

DEATH OF MRS. WOODROW WILSON.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the President of the United States, which will be read:

The Secretary read as follows:

THE WHITE HOUSE,
September 21, 1914.

Gentlemen of the Senate:

I have received at the hands of the Secretary of the Senate the resolutions of sympathy passed upon the occasion of the death of Mrs. Wilson. It was very gracious of you to think of me in my hour of deep affliction, and I thank you with sincere gratitude. It is comforting to me to think that we are comrades in the conduct of life as in the conduct of the Nation's business and that we are bound together in human sympathy as men as well as in duty as servants of the people. Your courtesy and thoughtfulness I deeply appreciate.

WOODROW WILSON.

The VICE PRESIDENT. The communication will be placed on the files of the Senate.

TRADE WITH SOUTH AMERICA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in response to a resolution of the 2d instant, certain information relative to the probable cost of sending at least six vessels now in the military or naval service to the principal ports of South America to carry suitable samples of manufactures and products of this country, together with a reasonable number of representatives of business and trade organizations, and to adopt such other means as may be deemed advisable to the end that our manufacturers and producers may be put in direct contact with the markets of South America, etc., which was referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (S. 4274) to authorize and require an extension of the street railway lines of the Washington Railway & Electric Co., and for other purposes, and it was thereupon signed by the Vice President.

PETITION.

Mr. NORRIS presented a petition of the Nebraska Conference of the Methodist Episcopal Church, held at Fremont, Nebr., praying for national prohibition, which was referred to the Committee on the Judiciary.

BILLS INTRODUCED.

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

By Mr. CHAMBERLAIN:

A bill (S. 6511) granting an increase of pension to George W. Killin (with accompanying papers); to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 6512) granting an increase of pension to Minnie Wadsworth Wood; to the Committee on Pensions.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had, on September 19, 1914, approved and signed the following acts:

S. 725. An act to correct the military record of Aaron S. Winner;

S. 4741. An act for the protection of the water supply of the city of Salt Lake City, Utah;

S. 754. An act for the relief of Jacob M. Cooper;

S. 1063. An act for the relief of Philip Cook;

S. 2472. An act for the relief of Herman von Werthern; and

S. 5065. An act for the relief of Mirick Burgess.

RECESS.

Mr. STONE obtained the floor.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER (Mr. BRADY in the chair). The Senator from Missouri has been recognized.

Mr. STONE. I yield to the Senator from North Carolina.

Mr. SIMMONS. I move that the Senate take a recess until 12 o'clock to-morrow.

Mr. SMOOT. I suggest to the Senator that we adjourn until 11 o'clock to-morrow.

Mr. SIMMONS. We want to take up the river and harbor bill and get through with it.

Mr. SMOOT. By adjourning we can have a morning hour, and this bill can be taken up immediately after the close of the morning business.

Mr. SIMMONS. I hope the Senator will let us take the action I have suggested.

Mr. SMOOT. I have no objection whatever to the suggestion of the Senator.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 7 o'clock and 35 minutes p. m., Monday, September 21, 1914) the Senate took a recess until Tuesday, September 22, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, September 21, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who hast ever been our refuge and our strength, a very present help in trouble, we come to Thee at the beginning of this, another congressional week, to thank Thee for all past favors and pray for the continuation of the same. We confess our ignorance, realize our weakness and our shortcomings, and pray for light to guide us, strength to sustain us, in all our undertakings which are in accordance with the eternal principles which Thou hast ordained. In the name of Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, September 19, 1914, was read and approved.

EXTENSION OF REMARKS.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the river and harbor bill.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent to extend his remarks in the Record on the river and harbor bill. Is there objection?

There was no objection.

UNANIMOUS-CONSENT CALENDAR.

The SPEAKER. This is unanimous-consent day, and the Clerk will report the first bill.

EXCHANGE OF SCHOOL LANDS, STATE OF OREGON.

The first business on the Calendar for Unanimous Consent was the bill (S. 49) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land.

Mr. SINNOTT. Mr. Speaker, I ask that this first bill be passed over without prejudice.

The SPEAKER. The gentleman from Oregon [Mr. SINNOTT] asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next one.

RESERVATION OF LANDS IN NEW MEXICO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12050) reserving from entry, location, or sale lots 1 and 2, section 33, township 13 south, range 4 west, New Mexico prime meridian, in Sierra County, N. Mex., and for other purposes.

The bill was read.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, I do not see the gentleman from New Mexico [Mr. FERGUSON] here.

Mr. FERGUSON. Yes; here I am.

Mr. FOSTER. This bill provides that this money shall go into the Treasury for a special fund to be disbursed by the Secretary of the Interior for the protection, maintenance, and improvement of the reservation referred to. Does the gentleman intend to offer an amendment that this shall go into the Treasury of the United States, to be deposited to the credit of miscellaneous receipts?

Mr. FERGUSON. Yes; that is at the suggestion of the gentleman from Illinois [Mr. MANN].

The SPEAKER. Is there objection? This bill is on the Union Calendar.

Mr. FERGUSON. Mr. Speaker, I want to ask a question as to procedure. The gentleman from Wisconsin [Mr. STAFFORD] is not here. I spoke to him Saturday about the objection he had to the bill. His objection was that we ought to donate this land to the State of New Mexico. Now, I am afraid that I am under obligation to the gentleman from Wisconsin to hold this open until he finally decides about that. I want to ask the Chair how I shall proceed, as a matter of ethics?

The SPEAKER. The gentleman can ask to have the bill passed over temporarily without prejudice.

Mr. FERGUSON. Yes; I will do that, Mr. Speaker.

The SPEAKER. The gentleman from New Mexico asks unanimous consent that the bill be passed over temporarily until the gentleman from Wisconsin [Mr. STAFFORD] gets here.

Is there objection?

There was no objection.

The SPEAKER. The Chair desires now to make the same request that he made three or four months ago about these bills. If any gentleman has made up his mind absolutely to object to the consideration of a bill, when the title is read I wish he would do it, because that saves time. And if he has made up his mind to ask that it be passed over without prejudice I hope he will do so promptly. The Clerk does not need any elocutionary exercise. [Laughter.] The Clerk will report the next one.

CONTRACTS UNDER RECLAMATION ACTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 124) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamation acts, and for other purposes.

The bill was read with a committee amendment.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from California [Mr. RAKER] if he has been over this bill with a view to offering any amendments to it? Has the gentleman prepared any amendments to this bill?

Mr. RAKER. I have been working on it, and I am inclined to think this meets the situation and could hardly be improved, unless the gentleman has some suggestion to that effect.

Mr. MANN. Take this case: Supposing the Government has let a contract for \$100,000 and has paid the contractor \$50,000 on account of the contract. The contractor has not used that in paying any of his bills. The Government cancels the contract. Under the terms of this bill it must pay that money over again to the people who have furnished the supplies and labor, and finish the work besides.

Mr. RAKER. I would take it from the provision here that they would have \$50,000 yet on the bond and they would be able to collect it.

Mr. MANN. Under the law now they can sue on the bond. This is intended to go beyond the bond. That is the purpose of the bill.

Mr. RAKER. There might be some imperfection in the bill as to that. Has the gentleman any suggestion to make to cover that?

Mr. MANN. I have not prepared any amendment, but it seems to me that while the Government ought to protect the material men and the labor, it should also require some notice to be given the Government so that the Government may protect itself, because under the terms of this bill, as I read it, unless I am mistaken, if the contractor gets a part of his money and does not apply it in payment of his bills the Government will have to pay those bills and finish the work besides.

Mr. RAKER. This is not intended to do that. It is intended to work the other way. The suggestion that the gentleman makes is a wise one, and possibly it ought to be incorporated in the bill. I will take that up especially with the department the next time it comes up, and I think I shall have it submitted to the gentleman in advance.

Mr. MANN. I do not ask the gentleman to submit it to me in advance. I do not pretend to know. I think we ought to guard the material men and laborers, but we ought to require them to give some kind of notice to the Government, so that the Government will not have to pay the bills twice. If the department will guard that feature of it—

Mr. RAKER. I will endeavor to provide for it, and under that statement I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

ALCATRAZ ISLAND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9017) transferring the control and jurisdiction of Alcatraz Island, and its buildings thereon, from the Department of War to the Department of Labor.

The bill was read with the following committee amendment:

Strike out all after the enacting clause and insert:

"That Alcatraz Island and all buildings, machinery, and improvements thereon, now under the control and jurisdiction of the Department of War, and used for and known as the Pacific branch, United States military prison, on Alcatraz Island, Cal., be, and the same hereby is, except as herein otherwise provided, transferred to the Department of Labor to be used by the Bureau of Immigration as an immigration

station or for such other uses as may be provided for by law. The said Alcatraz Island, together with all buildings, machinery, and improvements thereon, shall be hereafter under the exclusive control and jurisdiction of the Department of Labor, subject to the provisions of the act of Congress approved September 28, 1850, providing for a lighthouse at Alcatraz Island."

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object—

Mr. FITZGERALD. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] objects, and the bill will be stricken from the calendar.

Mr. RAKER. Mr. Speaker, will the gentleman yield for just a moment? There has been a letter submitted by the Department of Commerce and also one by the Department of Labor on this bill—

Mr. FITZGERALD. I have no objection to the letters being printed in the Record.

The SPEAKER. Does the gentleman from New York object?

Mr. RAKER. I ask unanimous consent for one minute.

The SPEAKER. The gentleman from California asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, the Secretary of Commerce and the Secretary of Labor have both joined again in the request that this bill be passed, suggesting two amendments which we are perfectly willing to have placed upon the bill. I will ask to have those amendments placed on the bill, if he can see his way clear to let the bill go through to-day.

Mr. FITZGERALD. I suggest that the gentleman print the letters in the Record. There will be time to examine them hereafter, and the bill can be placed upon the calendar again.

Mr. RAKER. The letters referred to are as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, September 17, 1914.

MY DEAR MR. SPEAKER: Referring to House bill 9017, Sixty-third Congress, second session, for "transferring the control and jurisdiction of Alcatraz Island and its buildings thereon from the Department of War to the Department of Labor," as reported with amendments on June 24, 1914, and referred to the House Calendar (No. 153) and ordered to be printed.

This department recommends, in order more specifically to provide for its interests in the island, the following amendments to the bill:

Page 2, line 12, after the word "thereon," insert the words "except as herein otherwise provided."

Lines 14, 15, and 16, strike out everything after the word "Labor" in line 14 and insert in lieu thereof the following:

"Provided, however, That all that portion of said island now utilized by the Lighthouse Service, with the necessary rights of way thereto, shall be under the exclusive jurisdiction of the Department of Commerce; And provided further, That should there be any portions of the said island transferred by the provisions of this act to the Department of Labor for the uses and purposes aforesaid not used nor required by the latter department, such unused portions, if required for the establishment of aids to navigation, may be used therefor by the Department of Commerce under its exclusive control and jurisdiction."

The proposed amendments are concurred in by the Acting Secretary of Labor, as indicated by his letter dated September 10, 1914, to this department in response to letter dated September 4, 1914, from this department to the Secretary of Labor. A copy of each of these letters is inclosed herewith.

Very truly, yours,

WILLIAM C. REDFIELD, Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, September 4, 1914.

SIR: Referring to the bill (H. R. 9017, 63d Cong., 2d sess.) for "transferring the control and jurisdiction of Alcatraz Island and its buildings thereon from the Department of War to the Department of Labor," as reported with amendments on June 24, 1914, and referred to the House Calendar (No. 153) and ordered to be printed:

This department has to suggest, in order more specifically to provide for its interests in the island, the following amendments to the bill:

Page 2, line 12, after the word "thereon," insert the words "except as herein otherwise provided."

Lines 14, 15, and 16, strike out everything after the word "Labor" in line 14 and insert in lieu thereof the following:

"Provided, however, That all that portion of said island now utilized by the Lighthouse Service, with the necessary rights of way thereto, shall be under the exclusive jurisdiction of the Department of Commerce; And provided further, That should there be any portions of the said island transferred by the provisions of this act to the Department of Labor for the uses and purposes aforesaid, not used by the latter department, such unused portions, if required for the establishment of aids to navigation, may be used therefor by the Department of Commerce under its exclusive control and jurisdiction."

The above amendments are in accordance with the informal understanding arrived at in conference with the Commissioner General of Immigration, and are submitted for your approval or further suggestions. It is stated for your information that the Lighthouse Service at present has the following structures, together with the necessary appurtenant lands, on Alcatraz Island: Light tower and dwelling at the military prison, connected with electric fog signal at the shore at the southeast part of the island; there is also electric fog signal at the northwest part of the island.

An early reply in this matter will be appreciated, in order that the proposed amendments may be communicated to Congress by this department, unless it is preferred that your department make such communication.

Respectfully,

E. F. SWEET, Acting Secretary.

The SECRETARY OF LABOR,
Washington, D. C.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, September 10, 1914.

MY DEAR MR. SECRETARY: Your letter of the 4th instant in re the bill (H. R. 9017, 63d Cong., 2d sess.) for "Transferring the control and jurisdiction of Alcatraz Island and its buildings thereon from the Department of War to the Department of Labor," has received consideration.

This department, after consultation with the Bureau of Immigration, suggests that there be added in the second proviso of the amendment proposed to the said bill, after the words "not used," line 8, page 1, of your letter, the following, "nor required," so that the second proviso affected by this change will read:

"And provided further, That should there be any portions of the said island transferred by the provisions of this act to the Department of Labor, for the purposes and uses aforesaid not used nor required by the latter department, such unused portions, if required for the establishment of aids to navigation, may be used therefor by the Department of Commerce under its exclusive control and jurisdiction."

Of course it is within the province of Congress to make any assignment of the lands which are placed under the exclusive control of the Department of Labor that it may consider necessary for the public welfare, even though the bill in its present form should become a law.

The purpose of the amendment suggested by this department is not to prevent the Department of Commerce from making a showing that there is any land now assigned by the bill that is unused, but also to accord the Department of Labor the opportunity to show that even if not in immediate use that it may be and actually is necessary for immigration purposes.

This department does not apprehend that any difficulty will ever arise between the two departments in the way of an agreement, should the Department of Commerce at any time believe that lands or privileges other than those now possessed by it should be necessary.

Respectfully,

J. B. DENSMORE, Acting Secretary.

Hon. WILLIAM C. REDFIELD.

Secretary of Commerce.

Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be passed without prejudice. Is there objection?

Mr. FITZGERALD. I object. This bill has been passed without prejudice before, and a number of these bills are clogging this calendar by remaining at the top. If they are taken off, they can be put on again and other bills will have a chance in the meantime.

The SPEAKER. Objection is made. The bill is stricken from the calendar and the Clerk will report the next bill.

UNITED STATES BUILDING, PLYMOUTH, MA 3.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16829) to provide for enlarging the site for the United States building at Plymouth, Mass.

The Clerk read the title of the bill.

Mr. GILMORE. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

BRANCH HYDROGRAPHIC OFFICE, LOS ANGELES, CAL.

The next business on the Calendar for Unanimous Consent was the bill (S. 494) to establish a branch hydrographic office at Los Angeles, Cal.

The bill was read.

The SPEAKER. Is there objection?

Mr. FOSTER. I object.

The SPEAKER. The gentleman from Illinois objects. The bill will be stricken from the calendar. The Clerk will report the next bill.

BRIDGE ACROSS MISSISSIPPI RIVER, MUSCATINE, IOWA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17907) granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation at or near Muscatine, in the county of Muscatine, in the State of Iowa, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, it has not been customary to grant permits to build bridges across the Mississippi River at any point where it is largely navigated unless some special showing is made. The War Department has made a formal report in this case, but there is no information. Will the gentleman from Iowa give us some information on the subject?

Mr. VOLLMER. Mr. Speaker, I have written for the evidence on the points that the gentleman requested when I talked to him before about this case, and under the circumstances I ask unanimous consent that the bill be passed without prejudice, to see if I can get that evidence.

The SPEAKER. The gentleman from Iowa asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection.

POST-OFFICE BUILDING AT HANOVER, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12464) providing for the expenditure of part of the unexpended balance of the appropriation of \$10,000 made by the urgent deficiency bill of October 22, 1913, for the completion of the post-office building at Hanover, Pa.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to expend so much of the unexpended balance of the appropriation of \$10,000 made by the urgent deficiency act of October 22, 1913, for the completion of the post-office building at Hanover, Pa., as he may deem proper for enlarging the site of said building, for incidental grading in connection with such enlarged site, and for miscellaneous items necessary in connection with the completion of said building.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, as I understand this bill, it is for the purpose of acquiring additional property adjoining an existing site, which additional property is not presently needed. Am I right about that?

Mr. BRODBECK. If the gentleman will reserve his objection for a moment, I will make a statement.

This bill was before the House upon two previous Unanimous Consent Calendar days, and was objected to. I believe if the facts underlying this bill are more fully explained that there will be no objection to the passage of this bill.

In the first place, by the act of June 25, 1910, Congress appropriated \$100,000 for the purchase of a site and the erection of a building to be used as a post-office building in my town, Hanover, Pa.

In due course of time a site was purchased at the corner of Abbottstown and Locust Streets. After the buildings were removed to clear the lot for the new building, it became apparent that the plat of ground was rather small and would not supply a foot of available space for future extensions if the service required greater facilities.

The then Congressman, Mr. Lafean, was appealed to to acquire an additional lot in the rear of 88.1 feet in width and 112 feet in depth. By so doing the Government would then own the entire depth of the block on Locust Street to an 18-foot alley adjoining property of one of the largest public-school buildings in Hanover, which has an open park surrounding it, covering about one-quarter of the block.

When the time was at hand to begin excavating for the foundation walls, a public "ground-breaking" ceremony was held on September 6, 1912, when Mr. Lafean in his address publicly announced that he would introduce a bill in Congress for \$10,000 to acquire this additional ground. An account of his remarks appeared in the Hanover Herald, a local paper, dated September 14.

The following spring, April, 1913, the Supervising Architect, Hon. Oscar Wenderoth, visited Hanover. An account of his visit appears in the local paper of April 8, 1913; a part of same reads as follows:

The Supervising Architect informed Dr. C. A. Keagy that the additional plat of ground at the rear of building would be taken over by the Treasury Department shortly. This they intend to grade and inclose with coping walls and sow with grass seed.

By the assurance of the promise of Mr. Lafean and the foregoing public utterances of both Mr. Lafean and Supervising Architect Wenderoth, the citizens of Hanover were led to believe and understood that when said bill was passed the Government would acquire the ground in question.

Prior to the passage of this bill I called upon Hon. Sherman Allen, then Assistant Secretary of the Treasury, also on Supervising Architect Wenderoth, both of whom assured me that the ground would be bought as soon as the bill had passed.

On October 30, 1913, the urgent deficiency bill passed the House, which included this bill, providing for the \$10,000 appropriation as heretofore referred to.

After the passage of this bill I called on the Hon. Byron Newton, Assistant Secretary of the Treasury, in reference to the purchase of this property. He declined to act, for the reason that the bill as introduced by Mr. Lafean inadvertently did not stipulate any authority empowering the Secretary of the Treasury to purchase any additional property; that while the note to the item of \$10,000 appropriated clearly indicated what a part of this appropriation was to be used for, it carried no authority

with it, and that a bill should be introduced giving that authorization to the Secretary of the Treasury. A draft of the bill for this purpose was submitted, which I introduced on January 27, 1914, and was favorably acted upon and reported out by the Committee on Public Buildings and Grounds, with the recommendation that the bill should pass.

I trust I succeeded in making my statement clear to you; that this bill is not presenting a new proposition, nor is it a move simply to get at the money that remains unexpended for anything not originally intended, but that this bill is to clear up an unfinished proposition of my predecessor.

The wisdom of the original proposition is manifesting itself already. The new building is not more than large enough for present requirements. The original design made no provisions for a parcel-post department; that part of the business is increasing, and it is only a matter of several years until larger room must be provided to facilitate the business. At the present time there is not sufficient room for all the teams of the rural carriers to be stationed at one time in the rear of the building.

The accompanying report shows that the unexpended balance of the appropriation is about \$7,142, out of which the Secretary of the Treasury can appropriate such amount for the land as in his judgment may seem right and just, reserving a sufficient amount for the grading, coping, and pavement.

Mr. STAFFORD. Will the gentleman yield?

Mr. BRODBECK. I will.

Mr. STAFFORD. Can the gentleman point out any reason why the Government should acquire this property at the present time? Is there any urgent need?

Mr. BRODBECK. Yes; the building, although completed, is hardly large enough for the present requirements. The original design for the building made no provision for a parcel-post department. This branch of the Postal Service has so increased that they will soon need additional facilities. In the rear of the building the available ground does not afford sufficient accommodation for the rural carriers' teams at this time. If this additional land could be acquired it would furnish that much-needed space for the accommodation of the teams as well as for the future enlargement of the building. I hope the gentleman will not object.

Mr. STAFFORD. Mr. Speaker, I am advised by my colleague, the gentleman from Illinois, that he objected to this bill two weeks ago, but since that time he has given personal consideration to the facts of the case, and he assures me that it is an urgent matter. I shall therefore not object.

The SPEAKER. This bill is on the Union Calendar.

Mr. BRODBECK. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. STAFFORD. I shall object to that, Mr. Speaker.

Mr. BRODBECK. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12464.

The SPEAKER. The gentleman from Pennsylvania moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12464.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. Cox in the chair.

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

The Clerk read as follows:

A bill (H. R. 12464) providing for the expenditure of part of the unexpended balance of the appropriation of \$10,000 made by the urgent deficiency bill of October 22, 1913, for the completion of the post-office building at Hanover, Pa.

Be it enacted, etc. That the Secretary of the Treasury be, and he is hereby, authorized to expend so much of the unexpended balance of the appropriation of \$10,000 made by the urgent deficiency act of October 22, 1913, for the completion of the post-office building at Hanover, Pa., as he may deem proper for enlarging the site of said building, for incidental grading in connection with such enlarged site, and for miscellaneous items necessary in connection with the completion of said building.

Mr. BRODBECK. Mr. Chairman, this bill is to finish up the unfinished proposition of my predecessor. The building has been completed and additional ground desired, and it was understood by the citizens of our borough that in order to afford proper accommodations for the extension of the building this bill should be passed. I understand that the impression has been created that since there is a balance remaining over, the citizens of my town want to get hold of this money now for the purposes of acquiring this land. That is erroneous. Originally, before a bill was introduced, it was

clearly understood that \$10,000, or as much thereof as was necessary, and as the Secretary of the Treasury in his judgment saw proper to be used, should be used for the acquiring of this land. Our people so understood that and expected it would be carried out. However, in the bill introduced by my predecessor, Mr. Lafean, no especial authorization was given for acquiring the land. The object of my bill is simply to get that authorization for the Secretary of the Treasury to carry out the original understanding.

Mr. FORDNEY. Will the gentleman yield?

Mr. BRODBECK. Yes.

Mr. FORDNEY. Where is the money coming from—out of the war tax, or have you got it in the Treasury?

Mr. BRODBECK. The money is appropriated and set aside for this purpose.

Mr. FORDNEY. And now in the Treasury?

Mr. BRODBECK. And now in the Treasury.

Mr. FORDNEY. You do not expect to collect it from the war tax?

Mr. BRODBECK. I am advised that there is an unexpended balance in the Treasury of about \$7,100. Mr. Chairman, I reserve the balance of my time.

Mr. MANN. Will the gentleman yield 30 minutes to the gentleman from Pennsylvania [Mr. MOORE]?

Mr. BRODBECK. I have no objection. I will yield 30 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Chairman, on September 4 the President asked Congress to raise \$100,000,000 by taxation "as additional revenue for the Government." Since then the Democratic members of the Ways and Means Committee have sought to locate the objects upon which to levy the tax, and their conclusions have been embodied in a bill which we are told will be presented to the House to-day and be rushed through to final passage as speedily as may be.

It is evident the Democratic members of the Ways and Means Committee have been reluctant to place the tax where it would fall upon "the people," about whom they have always been gravely solicitous, or in such manner as to reverse their attitude on the broad questions of taxation and economy, as to which their public professions of sincerity have been abundantly devout.

In his address to Congress the President referred to none of these professions, but declared an emergency had arisen and that "it must be faced and dealt with." The President said we needed an additional revenue of \$100,000,000, but he added:

We ought not to borrow. We ought to resort to taxation, however we may regret the necessity of putting additional temporary burdens on our people. To sell bonds would be to make a most untimely and unjustifiable demand on the money market; untimely, because this is manifestly not the time to withdraw working capital from other uses to pay the Government's bills; unjustifiable, because unnecessary. The country is able to pay any just and reasonable taxes without distress.

MONEY IN BANK, BUT TAXES PREFERRED.

Such was the President's message. He said there was approximately \$75,000,000 of a Treasury balance, but it was "now on deposit with national banks distributed throughout the country" and could not readily be withdrawn without "consequences of inconvenience and distress and confusion." A tax upon the people would be the easiest method of raising the money.

The President's reason for coming to Congress with his request was this:

During the month of August there was, as compared with the corresponding month of last year, a falling off of \$10,629,538 in the revenues collected from customs. A continuation of this decrease in the same proportion throughout the current fiscal year would probably mean a loss of customs revenues of from sixty to one hundred millions. I need not tell you to what this falling off is due. It is due, in chief part, not to the reductions recently made in the customs duties, but to the great decrease in importations; and that is due to the extraordinary extent of the industrial area affected by the present war in Europe. Conditions have arisen which no man foresaw; they affect the whole world of commerce and economic production; and they must be faced and dealt with.

Like the President, the majority members of the Ways and Means Committee, though they would gladly have been spared it, have found themselves facing "a clear duty" which, it is said, they "must perform without hesitation or apology."

DR. DEMOCRACY A GOOD SURGEON.

It is reckoned that if this new and "clear duty," including as it does the disagreeable task of further increasing the living cost of the people, is to be done at all, it were well done if done quickly. Long speeches and tearful explanations do not help in an emergency like that to which the President called attention, and the majority view of it appears to be that the sooner the tax is saddled on the people the better it will be for all concerned. "Old Dr. Democracy" is experienced in surgical operations, whether he cuts the tariff to a frazzle or otherwise separates the people from their purses. The doctor has diagnosed the present case as a "state of war," and although the Demo-

cratic Party is in full power, and the country is at peace with all the world, the doctor says he intends to operate for "war," and that because of "war" he intends to get the money. It is a cold-blooded job, requiring the skill of a surgeon who can use the knife or the hammer with equal facility. [Applause on the Republican side.]

To those of us who listened to the Democrats when they were a minority in the House, complaining, as they did, of the imaginary burdens of a Republican tariff and swearing dire vengeance upon extravagance in any form, their present predicament over the President's announcement of a \$100,000,000 deficit in 17 short months of Democratic efficiency (?) is little short of a shock. We had so accustomed ourselves to denunciations of the "special interests" and the "money power" that we never again expected to find the shadow of a millionaire darkening the White House door. Never again, after the Democratic tariff got to work, were we to hear of "Wall Street" or the "malefactors of great wealth" meddling in the affairs of the Nation. Never again were "the money kings" to show their hideous faces in the Treasury Department, for the people, the plain people, relieved of their burdens, freed of the taxes that the barbarous (?) system of protection had fastened upon them were to come into their own.

A WAR MEASURE IN TIMES OF PEACE.

With these recollections of Democratic oratory ringing in our ears it is hard to grasp the full meaning of the message from the President indicating that bonds should not be issued, that banks should not be drawn upon, but that the people themselves should be taxed to pay the deficit facing the administration. The Democratic Party imposing taxes on the people? Perish the thought! It was the last thing in the world to which our erstwhile champions of the people would ever resort. Well we remember the burden of their song. For 16 long years of patient waiting for political pap and power, they would lessen "the burdens of the people." A reduction rather than an increase of the taxes which the people were supposed to pay was the very essence of every Democratic speech. The mighty chieftains in the councils of Democracy declaimed against taxation even for the purposes of war. When the United States was actually involved in a conflict with Spain they stood against a taxing of the people; witness the absurdity, then, of imposing such taxes upon the people when the United States is at peace with all the world. Even so recently as the Baltimore convention the Democratic Party admitted to its platform declarations of undying love for the people. It promised, if placed in power, to practice economy, to give an efficient government, and to reduce the cost of living of the people rather than to increase it. And these declarations, as historians may recall, were made to be kept. "They were not molasses with which to catch flies." [Applause on the Republican side.]

UNLOADING THE INEVITABLE CRISIS.

But, after all, history and experience have proven that the Democratic Party once in power and charged with responsibility is never able to make good its professions. Its great value has always been in keeping the majority party in check, serving the rôle of minority regulator of Government affairs. Its inability to manage finances or to practice economy was demonstrated in the test administrations of James Buchanan and Grover Cleveland. In each instance the expedient of issuing Government bonds to avoid financial disaster was resorted to. Therefore, to be brutally frank, Republicans were not completely surprised in this instance, when the last of our Democratic Presidents, in the height of the most extravagant and most extended Congress of all history and with a Democratic tariff law in full swing, announced that the present Democratic administration was facing a deficit and needed money and that it must resort to taxation to avoid an issue of bonds.

The financial record the party was making and the dead certainty that its tariff policy was leading to the rocks gave the war in Europe an exaggerated significance. It afforded a welcome pretense for unloading the responsibility of a crisis that was inevitable.

REVENUE CUTTING WAS DELIBERATE.

Is the deficiency pointed out by the President due to the war in Europe? The President concedes that a lessening of tariff duties had something to do with the emergency. Some of us believe that the dangerous and destructive tariff policy of the Democratic Party had most to do with it. When the Underwood bill was being considered in Congress, the leader of the Democratic Party made no concealment of the intent of his party to deny protection to profits in business. He disregarded the difference between foreign and domestic labor cost, and insisted that the obligation of his party was to establish a revenue

tariff only. No man ever before his time stood up so firmly for the tariff-for-revenue principles of his party as did the gentleman from Alabama [Mr. UNDERWOOD]. Like other leaders of the House supporting the bill, he said "there is no protection in it." His committee went so far as to say the future of our industries lay "beyond the seas." The result of it all was consternation in the business world. Republicans asserted and believed that business disorganization and industrial distress would follow. They were called calamity howlers for their pains, and yet it is readily conceded now that in many of the great industrial centers their predictions have been borne out by the painful and solemn facts.

Business was disturbed, financial confidence was shaken, and labor suffered tremendous loss. The effect of the Underwood law was to increase the imports which Republicans feared would displace American products, and to decrease the exports which the Democrats seemed to desire. None but the importers and the speculators profited by this unfortunate turn of affairs. The cost of living to the people was not reduced, but mounted higher and higher. The products of foreign labor obtained a greater foothold in the American market than ever, and the products of American labor were sold in smaller quantities abroad. There was a consequent loss of American prestige, a yielding up of the balance of trade we had formerly enjoyed in the United States, and a loss of revenue to the Treasury, which was promptly pocketed by the importer and the foreign manufacturer, until now we are finally told that the loss must be recovered from the American taxpayer.

TERRIFIC LOSSES TO AMERICANS.

From January 1, 1914, to the end of July, 1914, the loss of revenue under the Underwood law, as compared with the Republican Payne law, was upward of \$23,000,000. In the same seven months the damage done to the country by the same Democratic law was pointedly shown in relation to articles manufactured for consumption and crude materials entering into their manufacture. Nothing could better illustrate the effect of a low tariff upon American labor, perhaps, than these particular statistics. Of manufactured articles made by foreign labor and sent over to the United States ready for consumption there was a gain in imports under the Democratic law of more than \$39,000,000. In imports of materials for further use in manufacturing such as workmen might have made in the United States there was a decrease of approximately \$27,000,000. In other words, the low tariff in these respects gave the work to the foreigner and took it away from the workmen in the United States. Carrying the illustration further, it developed that the balance of export trade in our favor under the Payne law in 1913 was \$308,000,000, while under the Democratic law in 1914 it was \$60,000,000, or a falling off of more than \$248,000,000. While we were buying from the foreigner and giving him additional work to do for us we were selling him less of our goods and depriving ourselves of work that American workmen would have enjoyed, and all this in the very few months the Democratic law was on trial.

Figures like these do not sustain the Democratic contention that the war in Europe is the basic cause of the disarrangement of our Government finances. Nor do they entertain this view who have experienced the disturbance of business and the loss of labor from month to month as the Democratic tariff proceeded along its deadly course.

DOES NOT LOOK LIKE A WAR BURDEN.

The accident of the war does not explain the continued increase of imports in certain of our ports, for the month of August during the war, nor the continued decrease of exports upon which under Republican conditions we would now be deriving a return of foreign gold.

Figures quoted by the Public Ledger, of Philadelphia, indicate that the imports at that port in August were practically "the same in value as in the corresponding month last year, and that the duties collected decreased \$959,000; also that while Boston imports increased \$3,700,000 in August the duties collected decreased \$682,000. Here is a falling off in revenue of \$1,641,000 in two cities notwithstanding an increase in imports. The business done at the customhouse in New York gives only slight justification to the claim that the total August decrease of \$10,000,000 in revenues is due to the war, for the value of imports fell off \$15,000,000 and the amount of duty collected decreased \$7,000,000. But the average rate of duty in New York in August last year was 25 per cent and this year it was 19.8 per cent. If the same rate of duty had been collected this year as last the decrease would have been less than \$4,000,000 instead of \$7,000,000, and if the same rate of duties had been collected in Philadelphia and in Boston the decrease in revenues at the

customhouses in these three cities would have been only \$3,800,000 instead of \$8,641,000.

"Nearly \$5,000,000 of the decrease in revenues at the three ports is traceable directly to the changes made in the tariff by the Underwood law. The present Congress is responsible for this deficit, and the country will be persuaded of that fact before the congressional campaign is many weeks older."

THE DEMOCRATIC LAW IN OPERATION.

Figures showing duties collected from customs, with increases and decreases under the Payne and Underwood laws, respectively, as I have been able to get them from the Department of Commerce, are as follows:

Duties collected from customs.

	Payne law, 1912-13.	Underwood law, 1913-14.	Increase (+) or decrease (-).
October.....	\$30,216,824.02	\$50,138,049.37	+\$19,921,225.35
November.....	25,666,353.25	21,173,627.85	- 4,492,725.40
December.....	24,248,161.30	21,510,139.99	- 2,738,021.31
January.....	29,334,124.09	23,528,079.83	- 5,806,044.26
February.....	27,605,115.83	17,609,603.70	- 9,995,512.13
March.....	27,457,489.20	25,927,212.90	- 1,530,276.30
April.....	23,693,966.76	22,232,766.57	- 1,461,200.19
May.....	20,434,749.21	20,800,573.25	+ 365,824.04
June.....	23,668,598.63	23,553,447.58	- 115,151.05
July.....	27,806,654.54	22,988,465.04	- 4,818,189.50
August.....	30,934,952.44	19,431,362.52	- 11,503,589.92
Total.....	291,066,989.27	268,893,328.60	- 22,173,660.67

REVENUE LOSSES WERE STEADY.

The October, 1913, receipts were exceptionally heavy. That was due to the rush of imports held in bond before the low tariff became effective. The clever importers were waiting to take advantage of the lower rates. Losses set in immediately, however, and continued steadily, until July, 1914, with the single exception of the month of May, when there was a slight increase. The war losses came along in August, and although they were not so very much in excess of the losses in February, six months previous, they were sufficiently large to afford the excuse for coming to Congress for relief. In many respects, in view of the extravagance of Congress in other directions and the approaching heavy losses that will be incurred on sugar when ultimately free, the accident of the European war has enabled the Democratic Party to excuse itself from the inevitable issue of bonds, and to put the burden of its blundering upon the backs of the people, whom it has ever and always professed to relieve. [Applause on the Republican side.]

ECONOMY OR BONDS—WHICH?

In the light of these facts it goes against the grain to support the bill we are advised the majority members of the Ways and Means Committee have presented. The President is not without power to raise funds for such an emergency as he has pointed out. The \$75,000,000 which he mentioned as being deposited in the banks is available for Government uses. Congress has had the power to check enormous appropriations that have been made and for which there was no crying need. We have embarked upon a \$35,000,000 railroad building enterprise in Alaska which the President could have vetoed. We propose to enter the shipping business at an expense of \$30,000,000. The President himself has indorsed this project. Already \$5,000,000 has been set aside for the governmental direction of war risks on shipping; the President approved this enterprise while the war was on. Numerous other extravagant expenditures of this Congress could readily be cited, but such as have been mentioned are sufficient to show that the party which has resolved "so many times and oft," to maintain economy should find some other means than taxing the people to raise the emergency funds desired. Nor are we unmindful that the President has the power to issue bonds, just as Mr. Cleveland did. He also has the power, under the law, to issue emergency certificates up to the very \$100,000,000 limit that he himself has fixed. Why, therefore, could not the money he desires be borrowed in the usual way, and paid in the usual way when the so-called war emergency is over? If economy were practiced in the matter of appropriations, even such economy as the Republicans exercised, and the expenditures were far less under President Taft than they have been under this administration, taxation of the people need not ensue.

WHAT WOULD REPUBLICANS DO?

But there is still another matter that should be considered in this connection. Democrats will doubtless ask, "What would Republicans have done if such an emergency as the European war had arisen while they were in power?" In addition to what I have already said, there is another answer to that ques-

tion. War or no war in Europe, the Republicans would not have put upon the statute books such a deficiency-creating tariff measure as now prevails. If the Republican Party had been in power when such an emergency arose, all the conditions affecting finance and trade would have been vastly different. The financial institutions, the business houses, the manufactories, the farmers—all men engaged in gainful pursuits—would not be suffering from the effects of such a Democratic panic as we have been going through the past 18 months. [Applause.]

Mr. GORDON. Will the gentleman yield?

Mr. MOORE. I can not now. I have not the time.

It is probably true that Republican plans for subsidizing ships as other nations have done would still be halted by those who are now suffering from their own neglect in this regard, and that cotton exports would be held up very much as they have been during the month of August, but it is a safe guess that the American mills would have been in better shape to buy the southern product and pay the southern price than they are to-day. The mills in America would now be running and their business confidence would have been stimulated even to go after the trade of the world. The distress of the southern cotton planter comes at a time when, due to his overconfident reliance on a never-failing flow of European gold, he finds the northern manufacturer is also in distress. The American mill owner now would be buying southern cotton at southern prices if cotton itself had not denied protection to the American cotton manufacturer against the competition of European cheap labor. [Applause on the Republican side.]

THE COTTON GROWER'S DILEMMA.

The dilemma of the southern cotton producer is apparently as much responsible for the Democratic anxiety to raise and distribute public revenue as any other factor of the so-called emergency. Congress has been legislating freely for cotton. It has changed the system of American registry of ships largely to benefit cotton. It has gone into the war-risk insurance business to aid cotton. It proposes to put the Government in the ship purchasing business for cotton. It has changed our system of finance in the interest of cotton, and all this to enable the producer of raw cotton to keep his European market, where cheaper labor is employed and where the garments made at the expense of American labor are sent back to the United States under a tariff for revenue that knocks the American manufacturer on the head.

If the European war has aroused the administration upon the cotton question in other respects, it can do no greater service than to direct the attention of the cotton planter to his customer in the United States and urge him to cooperate in securing protection for American manufacturers, who may thus become the safest and steadiest customers for the product of the Southern States.

AMERICAN MARKET WORTH CULTIVATING.

The American market for raw materials and manufactured goods is the greatest in the world. It is said our own people consume 90 per cent of all that we produce. The southern planter has not cultivated this American market. He has preferred to send his raw material abroad. If, instead of depending upon Europe to take the more than the 60 per cent of raw cotton that is now exported, he would help to develop the manufactures of the United States, the war in Europe might go on forever and neither the planter nor the manufacturer in the United States would suffer a particle. [Applause.] If we practiced interdependence in America and made the most of our home market no foreign war could create in the United States an emergency such as the President indicates has arisen. Being producers and manufacturers of cotton or any other staple, we could maintain the American standard of prices and wages upon the farms and in the factories, and we could sell our surplus to the world, instead of being dependent upon the world for our supplies. If such an emergency as the European war should arise while the Republican Party was in power and the protective policy was fully in force, it is inconceivable that any such financial stringency as now afflicts the cotton grower could occur. We are big enough to make more cotton goods than we do now. We could do it now if the tariff law that causes distress to American manufacturers and workmen could be repealed, and if the planter and the fabricator could agree to a union of forces on the basis of protection to American industry. [Applause.]

TOO MUCH DEPENDENCE ON FOREIGN GOLD.

If the future of cotton depends upon foreign gold, another foreign war may create another panic in the cotton States, and so on forever. So that if the encouragement of American manufactures will establish a permanent American market for cotton as well as for cotton manufactures, it would seem that the

effort to get together for a better understanding would be worth while. The restoration of confidence is the greatest desideratum in the United States to-day—the restoration of confidence in our own selves and in our own institutions. The "buy-a-bale" movement may help the cotton grower for a day, but only for a day. Some good may come of the happy suggestion of Miss Clark, the distinguished Speaker's daughter, to establish "a bargain-sales day" in cotton manufactures. These and similar plans of relief, however, are but temporary expedients at best. The cotton grower demands a bigger and broader and more enduring remedy. He has learned his lesson of overconfidence in the school of practical experience. But what is now coming to him in the way of hard knocks is only the experience that many others have undergone.

NORTHERN INDUSTRIES HAVE SUFFERED, TOO.

The northern mills and industries have suffered time and again, and they have recovered. They have been knocked down and dragged out until at times they have closed up in despair, but after each great struggle with false economics and legislative error, they have come back. They have had no special censuses; no special funds have been diverted to their banks to move their stocks; no public-spirited movements have been started for their relief. They have just groaned and suffered and stood for misrepresentations and abuse, while their hundreds and thousands of workmen have listlessly waited. Waited for what? Waited only for that restoration of confidence which sane legislation can guarantee. The problem of the cotton grower is largely the same sort of a problem which, in the end, can only be solved by a return of the foreign buyer or a restoration of domestic business confidence.

REPEAL THE LAW AND RESTORE CONFIDENCE.

If old King Cotton, monopolist that he is, will forget his political environment for the moment and get down to business with the American manufacturers and consumers, the best buyers on earth, and aid them to a restoration of business confidence through sane and reasonable protective legislation, the war in Europe will not have stopped his exports in vain. The way out for the cotton planter and his party is to repeal the low tariff law of October 3, 1913. The way must be paved for such a protective measure as will give to the business men of America assurance that if they again engage in business enterprises, if they again undertake the purchase of raw material and the employment of labor to manipulate it, they will not be struck down and sandbagged the very moment they assume the risk and the responsibility. It will take courage for the cotton planter to stand squarely for American mills and American labor, but it is the one way out of the dilemma into which he has been plunged, through no fault of the Republican Party. [Applause on the Republican side.]

COTTON MILLS HAVE NOT BEEN PROSPEROUS.

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

Mr. MOORE. Certainly.

Mr. GORDON. Is it not a fact that cotton and woolen mills have been running overtime the past year generally throughout the United States?

Mr. MOORE. No; that is not the fact. I learned of one of the largest mills this morning even in these times of Democratic revival, that has been giving employment to its men only four days a week, and thousands are waiting for the balance of the time.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Certainly.

Mr. GARRETT of Tennessee. The gentleman has urged that the policy of protection on cotton manufactures would prevent the disturbance in the cotton market among the planters of the South at this time. Does not the gentleman know that from the time of the Morrill tariff bill on, for a period of more than 40 years, there was a high protective tariff upon cotton manufactures?

Mr. MOORE. Were mills in existence as there are to-day, waiting for work, seeking raw material, during any one of the years in the period the gentleman mentions?

Mr. GARRETT of Tennessee. Also, all of the time the cotton factories have been growing, and does not the gentleman know that the production of raw cotton has been gradually increasing and that the protection to the cotton manufactures has not in any way affected the price of raw cotton?

Mr. MOORE. Mr. Chairman, will the gentleman allow me to answer his question in my own way? I think it would be better for the cotton planter to cultivate the American manufacturer, and not rely, almost entirely as he does to-day, upon his foreign purchaser.

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

Mr. MOORE. I am sorry I can not complete my answer to the inquiry of the gentleman from Tennessee.

The CHAIRMAN. The Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to expend so much of the unexpended balance of the appropriation of \$10,000 made by the urgent deficiency act of October 22, 1913, for the completion of the post-office building at Hanover, Pa., as he may deem proper for enlarging the site of said building, for incidental grading in connection with such enlarged site, and for miscellaneous items necessary in connection with the completion of said building.

Mr. BRODBECK. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Cox, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12464, and had directed him to report the same back to the House with the recommendation that it do pass.

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.

EXPATRIATION OF CITIZENS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1991) to amend section 3 of an act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907.

The Clerk reported the bill by title.

Mr. STEENERSON. Mr. Speaker, I object.

Mr. HARRISON. Mr. Speaker, I hope the gentleman will reserve the right to object for a moment.

Mr. STEENERSON. I reserve the right to object, Mr. Speaker.

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to have the bill passed over without prejudice.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to have the bill passed over without prejudice. Is there objection?

There was no objection.

POST-OFFICE BUILDING AT GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16056) to increase the limit of cost of the United States post-office building at Grand Junction, Colo.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to make this statement to the gentleman. I rather think that they have made out a good case for this increase in appropriation, but the rent now paid at this place is only \$1,000 a year.

Mr. TAYLOR of Colorado. That is for the post office. That is not for the other Federal buildings there.

Mr. MANN. I do not know what other Federal buildings are used there.

Mr. TAYLOR of Colorado. That \$1,000 rent is only for the present post-office building. Besides that, the Government is now paying, as I understand the report, \$750 a year for the offices of the Reclamation Service, \$300 a year for the Forest Service, and \$480 a year for the Weather Bureau. There are a half-dozen functions of the Government in that city. I do not know how much they all pay, but probably upward of \$3,000 a year.

Mr. MANN. Whatever the rent is, it is not very considerable. This building, in all probability, could not be erected and finished inside of three or four years, at best, like many other buildings proposed, and it seems to me that just now, with the stress there is upon the Treasury, it is not a very good time to increase expenditures, regardless of the appropriations, and unless the gentleman asks to have this bill and these others passed over until later, I shall object to each one of the bills that proposes to increase the authorization for public buildings.

Mr. TAYLOR of Colorado. Mr. Speaker, I heartily coincide with what the gentleman has said, that now is an inopportune time to make appropriations that are not absolutely necessary, and I feel that where construction of a public building has not been already begun, the House would be justified under existing financial conditions in refusing at this session to make any more appropriations; and if my bill is to be treated the same as all others similarly situated, I shall make no objection to its going over, and for the time being I shall not press it, but

ask unanimous consent to have it passed over without prejudice and retain its place on the calendar. I am just as much in favor of economy as the gentleman from Illinois, only I want it equitably distributed. All I ask is that this bill shall be taken up whenever the other bills of like character are considered.

The SPEAKER. The gentleman from Colorado asks unanimous consent to have the bill passed over without prejudice. Is there objection?

There was no objection.

RIGHT OF WAY THROUGH FORT WINGATE MILITARY RESERVATION,
N. MEX.

The next business on the Calendar for Unanimous Consent was the bill (S. 1930) granting to the Atchison, Topeka & Santa Fe Railway Co. the right of way through the Fort Wingate Military Reservation, N. Mex., and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Atchison, Topeka & Santa Fe Railway Co. of Kansas, a corporation created under and by virtue of the laws of the State of Kansas, be, and the same is hereby, granted a revocable license to survey, locate, construct, and maintain a railway, telegraph, and telephone line into and upon Fort Wingate Military Reservation, N. Mex., to connect with its present right of way, as may be determined and approved by the Secretary of War or the chief officer of the department under whose supervision such reservation may otherwise fall.

Sec. 2. That said corporation is authorized to take and use for all purposes of a railway, telegraph, and telephone line, and for no other purpose, a right of way 200 feet in width through said Fort Wingate Reservation, with the right to use other additional ground when cuts and fills may be necessary for the construction and maintenance of said roadbed, not exceeding 100 feet in width on each side of the said right of way, or as much thereof as may be included in said cut or fill, excepting, however, from said right of way hereby granted that strip or portion thereof which would be included within the limits of the present 200-foot right of way heretofore granted to said Atchison, Topeka & Santa Fe Railway Co. and used by it as its main-line right of way: *Provided*, That no part of the lands herein authorized to be taken shall be used except in such manner and for such purposes as shall be necessary for the construction and convenient operation of said railway, telegraph, and telephone lines and the use and enjoyment of the rights and privileges herein granted; and when any portion thereof shall cease to be so used such portion shall revert to the United States, from which the same shall be taken: *Provided further*, That any other person or duly organized corporation constructing a railroad along a line necessitating the crossing of said reservation may, upon obtaining a license from the Secretary of War, use the track and other constructions herein authorized to be placed upon the reservation by the said Atchison, Topeka & Santa Fe Railway Co. upon paying just compensation; and, if the parties concerned can not agree upon the amount of such compensation, the sum or sums to be paid for said use shall be fixed by the Secretary of War: *Provided further*, That before this act shall become operative a description by metes and bounds of the lands herein authorized to be taken shall be approved by the Secretary of War: *And provided further*, That the said Atchison, Topeka & Santa Fe Railway Co. of Kansas, and other parties obtaining license from the Secretary of War as hereinbefore provided, shall comply with such other regulations or conditions as may from time to time be prescribed by the Secretary of War.

Sec. 3. That the powers herein granted are limited to a period of 50 years unless sooner altered, amended, or repealed by Congress.

Sec. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the gentleman from New Mexico [Mr. FERGUSON] informs me that he has some additional information in respect to this.

Mr. FERGUSON. Mr. Speaker, I will state that the gentleman from Alabama [Mr. DENT] has requested me to represent him in this matter, inasmuch as I come from New Mexico. I will state to the gentleman from Wisconsin that, in response to his suggestion, I have conferred with the Secretary of Agriculture and have here his letter indorsing the bill with two amendments. I would like to state further that the amendments suggested by the gentleman from Illinois [Mr. MANN] when this bill was up before the House not long since have also, upon conference, been accepted. I have prepared a bill embodying these amendments as the bill would read if so amended, and if there be no objection I shall move to substitute that bill after striking out all after the enacting clause in the Senate bill. The bill embraces the amendments suggested by the Secretary of Agriculture and by the gentleman from Illinois.

Mr. STAFFORD. Ask unanimous consent that the bill be read for information.

Mr. FERGUSON. Yes; and I will then offer it as an amendment. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman has not got the permission to consider it yet.

Mr. MANN. Ask unanimous consent to have the substitute read for information.

Mr. FERGUSON. I will do so. Mr. Speaker, I would like to ask unanimous consent to have this bill read for information, and then I will offer it as a substitute.

The SPEAKER. The intended substitute will be read for information.

The Clerk read as follows:

A bill granting to The Atchison, Topeka & Santa Fe Railway Co. a right of way through the Fort Wingate Military Reservation, N. Mex., and for other purposes.

Be it enacted, etc., That The Atchison, Topeka & Santa Fe Railway Co. of Kansas, a corporation created under and by virtue of the laws of the State of Kansas, be, and the same is hereby, granted authority, subject to the limitations and conditions hereinafter set forth, to survey, locate, construct, and maintain a railway, telegraph, and telephone line into and upon Fort Wingate Military Reservation, N. Mex., to connect with its present right of way, as may be determined and approved by the Secretary of War or the chief officer of the department under whose supervision such reservation may otherwise fall.

Sec. 2. That said corporation is authorized to use for all purposes of a railway, telegraph, and telephone line, and for no other purpose, a right of way 200 feet in width through said Fort Wingate Reservation, with the right to use other additional ground when cuts and fills may be necessary for the construction and maintenance of said roadbed, not exceeding 100 feet in width on each side of the said right of way, or as much thereof as may be included in said cut or fill, excepting, however, from said right of way hereby granted that strip or portion thereof which would be included within the limits of the present 200-foot right of way heretofore granted to said The Atchison, Topeka & Santa Fe Railway Co. and used by it as its main-line right of way: *Provided*, That no part of the lands herein authorized to be taken shall be used except in such manner and for such purposes as shall be necessary for the construction and convenient operation of said railway, telegraph, and telephone lines, and the use and enjoyment of the rights and privileges herein granted; and when any portion thereof shall cease to be so used, such portion shall revert to the United States, from which the same shall be taken: *Provided further*, That any other person or duly organized corporation constructing a railroad along a line necessitating the crossing of said reservation may, upon obtaining a license from the Secretary of War or from the chief officer of the department under whose supervision such reservation may otherwise fall, use the track and other constructions herein authorized to be placed upon the reservation by the said The Atchison, Topeka & Santa Fe Railway Co. upon paying just compensation; and if the parties concerned can not agree upon the amount of such compensation, the sum or sums to be paid for said use shall be fixed by the Secretary of War or by the chief officer of the department under whose supervision such reservation may otherwise fall: *Provided further*, That before this act shall become operative a description by metes and bounds of the lands herein authorized to be taken shall be approved by the Secretary of War or by the chief officer of the department under whose supervision such reservation may otherwise fall: *And provided further*, That the said Atchison, Topeka & Santa Fe Railway Co. of Kansas and other parties obtaining license from the Secretary of War or chief officer of the department under whose supervision such reservation may otherwise fall, as hereinbefore provided, shall comply with such other regulations or conditions as may from time to time be prescribed by the Secretary of War or by the chief officer of the department under whose supervision such reservation may otherwise fall.

Sec. 3. That the powers herein granted are limited to a period of 50 years, unless sooner altered, amended, or repealed by Congress.

Sec. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The gentleman from New Mexico gives notice that he intends to offer that as a substitute.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman explain in brief what is covered by the proposed amendments included in the substitute?

Mr. FERGUSON. I think I can.

Mr. STAFFORD. In what respect is the bill now presented different from the proposed substitute?

Mr. FERGUSON. The amendments I think were offered by the gentleman from Illinois, but first I will read a letter from the Secretary of Agriculture to Mr. HAY, chairman of this committee:

SEPTEMBER 16, 1914.

HON. JAMES HAY,
Chairman Committee on Military Affairs,
House of Representatives.

DEAR MR. HAY: In accordance with the promise made in my letter of September 12, I take this opportunity to submit a formal report on the bill (S. 1930) granting to the Atchison, Topeka & Santa Fe Railway Co. a right of way through the Fort Wingate Military Reservation, N. Mex., and for other purposes.

In addition to the Executive Order of May 31, 1911, which was called to your attention in the report of the Secretary of War, wherein the reservation was to be protected and administered by this department, I also cite the act of August 10, 1912 (37 Stat., 286), which contains the following:

"Provided, That all of the military reservation of Fort Wingate, N. Mex., as described in Executive Order of May 31, 1911 (No. 1367), shall become a part of the Zuni National Forest and shall so remain until said order shall be revoked, modified, or suspended by the President, but that the said lands shall remain subject to the unhampered use of the War Department for military purposes, and to insure such use the lands shall not be subject to any form of appropriation or disposal under the land laws of the United States."

This department has no objection to the passage of the bill, provided the following be added at each place in the bill where the words "Secretary of War" occur: "or from the chief officer of the department under whose supervision such reservation may otherwise fall."

Very truly, yours,

D. F. HOUSTON, Secretary.

In the substitute bill the amendment suggested by Secretary Houston has been carried out, the words "or from the chief officer of the department under whose supervision such reservation may otherwise fall" having been inserted after the words "Secretary of War" wherever those words occur. One other change was also made at the instance of the Secretary of Agri-

culture. The other amendments are generally of a minor character and were suggested, I think, by the gentleman from Illinois [Mr. MANN]. For instance, it was ascertained that the legal title of the railroad company is "The Atchison, Topeka & Santa Fe Railway Co.," and therefore wherever that name occurs the small "t" in the word "the" has been changed to a capital "T."

Mr. STAFFORD. Will the gentleman yield?

Mr. FERGUSON. Yes, sir.

Mr. STAFFORD. Can the gentleman inform the committee as to the extent of this proposed right of way of 200 feet?

Mr. FERGUSON. Just simply for the purpose of double-tracking the road. I do not know whether that will be 60 or 800 feet. But the Atchison, Topeka & Santa Fe Railroad between the coast and the east was constructed before this military reservation was created. It was created for the convenience of shipping of the troops, for the convenience of the road itself in loading and unloading freight, and the reservation was extended as a sort of a terminal from where the military part was established—a mile or more, as I remember. I have traveled over it. It was extended so as to cross the railroad a little distance. Now, in the prosecution of the great work of double-tracking that system from Chicago to the coast they simply want the right of way to double the track, pursuing the course where they have come up to the reservation and gone on to the other side, making the new line parallel with the old line.

Mr. STAFFORD. For what distance will this cut run?

Mr. FERGUSON. I have not a map of it, but I have been there frequently. As I remember, the main body of the reservation is something like a mile from the depot on this strip, the strip being narrow. Then, for the convenience of shipping, from the reservation proper the strip extends to the depot. The extent of the right of way is across this strip as the old line crosses it now.

Mr. STAFFORD. Can the gentleman give us some information as to the extent of this new short cut?

Mr. FERGUSON. I do not know exactly.

Mr. STAFFORD. Is it a mile, 2 miles, or 5 miles, or what?

Mr. FERGUSON. It is nothing like a mile, I should think. It is possibly a quarter of a mile, and perhaps not that wide.

Mr. STAFFORD. As I understand it, the Atchison, Topeka & Santa Fe Railway is reconstructing its line?

Mr. FERGUSON. It is not reconstructing it.

Mr. STAFFORD. And is taking out its sharp curves?

Mr. FERGUSON. No. I was mistaken the other day when I said that. It is doing nothing but doubling the track across the strip, of course, only as the old track crosses it, or doubling the concession which the Government of the United States originally gave the railroad.

Mr. STAFFORD. What is the width of their present right of way? Is it merely for the purpose of doubling their track—

Mr. FERGUSON. That is a matter of record in their charter.

Mr. STAFFORD. Here you are granting to the Santa Fe Railroad an additional right of way of 200 feet, and in addition thereto a further 100 feet on each side thereof when it is needed for cuts or filling in. With their present right of way they would have something like 500 feet. It is hard for me to conceive that 400 feet is necessary merely for the purpose of doubling the track, and I ask the gentleman whether he has any objection to striking out lines 7 to 11, which grant to this corporation, which is not paying anything at all for this right of way, the additional 100 feet on either side of the 200 feet?

Mr. FERGUSON. I confess I am not authorized to do that. I do not think it is of such weight or importance as to call for the defeat of a bill of this kind.

Mr. COX. What is that land worth? Is it valuable?

Mr. FERGUSON. Not at all. It is desert land.

Mr. STAFFORD. If that is true, then there should not be that strict scrutiny in regard to this bill as if it were valuable land.

Mr. FERGUSON. It is 6,000 feet or more above sea level, and there are no farms on it at all.

Mr. STEPHENS of Texas. It is entirely worthless. The land is nothing but sand.

Mr. STAFFORD. I have no objection, then, to the present consideration of the bill, except to make this further inquiry. I direct the gentleman's attention to this language, in lines 23 and 24, on page 2: "from which the same shall be taken." Is not that language superfluous? I see the gentleman from Alabama [Mr. DENT] here who reported the bill, and I would like to have his opinion.

Mr. DENT. Is the gentleman reading from the original bill or the one that has been read as a substitute?

Mr. STAFFORD. The original bill. In lines 23 and 24, on page 2, are the following words: "from which the same shall be taken." As I read it, that language is superfluous, although I may be in error about that.

Mr. FERGUSON. The words "from which" refer to the United States.

Mr. STAFFORD. Well, the purpose of the provisos is accomplished without it, but I do not think it will do any harm.

Mr. DENT. I do not think it does any harm.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent to consider it in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

Mr. FERGUSON. I make the motion to strike out all after the enacting clause and insert the substitute that has been read.

The SPEAKER. The gentleman from New Mexico moves to strike out everything in the bill after the enacting clause, and then strike out the enacting clause of the substitute and offer the substitute in lieu of the bill.

Mr. MANN. Now, I would like to ask a question of the gentleman. The language referred to by the gentleman from Wisconsin, if it is in the substitute, ought to be out.

Mr. STAFFORD. It is in the substitute, I will say to the gentleman.

Mr. FERGUSON. You mean the words "from which the same shall be taken"?

Mr. MANN. Yes.

Mr. FERGUSON. I will not object to the amendment.

The SPEAKER. The Clerk will report it.

Mr. STAFFORD. The last words in the first proviso of section 2.

The SPEAKER. Is the gentleman dealing with the original bill or the substitute?

Mr. STAFFORD. It is in the substitute. It is the same proviso in the substitute—the last words in the first proviso.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

In the seventh line of page 2 of the substitute strike out the words "from which the same shall be taken."

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the substitute.

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

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

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

LOCATIONS OF DEPOSITS OF PHOSPHATE ROCK.

The next business on the Calendar for Unanimous Consent was the bill (S. 6106) validating locations of deposits of phosphate rock heretofore made in good faith under the placemining laws of the United States.

The title of the bill was read.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will call the next one.

USE OF NATIONAL FORESTS FOR RECREATION PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17780) providing for the use of certain portions or spaces of ground within the national forests for recreation purposes.

The bill was read.

The SPEAKER. Is there objection?

Mr. RAKER. Mr. Speaker, reserving the right to object, I wish to say that there are two matters pending concerning the subject matter of this bill. I will ask the gentleman from Oregon [Mr. HAWLEY] if he will not consent to pass over this bill to-day without prejudice? I believe we can get together and harmonize on this matter.

Mr. HAWLEY. Will the gentleman yield?

Mr. RAKER. Surely.

Mr. HAWLEY. I understand the gentleman has a bill, introduced April 25, 1914, pending before the Committee on

Public Lands, providing for summer homesteads, and that the bill has not yet been reported by the Committee on Public Lands.

Mr. RAKER. It has been considered.

Mr. HAWLEY. But it has not been reported?

Mr. RAKER. The Secretary of the Interior reported favorably upon it.

Mr. HAWLEY. And the Secretary of Agriculture unfavorably?

Mr. RAKER. Not necessarily unfavorably. Let me call the gentleman's attention to this: This matter is important, as it turns over for perpetual leasing—because it practically means that—it turns over for perpetual leasing in the forest reserves all the lands they desire to lease. In other words, the idea that these forests are put in for actual use changes now, and they are to be handled for another and different purpose entirely. Let us see if we can not get the matter into amicable shape, so as not to tie up the western country and so as to open it to practical ownership and use.

Mr. HAWLEY. All this bill does, as reported by the Committee on Agriculture, is to give the Secretary of Agriculture the right to make leases for a period of years not exceeding 20, in place of the revocable leases that now exist, and limit it to 5 acres to any one person or association. That will enable people who want to spend a little time in the summer in the forests to build little cottages for themselves and their friends, so that they can use them, or to build a little hotel here and there for the accommodation of tourists. They can not build them on a revocable license. They will build roads in all of these places, and there will be colonies of people there, and in case fires break out, as they always do, they will help the rangers extinguish the fires and furnish them with food and help.

After the bill was up the other day, Mr. Graves, the Chief of the Forest Service, wrote me a letter in answer to a question I propounded to him by telephone, in which he very strongly urges the passage of this bill.

Mr. RAKER. Mr. Speaker, will the gentleman yield right there?

Mr. HAWLEY. Yes.

Mr. RAKER. The Department of the Interior likewise is in favor of the passage of the bill H. R. 16021, and the same argument that the gentleman has made in regard to leasing applies to the homesteads. The argument the gentleman has made is applicable to the homesteads and applicable to the question of putting people in there to help to protect the forests. It puts in thousands and tens of thousands of people in these reserves, to utilize them, where they can spend their money and where they can know that they are going to get some returns, and it does not change the purpose of the forest reserves, as they have been created, to another purpose entirely. Now, let us put it over for two weeks and see if we can not adjust the matter.

Mr. HAWLEY. I say let this bill, which applies to one particular idea and purpose, come up on its merits, and let the Committee on the Public Lands consider the gentleman's bill, report it, and have it considered here on its merits.

Mr. SHERLEY. Mr. Speaker, I am not willing to permit this bill to be considered on the Unanimous Consent Calendar. I am very much opposed to leases that are not properly safeguarded. There has been a great abuse of the leasing privilege, as I know in dealing with the subject matter in the Committee on Appropriations.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] objects.

Mr. HAWLEY. Will the gentleman allow the bill to go over without prejudice?

Mr. SHERLEY. I object to the consideration of the bill. I do not want to be discourteous to the gentleman, but I am opposed to the bill, and I do not want to permit it to go through in its present form if I can help it.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Oregon [Mr. HAWLEY] asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. SHERLEY. I object.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] objects, and the bill is stricken from the calendar. The Clerk will call the next one.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may insert in the RECORD as a part of my remarks the bill H. R. 16021 and the report of the Secretary of the Interior thereon.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD by the insertion of the bill named. Is there objection?

The SPEAKER. Is there objection to either one of these requests? [After a pause.] The Chair hears none.

Mr. TAYLOR of Colorado. Mr. Speaker, I also ask leave to extend my remarks on the same bill and on the bill H. R. 10072.

Mr. MANN. How?

Mr. TAYLOR of Colorado. I have a similar bill on this same subject. It is a short bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, in putting my request the Chair stated that I asked unanimous consent to insert my bill. May I insert the report of the Secretary of the Interior and a few remarks on it? Is that permissible?

The SPEAKER. The Chair supposes so.

Mr. MANN. Reserving the right to object, Mr. Speaker, does the gentleman want the RECORD to show that he has made a long speech on this bill by unanimous consent when he has not made a speech?

Mr. RAKER. No. A courteous reply is due to the gentleman always, and my purpose is to print the bill and the letters from both departments and some remarks thereon.

Mr. DONOVAN. Regular order, Mr. Speaker.

The SPEAKER. The regular order is the request of the gentleman from California [Mr. RAKER] to insert his remarks on the bill. Is there objection?

There was no objection.

Mr. RAKER. House bill 16021, with the suggested amendments that have been presented and considered by the Department of the Interior, and also by the Department of Agriculture, is as follows:

A bill (H. R. 16021) to provide for summer residence homesteads, and for other purposes.

Be it enacted, etc., That from and after the passage of this act it shall be lawful for any person who is the head of a family, or who has arrived at the age of 21 years, and is a citizen of the United States, or who has filed his declaration of intentions to become such, as required by the naturalization laws, to make a summer residence homestead entry for not exceeding 10 acres of vacant public lands within or without national forests, subject to the terms and conditions hereafter set forth: *Provided*, That no lands within any national forest shall be subject to entry under the provisions of this act until such lands have been designated by the Secretary of Agriculture as not being, in his opinion, necessary for public use: *And provided further*, That no lands within any national forest shall be subject to entry under the provisions of this act that has been designated as a watershed for any city: *And provided further*, That no area shall have a frontage of more than 20 rods on any lake or running stream when within any national forest.

SEC. 2. That where the lands entered have been surveyed, the entries shall conform to legal subdivisions, but where the lands have not been surveyed, they shall be surveyed by the Commissioner of the General Land Office at the expense of the homestead applicant, in square or rectangular tracts, conforming, as nearly as practicable, with the United States system of public land surveys. That after filing a homestead entry under the provisions of this act, in the proper United States land office, the entryman may have six months within which to commence the improvements upon the lands so entered.

SEC. 3. That no patents shall issue upon such an entry until the expiration of three years from the date thereof, and if at the expiration of such time or at any time within three years thereafter the person making the entry or, if he be dead, his widow, or in case of her death, his heirs or devisees, proves by himself and two creditable witnesses that he, she, or they have placed upon the land a habitable summer dwelling and other improvements to the value of \$300, and have resided upon and improved the land for a period of not less than two months during each of the summers preceding the offer of final proof, for not less than three consecutive seasons, and that no part of such land has been alienated except as provided in section 2288 of the Revised Statutes, and upon payment to the United States of \$1.25 per acre, then, in such case, he, she, or they, if at that time citizens of the United States, shall be entitled to a patent, as in other cases provided by law, subject, however, to the following conditions, which shall be expressed therein: That all minerals and mineral deposits within any such land are reserved to the United States, together with the right to prospect for, mine, and remove the same, upon securing the written consent or waiver of the homestead entryman or patentee, or upon payment of the damages to crops or other tangible improvements to the owner, where agreement may be had as to amount thereof, or in lieu of the foregoing provisions upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land to secure the payment for such damages to the crops or tangible improvements of the entryman or owner as may be determined and fixed in an action brought upon the bond in a court of competent jurisdiction against the principal and securities thereon, such bond to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior, and upon the further condition that if any lands so entered and patented are valuable as water-power sites or for purposes in connection with water-power development or electrical transmission, entries shall be made and patents issued subject to the sole right of the United States and its authorized grantees to enter upon, occupy, and use any part or all of such lands reasonably necessary for the accomplishment of all purposes connected with the development, generation, transmission, or utilization of power or energy, and all lands acquired hereunder shall be subject to a reservation of such sole right to the United States, or its grantees, and upon the further condition that if merchantable timber exists in commercial quantities upon any lands so entered or patented, there shall be reserved in the entry and patent the right of the United States, under general rules and regulations to be issued by the Secretary of the Interior if upon public lands or by the Secretary of Agriculture if within a national forest, to cut and dispose of or to authorize the cutting and disposition of such timber.

SEC. 4. That this act shall not modify, change, or affect in any way, shape, or manner any of the present existing homestead laws.

The bill was submitted to the Department of the Interior, and on May 27, 1914, Hon. A. A. Jones, First Assistant Secretary, Department of the Interior, made report on bill H. R. 16021, recommending the passage of the bill, which report is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, May 27, 1914.

Hon. SCOTT FERRIS,
Chairman Committee on Public Lands,
House of Representatives.

MY DEAR MR. FERRIS: I am in receipt of your requests for report upon H. R. 10072 and 16021, both of which propose to authorize the making of summer-residence homestead entries upon public lands within or without national forests, upon condition that residence be maintained thereupon for not less than two months during each of three summers succeeding date of entry, and that improvements to the value of \$1,000 or \$300 be placed thereon. H. R. 10072 provides that lands chiefly valuable for mineral or timber shall not be subject to entry. H. R. 16021 provides that lands of this character may be entered, but that \$5 per acre shall be paid for the timberland and that all mineral deposits and the right to mine the same shall be reserved to the United States.

Upon consideration of the matter, I am inclined to the view that the provisions of H. R. 16021 are preferable to the other bill in that they provide in more detail for the manner of entry and final proof, and that bill reserves, as stated, all mineral deposits in the land; also the right of use thereof in connection with the development and transmission of hydroelectric power, while H. R. 10072 provided for the entry of not exceeding 40 acres and that improvements must be not less than \$1,000. A letter since received from the author of the bill indicates his willingness to reduce the area which may be entered, as well as the sum required to be expended in improvements.

It is suggested that line 8, page 1, should be amended by inserting after the word "for" the words "not exceeding," so that clause will read, "for not exceeding 40 acres." In order to obviate the possibility of effort to obtain under this law lands heavily timbered, and perhaps chiefly valuable therefore, I think the bill should be amended by striking from lines 23 and 24, page 2, the following clause: "if timberland, at \$5 per acre; if not timberland," and inserting in lieu thereof the word "of," and by adding to line 6, page 4, after the word "grantee," a comma and the following clause: "and upon the further condition that if merchantable timber exists in commercial quantities upon any lands so entered or patented there shall be reserved in the entry and patent the right of the United States, under general rules and regulations to be issued by the Secretary of the Interior if upon public lands, or by the Secretary of Agriculture if within a national forest, to cut and dispose of or to authorize the cutting and disposition of such timber."

A measure of this kind, combining the salient features of H. R. 10072 and 16021, is, in my opinion, likely to meet an existing demand for summer homes, and I recommend its enactment.

A duplicate of the report is transmitted, to be filed with each of the bills.

Very truly, yours,

A. A. JONES,
First Assistant Secretary.

In regard to this bill the Associate Forester, Mr. A. F. Potter, presented the following memoranda:

JUNE 8, 1914.

In response to a request from the Committee on the Public Lands the Secretary of Agriculture, on May 9, 1914, submitted a report on H. R. 16021, in which he called attention to the desirability of holding in Government ownership many choice places for the location of summer camps which were within the national forests, many of which were on the shores of lakes and along mountain streams, so that they might continue to be enjoyed as camp grounds by the public. In the event of the passage of this bill many of these places would immediately pass into private ownership and the public might thereafter be excluded from them without the consent of the persons securing title to them. At the present time the privilege of erecting summer residences within national forests is allowed under permit by the Secretary of Agriculture, but there is no provision of law for a term lease. The other objection to the bill made by the Secretary was that it proposes to sell timberlands at a flat rate of \$5 per acre, which might result in heavily timbered land worth from \$50 to \$100 per acre being acquired for this small amount.

The Secretary of the Interior, in reporting upon this bill, called attention to this point and suggested that the bill be amended to provide that if merchantable timber in commercial quantities existed upon any tract of land it should be reserved to be sold under rules and regulations to be issued either by the Secretary of the Interior or the Secretary of Agriculture, under whose jurisdiction the lands might be. While this would remove the objection that valuable timberlands might be acquired for a nominal sum, there still remains the objection raised by the Secretary of Agriculture—that the bill would permit many areas to pass into private ownership which should be held by the Government for public use. Judge RAKER has signified a willingness to further amend the bill so that only such lands within national forests as might be designated by the Secretary of Agriculture as not needed for public purposes and has informed me that he wishes to discuss this feature of the bill with the Secretary at an early date.

It has been found from experience that many people hesitate to construct summer residences of considerable value upon national forests under permits which the Secretary of Agriculture has authority to issue, and it has appeared extremely desirable that authority be granted to issue leases for small tracts of land to be used for this purpose for a period of years. Upon the recommendation of the department an item was included in the Agriculture appropriation bill by the House committee which provided that the Secretary of Agriculture might rent or lease for periods not to exceed 20 years suitable pieces of ground within the national forest for the construction of summer residences, hotels, stores or any other construction needed for recreation or convenience. Unfortunately this was stricken out on a point of order while the bill was under consideration in the House. Afterwards, while the Agricultural bill was under consideration in the Senate, this amendment was again introduced by Senator JONES, and unfortunately was again stricken out on a point of order.

Very truly, yours,

A. F. POTTER, Associate Forester.

Congressman TAYLOR of Colorado has a bill pending, known as H. R. 10072, which provides for authorizing summer homestead entries. He has also collaborated and has been working in behalf of this legislation. There are millions of acres of land that could be used for the purpose of summer-resident homesteads. The Government is protected in minerals and in timber. It would be a benefit instead of a disadvantage. The farmer, the merchant, the blacksmith, the clerk, and others could have an opportunity of securing a summer home at a reasonable expense, where they could go for a summer outing and take their families, which would materially improve the health and strength of all. Thousands of these homes would be established. It would add to the improvement of the country, and material and beneficial results would be obtained thereby.

Mr. HAWLEY. Mr. Speaker, I ask leave to extend my remarks by printing the report of the Secretary of Agriculture on the bill, and the letter of Forester Graves, and the report of the committee.

The matter referred to above is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, September 9, 1914.

Hon. W. C. HAWLEY,
House of Representatives.

DEAR MR. HAWLEY: In response to your telephone request for my views as to the need for the legislation proposed in your bill (H. R. 17780) authorizing the use of certain portions or spaces of ground within the national forests for recreation purposes:

You are familiar with the urgent need for the development of the Oregon Caves, in the Siskiyou National Forest. If there were authority for the Secretary of Agriculture to grant a term permit or lease of certain lands for the construction of a hotel near the caves this would be built by private capital. A road would be constructed at the same time to the caves, and they would then be made available to the general public.

Throughout the national forests there are thousands of lakes, ponds, streams, and other points of special scenic beauty. There is no reason why all of these lakes and other points of special interest in the national forests should not be just as efficiently protected as if they were in a national park. As a matter of fact, we are doing exactly this thing, and, in effect, there are in the forests a large number of miniature parks which are open to the public and enjoyed by them for recreation purposes. I think that I told the committee in my last hearings that every year about one and one-half million persons go into the national forests for camping and recreation purposes. We have just one handicap in providing for this important use of the national forests, and that is the lack of authority to grant term permits or leases, as would be provided in the bill which you have introduced. We have issued revocable permits for a very large number of summer residences and hotels. A revocable permit is, however, very unsatisfactory, and a great many persons hesitate to build a very substantial structure under such a system. I anticipate that on every accessible lake there will be in the near future a demand for the use of all of the land for recreation purposes. We are, of course, reserving in every such locality a substantial area for a camp ground for the general public. It would be exceedingly valuable if in the administration of these areas we could encourage the construction of summer homes and hotels through the granting of term leases.

You spoke to me about the proposal for summer-homestead entries, as provided in H. R. 16021. This bill was referred to the department for report. The Secretary reported adversely and recommended against its passage.

I inclose a copy of his report.

Very sincerely, yours,

H. S. GRAVES, Forester.

MAY 9, 1914.

Hon. SCOTT FERRIS,
Chairman Committee on Public Lands,
House of Representatives.

DEAR SIR: I wish to acknowledge receipt of a copy of the bill (H. R. 16021) to provide for summer-residence homesteads, and for other purposes, with the request that this department submit a report thereon, together with such suggestions and recommendations as it may see fit to offer.

The proposed act will authorize the sale of public and national forest lands to persons who wish to maintain summer residences away from the places where they habitually reside and make a livelihood. The places where such residences are likely to be established are in the mountains, where the climate and scenic features are such as to attract people during the summer months for recreation. It may, therefore, be said that, in case this bill becomes a law, it will be restricted in its practical operations to lands of the United States within the boundaries of national forests, since the high mountain regions of the public-land States are within the boundaries of the national forests.

While the bill purposes to provide for homesteads, it does not, however, contemplate homesteads in the sense that the word is generally used with respect to the public lands, i. e., places of fixed abode, where the residents maintain agricultural homes. On the contrary, it looks to the sale of national forest land to those who are in such fortunate circumstances that they can afford to maintain two homes, one at the place where they make a living and the other at some place in the mountains where they can afford to spend a part of the year.

Since the national forests have been under the jurisdiction of this department an effort has been made to make them more accessible through the construction of roads and trails. In so far as funds have been available for such construction roads and trails have been built, and consequently the forest regions are now much more accessible than ever before. As a further result the forests are being increasingly visited by citizens from all parts of the country for recreation purposes. They come and go at their will and pitch their temporary camps at any convenient and suitable place found available.

While the national forests are extensive in area, nevertheless the choice places for the location of summer camps and residences are very much restricted. The shores of many of the small lakes, as well as the small level tracts which may be found here and there along

the mountain streams, have already to a large extent been appropriated under the various public-land laws. These titles were initiated or perfected prior to the establishment of the national forests. Should this proposed sales act become a law I have no doubt that under it the various sites still in public ownership, which are in some instances being visited each season by thousands of people, would rapidly pass into private ownership. Thereafter the right to pitch a camp for a few days could be secured only by paying a substantial fee to the owner.

It may be interesting to know that in a good many instances title to lands within the national forests has been acquired under the existing homestead laws and that the owners have done nothing toward establishing an agricultural home. They have, however, in some cases divided the land into lots and are either leasing or selling lots to persons who go into the mountains for recreation.

A great many permits have been issued by this department authorizing the occupancy of national forest lands for the purpose contemplated by this act, where such uses will not prevent the public from camping or indulging in other forms of recreation. While it is true that these permits are revocable in the discretion of the department, nevertheless it is expected they will remain in effect as long as the permittee observes the department regulations and the land is not needed for some higher public purpose. Permittees are getting, therefore, every substantial right necessary to the enjoyment of summer homes. This practice seems to have met the public demands. At any rate the department has received no complaint from users of the national forests to indicate that such legislation as contemplated in this bill is necessary.

This bill proposes to sell national forest lands at a flat rate of \$5 per acre. There is nothing to prevent a purchaser from acquiring the most heavily timbered land if he so desires, worth from \$50 to \$100 per acre. In my opinion the bill would unintentionally open a way to those desirous of securing valuable timber lands at a nominal price, since title could be acquired upon compliance with such slight requirements.

In this connection your attention is called to the report of this department made January 12, 1914, on the bill H. R. 10072, in which a substitute was suggested authorizing term leases to those desiring to construct summer homes in the national forests.

For the reasons given above I must report that the bill now before me does not meet with the approval of this department.

Very truly, yours,

D. F. HOUSTON, Secretary.

[House Report No. 1023, Sixty-third Congress, second session.]

USE OF CERTAIN PORTIONS OF NATIONAL FORESTS FOR RECREATION PURPOSES.

Mr. HAWLEY, from the Committee on Agriculture, submitted the following report, to accompany H. R. 17780:

The Committee on Agriculture, to whom was referred the bill (H. R. 17780) providing for the use of certain portions or spaces of ground within the national forests for recreation purposes, having considered the same, report thereon with a recommendation that it do pass.

The purpose of the bill is to permit the Secretary of Agriculture, upon such terms as he may deem proper, to rent or lease parcels of ground, not exceeding 5 acres in area to any one person or association, for a period not exceeding 20 years, for recreation purposes.

There are within the national forests places of great scenic beauty and interest which tourists desire to visit. Such places are very frequently remote from towns where food and lodging may be obtained. The construction of summer hotels will provide visitors with necessary accommodations for persons and animals, and summer stores will also supply the needs of those traveling by automobile or who intend camping out. There is also a growing wish among our people to construct summer cottages in the forests where they may spend periods of time and which they can furnish with necessary articles and leave to be used in succeeding seasons. This is especially necessary where the places visited are somewhat remote or difficult of access.

The bill is as follows:

[H. R. 17780, Sixty-third Congress, second session.]

"A bill providing for the use of certain portions or spaces of ground within the national forests for recreation purposes.

"Be it enacted etc., That the Secretary of Agriculture may, upon such terms as he may deem proper and for periods not exceeding 20 years, permit responsible persons or associations to use and occupy suitable spaces or portions of ground in the national forests for the construction of summer homes, hotels, stores, or other structures needed for recreation or public convenience, not exceeding five acres in area to any one person or association."

The Department of Agriculture is favorable to the passage of the bill, as the following letter indicates:

JULY 22, 1914.

Hon. A. F. LEVER,

Chairman Committee on Agriculture,
House of Representatives.

DEAR MR. LEVER: I wish to acknowledge receipt of your letter of July 11, inclosing a copy of the bill (H. R. 17780) introduced by Mr. HAWLEY, providing for the use of certain portions or spaces of ground within the national forests for recreation purposes.

You will probably recall that in the hearings (p. 302) on the bill (H. R. 13679) making appropriations for the Department of Agriculture, Mr. Graves testified at some length on the need for just such legislation, requiring summer-residence leases, as is proposed in the bill. As a result of his testimony, your committee added an amendment to the Agriculture appropriation bill, which was substantially the language used in Mr. HAWLEY's bill, now referred here for report. The amendment to the Agriculture appropriation bill went out, however, on a point of order made by one of the Members.

There is at the present time some hesitancy on the part of persons who want to use national-forest land upon which to construct summer residences, hotels, stores, and other structures involving a large expenditure, because of the indefinite tenure of the permits to them which the present law provides for. At the present time, however, there are several thousand such permits in use, upon which structures have been erected. In justice to those who desire to construct more substantial improvements, it is believed that the present law should be amended to give persons a better right than the revocable permit now authorized.

For the reasons given above this department would approve of the passage of the bill.

Very truly, yours,

D. F. HOUSTON, Secretary.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4274. An act to authorize and require an extension of the street railway lines of the Washington Railway & Electric Co., and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 9318. An act to amend the act approved June 25, 1910, entitled "An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes";

H. R. 6433. An act to relocate the headquarters of the customs district of Florida; and

H. R. 13219. An act to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys in the District of Columbia.

JUDICIAL DISTRICTS OF NORTH CAROLINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16244) to amend section 98 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I understand the gentleman from North Carolina [Mr. PAGE] wishes to substitute another bill. I am sure he does not care to have this bill read.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent to substitute in lieu of the bill the title of which has just been read by the Clerk the bill H. R. 18732. This bill was introduced in duplicate by both Mr. KITCHIN and myself, as a substitute for bills establishing terms of court at Wilson and Laurinburg, N. C.

The SPEAKER. The gentleman from North Carolina [Mr. PAGE] asks leave to substitute a bill, which the Clerk will read, for the one that he began to read. The Clerk will report the bill.

The Clerk read the bill H. R. 18732, as follows:

Be it enacted, etc., That section 98 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same is hereby, amended to read as follows:

"SEC. 98. The State of North Carolina is divided into two districts, to be known as the eastern and western districts of North Carolina. The eastern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Beaufort, Bertie, Bladen, Brunswick, Camden, Chatham, Cumberland, Currituck, Craven, Columbus, Showan, Carteret, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hyde, Johnson, Jones, Lenoir, Lee, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Richmond, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson. Terms of the district court for the eastern district shall be held at Laurinburg on the last Mondays in March and September; at Wilson on the first Mondays in April and October; at Elizabeth City on the second Mondays in April and October; at Washington on the third Mondays in April and October; at Newbern on the fourth Mondays in April and October; at Wilmington on the second Monday after the fourth Mondays in April and October; and at Raleigh on the fourth Monday after the fourth Mondays in April and October: *Provided*, That the city of Washington, the city of Laurinburg, and the city of Wilson shall each provide and furnish at its own expense a suitable and convenient place for holding the district court at Washington, at Laurinburg, and at Wilson until a courthouse shall be constructed by the United States. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Raleigh, at Wilmington, at Newbern, at Elizabeth City, at Washington, at Laurinburg, and at Wilson, which shall be kept open at all times for the transaction of the business of the court.

"The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Alamance, Alexander, Ashe, Alleghany, Anson, Buncombe, Burke, Caswell, Cabarrus, Catawba, Cleveland, Caldwell, Clay, Cherokee, Davidson, Davie, Forsyth, Guilford, Gaston, Graham, Henderson, Haywood, Iredell, Jackson, Lincoln, Montgomery, Mecklenburg, Mitchell, McDowell, Madison, Macon, Orange, Polk, Randolph, Rockingham, Rowan, Rutherford, Stanly, Stokes, Surry, Swain, Transylvania, Union, Wilkes, Watauga, Yadkin, and Yancey. Terms of the district court for the western district shall be held in Greensboro on the first Mondays in June and December; at Statesville on the third Mondays in April and October; at Salisbury on the fourth Mondays in April and October; at Asheville on the first Mondays in May and November; at Charlotte on the first Mondays in April and October; and at Wilkesboro on the fourth Mondays in May and November. The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Greensboro, at Asheville, at Statesville, and at Wilkesboro, which shall be kept open at all times for the transaction of the business of the court."

The SPEAKER. Is there objection?

There was no objection.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent to amend the bill, in line 4, page 2, by spelling the name "Johnston" instead of "Johnson," as it is spelled in the bill.

The SPEAKER. If there be no objection, this amendment will be agreed to.

There was no objection.

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

On motion of Mr. PAGE of North Carolina, a motion to reconsider the last vote was laid on the table.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent that H. R. 16244, introduced by Mr. KITCHIN, be laid on the table. The purpose for which it was introduced has been accomplished by the bill which has just been passed.

Mr. MANN. And also H. R. 13041.

Mr. PAGE of North Carolina. Yes, Mr. Speaker; I ask unanimous consent that both of these bills be laid on the table.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the bill H. R. 13041 and the bill H. R. 16244 be laid on the table. Is there objection?

There was no objection.

NAVEL-ORANGE INDUSTRY.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 302) authorizing and directing the President of the United States to invite foreign Governments to participate in the celebration of the fortieth anniversary of the founding of the Washington navel-orange industry.

The Clerk read the title of the joint resolution.

Mr. RAKER. Mr. Speaker, at the request of the gentleman from California [Mr. KETNER], to save time, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent that the joint resolution be passed without prejudice. Is there objection?

There was no objection.

KAOLIN, ETC., ON INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 2651) providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, within portions of Indian reservations heretofore opened to settlement and entry. The bill was read, as follows:

Be it enacted, etc., That all lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, within such parts of Indian reservations as have heretofore been opened to settlement and entry under acts of Congress which did not authorize the disposal of such mineral lands, shall be open to exploration and purchase and be disposed of under the general provisions of the mining laws of the United States, and the proceeds arising therefrom shall be deposited in the Treasury for the same purpose for which the proceeds arising from the disposal of other lands within the reservation in which such mineral-bearing lands are located were deposited: *Provided*, That the same person, association, or corporation shall not locate or enter more than one claim, not exceeding 160 acres in area, hereunder: *Provided further*, That none of the lands or mineral deposits, the disposal of which is herein provided for, shall be disposed of at less price than that fixed by the applicable mining or coal-land laws, and in no instance at less than their appraised value for agricultural purposes.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this bill provides for the outright disposition of certain lands which were withdrawn from disposition when the Indian reservations were opened to settlement, whereas we are contemplating the leasing system for all our mineral deposits.

Mr. BURKE of South Dakota. If the gentleman had been here the other day when objection to the consideration of this bill was made he would have gotten some information which was brought out in the discussion that was had at that time.

Mr. STAFFORD. I wish to assure the gentleman that I was here.

Mr. BURKE of South Dakota. I did not know the gentleman was present. Under the general law lands a part of the public domain containing kaolin or fuller's earth, if more valuable for mineral than for agricultural purposes, may be acquired under the placer-mining laws at \$2.50 an acre. Within the last few years, in legislating to dispose of surplus lands in Indian reservations, the laws have provided that the lands should be disposed of under the homestead and town-site laws only, making no provision for disposing of lands containing minerals of any kind. I will say to the gentleman that I think that was an oversight, probably due to the fact that the lands that were opened to settlement were not supposed to contain any minerals. They were supposed to be entirely agricultural in character. Now, it happens that Tripp County, in my State, which was formerly a part of the Rosebud Reservation, was opened to settlement under the homestead and town-site laws, and a provision was made that after the lands had been opened to settlement for seven years all remaining land undisposed of should be sold for cash, and I may say that all of the lands that were

not taken under the homestead law have been sold for cash. There happens to be a tract of not exceeding 100 acres, covered by a homestead entry, that is supposed to contain kaolin or fuller's earth in such quantities as to make it more valuable for mineral purposes than for agricultural purposes, which precludes acquiring title under the homestead law; in other words, there is no law by which it may be acquired. A bill was introduced, limited to Tripp County, S. Dak. That bill was referred to the department, and it resulted in this bill being drafted and submitted by the department, and its enactment is recommended. I will say to the gentleman that it provides that the lands can not be disposed of for less than their appraised value for agricultural purposes, which, I think, is \$6 an acre in Tripp County. No land, though, can be acquired under the terms of this bill, except under the coal-mining laws, which fix the price at \$10 per acre.

Mr. STAFFORD. When this bill was last under consideration, as I recall, the gentleman from Illinois [Mr. MANN] asked the gentleman from South Dakota [Mr. BURKE] as to the extent to which it would apply. He did not have the information at that time, but perhaps he can give that information at the present time.

Mr. BURKE of South Dakota. I will say to the gentleman that I referred the matter to the Geological Survey, and they advised me that kaolin deposits are located principally on the eastern seaboard, that the deposits that are supposed to exist in South Dakota are very small, and it is very doubtful whether they exist to the extent of making the lands more valuable for mineral than for agricultural purposes, and that is true generally in the West. Furthermore, in any event it can apply only to such lands as were formerly in Indian reservations and disposed of under the homestead law.

Mr. STAFFORD. Will the gentleman inform the committee as to the extent of these deposits on western lands, on Indian reservations?

Mr. BURKE of South Dakota. This does not apply to Indian reservations.

Mr. STAFFORD. I mean on those lands that were formerly Indian reservations that have been opened to settlement.

Mr. BURKE of South Dakota. I will say to the gentleman that as far as I am able to ascertain the only place where there is a suggestion that any of this clay exists upon lands that were formerly Indian reservations, and that this bill would apply to, are in Tripp County, S. Dak., which was formerly a part of the Rosebud Reservation, and that the entire area that is supposed to contain this deposit and that would be affected if this bill should become a law is not to exceed 100 acres.

Mr. STAFFORD. Is that the report of the Geological Survey or the Bureau of Indian Affairs?

Mr. BURKE of South Dakota. I have no report from the department to that effect, but it is from information that I have been able to gather.

Mr. STAFFORD. Has the gentleman inquired of the Bureau of Indian Affairs as to the extent that this would apply?

Mr. BURKE of South Dakota. I have had the matter up with the Director of the Geological Survey and he has furnished me with a number of publications. One is the "Statistics of the pottery industry in the United States in 1913," by Jefferson Middleton. Another is from the Bureau of Mines on "Fullers earth," by Charles L. Parsons. Another is "Statistics in the clay-work industry of the United States in 1912," by Jefferson Middleton.

I can say after examining these documents and the statistics that I believe I am justified in expressing the opinion that there is not any portion of the country where this bill will apply, where there is known to be kaolin deposits of any value, except in Tripp County, S. Dak.

Mr. STAFFORD. Does not the gentleman believe that we ought to have some information from the Bureau of Indian Affairs as to whether there are other deposits than those suggested?

Mr. BURKE of South Dakota. I will say that the bill was referred to the Department of the Interior, of which the Bureau of Mines, the General Land Office, and the Indian Office are a part, and I assume that it was referred to these bureaus, including the Geological Survey, which is also a bureau in the Interior Department. It is not customary for bills to be referred to bureaus, but always to the department that is interested in the proposed legislation.

Mr. STAFFORD. I am well aware of that fact, but I also know that many times a report from an Acting Secretary does not emanate from him, but from some subordinate who does not scrutinize as to the interests of the Government as closely as he might.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield?

Mr. BURKE of South Dakota. I yield.

Mr. STEPHENS of Texas. This bill was referred to the Committee on Indian Affairs, and it is not clear to my mind that the title of the Indians to the land has been extinguished.

Mr. BURKE of South Dakota. The bill applies to lands open to settlement under laws that provide for disposing of surplus lands in Indian reservations under the homestead laws. Such lands are generally regarded as public lands, and the bill therefore went to the Public Lands Committee. I would have preferred to have had it go to the Committee on Indian Affairs, of which the gentleman and myself are members, but it probably more properly belonged to the Public Lands Committee.

Mr. STEPHENS of Texas. If the Indian-lands title has been extinguished, the money should go into the Treasury of the public-land fund, and if it has not been extinguished the money should go to the Indians.

Mr. BURKE of South Dakota. Whatever money is received would, of course, go to the credit of the Indian fund, because the original law provides that the proceeds go to the credit of the Indians. In our State such moneys are subject to appropriations by Congress for the support of the Indians.

Mr. STEPHENS of Texas. Why is it limited to 160 acres? You have changed the United States mining laws.

Mr. BURKE of South Dakota. I will say that the Department of the Interior made that recommendation.

Mr. STEPHENS of Texas. Under the present mining laws they could take as many claims as they could pay for and do assessment work.

Mr. BURKE of South Dakota. I understand not. Only one claim may be taken by one person, association, or corporation, not to exceed 160 acres.

Mr. STEPHENS of Texas. Does not this extend the mining laws?

Mr. TAYLOR of Colorado. No; it restricts it. It says that no person, association, or corporation shall have exceeding 160 acres.

Mr. BURKE of South Dakota. That was the recommendation made by the department.

The SPEAKER. Is there objection?

Mr. TALCOTT of New York. I object, Mr. Speaker.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

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

There was no objection.

POST-OFFICE BUILDING AT WALTHAM, MASS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13489) increasing the limit of cost for the purchase of a site and the construction thereon of a post-office building at Waltham, Mass.

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

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

There was no objection.

ADDITIONAL DISTRICT JUDGE SOUTHERN DISTRICT OF GEORGIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17869) providing for the appointment of an additional district judge for the southern district of Georgia.

The Clerk read the bill at length.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. HARDWICK. Mr. Speaker, in the absence of the gentleman from North Carolina [Mr. WEBB], I ask unanimous consent that the bill be passed without prejudice.

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

There was no objection.

UNCOMPAHGRE NATIONAL FOREST, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17263) to reserve certain lands, to incorporate the same, and make them a part of the Uncompahgre National Forest in Colorado.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

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

Mr. HAWLEY. I object.

The SPEAKER. The gentleman from Oregon objects, and the bill will be stricken from the calendar.

PETER LASSEN NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 52) to establish the Peter Lassen National Park in the Sierra Nevada Mountains in the State of California, and for other purposes.

Mr. RAKER. Mr. Speaker, owing to the peculiar conditions now surrounding the House, I ask that the bill H. R. 52 and the bill H. R. 16129 be passed without prejudice.

Mr. MADDEN. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. MADDEN. What are the peculiar conditions that surround the House that the gentleman refers to?

Mr. RAKER. Well, courtesy and good nature on my part, which I hope to maintain, compel me to refrain from any comment.

Mr. MADDEN. I think the House is entitled to know what the gentleman means.

Mr. DONOVAN. Mr. Speaker, the regular order.

The SPEAKER. The regular order is demanded, and the regular order is, Is there objection to the request of the gentleman from California?

Mr. HAWLEY. I object.

The SPEAKER. The Clerk will report the bill.

Mr. STAFFORD. But the gentleman from Oregon objects.

The SPEAKER. The gentleman from Oregon objected to passing the bill without prejudice.

The Clerk read the bill at length.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. STAFFORD. I object.

NATIONAL SANITARIUMS FOR FRATERNAL ORGANIZATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16029) to authorize the Secretary of the Interior to set aside certain public lands to be used as national sanitariums for fraternal organizations, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and empowered upon application to set aside and reserve tracts of land commensurate with the desired use, but in no case exceeding four sections of any surveyed, unoccupied, nonmineral, arid, semiarid, or mountainous public land, to be used by any duly organized and incorporated fraternal organization or society for sanitarium purposes, such withdrawal or reservation to in no case exceed two years.

SEC. 2. That if on or before the expiration of two years from the date of reservation of any such tract substantial improvements have been placed upon the land conducive to the purposes of the reservation, the Secretary of the Interior shall issue patent to the fraternal organization for which the land was reserved and set aside, each patent so issued to be subject to and contain the condition that the lands shall be exclusively used for the purposes herein set forth, and that the patent issued and all claim, right, and title thereunder and thereto shall cease and end and be null and void, the lands to revert to the United States without further action or proceedings if the land is ever used for purposes of gain or profit, if the use thereof as a sanitarium shall be discontinued or abandoned for a period of more than two years, or if any attempt shall be made to alienate the land or destroy the value thereof.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 6, strike out the word "surveyed."

Page 2, lines 15 and 16, strike out the words "or destroy the value thereof."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this would cover forest reserves, would it not?

Mr. RAKER. Yes.

Mr. MANN. If it is to cover forest reserves, ought not the application to be made to the Secretary of Agriculture rather than to the Secretary of the Interior?

Mr. RAKER. Or the Secretary of Agriculture, as the case may be.

Mr. MANN. I do not think we ought to give the Secretary of the Interior power to locate something in a forest reserve without at least the consent of the Secretary of Agriculture.

Mr. RAKER. I am perfectly willing to have the bill so amended.

Mr. MANN. The gentleman from Wyoming [Mr. MONDELL] privately suggests that this would not cover forest reserves. It reads, with the committee amendments:

Unoccupied, nonmineral, arid, semiarid, or mountainous public lands.

I should suppose that would cover forest reserves, though I do not pretend to be an expert.

Mr. MONDELL. Mr. Speaker, a forest reserve is not public land in the sense that that term is used here. Forest reserves are not under the jurisdiction of the Secretary of the Interior. It would not cover forest reserves, I think.

Mr. MANN. Forest reserves are plainly under the jurisdiction of Congress, and we could say the Secretary of War might issue a patent, if he desired to.

Mr. MONDELL. I understand that the gentleman from California desires to include forest reserves in the bill.

Mr. RAKER. I do not care which way, for this reason: There are plenty of lands not in the forest reserves at all, open desert lands, where these organizations have been trying for years to get a place where they can take care of their sick and afflicted members, and they are willing to expend many hundreds of thousands of dollars for that purpose. The Members of the House recognize the fact that many members go west and are cared for by the various organizations.

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

Mr. RAKER. Yes.

Mr. MADDEN. Has the gentleman any figures showing how many hundreds of thousands of dollars these people are willing to expend?

Mr. RAKER. The Sovereign Grand Lodge, Independent Order of Odd Fellows, is willing, as I understand it, to expend in the neighborhood of \$500,000, if not more, if they can get a suitable location for the purpose of establishing a national sanitarium for the care of afflicted members of that order.

Mr. MADDEN. Has anybody any figures to show the exact amount?

Mr. RAKER. Oh, you could never get any figures, because there has never been any right granted.

Mr. MADDEN. There must have been applications made for this grant.

Mr. RAKER. There have been many bills introduced by the Order of Owls.

Mr. MADDEN. Were the bills based upon a statement made by any organization?

Mr. RAKER. No.

Mr. MADDEN. So that nobody knows what amount of money any organization proposes to expend. No statement has been made indicating that?

Mr. RAKER. No organization would go to work and prepare what they were going to do until they had the right to do it.

Mr. MADDEN. Will the gentleman yield further?

Mr. RAKER. I will.

Mr. MADDEN. It seems to me if an organization of any kind wanted to get a right from the Government free, it would be glad to make some kind of a prospectus as to what it intended to do if it got the right.

Mr. RAKER. Oh, no; for many reasons.

Mr. MADDEN. That is putting the cart before the horse—asking the Government to give them something, and then letting them do what they please.

Mr. RAKER. Let us see what the Government gives. I have been a member of the Independent Order of Odd Fellows for some 28 years.

Mr. MADDEN. That is what makes the order so popular.

Mr. RAKER. That is very nice; thanks for the compliment. The grand lodges of the various States have been attempting to work on this, and the sovereign grand lodge has endeavored several times, but they could not get the location where they desired it. I have taken this matter up with the grand secretary and others, and I believe there is no question but that this organization will expend over \$500,000.

The same may be said of the Order of Owls and of the Masonic Order and of the Knights of Pythias, and others. I desire to call the gentleman's attention to the Woodmen of the World. They have a tract of land in a good place. They were able to buy it. They have one of the best sanitariums in the world, where thousands of their afflicted members go and are cured and sent back home. The purpose of this bill is that these orders may have two years in which to prospect, so that they may go out in the desert in this dry climate that makes men well and drill and find water, and if they can find water, then they are safe, and they can procure a patent and build up their homes and send their afflicted members there and take care of them instead of leaving them scattered all over the West, where they are provided for by each particular lodge.

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

Mr. RAKER. Yes.

Mr. HULINGS. After two years of exploration, having found a place, then does the Secretary of the Interior have any other right than simply to issue the grant, or may he put limitations and conditions in the grant?

Mr. RAKER. The grant is issued under certain conditions.

Mr. HULINGS. What conditions?

Mr. RAKER. Under the condition that they must build and use the property for that purpose and no other, and that ceasing to use it for that purpose or using it for any other purpose, they shall forfeit title.

Mr. HULINGS. There is nothing in the bill giving the Secretary discretion to say whether their proposed expenditure is large enough.

Mr. RAKER. But if they use it for a sanitarium, just suppose they cured one man.

Mr. MADDEN. Mr. Speaker, will the gentleman yield further?

Mr. RAKER. Yes.

Mr. MADDEN. The bill does not place any limitations at all, but it just authorizes the issuance of a patent.

Mr. RAKER. Now, let me call attention to this: The only possible objection that has been made to this bill is that it does not grant enough land. Now, if gentlemen had had experience in the West where there is no vegetation upon the land and if these organizations would take the 2,500 acres by boring for water and obtaining it and spending money and securing water, and thus build up a tented city or large buildings for the purpose of sending their afflicted members to that locality and curing them, it would be a godsend to this country, because I want to say this to the gentleman—and I have given the matter some thought—that I did not put in the report the figures. As to the question of tuberculosis, I desire to say that there is no disease that has so ravishing effect upon the American people as that dread disease, and every doctor I have seen and every man I have seen says that this country, in the West, unusable in the way it is now, would be in splendid shape to give these people an opportunity to build up their shattered health, and I trust the Members will let it pass.

Mr. MADDEN. I will not object, but I thought the gentleman ought to have been able to give some information about it; that is all.

Mr. STAFFORD. Reserving the right to object, does not the gentleman believe that the Secretary of the Interior should have some discretion in granting these permits? I have prepared an amendment which I wish to suggest to the gentleman. After the word "empowered" insert the words "in his discretion."

Mr. RAKER. What line?

Mr. STAFFORD. Line 4 of the first page.

Mr. MANN. I have the same amendment to offer.

Mr. RAKER. I think that would improve the bill.

Mr. STAFFORD. Of course I am in full sympathy with the purpose of the bill, but I wish to make this further observation. There is no provision in this bill providing that these fraternal societies can not obtain more than one reservation or grant. I would like to know whether the gentleman would have any objection to a new section along this line; that not more than one reservation or grant shall be made to any such organization or society. Under the terms of this bill any society can go ahead and locate on any number of successive reservations after they had completed the conditions in the pending case.

Mr. RAKER. Personally I would see no objection to it, but it appeals to me so strongly, and I know it does to every man here, that if they have got the money and could occupy and use that country, it will just relieve the public of that much expense.

Mr. MANN. The bill does not grant more than one reservation to a society.

Mr. STAFFORD. One at a time.

Mr. MANN. Only one.

Mr. STAFFORD. Where is that reservation?

Mr. MANN. It is in the bill. It says, "but in no case exceeding four sections to be used by any duly organized and incorporated fraternal organization or society," and so forth.

Mr. RAKER. That would give but one.

Mr. STAFFORD. I assumed that language referred to only the application that was pending.

Mr. RAKER. I want to make a further suggestion. The gentleman from Illinois awhile ago directed attention on page 2, that the words "gain or profit" should be stricken out, and I think that would be a good idea to add to it before the word "purposes," "other than a sanitarium or in connection with maintaining such sanitarium purposes."

Mr. STAFFORD. Will the gentleman yield?

Mr. RAKER. I do.

Mr. STAFFORD. In reply to the query propounded as to whether this bill would not grant more than one right to one society, I would direct my colleague's attention to the fact that the words of the limitation, "in no case exceeding four sections to be used by any duly organized and incorporated fraternal organization or society," does not prevent them from having another grant of four sections.

Mr. MANN. It says not more than four sections to be used by anyone.

Mr. STAFFORD. The limitation is that in no case exceeding four sections to be used by any duly organized and incorporated fraternal organization or society, and I would say after they had located under this provision and had this reservation and complied with that one they could go ahead and get another four sections.

Mr. MANN. Plainly, that could not be; in that case they could take 400 sections.

Mr. STAFFORD. That is what I thought they might do.

Mr. TALCOTT of New York. Will the gentleman yield?

Mr. RAKER. I do.

Mr. TALCOTT of New York. This does not refer to merely National and State organizations, does it?

Mr. RAKER. No, sir.

Mr. TALCOTT of New York. It would refer to a duly incorporated local lodge or local chapter?

Mr. RAKER. It would, absolutely.

Mr. JOHNSON of Washington. Would a side organization of the Salvation Army, for instance, be considered a fraternal organization?

Mr. RAKER. If it organizes under this provision, it will be a godsend and ought to be applauded. If the Salvation Army would organize and send out 50 or 100 of their afflicted tuberculous men or women who are almost dying on their feet, and they could be brought back from this western country cured men and women, then it would be a godsend.

Mr. JOHNSON of Washington. If the Salvation Army did that very thing, and the men who were not too ill or decrepit undertook to raise crops or live stock, or something like that, would that be gain or profit?

Mr. RAKER. No; and on that line—

Mr. JOHNSON of Washington. The Typographical Union might want to establish a camp, and they might sell—

Mr. RAKER. One of the best unions to-day doing such a thing.

Mr. JOHNSON of Washington. Is the gentleman's bill broad enough to take care of these organizations?

Mr. RAKER. I think it is.

The SPEAKER pro tempore (Mr. JOHNSON of Kentucky). Is there objection? [After a pause.] The Chair hears none.

The SPEAKER pro tempore. It is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the committee amendments. The Clerk will report the first amendment.

The Clerk read as follows:

Page 1, line 6, strike out the word "surveyed."

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, lines 15 and 16, strike out the words "or destroy the value thereof."

The amendment was agreed to.

Mr. RAKER. Did the gentleman from Illinois [Mr. MANN] offer the amendment he suggested?

Mr. STAFFORD. The amendment is to insert after the word "empowered," in line 4, page 1, "in his discretion."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 4, after the word "empowered," insert the words "in his discretion."

The SPEAKER pro tempore. The question is on the adoption of the amendment.

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

Mr. RAKER. Mr. Speaker, on lines 12 and 13, page 2, I move to strike out the following words:

Of gain or profit.

The SPEAKER pro tempore. The gentleman from California offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 2, lines 12 and 13, strike out the words, "of gain or profit."

Mr. STAFFORD. I thought the purpose was to grant this land to these fraternal associations which would be in aid solely of their members.

Mr. RAKER. It is. I am going to offer another amendment. Insert before the word "purposes," in line 12, "other than sanitarium." I was discussing the matter with the gentleman from Illinois [Mr. MANN], and his suggestion, to my mind, is a wise one. I offered to strike out the words, so as to make it clear

in lines 12 and 13, "of gain or profit," and insert after the word "purposes," in line 12, "other than sanitarium."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, lines 12 and 13, strike out the words "of gain or profit," and before the word "purposes," in line 12, insert the words "other than sanitarium."

Mr. CRAMTON. Does the gentleman think he should have both the terms "sanitarium" and "sanatorium" in the bill?

Mr. RAKER. It was a wrong pronunciation; that is all.

The SPEAKER pro tempore. The question is on agreeing to the two amendments proposed by the gentleman from California [Mr. RAKER].

The amendments were agreed to.

Mr. RAKER. Further discussing this with the gentleman from Illinois, I think this ought to go out of the bill in order to avoid any conflict, namely, in lines 11 and 12, "without further action or proceedings." That leaves a fair determination to say whether they are complying with the law or not.

Mr. STAFFORD. If the gentleman is acquainted with the decisions of the Supreme Court construing the forfeiture clauses in the railroad land-grant cases, he will know that the mere statement of a forfeiture does not carry a forfeiture, but it requires some definitive act on the part of the Government to have the land revert to the Government. Why should we not restrict it so that these lands will revert, if they are not used for humanitarian purposes?

Mr. RAKER. The gentleman's statement is evidently correct as to construction on these grants, but the gentleman from Illinois [Mr. MANN] suggested that some one might complain when, as a matter of fact, it was legitimate, and that their language in here would cause trouble, and would it not be better to make the bill plain in order to avoid complications?

Mr. STAFFORD. There would not be any reversion unless it was complained of by department officials.

Mr. RAKER. This is for the purpose of avoiding complications; that is all.

Mr. MANN. I think the gentleman from Wisconsin is mistaken. Under the terms of this bill there is a reversion without any proceeding at all. That is what the bill says. It might be no one would go and assist them, but their title would be gone, because the bill as it stands does not contemplate any proceedings, and says:

And title thereunder and thereto shall cease and end and be null and void, the lands to revert to the United States without further action or proceedings.

The gentleman has moved to strike out the words "without further action or proceedings," so that the title would revert only when the United States should institute proceedings.

Mr. RAKER. That is the view I had.

Mr. MANN. These people may have had difficulty in raising money. There is no necessity of putting something in that may place such a cloud on the title that they can not raise a dollar.

Mr. RAKER. I offer that amendment, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, lines 11 and 12, strike out the words "without further action or proceedings."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MONDELL. Mr. Speaker, at the end of line 7, page 1, I move to insert the words "or lands in forest reserves."

The SPEAKER pro tempore. The gentleman from Wyoming offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 7, after the word "land," at the end of the line, insert the words "or lands in forest reserves."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Speaker, I have an amendment that I wish to offer.

The SPEAKER pro tempore. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 8, after the word "fraternal," insert the words "or benevolent."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

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

Mr. JOHNSON of Washington. Mr. Speaker, I have another amendment.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Washington [Mr. JOHNSON].

The Clerk read as follows:

Page 2, line 5, after the word "fraternal," insert the words "or beneficial."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, were the committee amendments agreed to yet?

The SPEAKER pro tempore. They were.

Mr. MANN. I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I understand we just adopted an amendment inserting "forest reserves."

Mr. MONDELL. Yes.

Mr. MANN. It seems to me we ought not to have the Secretary of the Interior determine with reference to granting this permit in a forest reserve.

Mr. RAKER. I agree with the gentleman on that. I think the language ought to be amended.

Mr. MANN. Would it do to insert after the word "Interior," where it occurs twice, the words "or the Secretary of Agriculture, respectively"?

Mr. RAKER. I think that would cover it.

Mr. MANN. I was not sure if that would cover it.

Mr. RAKER. Then it would read, "the Secretary of the Interior or the Secretary of Agriculture, respectively"?

Mr. MANN. Yes; so that it would read "the Secretary of the Interior or the Secretary of Agriculture, respectively."

Mr. RAKER. What I was trying to get at is this: The gentleman's amendment is correct, but there ought to be another qualifying clause, such as "having jurisdiction of the land."

Mr. MANN. That is all right.

Mr. MONDELL. I suggest the words "the Secretary having jurisdiction."

Mr. RAKER. Yes; "the Secretary having jurisdiction."

Mr. MANN. Would it read then, "the Secretary having jurisdiction of the same," in place of "the Secretary of the Interior"?

Mr. RAKER. Yes. Then, if it is in a forest reserve, it is the Secretary of Agriculture, and if not, the Secretary of the Interior. Let it read, "that the Secretary having jurisdiction of the same be, and he is hereby, authorized," and so forth. I submit to the gentleman from Wyoming [Mr. MONDELL] if he does not believe that would make it sufficient?

Mr. MONDELL. I think it would, if in place of the words "Secretary of the Interior" you insert the words "the Secretary having jurisdiction of the same." You then include the two Secretaries. I think then the language would be clear.

Mr. RAKER. If the gentleman will offer that amendment I think it will cover it.

Mr. MANN. Well, I will offer the amendment. On line 3 of page 1 and on line 4 of page 2 strike out the words "of the Interior" and insert in lieu thereof the words "having jurisdiction of the same."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

On page 1, line 3, and on page 2, line 4, strike out the words "of the Interior" and insert the words "having jurisdiction of the same."

Mr. RAKER. Just a moment. The first, on line 3, page 1, is all right, but on line 4, page 2, it would not apply. It ought to be "Secretary of the Interior" there.

Mr. MANN. Very well; I have no objection.

Mr. RAKER. The Secretary of the Interior would issue the patent.

Mr. MONDELL. The Secretary of the Interior issues the patents in all cases, in any event.

Mr. MANN. Then that amendment should not go in on page 2. It should just go in on page 1.

The SPEAKER pro tempore. The Clerk will again report the amendment as modified.

The Clerk read as follows:

Page 1, line 3, strike out the words "of the Interior" and insert the words "having jurisdiction of the same."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

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

Mr. MANN. Mr. Speaker, I ask to have the title amended so as to read "to authorize the Secretary having jurisdiction of the same," and so forth, and to insert also, after the word "fraternal," the words "or beneficial."

The SPEAKER pro tempore. Without objection, the title will be so amended.

There was no objection.

On motion of Mr. RAKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on this bill, particularly with relation to the difficulties of control by the Secretary of the Interior and the Secretary of Agriculture of portions of the public lands.

The SPEAKER pro tempore. The gentleman from Washington [Mr. JOHNSON] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, the consideration of this bill, which provides for the giving by the Government, free of charge, to benevolent or fraternal orders tracts of the public domain as sites for sanitariums, has called attention once more to the confusion which arises from the fact that the public domain is in part controlled by the Department of the Interior and in part by the Department of Agriculture. Here was a wise and beneficial bill under consideration, which had to go through a considerable debate and discussion in order to take care of this peculiar situation. In order to make the bill effective it had to provide for a sort of hydra-headed control, just as do so many bills affecting the public domain. How to get that part of the public lands which lie within the forest reserves back under control of the Department of the Interior is a question.

To secure consideration of a bill authorizing the transfer—and I desire to say that I have such a bill, H. R. 6923, introduced July 18, 1913, before the Committee on the Public Lands—it will be necessary for the chairman to secure favorable reports from both the Secretary of the Interior and the Secretary of Agriculture. Neither Secretary desires to encroach on the rights of the other, and therefore these reports are not forthcoming. The leasing bills, which have recently been discussed at great length in the House, will, if finally made into laws, still further show the necessity for a single-headed management of the entire public domain.

For fear that some one will secure some advantage or some lands, minerals, or other products they should not receive the West is being so loaded down with public-domain laws that it is doubtful if a corps of Philadelphia lawyers will be able to unravel them. From the discussion necessary to perfect this bill one can imagine the amount of letter writing and argument all westerners are obliged to carry on whenever they handle affairs concerning settlers on parts of the public domain. Double work is required. This is unnecessary, useless, and productive of waste—an expense not only to the citizens particularly concerned, but to the Government, which results in an unnecessary force of clerks in both departments.

But, Mr. Speaker, if the Forest Service should be put back into the Interior Department, then the House Committee on the Public Lands, which is already overburdened, would have still more work to do. We have a Committee on Irrigation of Arid Lands, which has taken some of the work off of the shoulders of the Public Lands Committee. Why should we not have a committee on forest reserves? Surely the work ahead in connection with the great western forest areas is enough to warrant the organization of a special committee. In fact, Mr. Speaker, the best solution of the whole matter, very likely, would be the creation of a new department, with a secretary, to look after the forest reserves, the national monuments, the power sites, and the coal and mineral lands which are to be leased after the passage of the several conservation bills lately under consideration. If we had such a department now, with so earnest and able a man as the present Chief Forester, Hon. H. S. Graves, as secretary, the West could look hopefully forward to the unravelling of the tangle. Before the leasing bills have been in operation very long it is likely that the necessity for such a secretaryship will be seen. The Secretary of the Interior now has more than enough to do.

The SPEAKER pro tempore. The Clerk will report the next bill.

SECOND HOMESTEAD AND DESERT ENTRIES.

The next business on the Calendar for Unanimous Consent was the bill (S. 2068) to authorize the allowance of second homestead and desert entries.

The title of the bill was read.

Mr. RAKER. Mr. Speaker, I move that the bill be laid on the table. It has answered its purpose, and the bill has become a law.

The SPEAKER pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The SPEAKER pro tempore. The bill is laid upon the table. The Clerk will report the next one.

BOUNDARY LINE BETWEEN CONNECTICUT AND MASSACHUSETTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3550) ratifying the establishment of the boundary line between the States of Connecticut and Massachusetts.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the reading of the preamble be dispensed with, and that the committee substitute be read.

The SPEAKER pro tempore. Without objection, the reading of the preamble will be dispensed with and the substitute will be read.

There was no objection.

Be it enacted, etc. That Congress hereby consents to the establishment of a boundary line between the States of Massachusetts and Connecticut, heretofore agreed upon by said States, which boundary line is shown by duplicate maps, one copy of which has been deposited with the secretary of state of Massachusetts and another copy in the library of the State of Connecticut, and which boundary line has been fixed and determined according to the terms of an act in the Legislature of the State of Connecticut, entitled "An act establishing the boundary line between Connecticut and Massachusetts," approved June 6, 1913, which act has been sent to and received by the State of Massachusetts, and an act of the Legislature of the Commonwealth of Massachusetts, entitled "An act to establish the boundary line between the Commonwealth of Massachusetts and the State of Connecticut," approved March 19, 1908, which act has been sent to and received by the State of Connecticut, each of which acts contains a full description of said boundary line.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. MANN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the bill may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. MANN. I move, Mr. Speaker, to amend the substitute by striking out the word "contain," in line 2 of page 3, and inserting in lieu thereof the word "contains," so as to make it grammatically correct.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 3, line 2, by striking out the word "contain" and inserting in lieu thereof the word "contains."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the bill as amended.

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

SHIPMENTS TO PORTO RICO OR THE PHILIPPINE ISLANDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12674) to provide for the allowance of drawback of tax on articles shipped to the island of Porto Rico or to the Philippine Islands.

The bill was read, as follows:

Be it enacted, etc. That all provisions of existing laws for the allowance of drawback of internal-revenue tax on articles exported from the United States are, so far as applicable, hereby extended to like articles upon which an internal-revenue tax has been paid when shipped from the United States to the island of Porto Rico or to the Philippine Islands.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. If there be no objection, it will be so considered.

There was no objection.

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

THE PATENT OFFICE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18031) amending sections 476, 477, and 440 of the Revised Statutes of the United States.

The bill was read as follows:

Be it enacted, etc. That section 476 of the Revised Statutes be, and the same is hereby, amended to read as follows:

"SEC. 476. There shall be in the Patent Office a Commissioner of Patents, one first assistant commissioner, one assistant commissioner, and five examiners in chief, who shall be appointed by the President, by and with the advice and consent of the Senate. The first assistant commissioner and the assistant commissioner shall perform such duties pertaining to the office of commissioner as may be assigned to them, respectively, from time to time by the Commissioner of Patents. All other officers, clerks and employees authorized by law for the office shall be appointed by the Secretary of the Interior upon the nomination of the Commissioner of Patents."

SEC. 2. That section 477 of the Revised Statutes be amended to read as follows:

"SEC. 477. The salaries of the officers mentioned in the preceding section shall be as follows:

"The Commissioner of Patents, \$5,000 a year.

"The First Assistant Commissioner of Patents, \$4,500 a year.

"The Assistant Commissioner of Patents, \$3,500 a year.

"Five examiners in chief, \$3,500 a year each."

SEC. 3. That so much of section 440 of the Revised Statutes as follows the words "In the Patent Office," and refers to said office only, be amended to read as follows:

"One chief clerk, who shall be qualified to act as a principal examiner.
"One librarian, who shall be qualified to act as an assistant examiner."

"Five law examiners.

"One examiner of classification.

"One examiner of interferences.

"One examiner of trade-marks and designs.

"One first assistant examiner of trade-marks and designs.

"Six assistant examiners of trade-marks and designs.

"Forty-three principal examiners.

"Eighty-six first assistant examiners.

"Eighty-six second assistant examiners.

"Eighty-six third assistant examiners.

"Eighty-six fourth assistant examiners; and such other examiners and assistant examiners in the various grades as the Congress shall from time to time provide for."

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, does this bill create any new offices?

Mr. OLDFIELD. It increases the number of examiners in chief from three to five and the number of law examiners from two to five, creating in all five additional positions, which are very essential to the proper conduct of the Patent Office.

Mr. FOSTER. It increases the expense about how much?

Mr. OLDFIELD. After it gets to working it will probably increase the expense of the Patent Office something like \$80,000 a year.

Mr. FOSTER. Does the gentleman think that we ought to pass a bill of this kind at this time?

Mr. OLDFIELD. I certainly do. It can not go into operation before the first of the year. The situation is just this: The inventors of the country are not getting thorough searches. The business of the Patent Office has grown so rapidly in the last 10 years that they are not getting proper searches because the force is not sufficient. The Patent Office will have a surplus this year of more than \$200,000. It has a surplus now, since the office was established, of \$7,000,000, and the inventors of the country are certainly entitled to as thorough searches as can be made. This equalizes the examining force. It makes each of the four grades of examiners 86 in number, whereas now in the fourth grade there are 110, in the third grade 88, in the second grade 73, and in the first grade 63. The chief object of the bill is to equalize this force.

Mr. GREENE of Massachusetts. Mr. Speaker, this seems to be a private conversation. Other Members can not hear what is going on.

Mr. OLDFIELD. The principal purpose of the bill is to equalize this examining force. It ought to be done by all means. We had this bill before the House in a different form a month or six weeks ago. It was objected to. We cut out what we thought to be the objectionable features and reintroduced the bill, and it was unanimously reported by the Committee on Patents in its present form. I hope the gentleman will not object.

Mr. FOSTER. Reserving the right to object, it seems to me that this bill might possibly wait for a little time. It increases the expenses of this office some \$80,000 a year. While I do not know that I shall object, yet I shall not vote for such a bill at this time.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. OLDFIELD. I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. If there be no objection, it will be so considered.

There was no objection.

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

On motion of Mr. OLDFIELD, a motion to reconsider the last vote was laid on the table.

AUDITOR OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17097) to fix the salary of the auditor of the Supreme Court of the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

Mr. MANN. I suggest to the gentleman that he ask unanimous consent that the substitute be read in lieu of the original bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that the substitute be read in lieu of the original bill.

The SPEAKER pro tempore (Mr. BOWDLE). The gentleman from Kentucky asks unanimous consent to read the substitute instead of the original bill. Is there objection?

There was no objection.

The Clerk read as follows:

Strike out all after the enacting clause, and insert the following:

"That the auditor of the Supreme Court of the District of Columbia shall hereafter receive a salary of \$5,000 per annum, which shall be in lieu of any and all fees. It shall be unlawful for the auditor, his assistant, or stenographer to exercise the profession or employment of counsel or attorney at law, or to engage in the practice of the law, under penalty of immediate removal from office.

"Sec. 2. That the said auditor shall appoint an assistant auditor and also a stenographer, whose appointments shall not be effective until approved by a majority of the justices of said court. Before entering upon the discharge of their duties the auditor, the assistant auditor, and the stenographer shall each take and subscribe an oath to faithfully and impartially discharge the duties imposed on them by law, which oath shall be spread upon the order book of said court. The said assistant auditor and stenographer shall, under his administrative control, assist the auditor in performing the duties of the office, and shall be subject to removal at any time by the auditor. Vacancies in said offices shall be filled by the same method of appointment. The said assistant auditor shall receive a salary of \$1,500 per annum, and the stenographer a salary of \$1,000 per annum. Other official expenses of the auditor's office, not exceeding \$400 per annum, shall be paid out of public funds upon the approval of the chief justice of said court. Such expenses, when so approved, and all salaries provided by this act shall be paid as are the salaries of the justices of said court and charged accordingly. The auditor shall continue to be an officer of the District of Columbia. It shall be the duty of the auditor, the assistant auditor, and the stenographer to devote their entire time to the discharge of their official duties. The office hours of the said auditor and of the subordinates of the office shall be the same as the office hours of the clerk of said court. The said auditor shall be subject to removal at any time by a majority of the justices of said court for any cause deemed by them to be sufficient.

"Sec. 3. That the fees of the auditor and of the subordinates of the office shall, in each case, for services performed therein, be taxed as part of the costs. The following, and no other, shall be the fees of the auditor's office:

"For services of the auditor, at the rate of \$10 per day.

"For services of the assistant auditor, at the rate of \$6 per day.

"For services of the stenographer, at the rate of \$5 per day, except when engaged in taking or transcribing testimony, in which event the fee charged shall be at the rate of 40 cents for each page of not less than 250 words and 5 cents per page for each carbon copy thereof.

"For issuing a writ of subpoena, 25 cents.

"For filing any paper or exhibit, 25 cents.

"For administering an oath or affirmation, 25 cents.

"Each report of the auditor shall contain an itemized statement of the fees charged and collected, which shall be subject to exception in court by any party in interest. It shall be the duty of the auditor to collect the fees of the office in each case before his report is filed, unless otherwise directed by the court; and such fees shall monthly, on or before the 10th day of each month, be paid by the auditor into the United States Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia. The auditor shall file with each remittance a statement addressed to the Secretary of the Treasury, verified by the oath or affirmation of the auditor, showing the fees collected in each case during the preceding month.

"It shall be the duty of the said stenographer, when not otherwise engaged in the work of said office, to take and transcribe the testimony given before the said auditor; but when such testimony is taken and transcribed by other stenographers or examiners the charges therefor shall be at the rate herein fixed.

"Sec. 4. That all acts to the extent they are in conflict herewith are hereby repealed."

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, which I do not intend to do, as I seldom or never object to bills introduced by the gentleman from Kentucky [Mr. JOHNSON], I want to offer this suggestion, not so much on account of this bill as for the future: Under the rules of the House the District Committee has two days in each month. Those days are seldom denied to the committee when asked for in the regular way. I simply suggest that it does not

seem entirely fair for that committee, which has that privilege under the general rules of the House, to take up the time of the Unanimous Consent Calendar, which is so crowded with other bills.

Mr. JOHNSON of Kentucky. Mr. Speaker, the gentleman from Tennessee [Mr. GARRETT] is somewhat mistaken in saying that the District Committee gets every day that the rules allow it. A number of days have recently been taken away from the District Committee. But whether that be so or not, I would not knowingly place a bill upon the Unanimous Consent Calendar and ask for its consideration if I thought it would cause any debate.

Mr. GARRETT of Tennessee. I do not object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the last vote was laid on the table.

PUBLIC SCHOOL BUILDINGS IN THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13222) to regulate the use of public-school buildings and grounds in the District of Columbia.

The bill was read as follows:

Be it enacted, etc., That the control of the public schools in the District of Columbia by the board of education shall extend to, include, and comprise the use of the public school buildings and grounds by pupils of the public schools, other children, and adults, for supplementary educational purposes, civic meetings for the free discussion of public questions, social centers, centers of recreation, playgrounds, and for free public library branches, as well during the school year as during vacation. The privilege of using said buildings and grounds for any of said purposes may be granted by the board upon such terms and conditions and under such rules and regulations as the board may prescribe.

Sec. 2. That the board of education is authorized to accept, upon written recommendation of the superintendent of schools, free and voluntary services of the teachers of the public schools, other educators, lecturers, and social workers and public officers of the United States and the District of Columbia, and voluntary gifts of money in aid of supplementary education, civic meetings, social centers, or centers of recreation and playgrounds: *Provided*, That teachers of the public schools shall not be required or compelled to perform any such services or solicited to make any contribution for such purposes: *Provided further*, That the public school buildings and grounds of the District of Columbia shall be used for no purpose whatsoever other than those directly connected with the public school system and as further provided for in this act.

Sec. 3. That all laws or parts of laws in conflict with this act be, and the same are hereby, repealed.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, there seems to be no information at all contained in the report on this bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, in explanation I will say that this bill has passed the Senate; but I now discover that the House bill, instead of the Senate bill, has gotten upon the Unanimous Consent Calendar. The Senate bill was amended so as to strike out the provision on the first page applying to libraries, and if there is no objection to the consideration of this bill I shall at the proper time offer an amendment to strike that out.

Mr. MANN. This bill permits the board of education to accept voluntary gifts of money in aid of supplementary education, and so forth. It may be quite a proper thing to do, but it is only recently that we passed a provision in the Agricultural appropriation bill forbidding the Secretary of Agriculture to accept money where the Rockefeller Foundation or the Carnegie Institute was contributing large sums of money to aid in demonstration work for the benefit of the farmer, something which everybody deemed to be a good thing to do as far as demonstration work was concerned, but Congress took exception to it. It seems to me that this is a bill that should come up where we could have a chance to consider it. Of course it can be reached on District day.

Mr. MONDELL. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MONDELL. What would be the effect if the words "voluntary gifts of money in aid of supplementary education" were stricken out? Does the gentleman believe that the teachers could still accept little contributions that might be made in connection with one of these entertainments upon their own responsibility? I assume that is about all that is desired in a case of this kind.

Mr. MANN. We had that up on the District appropriation bill.

Mr. MONDELL. We prohibited them from soliciting gifts. Mr. MANN. I think we prohibited them from receiving gifts. How the bill went through I do not exactly remember. I know that it was proposed to amend it so as to permit them to have entertainments which I think everybody interested thought they ought to have. But whether the superintendent of schools ought to have permission to go out and solicit some one to make a large contribution for the purpose of running social centers I am not sure about. I do not know whether the school board wants this authority or not. I hope the gentleman will ask to have it passed over and report the Senate bill and have some information in the report.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

TAXES IN THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17309) to amend section 3 of the act of Congress approved February 28, 1898, entitled "An act in relation to taxes and tax sales in the District of Columbia."

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act of Congress approved February 28, 1898, entitled "An act in relation to taxes and tax sales in the District of Columbia," be, and the same hereby is, amended so that the first proviso therein shall read as follows:

"Provided, That no deed shall be issued until all taxes and assessments appearing upon the tax books against the property are paid, with penalties, interests, and costs, including taxes for the years for which the District purchased the property at the tax sale; and that no deed shall issue after 15 years from the expiration of the period during which the certificate is redeemable."

The following committee amendment was read:

Strike out the word "fifteen," appearing in line 2, page 2, of said bill, and insert in lieu thereof the word "three."

The committee amendment was agreed to.

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

TO REGULATE PLASTERING IN THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7771) to regulate plastering in the District of Columbia.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the District of Columbia all plastering in dwellings, tenements, apartments, hospitals, schools, and other buildings, when on lath, shall be known as three-coat work, namely, scratch coat, brown coat, and finish.

SEC. 2. Key space.—That all ceilings, stud partitions, and furred walls in tenements, apartments, hospitals, schools, and other buildings, where plastered with lime on wood lath, shall have not less than three-eighths inch space between the laths. All grounds and laths shall be not less than seven-eighths inch from the stud.

SEC. 3. First coat or scratch coat.—That first or scratch coat shall be of first quality, to be scratched thoroughly to make a key for the second coat, and shall be thoroughly dry or set before applying second coat.

SEC. 4. Second coat.—That second coat or brown mortar shall be of first quality. All browning must be straight true, with no unevenness or irregularity of surface.

SEC. 5. Finishing.—That when white mortar or any other coat it shall be laid on regular and troweled to a smooth surface, showing neither deficiencies nor brush marks.

SEC. 6. Cornices or coves.—That all cornices or coves shall be run straight, true, and smooth.

SEC. 7. Patent plasters.—That when patent plasters are used, if on wood lath, shall not be less than one-quarter inch key space. First coat shall be thoroughly scratched to make key to retain second coat, shall be set before second coat is applied.

SEC. 8. That it shall be the duty of the inspector of building construction to enforce the provisions of this act. It shall be the duty of the Commissioners of the District of Columbia to enact such ordinances as may be necessary for the enforcement of this act, and to prescribe the reasonable penalties for noncompliance therewith. Any inspector appointed in pursuance of this act or in pursuance with the provisions of any such ordinances shall be a competent plasterer of at least five years' practical experience.

SEC. 9. That this act shall take effect 90 days after passage.

The following committee amendments were read:

Amend, page 1, line 3, by striking out the word "all" and inserting in lieu thereof the following: "when three-coat work is used."

Amend, page 2, lines 4 and 5, by striking out the words "mortar or any other coat" and inserting in lieu thereof the following: "lime mortar or plaster of Paris is used as a finishing."

Amend, page 2, line 6, by striking out the period at the end of said line and inserting the following: "any other coat shall be laid on regular and brought to an even surface without deficiencies."

Amend, page 2, line 12, by striking out the semicolon and inserting in lieu thereof the following: "and"; and further amend same line by inserting, after the word "be," the words "allowed to."

Amend, page 2, by beginning with the word "Any," in line 19, and striking out all of said line after said word, all of lines 20, 21, and 22.

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, I reserve the right to object.

Mr. BUCHANAN of Illinois. Mr. Speaker, the purpose of this bill is to provide for the standard of plaster work to prevent the shabby and no-account work being done and sold to those who do not understand what plastering is. In regard to the details, I am not a plasterer and can not explain them, but my information is that builders and plasterers and about everybody interested in the matter have agreed upon it. I think it is a good bill and ought to pass without objection.

Mr. MADDEN. Mr. Speaker, I see no reason on earth why, if I want to put up a building, I should not be allowed to put on one coat or two coats of plastering, or no coat at all, just as I pleased. I never have heard of any case where they undertook to regulate by law how a building should be plastered.

Mr. COX. Will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. COX. Is not there just as much sense in trying to fix the color of the coats of paint that are to be put on as there is in trying to fix the method of plastering?

Mr. MADDEN. There is no reason on earth why we should legislate on just how a building should be plastered. The building department of the District of Columbia has complete jurisdiction over the method of constructing buildings, and they can regulate the kind of material that goes into every part of the building as it is being constructed, and they can regulate the materials that are used and the manner of putting them together. They have inspectors whose duty it is to see that the buildings are put up in a workmanlike and sufficient manner. To say that a building shall be plastered with three coats—a scratch coat and a brown coat and a finishing coat—and that each one shall be put on in a particular way is something that I never heard of. It ought not to be permitted and we ought not to legislate upon it.

Mr. FALCONER. Will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. FALCONER. That was my idea, but from the bill I understand that a man may put on one or two coats, if he chooses, but if he does use two or three coats he must do it in the manner provided by the bill.

Mr. BUCHANAN of Illinois. The bill does not provide that he shall put on three coats.

Mr. MADDEN. The best way is to let the building department regulate it. It ought not to be regulated by law. It is unheard of, it is unjust, it is unreasonable, and it is indefensible, and I object.

Mr. BUCHANAN of Illinois. The gentleman may not have heard of it, but there are laws of this kind; it is a common thing in different cities of the country to provide for a certain construction of work for fire safety, and so forth.

Mr. MADDEN. That is true, but this is not for that purpose.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

PUBLIC UTILITIES COMMISSION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8847) amending paragraph 81 of the act creating a public utilities commission.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 81 of section 8 of an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1913, and for other purposes," approved March 4, 1913, be, and the same hereby is, amended to read as follows:

"Provided, That all street railroads in the District of Columbia be, and are hereby, authorized and required to grant free transportation to members of the fire department of the District of Columbia, members of the Metropolitan police department, and special officers of said department when said members and officers are in uniform."

The following committee amendments were read:

Page 2, line 3, strike out the words "special officers" and insert the words "crossing policemen."

Page 2, line 4, insert after the word "department" the words "and members of the park police force."

At the end of the bill add the following: "However, before any of said officers herein mentioned shall receive free transportation as herein provided for he shall file with the Commissioners of the District of Columbia an affidavit to the effect that he has not, since the date of this report (July 11, 1914), and will not thereafter pay to any person anything for services in the preparation or passage of this bill."

The SPEAKER. Is there objection to the consideration of the bill?

Mr. DONOVAN. I object.

KING THEOLOGICAL HALL.

The next business on the Calendar for Unanimous Consent was the bill (S. 5168) for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, will some one please give an explanation of the bill?

Mr. JOHNSON of Kentucky. Mr. Speaker, I am very frank to say that I do not know anything more about the bill than the reading of it. The bill was in charge of the gentleman from Ohio [Mr. CLAYPOOL], whose subcommittee handled it and reported it to the full committee, and it was reported out and put upon this calendar. I do not see the gentleman present at this time.

Mr. MANN. I think this bill is one that could be called up and passed in five minutes on District day.

Mr. JOHNSON of Kentucky. Mr. Speaker, in view of the probability of objection, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

NATIONAL SOCIETY, DAUGHTERS OF AMERICAN REVOLUTION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2504) to amend section 2 of an act entitled "An act to incorporate the National Society of the Daughters of the American Revolution."

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of an act entitled "An act to incorporate the National Society of the Daughters of the American Revolution," approved February 20, 1896, be, and the same is hereby, amended so as to read as follows:

"SEC. 2. That the said society is authorized to hold real and personal estate in the United States, so far only as may be necessary to its lawful ends, to an amount not exceeding \$750,000, and may adopt a constitution and make by-laws not inconsistent with law and may adopt a seal.

"The said society shall have its headquarters or principal office at Washington, in the District of Columbia."

With the following committee amendment:

Page 2, line 1, strike out "\$750,000" and insert "\$1,000,000."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

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.

DISCLOSURE OF NATIONAL-DEFENSE SECRETS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8734) to amend an act entitled "An act to prevent the disclosure of national-defense secrets," approved March 3, 1911.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to prevent the disclosure of national-defense secrets," approved March 3, 1911, be amended so that the said section will read as follows:

"SEC. 3. That offenses against the provisions of this act committed upon the high seas or elsewhere outside of a judicial district shall be cognizable in the district where the offender is found or into which he is first brought; but offenses hereunder committed within the Philippine Islands shall be cognizable in any court of said islands having original jurisdiction of criminal cases, and offenses committed within the Canal Zone shall be cognizable in any court therein with jurisdiction to impose the punishment prescribed by section 1 of this act, with the same right of appeal as is given in other criminal cases where imprisonment exceeding one year forms a part of the penalty; and jurisdiction is hereby conferred upon such courts for such purpose."

The SPEAKER. Is there objection?

There was no objection.

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.

PRICE OF WHEAT IN KANSAS.

The next business on the Calendar for Unanimous Consent was House resolution 571.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that the preamble be omitted from the reading.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the preamble be omitted. Is there objection?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, That the Secretary of the Department of Commerce report to this body all facts and information in his possession concerning the prices paid for wheat to the producer thereof in the State of Kansas and the prices at which said wheat is sold for export by dealers, concerns, and exporters at Kansas City, Mo., and how such prices are fixed and determined.

The SPEAKER. Is there objection?

Mr. SLAYDEN. Mr. Speaker, reserving the right to object, what is the purpose of the resolution? It does not seem to ask for information that is not available in market reports and newspapers and wherever else men go for information about markets.

Mr. DOOLITTLE. Mr. Speaker, the preamble to the resolution, which was stricken out, as is the custom, states the reason why this information is asked. It is included also in the report. It is alleged that there is a combination at Kansas City between the exporters and brokers to depress the price paid to the producer in the State of Kansas and to increase the selling price.

Mr. SLAYDEN. Is that allegation made as to the markets of Chicago and Omaha and St. Louis and other places as well?

Mr. DOOLITTLE. Only as to Kansas City. That was the only market complained of to me at the time the resolution was introduced.

Mr. SLAYDEN. Mr. Speaker, it seems to me that is manifestly absurd, because a comparison of the prices obtained, with just a little knowledge of freight rates and the cost of delivery to the market of consumption, will show whether there is any such conspiracy. The information is easily accessible to anybody who wants it.

Mr. DOOLITTLE. That statement is made in the resolution.

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

Mr. DOOLITTLE. Yes.

Mr. MADDEN. How does the gentleman suppose the Secretary of Commerce can get the information that he desires?

Mr. DOOLITTLE. The Secretary of Commerce has told me and has written a letter to the committee that he could do it, and would do so.

Mr. MADDEN. How does he get it? From the market reports? Anybody can get it as well as he can, and a statement made by the Secretary of Commerce would not be worth any more than a statement made by the gentleman from Kansas.

Mr. DOOLITTLE. The Secretary of Commerce has told me and, as I say, has written to the committee that he can furnish this information, in so far as the machinery of his office will permit; and he says that he has two men that he is ready to send immediately upon the passage of this resolution.

Mr. MADDEN. The resolution asks for information in the possession of the Secretary of Commerce, not information that he can obtain.

Mr. DOOLITTLE. The gentleman understands that this is the customary form, and that information which he may obtain is covered by this resolution.

Mr. MADDEN. I should think the gentleman would ask for an investigation by the Secretary of Commerce instead of asking for information already in his possession.

Mr. DOOLITTLE. I did not care to ask for an unnecessary appropriation when the Secretary of Commerce was ready to get the information in due course and has assured me that he could get this information without an appropriation. This will answer the purpose fully.

Mr. MADDEN. I think I shall have to object to it, because I do not think the report will amount to the paper it is written on after we have it.

Mr. DOOLITTLE. Will not the gentleman permit the Secretary to make the report to the House?

Mr. MADDEN. He has not any information, according to the gentleman's statement. He would have to send investigators to get it.

Mr. DOOLITTLE. The gentleman does not mean he would object to getting this information before the House?

Mr. MADDEN. If there was any information in the possession of the Secretary of Commerce I should be glad to have it.

Mr. MANN. I think the Secretary of Commerce could get the information very easily by sending over to the Secretary of Agriculture and get a copy of the pamphlet which they have issued on wheat and flour prices from the producer to the consumer, and he can send that to Congress.

Mr. MADDEN. We can get that.

Mr. MANN. Exactly.

Mr. DOOLITTLE. But that does not cover the peculiar situation in reference to Kansas City.

Mr. MANN. Those peculiar conditions which were raised, if they ever did exist, do not exist now. What is wheat selling for out there now?

Mr. DOOLITTLE. At the time this resolution was introduced and favorably acted upon by the committee they were paying the producer from 63 to 65 and 66 cents, and they were exporting it at about 82½ cents, according to the complaints that came to me.

Mr. MANN. It is perfectly safe to say that anyone who knows anything at all about the wheat business knows that wheat for export never sold above the Kansas City price at Kansas City, and that there is not a margin of over 1 cent a bushel in any case. People are not so foolish as to pay a large price over what grain sells for in the grain elevators in order to export it. The exporters have some sense.

The SPEAKER. Is there objection?

Mr. SLAYDEN. Will the gentleman yield for one question?

Mr. MANN. Unless the gentleman should make it "the Secretary of Agriculture," who has the facilities and the information.

Mr. DOOLITTLE. But he says to me he has not, and if the gentleman will permit—

Mr. MANN. Then he is not posted about his department. They have made an investigation of this subject already.

Mr. SLAYDEN. If the Secretary of Commerce has that information, has not he the authority now, and is it not his duty to communicate it in his report?

Mr. DOOLITTLE. He says he has not that information now, but that he can get it.

Mr. MADDEN. I object.

Mr. SLAYDEN. I understood the gentleman to say he had it.

Mr. DOOLITTLE. No.

The SPEAKER. The gentleman from Illinois objects, and the resolution is stricken from the calendar.

Mr. ADAMSON. Mr. Speaker, before this matter is passed over, I understand the gentleman from Illinois will not object if the resolution be amended so as to provide for the Secretary of Agriculture.

The SPEAKER. That is the gentleman from Illinois [Mr. MANN], but he never objected at all.

Mr. MADDEN. I am willing to have it changed to the Secretary of Agriculture.

Mr. ADAMSON. I would ask the gentleman from Kansas if he does not think it better to make the amendment.

Mr. DOOLITTLE. Mr. Speaker, I will ask unanimous consent to offer that amendment, rather than have the resolution fail, of course. I will ask that "the Secretary of Commerce" be changed to "the Secretary of Agriculture."

Mr. ADAMSON. I understand there will be no objection if that amendment is made.

Mr. MADDEN. None from me.

The SPEAKER. The gentleman from Kansas proposes to substitute the Secretary of Agriculture for the Secretary of Commerce, and without objection that amendment is agreed to.

There was no objection.

The question was taken, and the resolution as amended was agreed to.

HONOLULU GOVERNMENT BUILDING BILL.

The next business on the Calendar for Unanimous Consent was the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes.

The amendments were read.

The SPEAKER. Is there objection?

Mr. DONOVAN. I object, Mr. Speaker.

Mr. BURNETT. I hope the gentleman will withhold his objection.

Mr. DONOVAN. I object, Mr. Speaker.

The SPEAKER. The gentleman from Connecticut objects.

Mr. BURNETT. Will the gentleman withhold his objection for a moment?

Mr. DONOVAN. I have refused; I have objected.

Mr. BURNETT. All right.

The SPEAKER. The gentleman objects, and the bill is stricken from the calendar.

Mr. BURNETT. This puts \$150,000 into the Treasury instead of taking anything out of it.

INCREASING LIMIT OF COST, POST-OFFICE BUILDING, SEYMOUR, IND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18172) to increase the limit of cost of the United States post-office building at Seymour, Ind.

The Clerk read the title of the bill.

Mr. DIXON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

PANAMA EXPOSITION, CITY OF PANAMA.

The next business on the Calendar for Unanimous Consent was House joint resolution (H. J. Res. 292) authorizing the President to accept an invitation to participate in an exposition to be held in the city of Panama, and for other purposes.

The bill was read.

The SPEAKER. Is there objection?

Mr. FOSTER. I object.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] objects, and the bill will be stricken from the calendar.

MALAMBO FIRE CLAIMANTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12060) to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under article 6 of the treaty of November 18, 1903, between the United States and Panama.

The bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I notice in the report it is stated by the Secretary of War that there is grave doubt as to the origin of the fire in the city of Panama, for which the Government is asked to reimburse the local municipality. I think we ought to have some explanation of this bill before it is passed under unanimous consent. However, Mr. Speaker, as nobody seems to offer a statement, I shall object.

The SPEAKER. The bill will be stricken from the calendar. The Clerk will report the next bill.

STANDARD BOX FOR APPLES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11178) to establish a standard box for apples, and for other purposes.

Mr. DILLON. Mr. Speaker, I object to the consideration of the bill.

Mr. RAKER. Will the distinguished gentleman withhold his objection?

Mr. DILLON. I will say to the gentleman from California that I objected to this bill on the 17th of August. There is a minority report on the bill, and there are a dozen men in the Hall who will object if I do not. Therefore I object.

Mr. RAKER. Will the gentleman withhold his objection?

Mr. DILLON. No.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent that the bill be passed without prejudice. Is there objection?

Mr. DILLON. I object to that, Mr. Speaker.

The SPEAKER. The gentleman objects to the bill going over without prejudice, and also objects to the consideration of the bill.

Mr. RAKER. I do not understand the gentleman to object to passing it without prejudice.

Mr. DILLON. I withhold my objection temporarily.

Mr. RAKER. You do not object to passing it without prejudice?

Mr. DILLON. Oh, yes; I do. I objected on the 17th of August.

Mr. RAKER. Mr. Speaker, I ask unanimous consent for one minute.

The SPEAKER. The gentleman from California asks unanimous consent for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, all I want is, if we can not consider it to-day, that the gentleman will permit it to remain on the calendar as it is, hoping that at the next time the calendar is called something may have occurred so that we can have the bill considered. All I ask is that it be left on the calendar.

Mr. DILLON. I will say to the gentleman that I objected before in good faith. There is a report here from the committee which is opposed to this bill.

Mr. RAKER. I know that the gentleman's objection is in good faith. I do not question that for an instant, but I would like to have him leave it on the calendar. Telegrams are coming in all the time in relation to its consideration—

Mr. DILLON. Mr. Speaker, I object.

The SPEAKER. The gentleman from South Dakota objects to passing the bill without prejudice, and that is the end of it.

Mr. RAKER. Mr. Speaker—

Mr. SLAYDEN. Regular order, Mr. Speaker.
The SPEAKER. The Clerk will report the next bill.

FIRE-ALARM SYSTEM, GOVERNMENT HOSPITAL FOR INSANE.

The next business on the Calendar for Unanimous Consent was House joint resolution (H. J. Res. 205) to enable the Secretary of the Interior to legally fix and determine the ownership of and title to the fire-alarm system and appliances, apparatus, and connections heretofore placed and installed in the Government buildings of the Government Hospital for the Insane, and to determine such other questions as are provided for in the following resolution:

Whereas by formal contract entered into by and between the United States of America, by the Acting Secretary of the Department of the Interior and the National Automatic Fire Alarm Co., of Washington, D. C., under date of December 17, 1903, the said National Automatic Fire Alarm Co., of Washington, hereinafter called the contractor, did undertake, contract, and agree to install and place in the various buildings of the Government Hospital for the Insane an automatic thermostatic fire-alarm system, plant, apparatus, and the connections therefor; and

Whereas it is claimed by the said contractor that the said system, plant, and apparatus has been placed, constructed, and installed in strict accordance and compliance with the terms and requirements and provisions of the said contract and the specifications forming a part thereof, and that the Department of the Interior, having charge and supervision of said Government Hospital for the Insane, has legally accepted the said work and plant by a letter dated November 25, 1908, but subsequently thereto refused to recognize the same as a binding and valid acceptance, and to put the said plant in service; and

Whereas question has arisen as to the ownership and future control of the plant, under the terms of the contract; and

Whereas it is most important to the interests of the Government for the protection of the unfortunate inmates confined at and in said Government Hospital for the Insane that the said differences and difficulties both of law and of fact as between the United States and the said contractor should be immediately adjudicated by a court of competent jurisdiction, in order that the said system may at once be put into operation; and

Whereas it is especially desirable that the said system, plant, apparatus, and connections, as now and heretofore installed and placed in the said buildings at the said Government Hospital for the Insane should be exclusively owned, controlled, operated, and maintained by the Government and its employees rather than by an outside contractor: Now, therefore, be it

Resolved, etc., That full jurisdiction be, and the same is hereby conferred upon the Court of Claims of the United States to inquire into, hear, and forthwith determine the following issues and matters between the National Automatic Fire Alarm Co., of Washington, D. C., and the Government of the United States, relating to and arising under a certain contract entered into by and between said parties on the 17th day of December, 1903, for the equipment of the buildings of the Government Hospital for the Insane with an electrical fire-alarm system, to wit:

First. Whether or not the United States, under and by virtue of the terms of said contract of December 17, 1903, became and is the absolute owner of said system, as installed and placed, and of the right to use and operate the same without further right of compensation to the contractor.

Second. To define the respective rights, legal or equitable, under and by virtue of said contract, of the Government and of said company in and to said plant, as installed and placed thereunder in the buildings of said Government Hospital for the Insane, and to determine and find the just measure of value, and fix the value thereof to the United States.

Third. To determine and find whether a certain letter signed by the Secretary of the Interior, dated November 25, 1908, as complied with by said company, constituted in law or equity such a final acceptance as is contemplated by said contract or by law; and if the court shall find it was not such an acceptance, it shall be the duty of the court to find therefrom and designate what further work remains to be done, and the cost thereof, to constitute a compliance therewith.

The said Court of Claims shall, after considering and determining the questions hereby submitted, report and certify its findings and opinions to Congress at the earliest practicable date; and full authority is hereby conferred upon said court to call upon the several departments of the Government and upon the Supreme Court of the District of Columbia for such papers as may be material and necessary to effect the purposes hereof.

The SPEAKER. Is there objection to consideration of the resolution?

Mr. MANN. Reserving the right to object, who has charge of this resolution?

The SPEAKER. The gentleman from Kentucky [Mr. CANTRILL] is marked on the resolution as having introduced it.

Mr. MANN. Would the gentleman be willing to amend this so as simply to have the court determine what rights these people have now under the contract, without attempting to go any further than that?

Mr. CANTRILL. I will state to the gentleman that the chief purpose I am trying to get at is to determine what their rights are under the contract.

Mr. MANN. I would make a specific proposition to the gentleman as to what he thinks in reference to the resolution on page 3, line 17, as follows, namely, to strike out the words "legal and equitable"; line 21, strike out "and to determine and find the just measure of value, and fix the value thereof to the United States"; page 4, line 2, strike out "in law or equity"; line 3, strike out "or by law"; line 4, strike out "and if the court shall find it was not such an acceptance it shall be the duty of the court to find therefrom and designate what fur-

ther work remains to be done, and the cost thereof, to constitute a compliance therewith."

I do not see how it is possible for the court to do those things. Certainly, in my opinion, it is not proper.

Mr. CANTRILL. I desire to state to the gentleman that the main thing I am trying to reach is to get the matter before the Court of Claims so that these differences between this company and the Government can be adjudicated in some fair way. They have never been able to come to an agreement about the payment of it. The plant has been installed, and at the time of the examination it was in perfect working order.

Mr. MANN. I am perfectly willing, so far as I am concerned, to let these people go into the Court of Claims under their contract.

Mr. CANTRILL. That is the main thing I am driving at. Of course I am not asking any rights for them that they have not under the contract.

Mr. MANN. This resolution gives them far greater rights than under the contract. For instance, if the court should determine they have any rights under the contract, the bill directs that the court shall find the just measure of value, fix the value thereof to the United States, and also what work remains to be done and the costs thereof. That is not a thing for the court to do. If they have any rights I think they could do that anyhow; but if they have lost that right they might submit their right to the Court of Claims. I think they could do that anyhow, probably; but if they have lost that right, submit their rights to the Court of Claims. I do not think we ought to be asked to adjudicate the rights in the resolution here on the pretense that we are simply referring it to the Court of Claims.

Mr. CANTRILL. I will state to the gentleman that if he would be willing to go that far, it will be all right with me. The only thing I want to do is to get it in the Court of Claims, so that they can adjust the differences.

Mr. SHERLEY. If the gentleman will permit, I am not so sure whether this matter ought to go to the Court of Claims or not. My memory is not clear about it, but they have had it two or three times before the Committee on Appropriations, and, as I remember, this company failed totally to do what they undertook to do, and as the result of that failure the Government has been put to a good deal of expense that would not have occurred if the company had kept their agreement.

We would be infinitely better off, as I remember it, if they had never put the system in there. I do not think we ought to have submitted simply the question whether they should be paid for the value of the property installed or the question whether there was a contract of a certain character or not entered into. If you are going to go into the matter, the question of what the Government has suffered by their failure ought to be inquired into.

Mr. CANTRILL. If my friend will read the report that accompanies this bill, he will find that a subcommittee, of which I am chairman, made a special investigation of this plant and found that the contracting parties had done exactly what they had agreed to do.

Mr. SHERLEY. That is a disputed point, and we have had hearings several times before our committee on the matter.

Mr. MANN. This really refers the matter to the Court of Claims to determine whether these people had rights under this contract for the installation which they had made.

Mr. SHERLEY. What I want to be sure of is that if it goes there, it goes with the Government free to present all its defenses and counterclaims, and not simply for the purpose of construing a contract, because there is something more than that in it.

Mr. MANN. It says:

To define the respective rights, legal or equitable, under and by virtue of said contract, of the Government and the owners of said plant, as installed and placed thereunder in the buildings of said Government Hospital for the Insane.

Mr. CANTRILL. I will say to the gentleman that my personal investigation of this matter convinces me that the contracting party had carried out exactly the terms of their agreement; and, furthermore, as to the safety of the inmates of that asylum, so far as their personal safety is concerned, Congress ought to demand that that plant be kept in operation. Otherwise every inmate of that asylum is absolutely helpless, and it is a deplorable condition.

Mr. MANN. If they carried out their contract, I will say to the gentleman, then they ought to be paid according to the provisions of payment under the contract, and that question, I think, is proper to submit to the Court of Claims; but if they did not carry out their contract, I do not think this gives them any right.

Mr. SHERLEY. I will say frankly that I would object to the consideration of a bill of this kind on the Calendar for

Unanimous Consent except that, knowing my colleague [Mr. CANTRILL] as I do, I realize that he does not make a report without investigation.

Mr. CANTRILL. We spent a whole day in testing this apparatus.

Mr. SHERLEY. I went into the matter on one or two occasions, as I recall, and there was a good deal of testimony to show that the system was bad, primarily and fundamentally, and that the men had not attempted in good faith to carry out their agreement. I do not want now to go into the merits, because we can not discuss them fully on the floor; but all I want to be assured of is that when the matter is referred to the Court of Claims it will go there with the Government free to present any and all of its defenses.

Mr. MADDEN. Will this bill do that?

Mr. SHERLEY. I have not had a chance to examine in detail as to that. I do not want the language submitting it to be of such a character as to assume a contract. I want the whole matter of the contract and the question whether there is a breach of it and whether the Government has been damaged to be open for the Government to show.

Mr. MANN. I think the bill had better go over, so that the gentleman from Kentucky can examine into it further.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next one.

COMMISSION TO AMEND GENERAL MINING LAWS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15288) to provide for a commission to codify and suggest amendments to the general mining laws.

The bill was read, as follows:

Be it enacted, etc., That the President shall appoint a commission of five members, who shall be selected because of their recognized experience in or knowledge of the mining industry and mining law, and who shall serve without compensation.

SEC. 2. That it shall be the duty of the commission so appointed to prepare for the information and use of the President and Congress a tentative code of laws providing for the location, development, and disposition of mineral lands and mining rights in the lands of the United States, including the Territory of Alaska, as in the opinion of the commission are best adapted to existing conditions and will correct defects or supply deficiencies in existing general mining laws.

SEC. 3. That the commission shall hold public hearings in the principal mining centers in the western United States and Alaska; invite and receive suggestions and opinions bearing upon or relating to existing mining laws or desirable amendments thereof; and may also consider the laws and experience of other countries with respect to disposition and development of mines and minerals.

SEC. 4. That within one year after the passage of this act, at which time the said commission shall expire, it shall submit to the President full report as to its operations, conclusions, and recommendations, including in or transmitting with said report a tentative code of mineral laws, as provided in section 2 hereof, and as soon thereafter as may be practicable the President shall transmit the same to Congress with his recommendations.

SEC. 5. For the payment of the actual and necessary expenses of the commission, including traveling expenses, and the services of a secretary and other necessary employees, the sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

With a committee amendment, as follows:

Page 2, line 3, after the word "laws," insert: a colon and the following: "Provided, That such code shall not deal with lands containing deposits of coal, oil, gas, phosphates, or soluble potassium salts."

The SPEAKER. Is there objection?

Mr. COOPER. I would like to ask the gentleman a question.

Mr. MANN. I reserve the right to object.

Mr. COOPER. Yes; reserving the right to object, I desire to ask the gentleman from Colorado [Mr. TAYLOR] if, according to the proviso on page 2, this proposed code is not to deal with coal, oil, gas, phosphates, or soluble potassium salts, to what will it relate except to gold, silver, and copper?

Mr. TAYLOR of Colorado. The bill applies only to gold and silver and other precious mining metals rather than to coal mines. It is intended to apply to metalliferous mining, as distinguished from coal mining or mining for oil or gas or phosphates or salts or substances of that kind.

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

Mr. TAYLOR of Colorado. Yes.

Mr. MONDELL. What the gentleman had in mind, I assume, is all the metalliferous minerals. It seems to me the intent of the bill would be clearer if you used the term "laws relating to metalliferous minerals," because when you get beyond that you become involved in this other legislation.

Mr. TAYLOR of Colorado. I will say to the gentleman from Wisconsin [Mr. COOPER] that the thought of the Committee on Mines and Mining in suggesting that amendment was that with the Public Land Committee bills pending pertaining to coal, oil, and gas would be sufficient and that this commission would

not need to investigate those. The object is to have this investigation apply only to metalliferous mining laws for the public domain.

Mr. COOPER. Well, Mr. Speaker, the bill could very easily have been drawn with that specific phraseology, but, excepting the proviso to which I referred, it is in the broadest general language. Unquestionably the complaints specified in the report relate to the general mining laws as applicable to coal, gas, oil, and everything else. I do not think that there is any such necessity for new legislation concerning the mining of metalliferous ores as to require us to appropriate \$25,000 at this time to make a tentative code for metalliferous minerals, and I object.

Mr. TAYLOR of Colorado. Will the gentleman withhold his objection for a moment while I make a brief statement?

Mr. COOPER. Yes; I will withhold it.

Mr. TAYLOR of Colorado. I would like to call the gentleman's attention and the attention of the House to the fact that the mining industry of this country, which is one of the most important industries to this Republic, has been earnestly appealing to Congress for this legislation for a great many years; and when we consider that the mining business is at a very low ebb throughout the country at the present time, I feel that Congress can well afford to make this appropriation and encourage the mining development of the West. I wish I had time to say more on the subject, and I will when this bill is formally considered by the House.

Mr. COOPER. I have taken occasion, when complaints and memorials relating to mining laws have been sent to me, to observe that 98 per cent of them are not at all confined to the mining of metalliferous ores, nor to the present laws applicable to such ores.

Mr. TAYLOR of Colorado. I think the gentleman is correct; that most of the complaints that came to us are not from the metalliferous mining industry.

Mr. COOPER. Exactly. Ninety-eight per cent or at least 95 per cent—

Mr. TAYLOR of Colorado. I do not know about that per cent.

Mr. COOPER. Ninety-five per cent of such complaints have related to coal, oil, and gas, and the mining laws applicable to them. But these products and laws are expressly excluded from the terms of the present bill.

Mr. TAYLOR of Colorado. Because—

Mr. COOPER. And in view of the fact that it is already proposed to tax the American people \$100,000,000 to meet deficiencies in the revenues, this matter is not of such an urgent character that we ought to appropriate \$25,000, and I object.

The SPEAKER. The gentleman from Wisconsin objects. The bill will be stricken from the calendar.

Mr. TAYLOR of Colorado. I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

THE STANDARD BARREL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4899) to fix the standard barrel for fruits, vegetables, and other dry commodities.

The bill was read as follows:

Be it enacted, etc., That the standard barrel for fruits, vegetables, and other dry commodities, other than cranberries, shall be of the following dimensions when measured without distention of its parts: Length of stave, 28½ inches; diameter of heads, 17½ inches; distance between heads, 26 inches; circumference of bulge, 64 inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch: *Provided*, That any barrel of a different form having a capacity of 7,056 cubic inches shall be a standard barrel. The standard barrel for cranberries shall be of the following dimensions when measured without distention of its parts: Length of staves, 28½ inches; diameter of head, 16½ inches; distance between heads, 25½ inches; circumference of bulge, 58½ inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch.

SEC. 2. That it shall be unlawful to sell, offer, or expose for sale in any State, Territory, or the District of Columbia, or to ship from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia or to a foreign country, a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels defined in the first section of this act, or subdivision thereof known as the half barrel, and any person guilty of a violation of any of the provisions of this act shall be liable to a penalty of \$1 and costs for each barrel so unlawfully sold or offered for sale or shipped, as the case may be, to be recovered at the suit of the United States in any court of the United States having jurisdiction: *Provided, however*, That no barrel shall be deemed below standard within the meaning of this act when shipped to any foreign country and constructed according to the specifications or directions of the foreign purchaser if not constructed in conflict with the laws of the foreign country to which the same is intended to be shipped.

Sec. 3. That reasonable variations shall be permitted and tolerance shall be established by rules and regulations made by the Director of the Bureau of Standards and approved by the Secretary of Commerce. Prosecutions for offenses under this act may be begun upon complaint of local sealers of weights and measures or other officers of the several States and Territories appointed to enforce the laws of the said States or Territories, respectively, relating to weights and measures: *Provided, however*, That nothing in this act shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count.

Sec. 4. That this act shall be in force and effect from and after the 1st day of July, 1915.

With the following committee amendments:

Page 2, strike out the word "subdivision" in line 18 and insert "subdivisions." After the word "the" insert "third," and after the word "half" insert "and three-quarters."

In lines 20, 21, 22, and 23 strike out the words "penalty of \$1 and costs for each barrel so unlawfully sold, or offered for sale, or shipped, as the case may be, to be recovered at the suit of the United States in any court" and insert in lieu thereof the words "deemed guilty of a misdemeanor and liable to a fine not to exceed \$500 or imprisonment not to exceed six months, in the discretion of the district court."

Page 3, line 1, after the word "jurisdiction," strike out the remainder of the section.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, I object.

The SPEAKER. The gentleman from Michigan objects, and the bill will be stricken from the calendar.

Mr. STAFFORD. Will the gentleman withhold his objection just a minute?

Mr. CRAMTON. I withhold it.

Mr. STAFFORD. I assume the gentleman is fully acquainted with the provisions of this bill.

Mr. CRAMTON. I think so.

Mr. STAFFORD. This is the bill which was under consideration by the Committee on Coinage, Weights, and Measures for a long time. I believe not only the apple growers throughout the country who use barrels, but all fruit growers engaged in the dispatch of fruits, were favorable to this bill. The objections that were raised to it originally were by the cranberry growers, but this bill excepts cranberry barrels from its provisions.

Mr. CRAMTON. I will say to the gentleman that as a member of the committee I am opposed to the bill in its mandatory form.

Mr. FALCONER. Will the gentleman reserve his objection?

Mr. CRAMTON. I will reserve it.

Mr. FALCONER. Mr. Speaker, objection was made to a previous bill fixing the standard apple box because it was not mandatory, and here we have a gentleman who objects to the standard barrel because it is mandatory.

Mr. PETERSON. That is the difference between a barrel and a box. [Laughter.]

The SPEAKER. Is there objection?

Mr. FLOYD of Arkansas. I object.

The SPEAKER. The gentleman from Arkansas objects.

Mr. HARDWICK. I hope the gentleman will withhold his objection for a moment, unless he has positively made up his mind to object.

Mr. FLOYD of Arkansas. I have.

Mr. STAFFORD. Will the gentleman reserve his objection while the gentleman from Washington makes a statement?

Mr. FLOYD of Arkansas. I will withhold it for a statement.

Mr. RAKER. Mr. Speaker—

The SPEAKER. The gentleman from Arkansas objects.

Mr. RAKER. He reserved his objection for a moment. This bill may remain on the calendar. I think the matter may be put in some shape later, and I ask unanimous consent that H. R. 11178, which is the apple-box bill, be passed over without prejudice.

Mr. MANN. That has nothing at all to do with this.

Mr. RAKER. I know; but I should like to get in right here.

The SPEAKER. But the gentleman can not break in in that way.

Mr. FLOYD of Arkansas. I object to the consideration of the bill under consideration.

The SPEAKER. The gentleman from Arkansas objects to the consideration of the bill H. R. 4890, and it will be stricken from the calendar.

Mr. DILLON. I ask unanimous consent that this bill may remain upon the calendar in the absence of the gentleman who introduced it [Mr. TUTTLE]. I believe in a mandatory bill.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that this bill be passed without prejudice. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I ask unanimous consent—

Mr. SLAYDEN. I ask for the regular order.

The SPEAKER. The gentleman from Texas demands the regular order. The regular order is the next bill on this calendar.

FORT ASSINNIBOINE MILITARY RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (S. 655) authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assinniboiné Military Reservation and open the same to settlement.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to immediately cause to be surveyed all of the lands embraced within the limits of the abandoned Fort Assinniboiné Military Reservation, in the State of Montana.

Sec. 2. That before said lands are opened to entry the Secretary of the Interior shall have said lands classified by an inspector or special agent of the Department of the Interior into four classes—first, agricultural lands; second, timber lands; third, coal lands; and fourth, mineral lands—and in making such classification all lands susceptible of cultivation that do not contain in excess of 50,000 feet of merchantable timber to the 40-acre tract shall be classified as agricultural lands, and all lands containing in excess of 50,000 feet of merchantable timber to the 40-acre tract shall be classified as timber lands.

Sec. 3. That when so classified, all of said lands classed as agricultural land shall be opened to settlement and entry under the homestead laws of the United States, but not to entry or location under sections 2306 and 2307 of the Revised Statutes: *Provided, however*, That the enlarged homestead act, approved February 19, 1909, shall not apply until six months after said land has been opened to settlement and entry as aforesaid: *And provided further*, That any rights which may have attached to any of said lands under any of the public-land laws of the United States prior to the passage of this act may be perfected and the lands so affected may be patented upon proof of compliance with the laws under which such rights so attached: *Provided further*, That lands classed as timber lands shall be disposed of under rules and regulations to be provided by the Secretary of the Interior with the authority to dispose of the timber and land separately when deemed advisable: *Provided further*, That the lands classed as coal lands shall be subject to disposition under the homestead laws, as herein provided for lands classed as agricultural, but those making entry of such lands must agree to a reservation to the United States of the coal deposits therein and of the right in the United States, or those claiming through the United States, to prospect for, mine, and remove the same, and such coal deposits shall be disposed of as provided by section 3 of the act of June 22, 1910 (36 Stat., p. 583), but no purchase of the coal deposits shall confer any right to the surface of the lands excepting such as is necessary to the mining and removal of the coal deposits: *Provided further*, That lands classed as mineral shall be disposed of under the mining laws.

Sec. 4. That entrymen upon said lands shall, in addition to the regular land-office fees, pay the sum of \$1.25 per acre for said land, such payments to be made as follows: Twenty-five cents per acre at the time of making entry and 25 cents per acre each and every year thereafter until the full sum of \$1.25 per acre shall have been paid: *Provided*, That for a period of six months subsequent to the date on which the lands are opened to settlement entrymen upon said lands shall, in addition to the regular land-office fees, pay the sum of \$2.50 per acre for said land, such payments to be made as follows: Fifty cents per acre at the time of making entry and 50 cents per acre each and every year thereafter until the full sum of \$2.50 per acre shall have been paid. In case any entryman fails to make annual payments, or any of them when due, all right in and to the lands covered by his entry shall cease; and any payments theretofore made shall be forfeited and the entry canceled, and the land shall be again subject to entry under the provisions of the homestead law at the price fixed therefor by the former entry; but in all cases the full amount of purchase money must be paid on or before the offer of final proof: *Provided, however*, That the commutation provision of the general homestead law shall be applicable to all persons making homestead entry on said land under the provisions of this act, save and excepting entries made hereunder in accordance with the provisions of the enlarged homestead act, approved February 19, 1909, which shall not be subject to commutation, but in instances where commutation is permissible hereunder, the entryman shall pay, in addition to the price fixed for entry, the sum of \$1.25 per acre, as consideration for the privilege.

Sec. 5. That this act shall not apply to an area of 2,000 acres embracing the Government buildings at Fort Assinniboiné.

Sec. 6. That the Thirteenth Legislative Assembly of the State of Montana having enacted a law for the purpose of establishing an agricultural, manual training, or other educational or public institution upon the present site of Fort Assinniboiné, Mont., duly approved by the governor of Montana and to be in full force and effect after the 4th day of July, 1913, and upon the transfer to the State of Montana by the President of the United States of 2,000 acres of land, situate in said abandoned Fort Assinniboiné Reservation and embracing the military buildings at said abandoned fort, except the guardhouse at said post; the President of the United States is hereby authorized and directed to transfer, grant, and set over to the State of Montana all right, title, and interest of, in, and to the said 2,000 acres of land hereby reserved, embracing the buildings at Fort Assinniboiné, except the guardhouse at said post, upon payment therefor by the State of Montana to the United States of the sum of \$2.50 per acre: *Provided*, That the State of Montana shall be required to make its selection of 2,000 acres within one year from the date of the passage of this act.

Sec. 7. That sections 16 and 36 of the land in each township within said abandoned Fort Assinniboiné Military Reservation, except those portions thereof classified as coal or mineral lands, shall be reserved for the use of the common schools of the State of Montana, and are hereby granted to the State of Montana: *Provided*, That the State may, if it so elects, within one year from the date of the passage of this act, accept subject to the reservation in the United States of the coal deposits therein the portion of said sections 16 and 36 classified as coal lands. In full satisfaction of the grant herein made for common schools: *Provided*, That for all lands lost to the State because classified as coal or mineral indemnity may be taken as provided for in sections 2275 and 2276 of the Revised Statutes: *And provided*, That there is hereby reserved for homestead entry by Mary A. Herron, or her heirs, subject to the terms of this act, the following-described

land upon said reservations: Northwest quarter of northeast quarter of section 28; west half of southeast quarter, northeast quarter of southeast quarter, section 21, township 32, range 15 east: *Provided further*, That in case of failure of Mary A. Herron, or her heirs, to make entry within six months from the date of the passage of this act, the lands will become subject to settlement and entry in accordance with the provisions of section 4 of this act, the price to be fixed by the period of entry reckoned from the date of the expiration of the reservation in favor of Mary A. Herron and her heirs.

SEC. 8. That the land shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the manner in which the lands may be settled upon, occupied, and entered by persons entitled to make entry thereon; and no person shall be permitted to settle upon, occupy, or enter any of said land except as prescribed in said proclamation.

SEC. 9. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$20,000, or so much thereof as may be necessary, for the survey and classification of said lands and for the expenses incident to their opening to settlement and entry, and for the care of said buildings.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, this is quite an important bill, providing for the opening of nearly 100,000 acres of a military reservation, and there should be some explanation before passing it by unanimous consent.

Mr. STOUT. Mr. Speaker, this reservation has been abandoned for three or four years. The buildings are all old buildings; the land is just ordinary bench lands lying out in the northeastern part of the State. There are no improvements there other than the old military buildings. This bill follows the usual procedure for opening up all military reservations. The usual reservations have been made as to coal, oil, and mineral land. The usual price has been fixed.

The State Legislature of Montana, the thirteenth assembly, passed a resolution agreeing to take over 2,000 acres on which the buildings are located, with the intention, if this measure is passed, of establishing some sort of an industrial school. Just what sort of a school that will be is not definitely decided, but that is about the only purpose to which the buildings can be put.

Mr. STAFFORD. There is one provision which designates as agricultural any timberland that contains less than 50,000 feet to a 40-acre tract. I notice that Secretary Lane, commenting upon it in his letter to the chairman of the Committee on Public Lands of the Senate, says that merchantable timber has become more valuable, and that any tract that contained 50,000 feet in a tract of 40 acres would be reckoned as possessing a positive value for its timber. Here you are authorizing 40-acre tracts that contain 50,000 feet or less to be classified as agricultural land, and yet you have the statement of the Secretary of the Interior that that is valuable timberland.

Mr. STOUT. I think the gentleman has lived in a timber country long enough—

Mr. STAFFORD. I have not lived in a timber country.

Mr. STOUT (continuing). To know that it would not be valuable timberland if it did not contain more than 50,000 feet in 40 acres.

Mr. STAFFORD. But here is the statement of the Secretary who says that it would be valuable for timber purposes, and yet you have classified it as agricultural.

Mr. STOUT. I think the Secretary meant that anything above 50,000 feet might be classified as valuable for timber.

Mr. STAFFORD. Of course, it is not hard to conceive that the language, if prepared by one of the subordinates, might mean just the opposite of what it says.

Mr. STOUT. We had to fix the limit at some figure, and 40-acre tracts containing no more than 50,000 feet are recognized in the timber countries as land not worth much for its timber.

Mr. STAFFORD. I believe that coal deposits on that land are of a low average?

Mr. STOUT. Yes; lignite altogether.

Mr. STAFFORD. So that it would not be necessary to bring the coal lands contained in this reservation under the provisions of the leasing bill?

Mr. STOUT. Oh, no; they could not possibly be developed as coal mines.

Mr. STAFFORD. What is the character of the agricultural land?

Mr. STOUT. It is just bench lands, such lands as they are irrigating out there when they can get water; otherwise, they have to dry farm it and take their chances.

Mr. STAFFORD. My attention was directed to the provision which provides that the enlarged-homestead act shall apply after the expiration of six months from the time the land has been opened for settlement.

Mr. STOUT. That is for the purpose of permitting those who think they can take up 160 acres and make a "go" of it to exhaust that; and then there will be some odds and ends left.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I do not think there is much information contained in the report on the bill. There will have to be more in the report before it can be passed by unanimous consent.

Mr. STOUT. I will be glad to give the gentleman such information as I may happen to possess.

Mr. MANN. I doubt if the gentleman has the information. There should be more information. The report of the Secretary of the Interior is scant in that particular. This is quite a large tract of land. We have already given 2,000 acres of it to the State of Montana, and no one knows what it is going to be used for; no one knows how valuable it is going to be.

Mr. STOUT. If the gentleman will permit me, it is for the purpose of enabling the State of Montana, as indicated by a resolution which has been passed, to establish an industrial school.

Mr. MANN. I am aware of that. That information is in the report, but no one knows what is going to be done.

Mr. STOUT. They are going to establish an industrial school on it.

Mr. MANN. The gentleman stated a while ago that he did not know what kind of a school they were going to establish.

Mr. STOUT. Except that it is an industrial school, with the working of which the gentleman is familiar.

Mr. MANN. Yes; but I think the gentleman had better ask to have this go over.

Mr. STOUT. I would like to get through with this this afternoon. I can not conceive of very much more complete information than is contained in the report and the letter of the Secretary of the Interior. I endeavored to inform myself thoroughly about it, and I have not a great deal more information on it than is contained in the report of the Secretary. I have given the gentleman the personal knowledge I have as to the character of the land. It is just ordinary bench land that they have out in the western plains, with a little scraggly timber that runs down into the mountains, where there is rough, mountainous land. There is a little very low-grade coal of no commercial value; but in case it is found to be good coal, provision is made in the bill to safeguard the Government.

Mr. MANN. As far as the gentleman states, I do not see that there is occasion for any great hurry to survey the land. It seems to be a worthless tract that nobody will take. What is the object of going ahead and surveying land and being at that expense when it is not worth having after it is surveyed?

Mr. STOUT. Mr. Speaker, I trust the gentleman will not put statements of that kind in my mouth—about any land in Montana being worthless. It is all pretty good land.

Mr. MANN. Unless the gentleman corrects his speech, the two parts of it will not fit with one another.

Mr. STOUT. I will state to the gentleman that, of course, it is not the kind of land that he has in the river bottoms in Illinois, but raw, undeveloped prairie or bench land, capable of producing abundant crops after it has been subjugated. But bringing it under cultivation is rather an arduous task, yet one which a homesteader with no other chance to secure a farm is justified in undertaking.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. STOUT. Would the gentleman permit this to go over without prejudice?

Mr. MANN. Oh, I offered to make that agreement with the gentleman and he would not do it. Therefore, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

LEAVE OF ABSENCE.

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

To Mr. CONRY, indefinitely, on account of sickness.

To Mr. GRIFFIN, indefinitely, on account of death in family.

The SPEAKER. The Chair lays before the House the following personal request, which the Clerk will report.

The Clerk read as follows:

I desire to ask leave of absence for one day to go home and vote in primary election September 22.

CARTER GLASS.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, I object.

WITHDRAWAL OF PAPERS—CONRAD KLINGE.

By unanimous consent, leave was granted to Mr. CLARK of Missouri to withdraw from the files of the House, without leaving copies, the papers in the case of Conrad Klinge. Sixty-second Congress, no adverse report having been made thereon.

MAJORS IN ORDNANCE DEPARTMENT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17765) to regulate details of majors in the Ordnance Department.

The Clerk read the bill, as follows:

Be it enacted, etc., That majors may be detailed in the Ordnance Department, under section 26 of the act approved February 2, 1901, and acts amendatory thereof, without a compulsory period of service out of that department.

The SPEAKER. Is there objection?

Mr. DIFENDERFER. Mr. Speaker, I object.

CORBETT TUNNEL.

Mr. STOUT. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 74, appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel, as amended, which I send to the desk, and ask to have read.

The Clerk read as follows:

Resolved, etc., That there be and is hereby, appropriated, out of any moneys in the reclamation fund in the Treasury supplemental and additional to the appropriation made in Public Resolution No. 56, Sixty-second Congress, the sum of \$15,750, or so much thereof as may be necessary, for the payment of and to be paid to those persons who have presented claims remaining unpaid on account of labor, supplies, materials, or cash furnished to the contractor or the subcontractor and used in the construction of the Corbett Tunnel, including the spillway connected therewith, as a part of the Shoshone irrigation project, in the State of Wyoming, under any contract or contracts let for that purpose by the Government of the United States; and the Secretary of the Interior is hereby authorized and directed to forthwith, and as soon as may be, investigate, hear evidence about, determine, and declare the several amounts due and remaining unpaid, if any, on account thereof, and to whom so due, and to certify the amounts due to the Secretary of the Treasury, who is hereby authorized to pay the several amounts so ascertained to the persons entitled to the same: *Provided*, That no such claim not now filed shall be considered.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I demand a second.

Mr. STOUT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Montana asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Montana is entitled to 20 minutes and the gentleman from Illinois to 20 minutes.

Mr. STOUT. Mr. Speaker, this is a bill with which very many Members here are familiar. As is set out in the report, a contract was entered into between the Government and certain parties for the construction of a tunnel in a big reclamation project in the State of Wyoming. The contractors met with some unexpected difficulties in pursuing their work, running into some hard rock that they were not expecting to encounter, and the result of that was that they failed and were unable to complete their contract. At the time of their failure there were held against the contractors or the subcontractors several thousand dollars in accounts for wages, and for material and goods furnished to the contractors by different people in that part of the country, particularly in Montana and Wyoming. The Government then took over the contract and completed the tunnel at a cost of something like \$200,000 in excess of the amount for which the contractors had undertaken to do the work, thus indicating very clearly the reason why the contractors failed to live up to their agreement with the Government. Thereupon those persons to whom those contractors were indebted made an effort to get their money, and it was discovered that about their only chance was to sue on the contractors' bond, but they were estopped from that because of the fact that the amount of the bond was only \$75,000, whereas the contract price was nearly \$600,000. In the Sixty-second Congress a resolution was passed providing for the appropriation of something like \$42,000 to pay these people who had claims against these subcontractors, but before that money was paid other claims came in, were presented, and were found to be correct in every detail. These claims amounted to \$15,750, and that is the amount of money which this resolution proposes to appropriate.

Mr. STAFFORD. Will the gentleman yield?

Mr. STOUT. Yes, sir.

Mr. STAFFORD. I suppose this bill is only one of many instances where the Government has taken over reclamation projects by reason of the failure on the part of the Government contractor to perform the work?

Mr. STOUT. Yes, sir.

Mr. STAFFORD. Can the gentleman recall a number of such instances out in his country where private contractors have gone broke in the performance of work under these private contracts?

Mr. STOUT. No; I can not recall a specific case.

Mr. STAFFORD. There have been a number of cases—the Huntley project—

Mr. STOUT. There have been a number of such cases, but I do not recall all such cases. Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman reserves 16 minutes. The gentleman from Illinois [Mr. MANN] is recognized for 20 minutes.

Mr. MANN. Mr. Speaker, this resolution as it passed the Senate contained this provision:

And provided further, That the Secretary of the Interior shall deduct from the amounts to be certified for payment hereunder and under the said resolution No. 56, Sixty-second Congress, to each claimant a proportionate sum to cover the expense of and fair compensation for the person or persons through whose time and services this matter has been laid before Congress, except such claimants as have agreed with such person or persons for compensation; and such deductions shall be certified for payment to such person or persons in like manner as other claims.

The motion was made once before, if I recall correctly, to suspend the rules and pass this resolution then containing that provision. That was defeated after I had explained what it was to the House. I understand the motion the gentleman makes is to pass the resolution with an amendment striking out that language. Of course, that goes back to the Senate. Now, I will ask the gentleman frankly—I do not want to embarrass him at all—if he is prepared to state to the House whether, if this provision goes out as an amendment and we pass the Senate resolution as so amended, that will be reinserted in conference?

Mr. STOUT. I will state to the gentleman with frankness equal to his own that I am not going to be a member of that conference committee. I am not a member of the committee having the bill in charge, and what the conference will do I do not know. I would have no hesitancy in telling the gentleman, if I were a member of that committee, what I would be in favor of, and I really think that a matter concerning—

Mr. MANN. I think it is just as easy to beat this motion as it was before, unless the House knows what is going to happen.

Mr. STOUT. It would give me the utmost pleasure to inform the gentleman in advance what is going to be done if I possessed that clairvoyant power of foretelling.

Mr. MANN. I will say to the gentleman he possesses that clairvoyant power, because this is the position: If we pass this Senate resolution with this amendment and it goes to the Senate, the Senate can agree to the House amendment or it can disagree and ask for a conference, but no conference will be granted by the House unless the gentleman in charge of the bill asks for a conference. If he does, it is the courtesy to grant the conference, and if a conference is granted and it does not come early and the gentleman finally agrees to what Mrs. McDonald wants—the gentleman and I both know pressure will be brought to bear upon him to agree to what the lady wants—and some day or in the wee hours of the morning or some other time the conference report will be called up and passed that quickly. Now, I think candidly, and the gentleman has had this matter before the House before and the House voted against suspending the rules with that proposition in, if he desires it to pass and become a law without the provision, all he needs to do is to say so.

Mr. STOUT. I will say candidly to the gentleman it is my judgment if the bill passes at all it will pass without this provision. If the bill comes back here, it will come back without that provision. That is as far as I feel at liberty to advise the gentleman.

Mr. MANN. Will the gentleman say he will use his influence to that effect?

Mr. STOUT. Yes; I will make that statement.

Mr. MANN. Then I would like to inquire of the gentleman from Wyoming [Mr. MONDELL], who is also interested in this bill, what his position would be upon this proposition?

Mr. MONDELL. Well, as the gentleman from Illinois knows, I have never been in favor of this proviso, which it is now proposed to strike out, and I am no more in favor of it now than I have been in the past. I am very glad, indeed, it is proposed to take it out of the bill. I will say to the gentleman that my understanding is, so far as it is possible to get an understanding, that the bill will pass as it passes the House.

Mr. MANN. I will yield 10 minutes to the gentleman from Wyoming. I think the rest of the bill deserves an explanation before it passes. It is the second bite of the cherry, and the cherry was pretty green on the first bite.

Mr. MONDELL. Mr. Speaker, this claim provided for by this resolution and by legislation in the last Congress arose out of the fact that a certain firm of contractors in the State of Montana imagined they could make a gigantic post auger with which

they could successfully cut a tunnel 11 feet in diameter through the mountains for 3 miles. This gigantic post auger, or boring machine, is on exhibition at the mouth of the Corbett Tunnel. It failed, and with its failure came the failure of the contractors. Unfortunately, the Reclamation Service in letting the contract had not secured a sufficiently large bond to compensate the Government for its additional cost in completing the work and at the same time pay all the claims of those who had furnished labor and material to the contractors; and Congress very properly appropriated some two years ago to pay these claims what we understood to be the full amount of them, namely, \$46,000. It came out, however, that the claims amounted to about \$15,000 more than the sum appropriated, and the Secretary of the Interior, assuming that he had no right to apportion the funds, made no payments, and none of the payments will be made until this resolution becomes a law. All of the sums will then be paid. The \$61,000 is owing very largely to laborers, and a part of it to men who furnished hay and grain and other supplies to the contractors. The bill should have passed some time ago and would have passed except for a provision which it contains, which is now to be stricken from it, for the payment of certain sums to parties who have been instrumental or helpful in securing the passage of the legislation. The gentleman from California [Mr. RAKER] has been working for some time on a bill intended to meet conditions such as those which arose in connection with the Corbett Tunnel failure, but the gentleman has not gone far enough in his legislation, it seems to me, to embrace all of the contingencies that may arise under reclamation work.

Some years ago, as will be remembered, we passed a law, at the suggestion of the Chief of Engineers, because of some difficulties that the Government had had in connection with river and harbor work, the effect of which was to take from laborers and those who furnished materials all claim that they might have on the Government under Government contract. The inequity and inadvisability of that kind of law as applied to all classes of Government work was not apparent until we came to this Corbett Tunnel claim and to a case in South Dakota that was somewhat similar. It seems to me that my friend from California ought to broaden his bill, which is on the Unanimous Consent Calendar, and which I believe was passed over to-day without prejudice. Am I correct as to that?

Mr. RAKER. The gentleman from Wyoming is correct.

Mr. MONDELL. He ought to broaden his bill so as to provide a lien for all claims for labor. The bill I refer to would only become effective in case a contractor failed. But what would happen in case a contractor finished and completed his contract and did not pay his men, did not pay for the material, did not pay for the corn and oats with which he fed his stock, for the gasoline that the engine used—and which is soon to be taxed 2 cents, as I understand—the coal, and the material of one sort and another? And I submit to my friend, who is an adept at drawing legislation, that he broaden his legislation in such a way that we can all support it, so that in the future we will not only provide for these difficulties that we are trying to meet now in this belated way in the Corbett Tunnel claim, but we will also have provisions made for conditions that may arise where the contractor does not fail, but where he does not pay his labor.

Mr. STAFFORD. Will my colleague yield?

Mr. MONDELL. With great pleasure.

Mr. STAFFORD. Does the gentleman presuppose that the contractor in default in the cases instanced by him, where he owes for material and owes for the labor that has been performed on the work, will have any money owing him by the Government?

Mr. MONDELL. The gentleman understands that it might occur; that a contractor who is dishonest, or one who lost money on the contract and did not have resources, might finish his contract and still not pay all of his labor claims.

Mr. STAFFORD. But would the gentleman favor having the Government reimburse the subcontractors or the artisans in case the Government was not indebted to the contractor?

Mr. MONDELL. No. But if we had such a law as I have suggested, the Reclamation Service would then require a bond sufficiently large to cover all the contingencies I have named. One difficulty in this case was that the bond was small, as compared with the magnitude of the work; and one reason for having a small bond was that they knew or realized or understood that the Government could not be held responsible for the failure of the contractor to pay his labor, so that the Government was only protecting itself against the danger of the contractor defaulting in the completion of his work, while, as a matter of fact, the bond was not large enough to cover that in the case of these gentlemen who started to bore through the hill with a post auger. But if we had a lien law, which we should have,

relating to Government work, then it would be necessary to have bonds large enough to cover such contingencies. I do not expect the Government to pay it. I expect the Government to compel the contractor to pay it.

Mr. STAFFORD. Would not the Government incidentally be obliged to pay for the extra expenses incident to the additional premium charged for the bond?

Mr. MONDELL. I know that my kind-hearted friend from Wisconsin does not want laboring men and small business men who furnish these materials, and farmers, to be deprived of recourse simply because the people they are dealing with are doing work for the Government. If the work was being done in the State for a private individual, they would be fully protected by the mechanics-lien laws of the State.

Mr. STAFFORD. They would be protected only to the extent of the amount owing the contractor by the person for whom the work was done.

Mr. MONDELL. That is as far as I would go; but I would make it clear, and there is no law on the subject now.

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

Mr. FALCONER. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes.

Mr. STAFFORD. That is not necessary.

Mr. MONDELL. Mr. Chairman, I have had sufficient time. I thank the gentleman from Washington [Mr. FALCONER].

The SPEAKER. Under the rule the time has expired, and if by unanimous consent the gentleman does not want more time, all right.

Mr. STOUT. Mr. Speaker, I yield to the gentleman from New York [Mr. GITTINS].

The SPEAKER. The gentleman from New York is recognized.

Mr. GITTINS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD with reference to a bill on the calendar which I expected would be reached.

The SPEAKER. The gentleman from New York [Mr. GITTINS] asks unanimous consent to extend his remarks in the RECORD in reference to a bill on the calendar which he expected would be reached. Is there objection?

Mr. MANN. What is the bill?

The SPEAKER. What is the bill?

Mr. GITTINS. A bill to authorize the construction of a bridge across the Niagara River.

The SPEAKER. Is there objection?

There was no objection.

Mr. GITTINS. Mr. Speaker, by chapter 420 of the Laws of New York of 1914 the Ontario-Niagara Connecting Bridge Co. was authorized to construct, maintain, and operate a bridge and the necessary approaches thereto, on the east bank of the Niagara River, at or from a point in the town of Lewiston, N. Y., to some point on the west bank of the said river in the Province of Ontario, Canada. The intended location of the bridge is about 5 miles below the Niagara Falls and about 2 miles above the village of Lewiston.

The pending bill, H. R. 16640, seeks the consent of the Federal Government to such construction, maintenance, and operation "at a point suitable to public interests" in said town, in accordance with the provisions of the general bridge act, and provides "that the offices of the Fine Arts Commission shall be obtained in connection with the consideration of the plans of said bridge" by the Secretary of War, who, according to the general bridge act, must also approve the plans and specifications of all such bridges.

The War Department reports that the pending bill "is unobjectionable so far as concerns the interests of navigation," and the bill itself follows the form suggested by the Secretary of War.

In the War Department's report on this bill, however, it is remarked that—

the proposed structure may have a more or less objectionable effect on the scenic appearance of the Niagara Gorge—

And that—

while it is unusual to express views concerning scenic matters in reporting upon bridge bills, it is thought proper in this instance for the reason that the department took action for the preservation of the scenery of the Niagara Gorge in connection with the supervisions of the operation of electric transmission companies, under the provisions of the Burton Act, and reported the facts to Congress.

It will be seen from the language of its report that the War Department makes no objection to the effect of the bridge on the scenic appearance of the Niagara Gorge. It merely calls attention to a bare possibility, and then only because it adopted a like course when certain electrical transmission cables were carried across the gorge some years ago. The Burton Act, which occasioned this observation of the department, expired by its own limitations March 4, 1913.

Notwithstanding the fact, as I have just shown, that no real objection was advanced against this legislation, nevertheless the Interstate and Foreign Commerce Committee, by its subcommittee of five, caused a personal inspection to be made of the location, conditions, and scenic surroundings of the proposed bridge. The decision of the committee is unanimous that the bridge, far from being objectionable in any respect, will not only serve a very useful purpose but contribute greatly to the general beauty of that region.

The electrical transmission cables referred to, and which are supported on either side of the river by lofty towers, are by no means an ornament to the landscape. The pending bill itself provides, in the following language, for the carrying of these cables, to wit:

All power cables shall be permitted to cross said bridge under equal rates for the privilege.

Mr. Speaker, I think it is fitting here to advert to a comic-opera performance, staged 8 or 10 years ago, to set the public mind against further commercial developments in connection with the Niagara region. I refer here to a publicity campaign launched after the pioneer company in Niagara's electrical development felt secure in its own franchises and had gotten well under way. This campaign apparently had for its purpose the prevention of competition in the company's field of operations. The services of a publicity agent, posing as the representative of aesthetic individuals and organizations, were employed in the work of advertising to all the country that the great cataract was threatened by "commercialism" and stood in danger of being denuded of water, its scenic grandeur despoiled, and its glory ruined by the rapacious hand of the "power baron." Sunday papers and magazines everywhere pictured bare cliffs projected in unsightly view where once existed Niagara's thunder pour. Immediately hostility appeared in places where the utilization for the good of mankind of Niagara's surplus waters should have been applauded as a triumph of the genius and courage of man. Humorously enough the Frankenstein thus created has repeatedly risen up to confront its creators. But the far more important consideration arises that it is also impeding and retarding the commercial and industrial future of a region capable of almost illimitable useful enterprise.

The five Niagara power companies which are at present developing about 450,000 continuous horsepower from surplus waters which would run idly to the sea are now saving to the country 2,700,000 tons of coal per annum, or 300 tons per hour. This is an unrivaled example of the conservation of natural resources.

The Aluminum Co. of America, the largest power user in the world, produces at Niagara Falls most of the world's supply of aluminum. The original price of aluminum was \$12 per pound, which would make this company's annual production of 12,000 tons worth \$168,000,000, but at its present market price of 20 cents per pound it is actually worth less than \$5,000,000, and is to-day largely used in the manufacture of household and cooking utensils.

Carborundum was originally worth \$432 per pound, which would make the carborundum company's annual production of 12,000,000 pounds at Niagara Falls worth over \$5,000,000,000, although the same is actually worth but \$722,000.

Carbide, from which acetylene gas is made, is furnishing light for over 200,000 buildings and for numerous mines, lighthouses, and so forth. The Union Carbide Co. at Niagara Falls is the second largest power user in the world.

Niagara Falls is also the largest chemical manufacturing center of America.

As to the power developments which have made these economies possible, a War Department report states:

The power houses for the most part are architecturally excellent, harmonizing with the scenic surroundings, and the mechanical wonders wrought in solving the engineering problems of the utilization of this great head and volume of water rival as a spectacle the scenic grandeur of the falls and add to the attractiveness of the region.

Mr. Speaker, I only refer to these wonderful productive, constructive, and conserving works of man, which give daily employment to thousands, in order to point out that any objection to the construction of the proposed bridge, which is, as the War Department says, unobjectionable so far as concerns the interests of navigation, is based upon a false sentimentality and should not stand in the way of a worthy enterprise which will enhance rather than detract from the scenic beauty of the Niagara region.

The SPEAKER. The gentleman from Montana [Mr. STOUT] has 15 minutes.

Mr. STOUT. We are going to complete our statement in one more speech if the gentleman from Illinois will consume his time.

Mr. MANN. Well, unless you give us some information I do not want to take any more time. If you did, I might want to take a moment.

Mr. STOUT. Well, I yield to the gentleman from California [Mr. RAKER].

The SPEAKER. How much?

Mr. STOUT. Ten minutes.

The SPEAKER. The gentleman from California [Mr. RAKER] is recognized for 10 minutes.

Mr. RAKER. Mr. Speaker, when the resolution, No. 56, in the Sixty-second Congress, was passed the matter was gone into fully. That grew out of the failure of this company to comply with the contract, and upon its discussion it was shown that a like failure had occurred at the Bellefourche project, in which some banking people—in other words, one banking institution—had furnished money to the men on time checks, and an appropriation was made of some twenty-odd thousand dollars for that banking firm to pay them for the money that they had expended for materials and other things furnished upon the failure of the original contract. When this resolution came up it was shown, or it was so thought, that there would be about \$42,000 due all the claimants, and that they were material men, laborers, and others who had actually furnished lumber and material for the construction of this tunnel.

Part of that material was on the ground when the Government took over the contract, and the Government used it. A precedent has been set by the Government in paying a claim to a banking institution for money advanced by them, and upon the statement that these claims were claims of laborers, small storekeepers, and those who had furnished lumber as well as provisions, the Congress in its wisdom passed the resolution, finally appropriating \$42,000. The bill did not contain a provision that claims filed up to that date should be considered and none other, but this resolution does provide that claims not now filed shall not be considered. In other words, since the passing of the resolution about \$15,000 worth of claims of material men, laborers, and others who actually furnished materials to the contractor have been placed on file and sworn to by the various claimants, and the whole aggregate amounts to about \$57,000.

The Secretary of the Interior, under the bill and under the resolution as passed in the Sixty-second Congress, does not feel like paying those whose later claims are on file unless directed to do so, because that would result in a pro rata disposition of the funds. This bill then provides, in addition to the appropriation of \$15,700, that only those claims that are now on file shall be considered and paid out of this fund, because they have had two years in which to file their claims, knowing that there was \$42,000 appropriated. Everybody has been provided for, and it will wind up the entire transaction. And it ought to be worthy of consideration that the contract price for this entire work was some \$594,000, that the bond taken from this company was but \$75,000, that after completing 16 per cent of the work the company failed, and the Government took over the work and completed it at an excess of \$200,000 over and above the contract price, and that the 16 per cent of the work actually done by the contractors, although they failed, was in the neighborhood of \$40,000 less for the same amount of work done by the Government under the same contract; so, as a matter of fact, the Government would not lose by virtue of the payment here provided. Now, when these people took this contract they believed that the act of August 13, 1894, was the law in force, which gave laborers and material men a preference right to collect the debts due them on the bond. The record taken before the Committee on Irrigation of Arid Lands of the House and the Committee on Irrigation of Arid Lands of the Senate when the original resolution was considered showed that the department officials notified these laboring men and material men, when the question was first raised about it, that they would stand under the provisions of the act of August 13, 1894, which gave them a preference right, and that therefore they would be able to collect upon the bond. But as a matter of fact some 16 days or thereabouts before the awarding of the contract there was an act passed which gave the Government the priority of claim.

The Government therefore had a claim in this instance of \$200,000. The individuals had a claim of about \$57,000. The bond being for \$75,000, of course after the Government claim was satisfied out of the bond there would be nothing left for the material men and laborers. An action was commenced on the bond by the Government, and has been pending for some time, which, of course, would only give to the Government the priority for what it might actually collect under that bond. The act of August 13, 1894, provided:

That hereafter any person or persons entering into a formal contract with the United States for the construction of any public building, or

the prosecution and completion of any public work or for repairs upon any public building or public work, shall be required before commencing such work to execute the usual penal (1) bond, with good and sufficient sureties, with the additional obligations that such contractor or contractors shall promptly make payments to all persons supplying him or them (2) labor and materials in the prosecution of the work provided for in such contract.

This act gave any person who had furnished labor or material the right to bring suit in the name of the United States, for his use and benefit, as against the contractor and his sureties. In February, 1905, just a few months prior to the letting of this contract, the act of 1894 was amended so as to give such persons the right to intervene and be made a party to any action instituted by the United States on the bond of the contractor, and to have his rights and claims adjudicated in such action and judgment rendered thereon, subject, however, to the priority of the claim and judgment of the United States.

That put the United States ahead. The material man, the laboring man, and those who paid their time check would lose if the contractor failed, and a sufficiently large bond was not obtained in the first instance under which the laboring man or the contractor had no possible remedy, because the Government agent fixed the amount of the bond, and they approved the bond and then had the right to commence the suit and obtain the first payment. In this instance the record shows that but one of the bondsmen was solvent, and that the amount could be collected from him. This was but \$75,000, while the Government claim was \$200,000. This would leave nothing for the laborers and material men. I hope the resolution will pass.

The SPEAKER. The time of the gentleman from California has expired. The question is on suspending the rules and passing the bill, including the amendment read out of it.

The question was taken, and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

Mr. MADDEN. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Illinois makes the point that no quorum is present. Evidently there is no quorum present.

Mr. LEVER. Mr. Speaker, I move a call of the House. I do that because we have one important bill here which ought to pass, and I do not think it will take 10 minutes to pass it.

Mr. LENROOT. I will say to the gentleman that it will take more than 10 minutes to pass it.

Mr. LEVER. I hope the gentleman from Illinois will withdraw his point of no quorum and let this bill come up. The Speaker has agreed to recognize me, and, as far as this side of the House is concerned, it will not take over five minutes.

Mr. ADAMSON. The gentleman's bill will not come up next. I have a bill that comes in ahead of his.

Mr. LENROOT. This is a bill that ought not to pass under a suspension of the rules.

Mr. LEVER. It is the unanimous report from the committee. Mr. ADAMSON. Mr. Speaker, I want the gentleman from South Carolina to hear my remark, and I think he failed to.

Mr. MADDEN. I understand, Mr. Speaker, that the Speaker has announced that there is no quorum present.

The SPEAKER. The Chair has done that identical thing. The Chair desires to know if the gentleman from South Carolina insists on his motion.

Mr. ADAMSON. Mr. Speaker, I do not think the gentleman from South Carolina will insist on his motion if he knows that I am to be recognized ahead of him.

Mr. LEVER. I do not think the gentleman from Georgia is to be recognized ahead of me.

Mr. ADAMSON. I think he is, and I think the Speaker will tell the gentleman so if he asks him.

Mr. FOSTER. The regular order, Mr. Speaker.

Mr. LEVER. Mr. Speaker, I withdraw my demand for a call of the House.

Mr. UNDERWOOD. Mr. Speaker, if I may be allowed by unanimous consent, I want to say that I hope we can get a rule that will provide for suspension day some time in the near future and dispose of these bills. I think, however, that it is too late to-night for a call of the House, and I therefore move that the House do now adjourn.

The SPEAKER. Will the gentleman from Alabama withhold that motion for a moment?

Mr. UNDERWOOD. I will withhold it.

The SPEAKER. The Chair desires to state that he tries to take these applications in the order in which they come, and that there are now 30 or 35 applications for motions to suspend the rules.

Mr. MANN. If the Chair will pardon me, out of order, I want to say that I do not think the Chair ought to go on the theory of taking these motions to suspend the rules in the order

of their application, because the very purpose and object of suspending the rules is sometimes to take care of an emergency matter which comes up suddenly.

The SPEAKER. The Chair ought to have finished his statement. Some months ago the Chair entered on this plan, that at half past 4 o'clock on suspension days he would recognize one, two, or three gentlemen to move to suspend the rules, and in such cases picked out what he thought were the important bills, which is in harmony with the statement of the gentleman from Illinois.

Mr. LEVER. Mr. Speaker, if the gentleman from Illinois and the gentleman from Wisconsin and the gentleman from Minnesota will not object, I ask unanimous consent to consider this bill in the morning.

Mr. DONOVAN. The regular order, Mr. Speaker.

The SPEAKER. The gentleman from Connecticut insists on the regular order, and the regular order is the motion of the gentleman from Alabama.

ADJOURNMENT.

The motion of Mr. UNDERWOOD that the House do now adjourn was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Tuesday, September 22, 1914, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. UNDERWOOD: A bill (H. R. 18891) to increase the internal revenue, and for other purposes; to the Committee on Ways and Means.

By Mr. McKELLAR: A bill (H. R. 18892) authorizing the President of the United States to purchase cotton under certain circumstances, and for other purposes; to the Committee on Appropriations.

By Mr. GARNER: A bill (H. R. 18893) to amend sections 2804 and 3402 of the Revised Statutes; to the Committee on Ways and Means.

By Mr. O'SHAUNESSY: A bill (H. R. 18894) to provide for the erection of a public building at Warren, R. I.; to the Committee on Public Buildings and Grounds.

By Mr. KENNEDY of Connecticut: A bill (H. R. 18895) authorizing the Secretary of War to donate two condemned cannon to the town of Seymour, Conn.; to the Committee on Military Affairs.

By Mr. REILLY of Wisconsin: Joint resolution (H. J. Res. 349) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CASEY: Joint resolution (H. J. Res. 350) to purchase Mount Vernon; to the Committee on the Library.

By Mr. FREAR: Concurrent resolution (H. Con. Res. 50) requiring approval of plans for control of the Mississippi River below Cairo by an advisory board of consulting engineers; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BATHRICK: A bill (H. R. 18896) granting a pension to Lewis Dagher; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 18897) granting an increase of pension to Mary A. Peckens; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 18898) granting an increase of pension to John S. Prior; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 18899) for the relief of John D. Buttery; to the Committee on Military Affairs.

By Mr. EDWARDS: A bill (H. R. 18900) for the relief of James M. Griner; to the Committee on Claims.

By Mr. MCGILLICUDDY: A bill (H. R. 18901) granting an increase of pension to Corcilda J. Babcock; to the Committee on Invalid pensions.

Also, a bill (H. R. 18902) granting an increase of pension to Mary E. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18903) granting an increase of pension to Almeda Goodwin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18904) granting an increase of pension to Mary E. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18905) granting an increase of pension to Edward H. Keniston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18906) granting an increase of pension to Almira Linscott; to the Committee on Invalid Pensions.

By Mr. O'HAIR: A bill (H. R. 18907) for the relief of Edward Byrne; to the Committee on Military Affairs.

Also, a bill (H. R. 18908) for the relief of S. A. Russel; to the Committee on Military Affairs.

By Mr. POST: A bill (H. R. 18909) granting a pension to Sallie A. Martin; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 18910) granting an increase of pension to Isaac Stapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18911) granting an increase of pension to Ann Stockton; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 18912) to remove the charge of desertion and grant an honorable discharge to Oliver Stein; to the Committee on Naval Affairs.

By Mr. SMITH of New York: A bill (H. R. 18913) granting a pension to Joseph Schmitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18914) granting an increase of pension to James Ford; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Arkansas: A bill (H. R. 18915) for the relief of Jennie Belle Cox, Robert Isaac Clegg, and Thomas Neel Clegg, children and only heirs of Thomas Watts Clegg, deceased; to the Committee on War Claims.

PETITIONS, ETC.

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

By the SPEAKER: Petition of William J. Young, of Brooklyn, N. Y., relative to certain information concerning the origin, production, manufacture, disposition, and use of medicine, drugs, and chemicals; to the Committee on Interstate and Foreign Commerce.

By Mr. BARTHOLOMEW: Memorial of Central Trades and Labor Union of St. Louis, Mo., asking that the United States Government enforce strict neutrality against all nations of Europe at war and place an embargo on all foodstuffs; to the Committee on Ways and Means.

Also, petition of St. Louis Cooperage Co. and St. Louis Trades and Labor Union, protesting against a tax on freight rates; to the Committee on Ways and Means.

Also, petition of citizens of St. Louis, Mo., protesting against national prohibition; to the Committee on Rules.

Also, petition of Liquor Dealers' Benevolent Association of Missouri, protesting against an additional tax on liquor; to the Committee on Ways and Means.

By Mr. CARY: Petition of eighth ward branch, Socialist Party, of Milwaukee, Wis., protesting against the exportation of all foodstuffs to warring nations; to the Committee on the Judiciary.

Also, petition of the National Association of Vicksburg Veterans, relative to appropriation for reunion of veterans at Vicksburg, Miss.; to the Committee on Appropriations.

Also, petition of Woman's Home Missionary Society of the Methodist Episcopal Church, protesting against railroad tracks opposite Sibley Hospital in Washington, D. C.; to the Committee on the District of Columbia.

Also, petition of Allied Printing Trades Council of Milwaukee, Wis., protesting against passage of House bill 15902, to amend law relating to the public printing; to the Committee on Printing.

By Mr. DONOHUE: Memorial of Philadelphia Board of Trade, protesting against the passage of House bill 18066, providing for Government ownership and operation of ships engaged in foreign trade; to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Petition of Wisconsin State Bottlers' Association, protesting against extra tax on beer; to the Committee on Ways and Means.

Also, petition of citizens of Genoa, Wis., favoring river and harbor bill; to the Committee on Rivers and Harbors.

By Mr. GILMORE: Petition of the National Association of Vicksburg Veterans, favoring an appropriation for reunion of veterans at Vicksburg, Miss.; to the Committee on Appropriations.

By Mr. GOOD: Petitions of business men of Stanwood, Clarence, Lowden, Durant, and Mount Vernon, Iowa, favoring passage of House bill 13305, Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Pennsylvania: Petition of Pennsylvania State Camp, Patriotic Order Sons of America, favoring passage of House bill 6060, for literacy test for immigrants; to the Committee on Immigration and Naturalization.

Also, memorial of National Association of Vicksburg Veterans, for appropriation by Congress for reunion of veterans at Vicksburg, Miss.; to the Committee on Appropriations.

By Mr. KENNEDY of Connecticut: Memorial of sundry citizens of Waterbury, Conn., urging the United States to use its

best efforts to end the war in Europe; to the Committee on Foreign Affairs.

By Mr. LEE of Pennsylvania: Petition of National Association of Vicksburg Veterans, favoring celebration of semicentennial anniversary of end of Civil War; to the Committee on Military Affairs.

By Mr. LONERGAN: Petition of Bureau of the National Association of Vicksburg Veterans, in favor of an appropriation for the proposed national celebration and peace jubilee at Vicksburg; to the Committee on Appropriations.

Also, petition of the Baker Extract Co., Springfield, Mass., protesting against additional tax upon alcohol; to the Committee on Ways and Means.

Also, petition of the International Typographical Union, Indianapolis, Ind., favoring amendment to H. R. 15902, relating to public printing; to the Committee on Printing.

By Mr. MADDEN: Petition of volunteer officers of the Union Army in the Civil War and the National Association of Vicksburg Veterans, favoring appropriation by Congress for reunion of veterans at Vicksburg, Miss.; to the Committee on Appropriations.

Also, petition of citizens of Chicago, Ill., protesting against national prohibition; to the Committee on Rules.

By J. I. NOLAN: Protest of the Los Angeles Stock Exchange against proposed special revenue tax on stockbrokers; to the Committee on Ways and Means.

Also, protest of the D. De Barnardi Co., San Francisco, Cal., against a special revenue tax being levied on California dry wines; to the Committee on Ways and Means.

By Mr. O'LEARY: Petition of Joseph Wittmann, Woodhaven, N. Y., protesting against war tax on soft drinks; to the Committee on Ways and Means.

By Mr. PAIGE of Massachusetts: Evidence in support of H. R. 18808, special pension bill in behalf of Joseph W. Abbott; to the Committee on Invalid Pensions.

By Mr. RAKER: Petition of Marie B. Weldon, requesting that supply depots be established for the necessities of life, and sundry citizens of California, protesting against exporting food from the United States; to the Committee on the Judiciary.

By Mr. REED: Protest of the Baker Extract Co., of Springfield, Mass., against the placing of an additional tax upon alcohol; to the Committee on Ways and Means.

By Mr. VOLSTEAD: Petitions of sundry citizens of Minnesota, protesting against national prohibition; to the Committee on Rules.

Also, petition of District 19, Woman's Christian Temperance Union, Nelson, Minn., favoring national prohibition; to the Committee on Rules.

Also, petition of 30 citizens of the seventh Minnesota district, favoring national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Dawson, Minn., favoring national prohibition; to the Committee on Rules.

SENATE.

TUESDAY, September 22, 1914.

(Legislative day of Friday, September 18, 1914.)

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

COAL LANDS IN ALASKA.

Mr. PITTMAN. Mr. President, I should like to ask the Senator from North Carolina [Mr. SIMMONS] if the report is ready on the river and harbor bill.

Mr. SIMMONS. Yes; the committee is ready to report.

Mr. PITTMAN. I desire to make a motion, but of course I do not wish to interfere with any action upon that bill.

Mr. SIMMONS. Is it in relation to the river and harbor bill?

Mr. PITTMAN. No; it is not.

Mr. SIMMONS. I will not insist upon the regular order right at this minute.

Mr. PITTMAN. For the purpose of bringing the matter before the Senate—

Mr. TOWNSEND. Will the Senator yield for one moment? I do not quite understand the situation. I supposed this morning the river and harbor bill was coming up. Do I understand that it is not?

Mr. SIMMONS. If the Senator from Nevada will pardon me, I stated that I would yield for a few minutes, and I would not insist on the regular order for a short time. I am not quite ready at this minute to report, but I will be ready in a very short time.