award fair and just compensation in the cases specified in said section in the event that such individual, firm, company, or corporation shall not be willing to accept the adjustment, payment, or compensation offered by the Secretary of War as hereinbefore provided, or in the event that the Secretary of War shall fail or refuse to offer a satisfactory adjustment, payment, or compensation as provided for in said section.

"SEC. 3. That the Secretary of War, through such agency as he may designate or establish is empowered, upon such terms as he or it may determine to be in the interest of the United States, to make equitable and fair adjustments and agreements, upon the termination or in settlement or readjustment of agreements or arrangements entered into with any foreign government or governments or nationals thereof, prior to November 12, 1918, for the furnishing to the American Expeditionary Forces or otherwise for war purposes of supplies, materials, facilities, services or the use of property, or for the furnishing of any thereof by the United States to any foreign government or governments, whether or not such agreements or arrangements have been entered into in accordance with applicable statutory provisions; and the other provisions of this act shall not be applicable to such adjustments.

"SEC. 4. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor with respect to any portion of his contract which he shall have sublet to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to such prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, before payment of said award the Secretary of War shall require such prime contractor to present satisfactory evidence of having paid said subcontractor or of the consent of said subcontractor to look for his compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractor the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditor of said prime contractor.

"SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred in good faith by any and all persons, firms, or corporations for producing or in good faith acquiring property for producing, within the United States, for the purpose of supplying the urgent needs of the Nation during the war, any ores or mineral substances mentioned and enumerated in the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply;" approved October 5, 1918, the production of which was requested or demanded by the War Industries Board, the War Trade Board, the Shipping Board, the Emergency Fleet Corporation or the Department of the Interior and which has been performed in whole or in part by any such person, firm, or corpora-

tion prior to November 12, 1918; and that said Secretary ascertain, determine, adjust, liquidate, and, out of the moneys provided and appropriated by said act, pay to the parties justly entitled thereto the amounts of such losses and damages as he, the said Secretary shall find and determine to have been sustained by reason of having made said investments for said purposes, and that in each case he shall make such determination, provision, settlement, advancement, or final payment, or by agreement with claimants take such other action as he shall find and determine to be just and equitable; that the decision and action of said Secretary in each case shall be conclusive and final; that all payments shall be made, and all expenses incurred by the said Secretary shall be paid from the funds appropriated by the said act of October 5, 1918, and that said funds and appropriations shall continue to be available for said purposes until such time as the said Secretary shall have fully exercised the authority hereby granted and performed and completed the duties hereby provided and imposed: *Provided*, however, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act.

That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States.

Amend the title so as to read: "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

And the Senate agree to the same.

W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.
GEO. E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The conferees agreed upon the general language of the House bill, so far as section 1 is concerned, together with the provision adopted by the House requiring presentation of claims not later than June 30, 1919. The Secretary of War is required to report to Congress in detail a statement of the settlement made. No settlement shall bar the Government of the right of review and recovery for fraud, and no officer or agent of the Government shall be relieved of liability for fraud or criminal conduct. This section contains a provision that witnesses may be compelled to attend and testify.

Section 2 gives the Court of Claims jurisdiction in the event the settlement of the Secretary of War is not accepted.

Section 3 authorizes settlements with foreign Governments and their citizens upon the same terms and conditions as such Governments themselves settle their own contracts.

Section 4 authorizes the adjustment of the claims of subcontractors.

Section 5 provides for the settlement of mining contracts by the Secretary of the Interior.

W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. STAFFORD. Mr. Speaker, can some arrangement be made as to the time between those who favor and those who oppose the conference report?

Mr. FIELDS. Time will be given to those in opposition; and if I control the time on this side, I shall follow the policy of alternating between those opposed and those favoring, if that is desired, so that we can divide the time equally between the two sides.

Mr. STAFFORD. Will the opposition have half of the time with those who favor the report?

Mr. FIELDS. Yes.

Mr. CARTER of Oklahoma. Mr. Chairman, is a motion to recommit now in order?

The SPEAKER. No.

Mr. CARTER of Oklahoma. At the proper time I want to offer a motion to recommit if no one else does.

The SPEAKER. It would be in order to make the motion to recommit—

Mr. MANN. If you can get the floor.

The SPEAKER. Yes; if you can get the floor.

Mr. CARTER of Oklahoma. I would like to get the floor for that purpose.

Mr. STAFFORD. Can we not have an agreement as to time before the discussion begins?

Mr. FIELDS. As to the control of the time or as to length of time?

Mr. HAMLIN. Both.

Mr. FIELDS. This general proposition has been discussed in the House, and the particular item upon which the opposition here seems to be centered was discussed for over an hour, an hour and a half, in the House.

Mr. GORDON. Yes; and the House rejected it 3 to 1.

Mr. FIELDS. Well, I differ with the gentleman.

Mr. GORDON. Well, it did.

Mr. FIELDS. I will say to the gentleman that the gentleman from California [Mr. KAHN] and myself both asked to be invited to the conference uninstructed and voted against the instructions of the conferees.

Mr. MADDEN. A man on the conference goes into the conference to represent the House which sends him.

Mr. HAMLIN. The vote which the gentleman from California [Mr. GORDON] refers to was not on the question of instructing the conferees. It was on the question of concurring in the Senate amendment.

Mr. FIELDS. Mr. Speaker, I think an hour on each side would be sufficient.

Mr. GORDON. No; I would like to have a little time on it.

Mr. DENT. Mr. Speaker, I desire to suggest that the gentleman from Kentucky [Mr. FIELDS], who has charge of the conference report, may be allowed to proceed with the debate an hour, and then there may be other gentlemen who wish to be heard pro and con on it, and then there will be time to extend it.

Mr. GORDON. I want to be heard on the "con" side.

Mr. STAFFORD. Will the opposition have half of the time to be equally divided with those who favor the report?

Mr. FIELDS. I ask unanimous consent, then, Mr. Speaker, that the debate on this conference report be confined to one hour, one-half to be controlled by the gentleman from Wisconsin [Mr. STAFFORD] and one-half to be controlled by myself, and at the expiration of that time the previous question shall be considered as ordered.

Mr. FOSTER. Reserving the right to object, Mr. Speaker—

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. I desire to submit a unanimous-consent request, if I may. If the gentleman from Kentucky will yield, I would like to submit a unanimous-consent request.

Mr. FIELDS. If the gentleman will make his request brief, I will yield.

Mr. HAMLIN. This is a very important matter. It involves millions of dollars. The proposition involved has never been considered by the House, and I think the House can afford to take two hours upon it.

Mr. FIELDS. I can not yield to the gentleman to make a speech.

Mr. WINGO. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas demands regular order. The regular order is that if these gentlemen are going to debate this thing they had better start [Laughter.]

Mr. HAMLIN. I ask that the debate be limited to two hours, one half to be controlled by the gentleman from Kentucky [Mr. FIELDS] and the other half to be controlled by the gentleman from Wisconsin [Mr. STAFFORD], at the end of which time the previous question may be considered as ordered and a vote taken.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the debate on this conference report shall not exceed two hours, one half to be controlled by the gentleman from Kentucky [Mr. FIELDS] and the other half by the gentleman from Wisconsin [Mr. STAFFORD]. Is there objection?

Mr. WINGO. And at the end of that time the previous question is to be considered as ordered.

The SPEAKER. Yes. And at the end of that time the previous question is to be considered as ordered. Is there objection?

Mr. FOSTER. I object.

Mr. GARRETT of Texas rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARRETT of Texas. To submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. Mr. Speaker, is this being taken out of my time?

The SPEAKER. No. What is the parliamentary inquiry of the gentleman from Texas?

Mr. GARRETT of Texas. I would like to know if at the end the gentleman from Oklahoma [Mr. CARTER] shall be recognized to make a preferential motion?

The SPEAKER. The Chair will recognize the gentleman from Oklahoma.

Mr. MANN. The gentleman from Wisconsin [Mr. STAFFORD] is entitled to be recognized.

The SPEAKER. No. The first man who gets up in opposition to the bill is entitled to it. The Chair has always given preference in making the motion to recommit to the Republican side of the House—the minority. Still, the rule is for the man who qualifies to oppose the bill to have that right. That is the end of it.

Mr. MANN. I do not care who is recognized to make the motion.

The SPEAKER. The Chair will recognize the gentleman from Oklahoma if he qualifies. Is the gentleman from Oklahoma opposed to this bill?

Mr. CARTER of Oklahoma. Yes; with this amendment in it, I am.

Mr. FOSTER. That is not a proper qualification.

Mr. CARTER of Oklahoma. I am opposed to this conference report with this amendment in it.

The SPEAKER. If the gentleman will qualify without any limitation, the Chair will recognize him.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

The LONDON. What is before the House now is the conference report and not the bill?

The SPEAKER. Of course it is.

Mr. LONDON. And therefore the qualification goes to the conference report, and the question is, Is the gentleman opposed to the conference report?

The SPEAKER. Of course the qualification goes to the conference report. There is no trouble about that.

Mr. WINGO. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Arkansas demands the regular order. The gentleman from Kentucky [Mr. FIELDS] is recognized for an hour.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. Is the motion to recommit in order before the gentleman from Kentucky has his hour?

The SPEAKER. The Chair thinks it is.

Mr. MANN. Mr. Speaker, under the rules the motion to recommit can be made only when a Member gets the floor, except where the previous question has been ordered, and then it is a matter of right to make the motion. Before the previous question is ordered the gentleman must be able to get the floor in his own right in order to make the motion.

The SPEAKER. Here is the situation: It is the habit of the House to consider the motion to adopt the conference report as pending. Now, another gentleman gets up and makes a preferential motion. The Chair does not see that it makes a particle of difference when the motion to recommit is made. The gentleman from Kentucky [Mr. FIELDS] will please proceed.

Mr. FIELDS. Mr. Speaker, I have been waiting very patiently for this opportunity.

I wish to explain briefly the report, and I trust that I may not be interrupted until I have concluded my brief explanation.

The first section of the report vests in the Secretary of War authority to settle claims contracted by the War Department. The conferees used the House language as the basis of the bill.

Section 2 of the conference report confers upon the Court of Claims jurisdiction to consider the petition of the claimants if they are dissatisfied with the adjustment made by the Secretary of War.

Section 3 deals with foreign contracts. This amendment was put in by the Senate, and then, at the request of the War Department, was revised by the conferees, for the reason that it seemed proper to settle with foreign contractors in the same way that their governments were settling with them, and the provisions of the House bill would not permit such settlements.

Section 4 deals with subcontractors. It may be that there are five subcontractors in a particular case. Probably settlements can be had with four of them. This provision provides that payments may be made to those with whom settlements can be reached. It would be manifestly unfair to hold up a part of

the subcontractors because, forsooth, an agreement had not been reached with one of them. It would also give that subcontractor a long lever if he believed that by holding out he might get the terms demanded because he had the whole situation blocked.

That is briefly the substance of the report down to section 5, which seems to be the basis of the controversy here.

Mr. Speaker, the obligations that were incurred by the Government in the production of war materials were not incurred by the War Department alone. Some men were called upon to furnish ores or minerals of different kinds. They were called upon by the Department of the Interior, by the Shipping Board, by the War Trade Board, by the War Industries Board, and by the Emergency Fleet Corporation. These men responded to the call and invested their money. I understand that many of them are bankrupt to-day. These materials were war materials. Though their production was not requested by the Secretary of War, it was requested for the same purpose and the same uses as were the materials the production of which was requested by the Secretary of War. The Senate amendment would have included production made upon request through the public press, through advertisements, or, in fact, would have covered every character of production of this kind. When we were discussing this question a few days ago I stated to the House that I was opposed to including claims based upon that sort of request. So the conferees agreed to confine these claims to production demanded or requested by the Department of the Interior, by the War Trade Board, by the Shipping Board, by the Emergency Fleet Corporation, and by the War Industries Board.

Mr. LEVER. Will the gentleman yield for a question?

Mr. FIELDS. Let me conclude my statement first, please. Now, Mr. Speaker, it seems to me that when these agencies of the Government that were the chief organizations which were instrumental in promoting production for the prosecution of the war called citizens of this country to Washington or sent their agents to see them and requested them to engage in production for the prosecution of the war, the Government thereby incurred a moral obligation, whether there was any statute authorizing it or not. A bill passed this House some three months prior to October 5 which would have legalized all these claims had it passed the Senate in time, and I think it is fair to assume that these agencies of the Government, acting in anticipation of the enactment of that law, incurred these obligations.

Now, men put their money into these materials, and, as I said a moment ago, they are bankrupt in the event that the Government does not take care of them. I think it would be unfair to desert these men now. I think it matters not whether these requests were made through the Secretary of War, through the Department of the Interior, through the War Trade Board, through the Shipping Board, or the Emergency Fleet Corporation. They came from the Government of the United States, and whether there was a law upon the statute books at that time or not those agencies had the moral support of the people of the United States, and any individual who had refused to meet the request of one of these agencies would have been charged with being a slacker and almost a traitor.

But men did not refuse. They responded to the request of the legally constituted agencies of their Government, invested their money, and produced the goods, and I believe that the Government thereby incurred a moral obligation that it should now meet.

The question will be asked probably as to the amount of these claims. Mr. Manning, of the Department of the Interior, appeared before the conferees and stated that they would run from four and a half to eight million dollars. The bill provides that these claims must be filed within three months after the enactment of the law, which removes the fear that in years to come some man will come up under the provisions of this act and say that he engaged in industry for the support of the Government and has a just claim.

So I feel, Mr. Speaker, that the Government of the United States should at this time, considering the way that the people of the country came to the support of the Government and considering the position that any man would have been placed in had he refused to comply with the requests of these agents—I say the Government should meet this moral obligation. I will reserve the balance of my time.

Mr. MCKENZIE. Before the gentleman yields the floor, will he yield for a question?

Mr. FIELDS. Yes.

Mr. MCKENZIE. The gentleman has been talking about the moral obligation of the Government connected with these different claims. I want to ask him if it is not a fact that the

administration, particularly the Secretary of Agriculture and many of his agents, not only requested the farmers of the country, but went out and talked to them, wrote to them, and urged them to plant wheat, and that previous to that time the Congress of the United States had passed a law guaranteeing the farmer the price of \$2.26 a bushel?

Mr. FIELDS. Yes; guaranteed in advance.

Mr. McKENZIE. Under that request is it not possible that many of the farmers of the West went out and bought seed wheat, seed drills, and machinery, sowed his wheat, the drouth came and he lost his labor, he had the money invested in the machinery, and do you think that there is a moral obligation resting upon the Government to pay these men the \$2.26 a bushel for whatever wheat they might produce, but that it should now pay them for the machinery and the efforts they made in planting wheat with the expectation of getting \$2.26 a bushel, but where no grain was raised?

Mr. FIELDS. I will answer the gentleman's question by asking him one. If we had the right to guarantee to the farmer in advance the \$2.26 for the production of wheat, is it morally right for the Government to bankrupt these gentlemen—

Mr. McKENZIE. Will the gentleman yield further? I would simply say to the gentleman from Kentucky that if a man actually in the mining proposition had produced any manganese or pyrites under the request of these agents of the Government that the Government would be under a moral obligation to pay these gentlemen for the products which they had produced.

Mr. GORDON. But they have not produced any.

Mr. LEVER. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. LEVER. I want to say that the Secretary of Agriculture and every agency of the Secretary, and even the President of the United States, called upon the farmers of the country to produce foodstuffs, oats, rye, barley, pork, hogs, and they have done it in great abundance. We have more hogs in the country to-day than at any time in our history. More than that, the President called upon us, every agent called upon us, to buy liberty bonds, and they are selling at 94. Would the gentleman carry his theory so far as to ask the Government to pay these losses which were met in pursuance of a patriotic duty?

Mr. FIELDS. Oh, the gentleman can go on and on and on, but I am speaking of the investment and production of these gentlemen who were requested to make it.

Mr. SHERLEY. Will the gentleman yield?

Mr. FIELDS. I yield to my colleague.

Mr. SHERLEY. I would like to ask the gentleman, assuming his premises, which I do not agree to, why you should have thrown around section 6 of the conference report none of the safeguards you throw around other sections as to the contracts you were attempting to validate? In other words, why in one class it is wide open, with the decision of the Secretary of the Interior final, and in the other—

Mr. FIELDS. It gives to claimants under the Secretary of War a right that is not extended to these claimants, because if a claimant under the first provision does not care to accept the settlement of the Secretary of War he can appeal to the Court of Claims. But, under this provision, if the claimant does not accept the settlement of the Secretary of the Interior he can not go to the Court of Claims.

Mr. SHERLEY. Why not let them in both cases go to the Court of Claims? Is not that proof that he has no standing even in a court of equity?

Mr. FIELDS. He has not the right extended to others in this bill. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON. Before the gentleman yields the floor will he yield to me for a question?

Mr. FIELDS. I yield.

Mr. GORDON. Where does the gentleman get the authority for saying that there will only be \$8,000,000 of these claims?

Mr. FIELDS. I stated where I got my authority; the Secretary of the Department of the Interior appeared before the conferees and made the statement.

Mr. GORDON. Under section 5 anybody who went out prospecting for manganese will have a claim against the Government.

Mr. FIELDS. I am glad the gentleman raised that question, because I overlooked it. They stated that the only claims would be on manganese, pyrites, chromium, and probably a little on phosphates.

Mr. GORDON. I know, but they are not all in yet; wait for the returns.

Mr. FIELDS. They know how much they requested and they based it on that. Mr. Speaker, I suggest that it would be agreeable to me for the gentleman from Wisconsin to control one-half the time.

Mr. STAFFORD. Mr. Speaker, I submit the following motion to recommit.

The SPEAKER pro tempore (Mr. WINGO). Does the Chair understand the gentleman from Kentucky to yield the floor?

Mr. FIELDS. No; Mr. Speaker, I am not yielding the floor.

Mr. GORDON. I would like to speak in opposition to this.

Mr. FIELDS. I will yield five minutes to the gentleman from Georgia [Mr. HOWARD]. I do not yield to the gentleman from Wisconsin to make a motion to recommit.

Mr. STAFFORD. I understood the gentleman from Kentucky had yielded the floor.

The SPEAKER pro tempore. The Chair understood the gentleman from Kentucky to yield to the gentleman from Wisconsin a part of his time.

Mr. FIELDS. I have not reached an agreement as to that, and I understood that the gentleman from Wisconsin wanted to debate the motion, but I did not agree to yield to him, nor do I yield to him to offer a motion to recommit.

Mr. STAFFORD. I was not endeavoring to take advantage of the gentleman under any circumstances. The gentleman stated in effect that he yielded the floor.

Mr. HAMLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Georgia yield for a parliamentary inquiry?

Mr. HOWARD. I do if it is not taken out of my time.

The SPEAKER pro tempore. The gentleman's time is running.

Mr. HOWARD. Then I refuse to yield.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for five minutes.

Mr. HOWARD. Mr. Speaker, the House has had this matter under consideration now three or four times. It passed what was known as the war-contracts bill on a previous occasion by a very large majority. That bill itself as it left the House and went to the Senate and section 5 of the present conference report are in identical language. For instance, let me read two lines of each one of these sections to show that the same safeguards, the same limitations, the same care, the same judicial scrutiny are imposed upon the Secretary of the Interior under section 5 as are imposed upon the Secretary of War under the original bill:

That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith—

And so forth.

Now, let us see what section 5 provides.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. Just a moment. I want to get something in an intelligent, coherent way before the House, and you can not do it by answering questions every half minute. Therefore I shall have to refuse to yield. Let us see what section 5 says. Let us look this thing in the face as it exists. They are talking here about the farmers being induced to produce. Yes; they were induced to produce some, and they did produce, and they got the best prices that they ever got in the history of agriculture for what they did produce, and they had a general, stable market, whereas these men who were induced to produce had only one customer; and who was that customer? The Government of the United States. When the armistice was signed that customer ceased to exist, and what these men had produced had practically no intrinsic value for the purposes for which it was produced and under the conditions under which it was produced. Let us see about the safeguards and the limitations which are thrown around section 5 that gentlemen here are preparing to strike from this conference report by a rereference of it to the conferees. Section 5 provides:

That the Secretary of the Interior be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis, the amount or amounts of moneys heretofore invested or contracted to be invested—

And so forth. That is exactly the same language.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. No, I will not. The gentleman can debate the matter in his own time. I have only five minutes. Let us see what you do by your vote when you vote to disagree to the conference report and strike section 5 from it. You make flesh of one and fowl of the other. You say that you repose the greatest confidence in the Secretary of War and you say by your vote in striking out section 5 that you do not repose the same confidence in the Secretary of the Interior—that you are willing to trust the Secretary of War in the adjudication of \$1,680,000,000 worth of claims, but you are unwilling to place that same degree of confidence in the great Secretary of the Interior and permit him to settle four and a half million to eight million dollars' worth of claims upon undertakings that were entered into at the solicitation, at the suggestion, at the impor-

tunity of the Secretary of the Interior, and for what? What did he say to these men? Gentlemen here talk about running around and paying a lot of prospectors. You are not paying a lot of prospectors, you are paying a lot of patriotic citizens who invested their cold money at the earnest solicitation of the great Government of the United States, who had to have these deficits made up in the importation of pyrites to this country, in order that we might make munitions, to make up the deficit in the importation of chrome into this country with which to line our guns that won the battle on the western front. You are paying men who produced manganese to harden the steel in the guns that we used in the great victory that this country and our allies obtained.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. HOWARD. Mr. Speaker, I will ask the gentleman to give me two more minutes.

Mr. FIELDS. Mr. Speaker, I desire first to submit a request for unanimous consent. I renew my request that the time be extended 30 minutes, making the time of debate in all one and one-half hours, one-half of that to be controlled by the gentleman from Wisconsin [Mr. STAFFORD] and one-half by myself.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that the time be extended for 30 minutes—

Mr. FIELDS. And that at the expiration of that time the previous question shall be considered as ordered.

The SPEAKER pro tempore. Making the total debate one hour and a half, one half of that time to be controlled by himself and the other half by the gentleman from Wisconsin, at the end of which time the previous question shall be considered as ordered.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, do I understand that no opportunity will be given to offer a motion to recommit?

The SPEAKER pro tempore. The Chair would suggest to the gentleman from Wisconsin that after the previous question is ordered, as the present occupant of the chair understands, the right to offer a motion to recommit still exists.

Mr. STAFFORD. With that understanding I have no objection to the previous question being considered as ordered, but I should like to have it distinctly understood that we have the opportunity under the arrangement to offer a motion to recommit.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CANNON. The previous question being ordered, if it is by unanimous consent, at the request of the gentleman from Kentucky, when the time comes to move to recommit, does the previous question operate upon that motion?

The SPEAKER pro tempore. Yes. The Chair would say that under the proposed agreement this is the situation—that the previous question having been ordered upon the report, then a motion to recommit comes, as the present occupant of the chair understands, under the rule as a matter of privilege; but it would not be debatable, the previous question having been ordered.

Mr. STAFFORD. Will the gentleman embody in his request the right for a motion to recommit to be offered?

Mr. HEFLIN. Without debate.

Mr. CANNON. If it is a right, you do not have to agree.

The SPEAKER pro tempore. The present occupant of the chair is not the Speaker of the House, but the present occupant will state to the gentleman from Wisconsin the Speaker so advised the present occupant of the chair that that was the parliamentary law, and that was the opinion of the present occupant of the chair and the opinion of the parliamentary clerk.

Mr. STAFFORD. May we have an understanding that the motion to recommit may be offered?

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that debate proceed to the extent of an hour and a half in all, one half to be controlled by the gentleman from Kentucky and the other half by the gentleman from Wisconsin [Mr. STAFFORD], at the end of which time the previous question shall be considered as ordered on the conference report. Is there objection?

Mr. STAFFORD. Reserving the right to object, as I understand, if that request is granted the hour and a half is to be from the time the discussion began?

The SPEAKER pro tempore. It is an extension of 30 minutes of the hour originally existing under the rule.

Mr. DYER. Mr. Speaker, reserving the right to object, about what time will that close debate?

The SPEAKER pro tempore. It will close it about 1.33, roughly estimating.

Mr. DYER. Now, another question—

Mr. KINCHELOE. Mr. Speaker, I demand the regular order. The SPEAKER pro tempore. The gentleman from Kentucky demands the regular order, and the regular order is: Is there objection?

Mr. DYER. Mr. Speaker, I object, if I can not ask a question and get some information.

Mr. FIELDS. I yield three minutes additional to the gentleman from Georgia.

Mr. JUUL. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia may proceed for two minutes further. He is making a statement, and I would like to hear the end of it.

The SPEAKER pro tempore. Does the gentleman from Georgia yield?

Mr. HOWARD. What particular portion of that statement does the gentleman wish to inquire about; there has been so much said—

Mr. JUUL. I want the gentleman to continue with his speech, and I would like the gentleman from Georgia to state where he finds the limitation upon the amount involved.

Mr. HOWARD. Now, let us see what the limitations are. We had some dollar-a-year statesmen down here in the War Department and in these other boards. I have in mind now contracts that they let in one instance—transport wagons—where they let a contract to one manufacturer that was a competitor of theirs before they went into the business at one price and let the contract to their old concern at another price. You place confidence in the Secretary of War to settle these claims; now let us see what the condition is in the country. The Labor Department is complaining all over the country that there is a great unemployment in this country. Why? Because the business men who want to receive what they have honestly earned from this Government and place it in reconstruction work are unable to do it, because they have got practically every dollar that is now due them by the Government of the United States liquidated in the great banking institutions of the country and are paying rates of interest that are equivalent to 6, 6½, and 7 per cent. Every day that you delay the payment of these claims there is assessed against the Government of the United States \$300,000 in interest—and gentlemen sit around here and try to bring in the farmer. Oh, great God, the iniquities that are committed in legislation in the name of the farmer! Somebody wants to play the demagogue with the farmer all the time, and he is ridden from one year's end to the other by some fellow who does not know which end of a mule to hitch up. [Laughter.] You are talking about—

Mr. JUUL. Now, Mr. Speaker—

Mr. HOWARD. In conclusion—

Mr. JUUL. I asked for the additional time for the gentleman in order to get him to answer a question.

The SPEAKER pro tempore. The time is in the control of the gentleman from Kentucky [Mr. FIELDS].

Mr. HOWARD. Now, let us see what are the limitations—that is what the gentleman wants—put on section 5. I repeat what I said in the very outset, that the same limitations and restrictions legally are placed around the war-minerals section as are placed around the section by which you confer power upon the Secretary of War. Now, then, the question comes up, and my distinguished friend from Ohio [Mr. GORDON], a great constitutional lawyer and a great lawyer and a great and good legislator, objects because the Supreme Court of the United States at one time passed upon this question. I got that decision and read it. The only difference between the gentleman from Ohio and the Supreme Court in that instance is that the Supreme Court held there and reversed the finding in the Cramp case and said that the amount due to the Cramp people was just and stated the amount that should be paid, and that was on a proposition that under the peculiar terms of that particular contract the Court of Claims had jurisdiction and they went there and got compensation; and the point involved in this case is that if these gentlemen are made to go through the Court of Claims and payment is delayed to them, it means absolute bankruptcy for every one of these men who responded to the call of their Government. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Speaker, will the gentleman from Kentucky kindly submit his unanimous-consent request again?

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the time be extended for 30 minutes, making one hour and a half in all; that one-half of that time be controlled by the gentleman from Wisconsin and one-half by myself, and at the expiration of that time that the previous question be considered as ordered.

Mr. OLIVER of Alabama. Do I understand the time already consumed is chargeable on the respective sides?

Mr. FIELDS. Yes.

The SPEAKER pro tempore. Let the Chair state the question. The gentleman from Kentucky asks unanimous consent that the time be extended for 30 minutes, one half of the time to be controlled by himself and the other half by the gentleman from Wisconsin [Mr. STAFFORD], and at the end of that time the previous question shall be considered as ordered on the conference report. Is there objection?

Mr. LARSEN. Reserving the right to object, do I understand that this request for the extension of time confines the debate to the conference report?

Mr. STAFFORD. Under the rules of the House it must necessarily be confined to the report.

The SPEAKER pro tempore. The present occupant of the chair so understands the rule.

Mr. LARSEN. If that is the understanding, I will not object.

Mr. DYER. Mr. Speaker, the regular order.

The SPEAKER pro tempore. The regular order is, Is there objection?

Mr. GARRETT of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GARRETT of Texas. Does unanimous consent preclude the motion to recommit?

The SPEAKER pro tempore. Oh, no. The Chair will state for the information of the gentleman from Texas that in the opinion of the present occupant of the chair there is no way by which the motion to recommit can be prevented from being offered on this conference report.

Mr. GARRETT of Texas. Then the gentleman making the motion to recommit would have an hour?

Mr. KINCHELOE. Mr. Speaker, I demand the regular order.

Mr. GARRETT of Texas. If the unanimous-consent agreement is agreed to, at the end of the hour and a half the previous question will be ordered, and a motion to recommit may be made, but no further discussion on the motion to recommit will be in order.

The SPEAKER pro tempore. That is the understanding of the Chair. Is there objection?

Mr. JUUL. Reserving the right to object—

Mr. KINCHELOE. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is demanded, and the regular order is, Is there objection?

Mr. DYER. I object.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. FIELDS. Mr. Speaker, I yield 30 minutes of the time to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman will have six minutes left after the time yielded to the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Speaker, at the conclusion of eight minutes I wish the Chair to advise me.

Mr. Speaker, when this mining bill first passed the House it provided for an authorization to the Secretary of the Interior to fix a minimum price for all the minerals included in the bill. It passed the House as early as April, hibernated for five months over in the Senate, and then was revived into a different bill entirely, providing merely for the contract feature rather than for the minimum-price feature. That is disclosed by the report of the Senate, in which Senator HENDERSON uses the following language:

The minimum-price principle had the approval of the House, but the attention of your committee was called to the possibility of the Government thereby incurring onerous obligations which might be avoided by an elaboration of the contract principle approved by the House, thus lessening the Government's liability. By the contract system the Government would know definitely just what the obligation would be, whereas the minimum-price feature might so stimulate production as to place it in a most embarrassing position.

The bill as it finally passed Congress also provided for the incorporation of a Government institution with a capital of \$50,000,000 to go into the business of developing these minerals. The bill as it left the House provided for an appropriation of \$10,000,000. As it came back from the Senate it provided an appropriation of \$50,000,000. Under the bill as it was approved on October 5 no authority whatsoever was vested in anyone to fix the price. The President was only authorized from time to time to purchase such minerals. In fact, the Senate bill took away the authority from the Secretary of the Interior, because the opposition recognized it was too great a power to be lodged in a Cabinet officer, and vested the authority exclusively in the President. From October 5 to the signing of the armistice no authority was exercised whatsoever under this act.

Under this act it was required on the 25th of each month to file with the Clerk of the House and the Secretary of the Senate reports of all expenditures and operations under it. I have called upon the Clerk of the House and find that not one report has been filed and no operation ever undertaken under this bill.

Now, what is proposed? Because persons, in anticipation of a rising market, went in and developed their mines it is now proposed to compensate them for the full investment. I know of many men in industrial lines who invested hundreds of thousands of dollars in the steel industry in anticipation of getting Government orders, and whose investments became a complete loss at the time of the armistice; and yet you intend to compensate these mine owners and refuse to compensate the men who took the same risk of business in anticipation of the war continuing. If you pass this conference report, it vests in the Secretary of the Interior full authority as to implied contracts—

Mr. GORDON. No contracts at all.

Mr. STAFFORD. No contracts at all, but implied contracts, to recompense them, and we will be burdened down if this report is adopted, not to the extent of four or five million dollars, but hundreds of millions of dollars. You will be obliged to compensate all, because long before this bill was introduced there were persons insistent that there should be some legislation passed, but if they did not receive the authorization of Congress they would go ahead with these investments. They went ahead, as any business man would go ahead, in anticipation of high prices for their products and that there would be sale for these products if the war continued.

Mr. FIELDS. It is limited to \$50,000,000.

Mr. STAFFORD. Even then, if there are claims presented of hundreds of millions, though the conference report says only \$50,000,000 will be available, you will be obliged to pay the maximum of the claims that will be presented. There is no escape from that.

Mr. WELLING. Will the gentleman yield?

Mr. STAFFORD. I can not. My time is limited.

This section 5 is different entirely from the other provisions of the conference report. The others relate to conditions where a contract really had been entered into but it was irregular as to form; but here you are going to grant compensation or remuneration to everyone who happens to have gone into mining development. Under the law as enacted October 5, the respective bureaus, the Shipping Board, the War Trade Board, and the like, were given no authority, as described in this section 5, to encourage development. They had no authority to encourage the development. Naturally they were anxious and interested in having further production. They were calling upon the mine owners to produce from the very beginning of the war, but they did not exercise any authority under the act as passed. The President refused to exercise the authority, and for good reasons. He knew, as we all know now, that when this bill was approved on October 5, 1918, the war was coming to a close, and he used his good judgment not to impose the obligation of \$50,000,000 or \$1,000,000 upon the Government. Prior to the passage of this act perhaps the War Industries Board had called upon mine owners to produce more. They naturally called upon steel manufacturers to produce more; they may have called upon bronze manufacturers to produce more; and they may have called upon other manufacturers to produce more. But if you pass this provision for settlement of claims, without any basis of legal obligation, then you should reward every manufacturer who has increased his plant and who has suffered a loss by reason of the change of price and the refusal of the Government to purchase the output which their enlarged plant was capable of producing. [Applause.]

Mr. Speaker, I reserve the remainder of my time.

Mr. FIELDS. Mr. Speaker, there will be only one more speech on this side.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

The SPEAKER. The gentleman from Missouri is recognized for five minutes.

Mr. HAMLIN. Mr. Speaker, the gentleman from Georgia [Mr. HOWARD], I think, was not entirely fair with the House when he made the statement that the provisions in section 5 were identical with the provisions in the first part of this bill, applicable to the so-called war-contract claims to be adjusted by the Secretary of War. He did not read all of the provisions of section 1. He only read this part:

The Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis, that has been entered into in good faith during the present emergency and prior to November 12, 1918.

Then he read from a portion of section 5 which was identical, but the trouble was he did not read quite enough of section 1.

If he had read a little further he would have found this significant and important provision in section 1, which is not in section 5: The agreement mentioned in section 1 must have been entered into "by any officer or agent acting under the authority, direction, or instructions" of the Secretary of War "or the President of the United States." This specifically limits the settlement to only such claims as the President or Secretary of War had a right to make contracts for.

Now, that provision or anything like it is not in section 5. Why? Simply because they knew that the Secretary of the Interior or the President had no authority to make any agreements with these mineral producers, and therefore could not delegate authority to anybody else to make a contract. So the difference between the two classes of claims is apparent. They are in no sense identical.

The gentleman from Kentucky [Mr. FIELDS] and the gentleman from California [Mr. KAHN], two members of the conference committee, told this House the other day that they wanted this matter to go back to conference so that it could be safeguarded. If I can understand language, instead of safeguarding the interest of the Government they have thrown open wider the gates to the Treasury. The provision which they report is not nearly so good and the interest of the Government is not nearly so well safeguarded under this conference agreement as under the original proposition.

Mr. FIELDS. That is a difference of opinion. I differ with the gentleman on that. I think it is much better.

Mr. HAMLIN. Well, let us see. Under the original proposition a man to sustain his claim had to show that he was personally solicited by the War Industries Board, the Shipping Board, or the Interior Department. Under the provision brought in now—

Mr. FIELDS. By publicity or advertisement.

Mr. HAMLIN. I have not yielded to the gentleman. Yes; both under that provision and this provision as you have brought it in now. But under the provision that is brought in here now, all you have got to show is that they were requested or demanded by advertisement in a newspaper or in any other way, not only by the War Industries Board, the Shipping Board, or the Department of the Interior, but they have added the War Trade Board and the Emergency Fleet Corporation. I presume that they were afraid that some poor fellow might be left out under the other provision as written in by the Senate, so they extended the agencies of the Government in order to give all a chance to get in on the grand distribution of funds.

Now, there is another very radical difference between section 5 of this report and the balance of the bill. Let me call your attention to this proposition. Under the provision applying to the Secretary of War there is this safeguard written in:

That in no case shall any award, either by the Secretary of War or the Court of Claims, include prospective or possible profits—

And so forth.

Now, there is no such provision in section 5 applying to these mineral claims, and yet they tell us that the provision relating to the two classes of claims are identical. They tell us that the amount that can be expended is limited. Let us see if that is true. They say it is limited to \$50,000,000. I tell you, as a lawyer, that there is great doubt in my mind as to whether that is true or not. It is true that there is a provision in section 5 that says that these claims and the expenses of this adjudication shall be paid out of the \$50,000,000 appropriated by the act of October 5, 1918; but it does not say that the Secretary of the Interior, if this becomes a law, may not adjudicate claims and thereby legalize them and make them legal claims against the Government of the United States amounting to more than \$50,000,000, and that Congress will then be forced to make such additional appropriation as shall be necessary to pay them.

So I say that while I think it was the intention of the conferees to limit it to \$50,000,000, there is really a very serious doubt whether they have in fact so limited it.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker and gentlemen of the House, there is no difference, I take it, in the desire of Members of the House; all of us want to do justice to the citizens of America, and men who have a real claim against the Government ought to have that claim liquidated by the Government.

But the problem that confronts a legislative body is not what it desires to do, but what it is doing when it proposes specific legislation; and notwithstanding the statement of the gentleman

from Georgia [Mr. HOWARD], I submit that there is no comparison between the powers that are conferred in the section that relates to contracts made by the War Department and those that relate to matters to be adjusted by the Secretary of the Interior. Anyone reading the bill with care will see the distinction very plainly. The Secretary of War is expressly limited, as has just been suggested, from doing certain things. By the proviso he is prohibited from including "prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States"; and here is what he can affirmatively allow: "A reasonable remuneration for expenditures or obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order."

Now, the Secretary of the Interior is given the right to make a final adjudication, with the power "to ascertain, determine, adjust, and liquidate, and out of the moneys provided and appropriated by said act pay" the amounts of such losses and damages as he, the said Secretary, "shall find and determine to have been sustained by reason of having made such investments for said purposes." Now, go back and see what "said purposes" are, because that is the important provision in this particular language. Said purposes are these:

For producing or in good faith acquiring property for producing within the United States, for the purpose—

Here comes the purpose—

for the purpose of supplying the urgent needs of the Nation during the war, any ores or mineral substances mentioned and enumerated in the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply"; approved October 5, 1918, the production of which was requested or demanded by the War Industries Board, the War Trade Board, the Shipping Board, the Emergency Fleet Corporation, or the Department of the Interior, and which has been performed in whole or in part by any such person, firm, or corporation prior to November 12, 1918.

Now, the difference is this: The war contracts which the Secretary of War is going to deal with, whether made formally or informally, are contracts relating to the procurement of a given thing for a given purpose. What is attempted is to validate those contracts when they have been made informally. The matters that the Secretary of the Interior is to deal with are wherever a person, at the suggestion or the invitation, or, if you please, a general order of the enumerated Government agencies, has gone to work for the purpose of developing a given mineral with the idea of increasing the general supply that the Nation may have need for. In other words, if a man undertook to open up a mine, not for the purpose of supplying the Government with a given quantity of manganese but for the purpose of stimulating and increasing the general production of manganese because of a need that the Nation might have, that claim can be recognized without limitation, in the discretion of the Secretary of the Interior.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. STAFFORD. I yield to the gentleman one more minute.

Mr. SHERLEY. Now, the difference between the two is very wide. I believe we ought to legislate to take care of some cases that may have arisen in connection with the bill that we passed in regard to the stimulating of mining; but it ought to be so narrowed as not simply to throw the matter wide open and to invite every man who can persuade the Secretary of the Interior—because he is made the final judge—that he has made an investment for the general purpose of increasing the production of a given mineral. I think that is very much further than the Congress can afford to go, and I again submit that if any lawyer in this House will take the two paragraphs and sit down by himself for 10 minutes and read them he will come to the conclusion that they are not identical or similar, and that they do not throw around the action of the Government the same restrictions in each case. [Applause.]

Mr. STAFFORD. Mr. Speaker, how does the time stand?

The SPEAKER pro tempore. The gentleman from Wisconsin has 15 minutes and the gentleman from Kentucky 6 minutes.

Mr. STAFFORD. I yield four minutes to the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Speaker, my objection to this conference report is that it sets a precedent that will absolutely paralyze this Congress. In my question to the gentleman from Kentucky I called attention to the agricultural situation, where production had been stimulated, where prices are now falling, and I asked him if his theory went to the extent of taking care of that kind of a situation. The gentleman from Georgia [Mr. HOWARD], interesting, brilliant, sometimes right, sometimes wrong, thoroughly wrong on this, refers to that as demagoguery and shakes his locks in the face of the House to prove it. Well,

I did not intend it as demagogy, and that is something about which I do not know very much. It may be demagogy, and I am willing to sit at the feet of the gentleman from Georgia when it comes to exercising that gentle art. I do not know much about it. [Laughter.]

But let us see the situation. It is a dangerous one. There is not an industry in the United States that has not responded to the patriotic appeal made to it and increased its production. I can speak more of agriculture, because I know more about it. The President in a proclamation, as I recall it, called upon the farmers of the United States to increase the food supply of the world. They did it. They did it with reference to corn, one of the greatest of agricultural products. They did it with reference to oats; they did it with reference to poultry; they did it with reference to hogs; they did it with reference to cattle; they did it with reference to rye; they did it with reference to barley; they did it with reference to everything. Corn had been selling at \$1.45 a bushel, and yet within the last two or three weeks it has fallen 40 cents a bushel. They produced this enormous crop to feed the peoples of the world. They went to the expense of added machinery, of added tractors, of added horsepower, of added everything else that was necessary.

Mr. HARDY. Will the gentleman yield for a question?

Mr. LEVER. I am sorry I can not. I have only four minutes. The principle of this bill, carried to its logical conclusion, would be to confer upon the Secretary of Agriculture the power to ascertain those losses and to make them good. If you pass this conference report in its present form, I say to you that, as the chairman of the Committee on Agriculture, I would feel disposed when the wheat bill comes on the floor of this House to include in it a provision for taking care of the losses of the farmers of this country who, responding to patriotic impulses, increased their production and must thereby suffer for it. [Applause.] I yield back the balance of my time.

Mr. HARDY. Will the gentleman yield for a question now?

Mr. LEVER. If I have the time.

Mr. HARDY. Does not the gentleman recognize the vast difference between a general appeal and a straight agreement?

Mr. LEVER. I do not regard this as an agreement.

Mr. GORDON. There never was any agreement.

Mr. HAMLIN. The gentleman from Texas [Mr. HARDY] must concede that they could not make any agreement.

Mr. GORDON. They had no authority to do it.

Mr. HAMLIN. They had no authority, and they could not make an agreement.

Mr. HARDY. The difference is that there was an agreement, and the gentleman talks about a general appeal.

Mr. HAMLIN. There could not be an agreement.

Mr. STAFFORD. I yield four minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, during the four minutes I ask not to be interrupted. Now, gentlemen, these two propositions are as wide apart as the poles. Under the national-defense act the President of the United States had the right to go out and buy munitions, had the right to go out and order munitions, had the right to go out and order munitions without limit, and he did so. Some of these contracts were not entered into as required by law and therefore they came to Congress with a proposition to authorize the Secretary of War to settle up certain claims which had arisen in the attempt to produce munitions under authority granted to the President, and by order of the President and his subordinates, and thereupon the bill goes over to the Senate and they tack on section 5, which proposes to make the Secretary of the Interior a distributing agency for paying a lot of mining prospectors who went into the business without authority from any person on the face of the earth. Of course, it would authorize them to pay if ordered by the Shipping Board, or the War Trade Board, or the Emergency Fleet Corporation, or all the different other agencies, not one of whom had any authority to authorize anybody to go out and prospect for manganese or pyrites. And furthermore the attempt to settle and adjust munitions contracts was to settle any just contract with the Government for supplies which the Government had authorized to be purchased, that they intended to purchase and in fact did purchase. These minerals were not to be provided for the Government. The Government never intended to acquire any minerals.

The bill that was introduced and authorized that sort of thing to be done was pulled and hauled around the Senate and the House, and when finally enacted into law on October 5, 1918, it limited and restricted the power necessary to provide the minerals to an actual shortage which must be found to exist and announced by proclamation of the President. The President had no authority to enter into a contract for mining unless he issued the proclamation, and there never was any proclamation

issued by the President, because no shortage was found to exist, so that the President never had authority to make any contracts.

Mr. STEAGALL. Was there ever any agreement made by the Government under that bill?

Mr. GORDON. No.

Mr. STEAGALL. Did anyone ever have the power to make an agreement under that bill?

Mr. GORDON. No; no one had the power, not even the President of the United States, because he did not find any shortage, and, as a matter of fact, there was no shortage. They claim that they have a lot of these minerals that they can not sell, and that is the reason that the President never authorized these contracts.

Mr. ROSE. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. ROSE. If section 5 is of any value at all, does not the gentleman think that it should be unlimited?

Mr. GORDON. They talked about limiting this to \$50,000,000. But if the Secretary of the Interior is authorized to favor any mining prospector who comes in, the blue sky will be the limit. [Laughter.] Of course, Congress is not going to pay \$50,000,000 of these claims and then turn down other claims that are exactly as good. Why, all the fellows that did not go to war will have a claim. [Laughter and applause.]

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, in five minutes all one can do is to say I indorse—where you do indorse—what has been said. I indorse the statement of facts that the gentleman from Ohio [Mr. GORDON] has made, and I indorse his gesticulations. [Laughter.] I also indorse what the gentleman from Kentucky [Mr. FIELDS], the gentleman in charge of the conference report, has said—namely, that it was advertised in the newspapers and they were appealed to for months and months to do that and this and the other.

Mr. FIELDS. Will the gentleman yield? I know the gentleman does not want to misrepresent me.

Mr. CANNON. Certainly.

Mr. FIELDS. I stated that no provision based on such advertisements was provided for in the bill.

Mr. CANNON. Where is it provided for by law? I have here the law of October 5, 1918. It does not confer power on any fleet corporation or any other commission or upon the Secretary of the Interior. The only paragraph conferring power is one conferring it on the President. Has the President ever given power to anybody? [Applause.]

It is not proclaimed that he has. There was no necessity for it. Why, you take the development of coal and everything that went with it—all kinds of things during this war—and it has been remarkable. It has come by leaps and bounds, to be paid for by the Government when the Government gets the coal, and by you and me when we want to keep warm.

Now, mind you, the first part of this bill up to section 5 of the conference report is guarded. There must be a contract by somebody who is authorized to make it. The statute provides for certain things to be done before the contract should be signed—that was in normal times; but under pressure the contract was made by wire or by letter. This bill only waives on proper proof the formal execution of the contract in writing.

Where the contract is established in point of fact, then the Secretary of War has the power to fix the amount, and if the party, after full investigation, does not accept that amount, he can go to the courts. The courts are utilized. You can bring suit in the Court of Claims if you choose. You would have to establish your contract if you did. But how about this? The Secretary of the Interior—a very excellent gentleman, and I have great admiration for him and for his great ability—will find himself up a stump when he comes to consider the fore part of this section 5 as agreed upon. There does not have to be any contract, but if a fellow has been encouraged—

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. CANNON. Yes.

Mr. HARDY. Does not this provide that there should be an agreement? Is not that a contract?

Mr. CANNON. It does not provide that there shall be an agreement.

Mr. HARDY. It so reads.

Mr. CANNON. Oh, express or implied.

Mr. HARDY. That is still an agreement, is it not?

Mr. CANNON. With whom? Who has the authority to make it? Nobody but the President has the authority to make it, and now you are going to say—

Mr. HARDY. But, Mr. Speaker, the gentleman—

Mr. CANNON. Oh, the gentleman will have to excuse me, as I have only a moment longer. If somebody would go on his own

motion, somebody from the Bureau of Mines, or would write a letter to Sam, Tom, Jim, or Jake that we are going to need pyrites and manganese and all that kind of thing under the law of October 5, 1918, the President, and the President only, had the power to make contracts, and I am informed that he never made a contract under that act and never authorized the Secretary of the Interior or any other person to make contracts for him.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CANNON. Let us cut this thing off right behind the ears. [Applause and laughter.]

Mr. FIELDS. Mr. Speaker, how does the time now stand?

The SPEAKER pro tempore. The gentleman from Wisconsin has one minute remaining and the gentleman from Kentucky six minutes.

Mr. BLACK. Mr. Speaker, will the gentleman from Kentucky yield to me for a moment?

Mr. STAFFORD. Mr. Speaker, I reserved one minute in which to offer the motion to recommit, but I believe I have that privilege anyway, and I yield three-quarters of a minute to the gentleman from Texas.

Mr. BLACK. Mr. Speaker, what I wanted the gentleman to yield for was to ask him a question. I see in this section 5 that it authorizes the Secretary of the Interior to adjust these contracts, express or implied, but it does not say with whom those contracts must have been made. If that provision of the section should state that the contracts must have been made with the United States Government, or with some authorized agent of the United States Government, then it would be hedged about with some desirable restrictions, but if the gentleman will read the language he will find it is broad enough to cover any express or implied agreement made with anybody in the United States.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. FIELDS. Oh, no; it would not. I now yield five minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, there has been a great deal of discussion here predicated upon a false premise. Many gentlemen do not seem to understand the situation in which the owners of mining properties find themselves. These gentlemen who had properties containing manganese and chrome and pyrites had not been operating them for many years, because they could not operate them profitably against the competition of the producers in foreign countries. We were getting all those ores from Rhodesia and New Caledonia. The foreign supply was cut off or in danger of being cut off. I am informed that the Secretary of the Interior sent for the men personally who owned these properties and said to them that there was danger to the country if we did not continue to procure those ores so necessary to the production of ordnance and munitions. They replied to him: "We can not produce them in competition with the foreign producers," and were told that if they would go ahead and help save the country in that regard they would be taken care of by the Government. It was an implied agreement with the men who owned the mining properties when they were asked by authorized officers of our Government to put up their money to produce these ores. They knew that they could not produce them in competition with foreign producers. They were informed that every pound of chrome produced in this country would help release tonnage that was so necessary for the transportation of soldiers and supplies. They declined to go ahead until they were assured that if they did go ahead they would get remuneration from the Government, whose needs they were trying to supply. The entire amount involved in this matter is about four and a half million dollars. These people in good faith followed the request of an executive officer of this Government. They came to the aid of the Government, and in all decency, in all equity, and in all good faith they ought to be treated fairly by the Government.

Much sympathy is expressed for the farmers of the country. I believe that when any producer in any line of production in this country was told by the Government officials to go ahead and produce for the use of the Government in its efforts to win the war, an adjustment of his claim ought to be made. It is not fair to say to these men, after they have put up hundreds of thousands of dollars, "You have no claim, you must pocket your loss." I know one concern out in my community that put up many hundreds of thousands of dollars in developing a manganese plant. They had no need to do it; they did not have to put their money for that purpose, but they were requested by the Interior Department to do it; and now to deny them a fair compensation for the money they expended or even the return of their money in their investment, seems to me to be dishonest,

even if it be done on the part of the Government of the United States.

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. KAHN. No; I can not yield. I was one of the conferees, and we heard a great deal about advertisements inducing men to put up their money. In order to prevent that class of claims being presented we expressly provide that there must have been an agreement, either express or implied, with the men who had the mining properties. Not a single case can be adjudicated unless there has been that kind of an agreement.

The SPEAKER. The time of the gentleman from California has expired.

Mr. FIELDS. Mr. Speaker, I move the previous question on the conference report.

Mr. STAFFORD. Mr. Speaker, I offer the following motion to recommit, and on that I demand the previous question.

The SPEAKER. The Chair promised to recognize the gentleman from Oklahoma [Mr. CARTER] unless somebody more fully qualified demanded the right of recognition.

Mr. STAFFORD. Mr. Speaker, this is satisfactory to the gentleman from Oklahoma.

The SPEAKER. Is the gentleman from Wisconsin against the bill?

Mr. STAFFORD. I am against the conference report.

The SPEAKER. Dead against it?

Mr. STAFFORD. Dead.

The SPEAKER. The question is on the motion of the gentleman from Kentucky on ordering the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The gentleman from Wisconsin offers a motion to recommit, and on that demands the previous question. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. STAFFORD moves to recommit the conference report on the bill H. R. 13274 to the committee of conference, with instructions to the managers on the part of the House not to agree to section 7 of the Senate amendment in any form.

The SPEAKER. The question is on ordering the previous question on the motion of the gentleman from Wisconsin to recommit.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken; and the Speaker announced the ayes seemed to have it.

Mr. WINGO and Mr. HOWARD. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 100, noes 47.

Mr. KAHN and Mr. RAKER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The two gentlemen from California make the point of order that there is no quorum present, and evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken, and there were—ayes 214, noes 117, answered "present" 6, not voting 92, as follows:

YEAS—214.

Alexander	Cooper, Wis.	Fuller, Ill.	Johnson, S. Dak.
Anderson	Copley	Fuller, Mass.	Jones
Anthony	Crago	Gard	Juil
Bacharach	Cramton	Garner	Kearns
Baer	Crisp	Garrett, Tenn.	Kelly, Pa.
Beshlin	Crosser	Garrett, Tex.	Kennedy, Iowa
Birch	Currie, Mich.	Glynn	Key, Ohio
Black	Dale	Good	Kincheloe
Blackmon	Davey	Gordon	King
Blanton	Davis	Gould	Kitchin
Brand	Decker	Graham, Ill.	Knutson
Britten	Dempsey	Gray, Ala.	Kraus
Brodbeck	Denison	Green, Iowa	Kreider
Browne	Dent	Greene, Mass.	Larsen
Buchanan	Dewalt	Greene, Vt.	Lehbach
Burnett	Dickinson	Hamilton, Mich.	Leshar
Burroughs	Dies	Hamlan	Lever
Butler	Dillon	Harrison, Va.	Little
Byrnes, S. C.	Dixon	Hastings	London
Byrns, Tenn.	Donovan	Haugen	Lonergan
Campbell, Kans.	Doughton	Heaton	Longworth
Candler, Miss.	Dowell	Hershey	Lufkin
Cannon	Dunn	Holland	Lunn
Cantrill	Eagan	Hollingsworth	McCulloch
Carter, Okla.	Elliott	Hood	McFadden
Cary	Ellsworth	Houston	McKenzie
Chandler, Okla.	Essen	Huddleston	McKinley
Clark, Pa.	Fairfield	Hull, Iowa	McLaughlin, Mich.
Claypool	Fees	Hull, Tenn.	McLaughlin, Pa.
Coady	Focht	Humphreys	McLamore
Collier	Foss	Igoe	Madden
Connally, Tex.	Frear	Jealand	Magee
Cooper, Ohio	Freeman	James	Mann

Mansfield	Quin	Slayden	Venable
Mason	Ragsdale	Snell	Vestal
Mondell	Ramsey	Snook	Vinson
Montague	Ramseyer	Stafford	Voigt
Moon	Rayburn	Steagall	Volstead
Moore, Pa.	Reed	Stedman	Walker
Morgan	Robinson	Steele	Walsh
Mott	Romjuc	Steenerson	Ward
Mudd	Rose	Stephens, Miss.	Wason
Nelson, A. P.	Rubey	Stephens, Nebr.	Watson, Pa.
Nelson, J. M.	Sabath	Sterling	Watson, Va.
Nicholls, S. C.	Saunders, Va.	Stevenson	Webb
Oliver, Ala.	Scott, Iowa	Stines	Whaley
Olney	Scott, Mich.	Sumners	Wheeler
Paige	Sells	Sweet	Williams
Parker, N. J.	Shallenberger	Temple	Wilson, Tex.
Parker, N. Y.	Sherley	Thompson	Woodyard
Peters	Sherwood	Tilson	Young, Tex.
Polk	Siegel	Towner	Zihlman
Porter	Sims	Treadway	
Pou	Sisson	Van Dyke	

NAYS—117.

Aswell	Fields	Lee, Ga.	Rowe
Austin	Fisher	Linthicum	Sanders, N. Y.
Ayres	Flood	McArthur	Sanford
Bankhead	Foster	McKeown	Schall
Barkley	French	Mapes	Shouse
Beakes	Gallagher	Martin	Sinnott
Bell	Gallivan	Mays	Slomp
Benson	Gandy	Merritt	Sloan
Bland, Va.	Godwin, N. C.	Miller, Minn.	Small
Campbell, Pa.	Goodwin, Ark.	Moore, Ind.	Smith, Idaho
Caraway	Griffin	Morin	Smith, C. B.
Church	Hadley	Nichols, Mich.	Switzer
Classon	Hardy	Nolan	Taylor, Colo.
Connelly, Kans.	Hawley	Oldfield	Tillman
Cooper, W. Va.	Hayden	Oliver, N. Y.	Timberlake
Curry, Cal.	Hayes	Osborne	Walton
Denton	Hedin	Overstreet	Watkins
Dill	Hicks	Padgett	Weaver
Dominick	Hilliard	Platt	Welling
Doolittle	Howard	Powers	Welty
Doremus	Jacoway	Rainey, H. T.	White, Me.
Dupré	Johnson, Wash.	Rainey, J. W.	Wilson, Ill.
Dyer	Kahn	Raker	Wilson, La.
Eagle	Kehoe	Randall	Wingo
Elston	Kettner	Rankin	Wise
Esch	Kinkald	Riordan	Wright
Evans	La Follette	Roberts	Young, N. Dak.
Fairchild, B. L.	Lampert	Rodenberg	
Fairchild, G. W.	Lazaro	Rogers	
Ferris	Lca, Cal.	Rouse	

ANSWERED "PRESENT"—6.

Edmonds	Keating	Reavis	Rucker
Emerson	Littlepage		

NOT VOTING—92.

Almon	Drukker	Johnson, Ky.	Russell
Ashbrook	Estopinal	Kelley, Mich.	Sanders, Ind.
Barnhart	Farr	Kennedy, R. I.	Sanders, La.
Bland, Ind.	Flynn	Kless, Pa.	Scully
Booher	Fordney	LaGuardia	Sears
Borland	Francis	Langley	Shackleford
Bowers	Garland	Lobeck	Smith, Mich.
Browning	Gillett	Lundeen	Smith, T. F.
Brumbaugh	Goodall	McAndrews	Snyder
Caldwell	Graham, Pa.	McClintic	Strong
Carew	Gray, N. J.	McCormick	Sullivan
Carlin	Gregg	Maher	Swift
Carter, Mass.	Griest	Miller, Wash.	Tague
Chandler, N. Y.	Hamill	Neely	Taylor, Ark.
Clark, Fla.	Hamilton, N. Y.	Norton	Templeton
Cleary	Harrison, Miss.	O'Shaunessy	Thomas
Costello	Haskell	Overmyer	Thomas
Cox	Helntz	Park	Tinkham
Dallinger	Helm	Phelan	Vare
Darrow	Helvering	Pratt	Waldow
Delaney	Hensley	Price	White, Ohio
Dooling	Husted	Purnell	Winslow
Drane	Hutchinson	Rowland	Wood, Ind.
			Woods, Iowa

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Until further notice:

- Mr. LITTLEPAGE with Mr. BOWERS.
- Mr. CAREW with Mr. DALLINGER.
- Mr. SCULLY with Mr. BROWNING.
- Mr. MAHER with Mr. DARROW.
- Mr. CLEARY with Mr. FORDNEY.
- Mr. SULLIVAN with Mr. GARLAND.
- Mr. THOMAS F. SMITH with Mr. GRIEST.
- Mr. ASHBROOK with Mr. HASKELL.
- Mr. BOOHER with Mr. HUTCHINSON.
- Mr. CLARK of Florida with Mr. KENNEDY of Rhode Island.
- Mr. LOBECK with Mr. KLESS of Pennsylvania.
- Mr. MCANDREWS with Mr. LANGLEY.
- Mr. MCCLINTIC with Mr. MILLER of Washington.
- Mr. NEELY with Mr. PURNELL.
- Mr. OVERMYER with Mr. SANDERS of Indiana.
- Mr. PARK with Mr. SNYDER.
- Mr. PHELAN with Mr. TINKHAM.
- Mr. SEARS with Mr. WOOD of Indiana.
- Mr. CARLIN with Mr. LA GUARDIA.
- Mr. DOOLING with Mr. BLAND of Indiana.

Mr. SANDERS of Louisiana with Mr. SMITH of Michigan.
 Mr. JOHNSON of Kentucky with Mr. WINSLOW.
 Mr. HAMILL with Mr. HUSTED.
 Mr. RUSSELL with Mr. STRONG.
 Mr. BRUMBAUGH with Mr. COSTELLO.
 Mr. WHITE of Ohio with Mr. NORTON.
 Mr. HARRISON of Mississippi with Mr. REAVIS.
 Mr. ESTOPINAL with Mr. EMERSON.
 Mr. O'SHAUNESSY with Mr. GRAHAM of Pennsylvania.
 On this vote:
 Mr. RUCKER (for) with Mr. HENSLEY (against).
 The result of the vote was announced as above recorded.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ASHBROOK, for two days, on account of illness.
 To Mr. ALMON, for to-day, on account of illness.

VALIDATION OF CERTAIN WAR CONTRACTS.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.
 The SPEAKER. The gentleman will state it.
 Mr. WINGO. What has become of the conference report?
 The SPEAKER. The conference report goes back to the referees.

Mr. WINGO. Is the report sent back or the bill?
 The SPEAKER. The report is sent back.
 Mr. WINGO. That is all I wanted to know.

EXTENSION OF REMARKS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to my remarks in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] Chair hears none.

Mr. LEVER. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from South Carolina asks the same request. Is there objection? [After a pause.] Chair hears none.

Mr. YOUNG of North Dakota. Mr. Speaker, I would make the same request.

The SPEAKER. The gentleman from North Dakota asks a similar request. Is there objection? [After a pause.] Chair hears none.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to tend my remarks on this motion to recommit.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks on the motion to recommit. Is there objection? [After a pause.] The Chair hears none.

THE ARMY.

Mr. DENT. Mr. Speaker, I move that the House refer itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15835, Army appropriation bill.

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 further consideration of the bill H. R. 15835, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The CHAIRMAN. When the committee rose on yesterday a point of order had been reserved by the gentleman from Virginia [Mr. STAFFORD] to this paragraph—

Mr. DENT. Mr. Chairman, I want to submit a request that can get the attention of the committee. I ask unanimous consent to pass for the present the items on the subject of Air Force and the Bureau of Aircraft Production, beginning on page 15 and ending on page 15, with the idea that I propose to substitute a little later.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to pass by the portions of the bill indicated for the present.

Mr. MANN. Mr. Chairman, we could not hear what the gentleman indicated.