Mr. FLETCHER. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The Chair will direct the Secretary to call the names of absent Senators.

Mr. PENROSE. No; the Secretary will have to call the roll.

The PRESIDING OFFICER. Yes. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kellogg	Poindexter	Smoot
Bankhead	Kirby	Pollock	Spencer
Curtis	Lenroot	Pomerene	Sutherland
Fletcher	McKellar	Ransdell	Swanson
France	Martin, Ky.	Reed	Trammell
Gay	Myers	Robinson	Wadsworth
Hardwick	New	Sheppard	Warren
Henderson	Nugent	Simmons	Williams
Jones, N. Mex.	Penrose	Smith, Ariz.	
Jones, Wash.	Pittman	Smith, S. C.	

The PRESIDING OFFICER. Thirty-eight Senators have answered to their names. A quorum is not present. The Secretary will call the names of absent Senators.

Mr. FLETCHER. I move that the Sergeant at Arms be directed to request the attendance of the absent Senators.

Mr. CURTIS. I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from Kansas moves that the Senate adjourn, which motion takes precedence even of the motion of the Senator from Florida. The question is on the motion of the Senator from Kansas. [Putting the question.] The noes seem to have it.

Mr. PENROSE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MARTIN of Kentucky (when his name was called). I transfer the general pair which I have with the junior Senator from New Hampshire [Mr. MOSES] to the Senator from Nebraska [Mr. HITCHCOCK], and vote "nay."

Mr. MYERS (when his name was called). I make the same announcement as on the former vote as to the transfer of my pair, and vote "nay."

Mr. REED (when his name was called). Making the same transfer of my pair as on the last vote, I vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. As that Senator is not present, I withhold my vote.

Mr. WOLCOTT (when his name was called). I transfer my general pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Virginia [Mr. MARTIN], and vote "nay."

The roll call was concluded.

Mr. FLETCHER. I make the same transfer of my pair as on the last vote and vote "nay."

The result was announced—yeas 13, nays 30, as follows:

YEAS—13.

Curtis	Lenroot	Smoot	Warren
France	New	Spencer	
Jones, Wash.	Penrose	Sterling	
Kellogg	Poindexter	Wadsworth	

NAYS—30.

Ashurst	King	Pollock	Smith, Ariz.
Bankhead	Kirby	Pomerene	Smith, S. C.
Fletcher	McKellar	Ransdell	Swanson
Gay	Martin, Ky.	Reed	Trammell
Hardwick	Myers	Robinson	Williams
Henderson	Nugent	Shafroth	Wolcott
Jones, N. Mex.	Overman	Sheppard	
Kendrick	Pittman	Simmons	

NOT VOTING—53.

Baird	Goff	McCumber	Smith, Md.
Beckham	Gore	McLean	Smith, Mich.
Borah	Gronna	McNary	Sutherland
Brandegee	Hale	Martin, Va.	Thomas
Calder	Harding	Moses	Thompson
Chamberlain	Hitchcock	Nelson	Townsend
Colt	Hollis	Norris	Underwood
Culberson	Johnson, Cal.	Owen	Vardaman
Cummins	Johnson, S. Dak.	Page	Walsh
Dillingham	Kenyon	Phelan	Watson
Fall	Knox	Saulsbury	Weeks
Fernald	La Follette	Sherman	
Frelinghuysen	Lewis	Shields	
Gerry	Lodge	Smith, Ga.	

So the Senate refused to adjourn.

Mr. FLETCHER. I renew my motion that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. GERRY and Mr. HARDING entered the Chamber and answered to their names.

Mr. STERLING, Mr. KENYON, and Mr. LA FOLLETTE entered the Chamber and answered to their names.

After a little delay, Mr. WOLCOTT entered the Chamber and answered to his name.

After further delay, Mr. LODGE, Mr. PAGE, Mr. SHAFROTH, Mr. CALDER, Mr. KING, and Mr. GORE entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Fifty Senators have answered to the roll call. There is a quorum present. The pending amendment will be stated.

The SECRETARY. The pending amendment of the committee is, on page 18, line 15, where it is proposed to strike out "$15,000" and insert "$35,000," so as to make the clause read:

Red, Black, Ouachita, Tensas, Boeuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, $35,000.

The PRESIDING OFFICER. The yeas and nays have been ordered on agreeing to the amendment, and the Secretary will call the roll.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 7 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 18, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 17, 1919.*

The House met at 11 o'clock a. m.

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

Our Father who art in heaven, we bless and hallow Thy name for the deep and ever-abiding faith which through all the vicissitudes of life, its sorrows and disappointments, holds us close to Thee, inspires to pure ideals, and leads on to victory.

Increase our faith that we may be true to ourselves and follow the dictates of conscience, until we all come unto the measure of the stature of the fullness of Christ; and Thine be the praise forever. Amen.

The Journals of the proceedings of Saturday, February 15, and of Sunday, February 16, 1919, were read and approved.

EXTENSION OF REMARKS.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the National Security League investigation.

The SPEAKER. The gentleman from Illinois asks leave to extend his remarks on the subject of the Security League investigation. Is there objection?

Mr. GARD. Reserving the right to object——

Mr. WALSH. Mr. Speaker——

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

Mr. KING. A point of order, Mr. Speaker. Is this to my request?

The SPEAKER. Does the gentleman from Massachusetts object?

Mr. WALSH. I am waiting until the gentleman makes his point of order.

The SPEAKER. What point of order does the gentleman make?

Mr. KING. The point of order is that the request was put.

The SPEAKER. The rules have to be construed liberally. It is not too late.

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask the gentleman whether he is to publish any part of the proceedings of the committee or to comment upon the investigation in any way? It would seem to me it might well be deferred until after the committee has reported.

Mr. KING. I desire simply to print my own statement before the committee, principally for distribution in my own district.

Mr. WALSH. That has been printed by the committee, as the gentleman knows.

Mr. KING. In the form of hearings.

Mr. WALSH. Yes.

Mr. KING. But I can not get enough of them from the committee.

Mr. WALSH. If that is all the extension consists of, I will not object.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is the gentleman a member of the committee on investigation?

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. KING. No, sir; I am not.

Mr. STAFFORD. He is a member that the league sought to put out of business.

Mr. GARNER. If the gentleman will permit, under the rules governing printing, can not the gentleman take the extract from that hearing and have it printed and sent into his district without having it put in the CONGRESSIONAL RECORD?

Mr. KING. It is possible that might be done.

Mr. GARNER. Would not that answer the same purpose?

Mr. KING. I do not think it would.

Mr. GARNER. The gentleman wants the record to show it appeared in the CONGRESSIONAL RECORD. The gentleman would prefer to have it go in that way?

Mr. KING. Yes, sir.

Mr. GARD. Further reserving the right to object, does the gentleman want to print the statement he made before the committee himself?

Mr. KING. Yes, sir; as a witness.

Mr. GARD. And not any comment on the action of the committee? I do not think that should be done, as the committee has not reported it.

Mr. KING. It contains no comment of that kind.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5580. An act granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.; and

S. 5478. An act granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River.

The message also announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 32.

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound, under the direction of the Joint Committee on Printing, 14,100 copies of the proceedings and the eulogies delivered in Congress on Theodore Roosevelt, late a President of the United States, with illustration, of which 4,000 copies shall be for the use of the Senate, 8,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senators and Representatives of the State of New York, and 100 copies, bound in full morocco, for the use of Mrs. Theodore Roosevelt: *Provided*, That there shall be included in such document the proclamation of the President and the proceedings in the Supreme Court of the United States on the death of Mr. Roosevelt, an account of the funeral services, and other matters as may be deemed appropriate.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay wagon-road grant, to provide for the disposition of said lands, and for other purposes; and

H. R. 12863. An act to provide revenue, and for other purposes.

CONTESTED-ELECTION CASE—GERLING AGAINST DUNN.

Mr. WILSON of Louisiana. Mr. Speaker, I desire to submit a report (No. 1074) from Election Committee No. 1 for printing, under the rules, in the contested-election case of Jacob Gerling against Thomas B. Dunn, from the thirty-eighth congressional district, State of New York, and I give notice that I will call it up to-morrow.

Mr. MANN. Is it a unanimous report?

Mr. WILSON of Louisiana. Yes, sir.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Report from Committee on Elections No. 1 on the contested-election case of Jacob Gerling *v.* Thomas B. Dunn, from the thirty-eighth congressional district of the State of New York.

The SPEAKER. If it is a unanimous report and nobody wishes to discuss it, I think we might dispose of it now.

Mr. WILSON of Louisiana. I will say for the benefit of the House that the contestant does not claim in his petition that he was elected.

The SPEAKER. Is this a unanimous report?

Mr. WILSON of Louisiana. Yes, sir.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution No. 585.

Your committee therefore recommends to the House the adoption of the following resolution:

"*Resolved*, That THOMAS B. DUNN was duly elected a Representative in this Congress from the thirty-eighth congressional district of the State of New York and is entitled to retain a seat herein."

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

The resolution was agreed to.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. The Clerk will report the first bill on the Unanimous Consent Calendar.

Mr. BLANTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BLANTON. I ask unanimous consent to proceed for five minutes on the subject of the condition of the Thirty-sixth Division in France.

The SPEAKER. Could not the gentleman put it off until to-morrow? This is unanimous-consent day and suspension day, and the last one that there will be.

Mr. BLANTON. If the Speaker prefers——

The SPEAKER. Yes.

CLEVELAND NATIONAL FOREST.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 10587) granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects. The bill is stricken from the calendar.

MINAM NATIONAL FOREST, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10394) to add certain lands to the Minam National Forest, Oreg.

The title of the bill was read.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. SINNOTT. Mr. Speaker, I move that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oregon moves that the bill be considered in the House as in Committee of the Whole. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the following described lands be, and the same are hereby, included in and made a part of the Minam National Forest, subject to all prior valid adverse rights, and that said lands shall hereafter be subject to all laws affecting national forests: Sections 34 and 35, the north half of section 36, township 7 south, range 43 east, and sections 2 and 3, township 8 south, range 43 east, all of Willamette meridian, in Oregon.

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

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

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

NATIONAL SANITARIUMS BY FRATERNAL ORGANIZATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 249) to authorize the Secretary having jurisdiction of the same to set aside certain public lands to be used as national sanitariums by fraternal or benevolent organizations, and for other purposes.

The title of the bill was read.

The SPEAKER. This bill is on the Union Calendar.

Mr. WALSH. They have got to get consent to consider it first.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, is there anyone here to look after the bill? I do not see the gentleman from California [Mr. RAKER] here.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that the bill be passed over informally, in the absence of the gentleman from California.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be passed over informally. Is there objection.

Mr. JOHNSON of Washington. I object to that. There are too many bills on the calendar to do that.

Mr. BURNETT. That would carry it to the foot of the calendar.

Mr. JOHNSON of Washington. All right. I ask that it be placed at the foot of the calendar without prejudice.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

CLEVELAND NATIONAL FOREST.

Mr. OSBORNE. Mr. Speaker, I have requested the gentleman from Wisconsin [Mr. STAFFORD] to withdraw his objection for the time being to the consideration of the bill H. R. 10587, the San Diego water bill, on account of the absence of Mr. KETTNER, and he has consented.

The SPEAKER. Does the gentleman from Wisconsin withdraw his objection?

Mr. STAFFORD. Oh, no, Mr. Speaker; I merely have no objection to having the bill passed over without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be placed at the foot of the calendar without prejudice. Is there objection?

There was no objection.

MEMORIAL TO FRANCIS ASBURY.

The next business on the Calendar for Unanimous Consent was the resolution (S. J. Res. 107) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.

The title of the resolution was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I will object to the resolution in its present form to give authority to locate a monument or memorial, or whatever it is, on almost any available public ground in the District of Columbia.

Mr. BANKHEAD. If the gentleman will permit me, I was the author of a similar resolution, which was a House joint resolution. It unanimously passed the Senate, and was referred to the Committee on the Library, and received the unanimous support of that committee. This is similar to another bill introduced about the same time, authorizing a memorial of the same character to be erected in memory of a distinguished Catholic prelate. That was passed some time ago by the House. I would like to know what objection the gentleman has to the form of this resolution.

Mr. MANN. This is to erect a monument on any public ground, practically, that is owned by the Government in the District of Columbia. There have been a lot of monuments erected where they ought not to be. Everybody who has that right wants to grab the best place that is left, regardless of anything else, and when I have been here in recent years I have objected, unless we could know something about where it was proposed to erect these monuments and what they were to be.

Mr. BANKHEAD. I will state to the gentleman from Illinois that the Methodist denomination has for a number of years been undertaking the collection of a fund for the purpose of erecting a monument or memorial suitable to commemorate the life and character of Bishop Francis Asbury in the city of Washington. They have at last secured, by private contributions from members of the Methodist denomination, a fund to erect a monument commensurate with the value and eminence of his life as a missionary and evangelist. It is not the intention, as I understand it, to select a prominent site down here in the immediate city, but, as was suggested by the chairman of the Committee on the Library, Mr. SLAYDEN—who, I regret, is not present at this moment, because I am certain he could give that information—the intention was to locate it in a more remote and probably suburban site. I hope the gentleman from Illinois will not object to it. It is a matter that has been pending here ever since the beginning of the Sixty-fifth Congress. I think it is in the form of the usual resolution.

Mr. MANN. It is in the form, possibly, of the usual resolution. It is in the form that usually used to be agreed to, and the result has been that there have been a lot of monuments located in Washington in places where they ought not to be, wholly inappropriate. I have no objection to the erection of a monument or memorial of some sort to Bishop Asbury, but I am not willing to give the right to anybody who is desirous and ambitious to erect a monument in the most conspicuous place in Washington without any control by Congress of those memorials. We have got one illustration down here of the Grant Monument, located where it ought not to be. It was not located by Congress, as suggested by the gentleman from Wyoming. It was located in spite of a vote in this House which did not quite equal two-thirds, but was much more than a majority, protesting against that location under general language previously used in such bills or resolutions. Now, if they want to find some place and specify it, it is just as easy to specify it, to begin with, as to leave it unspecified and unknown.

Mr. BANKHEAD. The gentleman from Illinois will recognize that that has not been the procedure heretofore with reference to resolutions of this character. The bill I referred to a moment ago, that was passed here at a former session, was in the identical form of this. I forget who was the ecclesiastical dignitary who was honored on that occasion.

Mr. MANN. That may be. I presume I was not here. The last one that was considered when I was here—and I do not know that that was finally disposed of—was for President Buchanan. I objected to that until we knew where it was to be located.

Mr. BANKHEAD. Will the gentleman allow me to ask him a question?

Mr. MANN. Always.

Mr. BANKHEAD. What suggestion would the gentleman make that would allow me to have this matter considered by the House?

Mr. MANN. I do not know where the monument ought to be located, but I think they ought to find out where they want to locate it, and then ask Congress for permission to locate it there.

Mr. BANKHEAD. If that suggestion had been made heretofore to those interested in the construction of this monument, for which the funds have been provided and the resolution for which has already passed the Senate and has been unanimously recommended by the Library Committee of the House, it would have given them a reasonable opportunity to have met that contingency and the objection of the gentleman.

Mr. MANN. I have objected at various times to just such things that did not specify the place.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the resolution will go off the calendar.

Mr. MANN. I have no objection to the resolution going to the foot of the calendar.

Mr. BANKHEAD. I ask unanimous consent that it may remain on the calendar without prejudice—that it may go to the foot of the calendar.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

BATTLE MOUNTAIN SANITARIUM.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National House for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that this bill, which is No. 250 on the Calendar for Unanimous Consent, be passed over without prejudice.

The SPEAKER. The gentleman asks unanimous consent to send this bill to the foot of the calendar. Without objection, it will be so ordered.

There was no objection.

PATENTS TO CERTAIN PUBLIC-LAND ENTRIES.

The next business on the Calendar for Unanimous Consent was the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, in going over this report I found one claim in which the Milwaukee Lumber Co.—whoever they are—are interested. The report of the Secretary of the Interior as to that claim was adverse. That is the Elizabeth Davis claim, which is found on page 4. The report says that if we should pass the bill authorizing the issuance of a patent to Elizabeth Davis it would jeopardize the rights of the Government in a suit now pending for the recovery of some $4,000 for some timber on this tract——

Mr. GANDY. Let me say to the gentleman from Wisconsin that it was the intention of the committee and of the Department of the Interior to pass title only to the land and not to the money for the timber heretofore sold. That was the intention of the Public Lands Committee. An amendment has been submitted by the Department of Agriculture, and at the proper time I will offer it.

Mr. STAFFORD. Will the gentleman read, for information, the amendment that he suggests?

Mr. GANDY. The amendment I propose to offer reads as follows:

Provided, That the issuance of a patent shall not release the Milwaukee Lumber Co. from its obligation to pay the United States for the value of the timber cut upon this land.

Personally I did not think that was necessary, because the provision in the bill makes no reference to a former homestead entry. It simply patents the land. I do not think the issuance of a patent would affect the previous sale of the timber.

Mr. STAFFORD. That removes one objection to that claim. Now, there is a further objection that the department offered to it. If my memory serves me, the department says that it is necessary for the Government to have some right of way over this tract of land.

Mr. GANDY. I went over this item with the officials of the Forest Service after the bill had been reported, and the amendment which I have read is the only amendment they suggested. They were perfectly willing that with that amendment the bill should be passed.

Mr. STAFFORD. I will direct the attention of the gentleman who is sponsor for this claim to the fact that the Secretary of the Interior has made a report on this case, and I direct his attention to this language:

If it be deemed advisable also, in view of the suggested need of a highway across the land, it might be provided that such patent should be subject to an easement across said land for roadway purposes and for any other purposes which the interest of the United States may require.

Would the gentleman have any objection to incorporating in this paragraph the following:

The reservation to the Government of the United States of an easement across said land for roadway or other purposes which the interests of the United States may require.

Mr. GANDY. I have no objection to that except this—I want to be entirely frank with the gentleman—I have opposed to the best of my ability that sort of a reservation in any patent, which clouds the title forever. A person who has that sort of a patent does not know at what time some officer of the Government is going to step in and ask him to move his buildings or ask to put a road through a cultivated field, and all that sort of thing.

Mr. STAFFORD. The Government never released its right to the timber on this land, and if it granted a full patent to the land the Government would have no right to reach the timber. This person, whoever she may be, has no absolute claim to this tract of land, otherwise she would not come to Congress for a special act.

Mr. GANDY. I will accept the amendment in this particular case. I was saying that as a general proposition I think it is a bad policy to cloud a title with this sort of a reservation.

Mr. STAFFORD. There is another claim called to my attention by a Member of the House who is not present. That is the so-called Markley claim. I have gone over it carefully and I do not think it should be included in this bill. I can not see why that claimant has any claim in equity.

Mr. GANDY. I want to say in regard to the Markley claim that my understanding is Markley contested the homestead entry of some one whose name has slipped my memory on the supposition that the same practice prevailed there that prevails in the other public-land States. If he had contested a homestead entry in South Dakota or in Wyoming he would have acquired a preference right and could have filed on the land.

Mr. STAFFORD. If the gentleman will permit, this entry was made under special conditions that the land should be open under sealed bids to the highest bidder, and a special law provided for the sale of such lands when for any reason the land is not taken.

Mr. GANDY. I was coming to that feature of it. It transpired after Markley had won his contest that the conditions under which this land was opened were such that he did not acquire a preferential right and could not file on the land as they do in other public-land States.

Mr. STAFFORD. The hearings show that the entry was canceled without any hearing.

Mr. GANDY. That simply means that the homesteader defaulted.

Mr. STAFFORD. After making a payment of one-fifth of the purchase price of $1,800 he did not go ahead.

Mr. GANDY. Under the general practice that would have given Markley a preferential right.

Mr. STAFFORD. Yes; but not under the law applicable to these lands.

Mr. GANDY. I want to say that if the gentleman feels keenly about the Markley claim I am willing to strike it out.

Mr. STAFFORD. At the request of a Member of the House who has asked me to object—and I think the facts warrant me in doing so—to the Markley claim, I will object. On the assurance that this item will be stricken out and that the other amendment will be carried, I have no objection to the bill.

Mr. GANDY. I accept the gentleman's proposition.

The SPEAKER. Is there objection?

There was no objection.

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

The SPEAKER. The gentleman from South Dakota asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill under the five-minute rule for amendment, as follows:

Elizabeth Davis, for the east half of the northwest quarter, northeast quarter of the southwest quarter, and northwest quarter of the southeast quarter, section 28, township 47 north, range 3 east, Boise meridian, lying within the Coeur d'Alene National Forest, in the State of Idaho.

Mr. GANDY. Mr. Speaker, I offer the following amendment: Page 4, line 14, after the word "Idaho," strike out the period and insert a colon and add the following paragraph:

Provided, That the issuance of a patent shall not release the Milwaukee Lumber Co. from its obligations to pay to the United States the value of the timber cut from this land.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, to come in after the amendment just adopted.

The Clerk read as follows:

At the end of the amendment insert "with the reservation in the Government of the United States of an easement across said land for a roadway or other purposes which the interest of the United States may require."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 6, line 17, insert:
"Alexander F. McCollam, of Yankee Jims, Placer County, Cal., for the lands described in homestead entry No. 07349, Sacramento series, being homestead entry survey No. 147, in section 28, township 14 north, range 10 east, Mount Diablo meridian, in Sacramento land district, in Placer County, Cal., and containing 1.16 acres, according to official plat of homestead entry survey No. 147, in the Tahoe National Forest, made July 19, 1915.

The committee amendment was agreed to.

Mr. GANDY. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 7, line 2, add a paragraph, as follows:
"Francis Stewart, for the southwest quarter, section 33, township 28 south, range 7 west, New Mexico meridian, Las Cruces land district, New Mexico, upon the payment of $1.25 per acre within six months after approval of this act."

Mr. GANDY. Mr. Speaker, I want to explain that amendment, and if there is any objection to it I will drop it out. The Francis Stewart case is on all fours with the Alma Harris claim carried in this bill and which passed this House as a separate bill. Stewart was a homesteader right close to Columbus, N. Mex., and upon orders of the military commander at the time of the Mexican border trouble he was compelled to leave his homestead and stay away such a length of time as made it impossible for him to offer acceptable proof. The item is offered upon the initiative of the Secretary of the Interior, and he sends with it a statement that he thinks the equities in the case are the same as those in the case of Alma Harris, and that favorable action ought to be had.

Mr. MANN. The gentleman stated that heretofore the House passed this bill—this Congress?

Mr. GANDY. This Congress heretofore passed the Alma Harris item as an individual bill.

Mr. MANN. Is that this item?

Mr. GANDY. No; this is one on all fours, having the same state of facts.

Mr. MANN. This man was taken into the Army service?

Mr. GANDY. No; but because of the unsettled condition of the border near Columbus, N. Mex., at the time they had the border raids, the military commander directed certain people to leave their ranches, and this man was directed not to remain on this homestead because he might be subject to raids from bandits from across the border.

Mr. MANN. And this is to give him that land?

Mr. GANDY. This is to give him that particular land. He was not able to make an acceptable proof because of that absence.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 9, following line 3, insert the following as new paragraphs:

"Homestead entry of Frank D. Ovesen, No. 031912, made March 1, 1916, for the northwest quarter of the northwest quarter, section 9, and the west half of the southwest quarter and the southwest quarter of the northwest quarter, section 4, township 34 north, range 19 east, Montana meridian.

"Homestead entry, Bismarck, N. Dak., No. 019577, made by Peter Andersen on October 13, 1916, for the west half, section 24, township 129 north, range 81 west, fifth principal meridian.

"Homestead entry No. 011395, made by Lizzie G. Garin for the west half of southeast quarter, section 3, west half of northeast quarter, section 10, township 35 north, range 3 east, Montana principal meridian."

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

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 10, following line 14, insert the following as new paragraphs:

"Homestead application 032086, Rapid City series, of Frank Walsh, for the southwest quarter section 2, township 6 south, range 1 east, Black Hills meridian.

"Homestead application 014702, Belle Fourche series, of Fred F. Fuller, for northeast quarter section 27, and west half of northeast quarter and west half of southeast quarter section 22, township 16 north, range 8 east, Black Hills meridian.

"Homestead application 037708, Rapid City series, of Otto F. Schroeder, for north half of northwest quarter of northwest quarter, northeast quarter of northwest quarter, north half of southeast quarter of northwest quarter, and north half of northeast quarter of section 2, township 1 north, range 6 east, Black Hills meridian.

"Homestead application 016665, Belle Fourche series, of Clyde M. Giddings, for the west half of the northeast quarter and the north half of the southeast quarter of section 7, township 9 north, range 4 east, Black Hills meridian.

"Additional homestead application, Glasgow, Mont., No. 049920, filed by Peter W. Hockert, for the north half of the south half, section 25, township 26 north, range 32 east, Montana meridian."

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

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 12, strike out the following:

"SEC. 6. That the patent heretofore issued to George E. Windecker for the east half, section 21, township 34 north, range 14 east, Montana meridian, in the State of Montana, be, and the same is hereby, validated."

Mr. RAKER. Mr. Speaker, I think this amendment ought not to be adopted. On pages 36 and 37 of the report is to be found the statement of the Secretary of the Interior. This young man made an application for a homestead entry and then made final proof and has used and cultivated the land. The Secretary of the Interior reports as follows:

It would therefore appear that, aside from the misstatements as to his age, the patentee complied with the homestead laws as to improvement and cultivation and made good use of the land. In view of this fact and of the fact that the entryman is now over the age of 21 years and still in possession of the land, this department will not interpose any objection to the validating measure if, under the circumstances, Congress deems such relief equitable and proper.

Senator MYERS, chairman of the Committee on Public Lands of the Senate, appeared before the House committee and presented this case very fully, as well as did Mr. EVANS, a Member of the House. My recollection is, it was thought advisable, without any real contest of any kind, to eliminate the matter from the bill. This young man evidently made a mistake as to his age, and the question is now pending to show that there was no fraud in the matter. The matter was submitted after an examination by a special agent to the Secretary of the Interior, and the record submitted to the Attorney General's Office to cancel the patent. Of course, that is the only way it can be done. The boy has his patent and is in possession, cultivating and using the land. The case is one of those where there was no wrong contemplated. The Attorney General's Office has not commenced an action to cancel the patent, but is awaiting the action of Congress.

That is the same way with the other departments, and from the record as referred to it seems to me when the matter was before the committee and now that the House ought to allow this young man to receive his patent to his land under all of the facts of the case, particularly on the ground, as the Secretary says, that he complied with the improvement and complied with the cultivation. He made good use of the land. He is an American citizen. He is of age. He is now in possession of the land, using it, and because of his indiscretion in trying to get the land too early, if this amendment is adopted, the young man will lose his land. An effort has been made a number of times to allow boys 18 years of age to obtain patents.

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

Mr. RAKER. Yes.

Mr. GANDY. I just want to say that it was the opinion of the committee in considering this that this young man undoubtedly now could refile on this land, inasmuch as he has become of age. If the young man had gone out there alone and filed on this land on some erroneous advice, I would not feel keenly about it; but he went there with his parents, and there is no question in the world that his father and mother knew he was not of age when he swore that he was, and they lived with him on this land.

Mr. RAKER. Mr. Speaker, I can not yield except for a question. On page 36 of the report we find the following language in regard to the statement:

I am further advised that the Commissioner of the General Land Office, by his letter of February 7, 1917, to the Chief of Field Division, instructed him to demand of patentee a reconveyance to the United States of the patented premises, and that the General Land Office could give patentee no assurance whatever that he would be allowed to make a second entry of the patented land if it was reconveyed; that if such an application should be tendered it would be considered upon its legal merits as they then existed.

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

Mr. RAKER. Mr. Speaker, I ask for two minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAKER. There is no reassurance. That was the contention made before, that he refile; but suppose the boy did go there with his father and mother, and suppose his father and mother did know that his age was not what he stated, that is but natural. There can be no doubt about that, but it is the case of the boy, the young man. You say that you will cancel his patent by a proceeding in court, a judicial proceeding commenced by the United States Government, and then, after it is canceled, give him a right to refile on the land. What benefit is that to him? No injustice has been done. He is not a criminal at heart; he is a good American citizen; and from the facts presented why should not his claim be validated instead of having the patent canceled by judicial proceeding?

I do not believe that the fact that the father and mother knew should be charged up to the young man. I believe that the committee would be doing justice——

Mr. MANN. Will the gentleman yield?

Mr. RAKER. I will.

Mr. MANN. Is it the position of the gentleman that the young man did not know how old he was?

Mr. RAKER. There is nothing strong on that—there is nothing strong in regard to that.

Mr. MANN. I asked the gentleman's position. I have been listening to all that he said.

Mr. RAKER. I find nothing from the record——

Mr. MANN. The gentleman seems to put it on the parents. Is it the gentleman's position that the young man did not know how old he was?

Mr. RAKER. He did not say.

Mr. MANN. What does the gentleman say?

Mr. RAKER. I do not know.

Mr. MANN. Oh, well, like the young man.

Mr. RAKER. That is nothing against a young man or a young woman that they can not give their exact age. Lots of them can not give the exact age. That is nothing against the boy and his rights. He has done everything that any other man would have done if he had not been in error as to his age——

Mr. MANN. Including one thing that the others would have done; that is, give the facts.

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

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

The Clerk read as follows:

SEC. 7. That the Secretary of the Interior be, and he is hereby, authorized to allow Thomas M. Gray, of Brocket, N. Dak., to make homestead entry for the east half of the southeast quarter, southwest quarter of the southeast quarter, and southeast quarter of the southwest quarter, section 14, township 29 north, range 7 east, Montana meridian, hereby restored to entry from withdrawals in connection with the St. Mary Canal and Milk River project: *Provided*, That said Gray tender a proper application therefor within 90 days from receipt of notice from the register and receiver that the land is subject thereto.

Committee amendment: Page 12, line 7, strike out the figure "7" and insert in lieu thereof the figure "6."

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

The Clerk read as follows:

SEC. 8. That the Secretary of the Interior be, and he is hereby, authorized to allow Alfred St. Michell to make homestead entry for the northwest quarter of the southeast quarter, section 10, township 21 north, range 24 west, Montana meridian: *Provided*, That he file a proper application for the land and pay the appraised price therefor within 60 days from receipt of notice from the register and receiver that the land has been opened to entry.

Committee amendment: Page 12, line 19, strike out the figure "8" and insert the figure "9."

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

The Clerk read as follows:

SEC. 9. That the Secretary of the Interior be, and he is hereby, authorized to allow Dorothea V. Stillman to make homestead entry for the east half of the northwest quarter, section 32, township 21 north, range 19 west, Montana meridian: *Provided*, That she file a proper application for the land and pay the appraised price therefor within 60 days from the receipt of notice from the register and receiver that the land has been opened to entry.

Committee amendment: Page 13, line 3, strike out the figure "9" and insert the figure "8."

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

The Clerk read as follows:

SEC. 10. That John McW. Ford, of Shreveport, La., be, and hereby is, authorized to enter, at the minimum price of $1.25 per acre, lot No. 7, of section 14, township 18 north, range 14 west, Louisiana meridian, Caddo Parish, La., in virtue of his long settlement, bona fide title and possession, and valuable improvements thereon.

Committee amendment: Page 13, strike out lines 11 to 17, inclusive.

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

The Clerk read as follows:

SEC. 11. That the Secretary of the Interior be, and he is hereby, authorized to issue a patent to Christian Frederickson, of Ray, N. Dak., upon homestead entry No. 01209, made at Williston, N. Dak., on October 27, 1908, for the northwest quarter of the northeast quarter of section 32, in township 157 north, of range 96 west, of the fifth principal meridian, upon which satisfactory proof of compliance with law has been filed, provided he shall have paid the price of fifteen and seventeen one-hundredths acres at the rate of $1.25 per acre.

Committee amendment: Page 13, line 18, strike out the figure "11" and insert the figure "9."

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

The Clerk read as follows:

SEC. 12. That the Secretary of the Interior be, and he is hereby, authorized to allow Lloyd B. Barley, of Barley, Mont., to make individual selection, within one year from the date of the approval of this act, of 160 acres of unappropriated surveyed nonmineral public land, upon his filing formal relinquishment of all right and claim to the former entry and reconveyance of same to the United States: *Provided*, That the right of selection hereby granted shall not be assignable but must be exercised by the said Lloyd B. Barley in person, or in case of his death, by or in behalf of the decedent's heirs: *Provided further*, That the land selected shall be of similar general character to that in the original homestead, but if selection is made of land designated or subject to designation, under the enlarged homestead act, double the area of the selection authorized in the foregoing paragraph may be selected: *Provided further*, That the selection hereby authorized may be made subject to existing laws relating to surface entry, with reservation of minerals to the United States.

Committee amendment: Page 14, line 5, strike out the figure "12" and insert the figure "10."

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

The Clerk read as follows:

SEC. 13. That the Secretary of the Interior is hereby authorized to sell and patent to Laura E. Graves, of Columbia, La., lots 3, 5, 6, 9, and 10, and southwest quarter of southeast quarter; west half of southwest quarter and lots 7 and 8; and northwest quarter of section 36, township 14 north, range 4 east, Louisiana meridian, situated in Caldwell Parish, La., at $1.25 per acre, lands which she and her grantors have occupied, under claim and color of title from the State of Louisiana, ever since November 4, 1854: *Provided*, That application for the purchase of the described tracts, under this authorization, be filed at the United States land office in Baton Rouge, La., within 60 days from the passage of this act.

Committee amendment: Page 14, strike out lines 24 and 25, and page 25, lines 1 to 12, inclusive.

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

Mr. GANDY. Mr. Speaker, I ask unanimous consent to make a statement in reference to the amendment just agreed to. The House committee reported against that item for the reason that in the report of the Secretary of the Interior he said if it should appear to the satisfaction of Congress these folks have been in undisputed possession of this land through all the years—I think it dates back to 1858—he believed this bill should be enacted, and no evidence was introduced on that subject. Since the bill was reported that evidence has come in—one of the Louisiana Members has it—and I understand it will be presented to the conferees. I have not had an opportunity to go over it, but in order that the House may understand why that was stricken out and one other which is on all fours left in I make this statement. The evidence was submitted in connection with the item on pages 16 and 17, but was not submitted on the item just passed.

The Clerk read as follows:

Committee amendment: Page 15, after line 12, insert the following as new sections:

"SEC. 11. That the homestead entry numbered 037153, made by the heirs of Victoria A. Thomson, deceased, for the northeast quarter section 4, township 8 north, range 14 east, Montana principal meridian, be, and the same is hereby, validated, and the Secretary of the Interior is hereby authorized to issue patent thereon upon the submission of satisfactory proof of compliance with the laws under which the entry was allowed.

"SEC. 12. That the Secretary of the Interior be, and hereby is, authorized to issue patent to C. R. Shaw, Allen Shaw, and Robert Shaw for the lands described as lot 1 of section 13 and lot 1 of section 14, in township 1 south, range 16 west of the Huntsville meridian, containing 24 19/100ths acres, according to the official plat of survey now on file, known as State Line Island, situated in Lauderdale County, Ala., on the payment of $1.25 per acre.

"SEC. 13. That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent conveying all the right, title, and interest of the United States to the southeast quarter of section 28, township 12 north, range 12 east, Columbia County, Wis., to H. B. Rogers, upon the payment by him to the United States of the sum of $1.25 per acre."

The question was taken, and the amendments were agreed to.

The Clerk read as follows:

Committee amendment: Page 16, after line 12, insert the following as a new section:

"SEC. 14. That the Secretary of the Interior is hereby authorized and directed to sell to S. S. Markley, within a period of 90 days from and after the passage of this act, at the original purchase price of $1,800, the southeast quarter of section 2, township 3 south, range 12 west, Indian meridian, Cotton County, Okla., and issue to him a patent therefor."

Mr. STAFFORD. Mr. Speaker, I rise in opposition to the amendment. I suppose there will be no contest after the understanding had with the gentleman from South Dakota.

Mr. FERRIS. I do not know what the understanding was. What is the objection?

Mr. STAFFORD. The gentleman was on the floor when we had the understanding.

Mr. FERRIS. I was here, but did not hear what was said. What is the objection to the bill?

Mr. STAFFORD. This matter was called to my attention some months ago by a Member who is not present. I looked over the private bill that this relates to and examined the report on this item. It seems that back in 1907 entry was made by one Ross when this pasture reserve of the Kiowa, Comanche, and Apache Indian reservation was opened to settlement. The entry was under the act of June 5, 1906. Under that act it was provided that the land should be opened to entry at certain specified bids. Mr. Ross bid $1,800 for the land. Thereafter one Snell S. Markley, who now seeks to get the land, made a contest. Seven years afterwards, in 1914, the contest was abandoned——

Mr. FERRIS. Not abandoned; the contest was decided in favor of him. The law did not allow him a preference right to enter even though he won it in the contest.

Mr. STAFFORD. Later Mr. Ross made default, and the entry was canceled without any hearing by the General Land Office on February 7, 1914.

Mr. FERRIS. That is right.

Mr. STAFFORD. The mere fact that Markley filed a contest gave him no right whatsoever to this land.

Mr. FERRIS. It could be contested, but the contestant did not acquire the preference right to enter that is usually accorded a successful contestant.

Mr. STAFFORD. Because under the law opening the land to entry——

Mr. FERRIS. It was subject to contest, but the contestant did not get anything. He did not get any preference right.

Mr. STAFFORD. The contestant did not get anything.

Mr. FERRIS. That is true.

Mr. STAFFORD. The entryman paid one-fifth of the $1,800 and forfeited it. Seven years afterward this man Markley, because he happened to enter a contest with the entryman, wishes to gain title to this land.

Mr. FERRIS. By paying the highest bid for it?

Mr. STAFFORD. The highest bid that is named, but not the highest bid which may now be obtained for it. This land is sold under the law and offered as unsold tracts to the highest bidder. Now, I suppose this land—I do not know—may be worth several thousand dollars. Markley wants to come in here and lay claim to it; but he has no right to it whatsoever, no superior right, just because he made a contest against the original entryman.

Mr. FERRIS. I know the gentleman is exacting an agreement here that this item go out or he will kill all these omnibus bills. Of course, I do not want to kill all of these 50 odd bills just to save mine.

Mr. STAFFORD. I have gone over these items.

Mr. FERRIS. So have I, and the gentleman has probably singled out the only little bill I have had for four or five years and eliminated it, and because I was not on the job he has entered an agreement to strike this out of the bill. It seems to me the gentleman might have called it to my attention.

Mr. STAFFORD. I will say to the gentleman, to justify my views, that if I had known it was the gentleman's bill I would certainly have called it to his attention. The gentleman was on the floor with other members of the Oklahoma delegation, and no protest was made at all.

Mr. FERRIS. I was sitting over there with some other gentlemen. Somebody said the gentleman from Wisconsin was knocking one of my bills.

Mr. STAFFORD. If this matter had not been called to my attention by a member of the Committee on Indian Affairs——

Mr. FERRIS. What member?

Mr. STAFFORD. I will say on my responsibility that a member of the Committee on Indian Affairs asked me to object to

this bill when it came up on the Private Calendar. I have no further interest in the matter.

Mr. FERRIS. I want to be heard a moment here. Mr. Chairman, the Secretary of the Interior sent this little relief bill down with a large number of other bills and asked that it be enacted, urging that there were strong equities and that it had been before the department a long time, and he hoped that Congress would enact them. When I was out home sick with influenza the Committee on Public Lands put this in the omnibus bill for minor unimportant bills. At another time it was reported as a private bill that I introduced. The facts are all in the reports from the Secretary. I hope the gentleman will tell me who objects to this bill, because I think there is no valid objection to it. He has allowed page after page of these small bills to go through where they pay nothing for the land, and this gentleman provided for here has to pay $1,800 and get a piece of bald prairie land, and the gentleman singles that out and puts a condition precedent that he will not allow this omnibus claim bill to be presented unless they strike this provision out. He allows all the others to go without any payment for the land whatever.

Mr. MONDELL. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MONDELL. The contestant was not to blame for the fact that it took seven years to have the case decided?

Mr. FERRIS. No; and my information is the poor fellow has been living on the land and making a home on it, a piece of land that the original occupant paid one-fifth for and moved away. It was abandoned. The original purchaser did not want it. He never even came back.

Mr. MONDELL. If the contest had been decided immediately there would have been no question raised by anyone about the value of the land?

Mr. STAFFORD. Even then he would not have had a right to enter the land.

Mr. MONDELL. He says a mistake is made there.

Mr. FERRIS. We have a very peculiar law on this land, that you can contest and cancel a claim, but you do not get anything as a result of it. They are merely performing a task for the Government. This man did not know it. He prosecuted the claim up to the last resort, spending his own money. This man Markley, I am told, had been living on this piece of land and making a home on it. The gentleman, by knocking this amendment out, will cause the piece of land to be put up at auction and sold out from under him and give it to somebody probably for a few more dollars. I was in hopes to save a home for him.

Mr. STAFFORD. Can the gentleman inform the House, if he knows the facts, what is the value of the land?

Mr. FERRIS. I do not know what the value is. It is prairie land, without a stick of timber on it, and located in the "Big Pasture." It is away north of the oil field and has no value whatever for oil. I never saw Markley. I never saw the land, but I know the general character of all that land down there. I do not know him, or anything of the kind, but the gentleman is doing the man who has a piece of land, and is willing to pay $1,800 for it, a great injustice. If the gentleman is doing that in order to hurt me, I will say that it does not hurt me.

Mr. STAFFORD. I do not want the chairman of the committee to have any such thought. I did not know that the gentleman from Oklahoma—and I say that in all sincerity—was interested in the bill. A gentleman who is a member of the committee asked me two months ago that if that bill was called up, to oppose it. He told me to look into it. I did not make any promise. I have no personal interest in the matter. I wish, Mr. Speaker, in view of the fact that the gentleman from Oklahoma thinks it a personal matter, to withdraw any reservation I made when this bill was under consideration. I do not think it was fair for the gentleman to think it is personal to him. I have no personal interest in the matter, even though the gentleman from Oklahoma has been chairman of the Democratic congressional committee.

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

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

Mr. MANN. I hope the gentleman will withdraw his request. Let us get along. Then the gentleman will start something else.

Mr. FERRIS. No. I want to help some. I do not want to have a controversy with the gentleman. I ask unanimous consent for one minute.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. FERRIS. Now, I do not want the gentleman from Wisconsin [Mr. STAFFORD] and myself to misunderstand each other about this matter. I am satisfied that the gentleman from Wisconsin has obtained some information from somewhere that was not right. If the gentleman will tell me, I will take it up with him personally and publicly and debate it with him. Here is a case where a man is compelled to pay all that the land is worth, and probably more. He is singled out and not even permitted to pay full value for the land and acquire it.

Mr. STAFFORD. In justice to myself, I want to say that I have gone over these claims. There was a Davis claim, where the Milwaukee Lumber Co. was interested, and in that case I asked that the interests of the Government be protected against the interests of the Milwaukee Lumber Co. I do not think the gentleman from Oklahoma had any right to make the reflection on me that he has made in this discussion.

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

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

Mr. GANDY. Mr. Speaker, I did not understand from the vote that the amendment was agreed to.

Mr. FERRIS. I do not think we ought to agree to the amendment after the gentlemen have made an agreement. I do not want any agreements violated. I am merely sorry the agreement was made. I think it will do a very poor man an injustice, but I have hastily presented the matter as best I could.

Mr. MANN. A number of gentlemen voted for it, and a greater number voted against it, as I understand.

The SPEAKER pro tempore. The Chair will again put the question. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 15. That the Secretary of the Interior is hereby authorized to issue and patent to Ella Oliver Richardson and Edmund Richardson the west fractional half of southwest fractional quarter of section 2, 27.24 acres; all fractional section 11, 320 acres; all that part of northeast quarter of northwest quarter section 13 lying west of the eastern boundary of what was formerly section 40, approximately 24.84 acres; northwest quarter of northwest quarter section 27, 39.95 acres; south half of northeast quarter and northwest quarter of northeast quarter section 28, 106.91 acres; all situated in township 18 north, range 10 east, Louisiana meridian, being approximately 518.93 acres in East Carroll and Madison Parishes, La., upon payment to the Government the sum of $1.25 per acre, lands which they and their grantors have occupied under claim and color of title and open and notorious possession for upward of 50 years: *Provided*, That proper application for the purchase of these lands be filed hereunder in the district land office within six months from the passage of this act, and that no adverse claim thereto be officially on record as pending when the application is allowed and the sale is made.

The SPEAKER pro tempore. There is a typographical error in this amendment. Without objection, the Clerk will be instructed to correct it.

There was no objection.

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

The amendment was agreed to.

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

The Clerk read as follows:

SEC. 16. That the location No. 33 in township 6 north, range 9 west, second principal meridian, Indiana, which has been surveyed in the name of William Watson, as appears from the field notes of survey on file in the General Land Office, be, and the same is hereby, confirmed to the said William Watson, and the Commissioner of the General Land Office shall issue his certificate as register ex officio and cause a patent to be issued for said claim to William Watson, his heirs, assigns, and legal representatives: *Provided*, That this act and the patent which may be granted in pursuance of the same shall only operate as a relinquishment on the part of the United States, and shall in no way prejudice any valid adverse right, if such exist, to the said land; the intent being that title shall inure to the true owners of the land under the laws of Indiana, including laws of limitation and prescription, as though patent had issued during the lifetime of said William Watson.

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

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 17. That the homestead entry No. 06376 made by James Parmeter on February 10, 1914, for the west half of the southeast quarter and the east half of the southwest quarter, section 15, township 5 south, range 30 west, fifth principal meridian, on which proof of compliance of law has been made, be, and the same is hereby, validated, and the Secretary of the Interior is hereby authorized to issue patent thereon.

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

The amendment was agreed to.

The Clerk read as follows:

SEC. 18. That the additional homestead application No. 027498, filed by Andrew J. Brasswell on July 16, 1913, be, and the same is hereby, validated and allowed as to the west half of the southeast quarter, section 32, township 14 south, range 36 east, New Mexico principal meridian, effective as of the date filed, and that the State of New Mexico,

through its proper officers, be, and it is hereby, authorized to select 80 acres of surveyed, nonmineral, unappropriated, and unreserved public land in lieu of the above described tract.

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

The amendment was agreed to.

The Clerk read as follows:

SEC. 19. That upon the tender of a valid and sufficient soldiers' additional right, within a period to be fixed by the Secretary of the Interior, in support of the pending application of Hugh L. Shafer, known as Great Falls serial No. 045534, to enter the northeast quarter of the southeast quarter of section 32, township 22 north, range 12 east, Montana meridian, the Secretary of the Interior is hereby authorized to issue patent for the land herein described to George Van Voast, in whose interest said application was submitted, notwithstanding the intervention of any claim to the land not lawfully initiated prior to the filing of said application by Hugh L. Shafer.

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

The amendment was agreed to.

The Clerk read as follows:

SEC. 20. That the Secretary of the Interior is hereby authorized and directed to permit Nathan L. Seamon to make a second homestead entry: *Provided*, That in perfecting title to any homestead entry made under the provisions hereof said Seamon shall be entitled to claim credit for all residence, cultivation, and improvements shown in connection with his former entry, known as Denver serial 011928, and, if such entry is commuted, shall be entitled to credit for the $200 paid in connection with said Denver entry: *Provided*, That Seamon first reconvey to the Government the land embraced in said former entry.

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

The amendment was agreed to.

The Clerk read as follows:

SEC. 21. That Clarence Hazelbaker is hereby granted right of selection of 80 acres of unappropriated nonmineral, unreserved public lands of the United States in lieu of lands described as follows: The west half of the northeast quarter of section 15, township 31 north, range 3 east, Boise meridian, for which patent was issued him upon his final homestead certificate, but which it subsequently appeared was included in the land patented to Me-yone-yah, under Indian allotment No. 1287, in the Nez Perces Indian Reservation: *Provided*, That the land selected shall be of similar general character to that in the original homestead, but if selection is made of land designated or subject to designation under the enlarged homestead act, then selection may be in double the area of the original selecttion, and if selection is made under lands available for entry under the stock-raising homestead law, then selection may be made in area equal to four times the area of the selection authorized heretofore.

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

The amendment was agreed to.

Mr. GANDY. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from South Dakota.

The Clerk read as follows:

Mr. GANDY offers the following amendment: Page 21, at the end of the bill, insert a new section, as follows:

"SEC. 22. That Rebecca C. Pepper is hereby permitted and given the right to select from lands subject to homestead entry in the United States 80 acres of such land, and upon selection being made the Secretary of the Interior be, and is hereby, authorized and directed to execute proper conveyance of title to such land to said Rebecca C. Pepper without requiring her to comply with any of the usual homestead provisions as to residence on or improvement of such land: *Provided*, That the land selected shall be of similar general character to that in the original homestead, but if selection is made of land designated or subject to designation under the enlarged homestead act, then selection may be in double the area of the original selection, and if selection is made under lands available for entry under the stock-raising homestead law, then selection may be made in area equal to four times the area of the selection authorized heretofore."

Mr. WALSH. Well, Mr. Speaker——

Mr. STAFFORD. Mr. Speaker, I think some explanation should be given. I would like to inquire whether it is the purpose of the members of the committee to keep on adding private claims to this omnibus claims bill. This is really a private claim bill, which had no right on the Public Calendar or on the Unanimous Consent Calendar.

The SPEAKER pro tempore. The gentleman from South Dakota [Mr. GANDY] has the floor.

Mr. GANDY. Mr. Speaker, this is the only amendment I have. It is a bill that is on the calendar, and it is on all fours with other bills on the calendar. I yield to my colleague [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, I may say that this is a bill which by oversight was not called to the attention of the committee when they were making up this omnibus measure. It is a bill introduced by my colleague Mr. MCLAUGHLIN of Michigan, which passed the Senate in the Sixty-third Congress, and which was favorably reported to this House but failed to get action. It has been favorably reported by the Committee on the Public Lands in this Congress since the omnibus bill was reported, is on the Private Calendar, and therefore is not eligible to go on the Unanimous Consent Calendar. It is a bill to give Rebecca C. Pepper the right to make a substitution. On September 28, 1908, she was allowed to make a homestead entry of certain lands, the same, according to the Federal land office records at Marquette, Mich., being open to entry. She went on the land, and several years later, after she had spent about $2,500 on it, it was discovered that the lands were not subject to entry because of an old military bounty land warrant issued in 1866. And having been misled by the books of the land office, and having made these improvements, which she has lost, this bill merely proposes that she may have an opportunity to enter without residence an equal amount of other land in the State of Michigan open to entry; or, if it is of inferior value, that she may be allowed to enter 160 acres instead of 80; and as to all of that the Department of the Interior, both in 1913 and again in January of this year, has made favorable reports, which have been put into the report of the committee.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. GANDY. Mr. Speaker, it is very apparent that if the latest decision of the Chair with relation to section 14 is to stand, these sections will have to be renumbered; and I want to ask the gentleman from Wisconsin [Mr. STAFFORD], with whom I had an agreement with relation to section 14, from which he so graciously released me, if now, inasmuch as these sections would have to be renumbered, and inasmuch as there was a misunderstanding as to just what that vote was and how Members should vote on the amendment, he would have any objection at this time to returning to section 14 and taking the vote over again?

Mr. WALSH. I would object to it. We can not be voting on these things twice.

Mr. GANDY. Then, Mr. Speaker, I ask unanimous consent that the numbers of the sections be corrected.

Mr. MANN. The Clerk will properly number the sections.

Mr. FRENCH. Mr. Speaker, I offer the amendment which I send to the Clerk's desk.

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

The Clerk read as follows:

Amendment offered by Mr. FRENCH. Insert the following as a new section:

"SEC. 23. That Oliver P. Pring, of Lewiston, Idaho, is hereby granted right of selection of 160 acres of nonmineral unreserved public lands of the United States in lieu of lands purchased by the said Oliver P. Pring, for which patent was issued to Ulysses S. Bartlett upon his final homestead certificate No. 5689, but which it subsequently appeared was partly included in the land patented to Hattie Moody under Indian allotment No. 1711, embracing the following-described land: The east half of lot 4, section 35, township 36 north, range 4 west, Boise meridian: *Provided*, That the land selected shall be of similar general character to that in the original homestead; but if selection is made of land designated or subject to designation under the enlarged homestead act, then selection may be in double the area of the original selection, and if selection is made under lands available to entry under the stock-raising homestead law, then selection may be made in area equal to four times the area of the selection authorized heretofore."

Mr. FRENCH. Mr. Speaker, the House is entitled to an explanation of just what this amendment proposes to do. It proposes to grant to Oliver P. Pring the right to acquire a homestead of 160 acres of the lands described, or in lieu of not being able to acquire a homestead of 160 acres of land available under the general homestead laws, then double that amount under the 320-acre homestead law, or four times that amount under the stock-raising homestead law.

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

Mr. FRENCH. Let me make my statement first. The facts are these: In 1897 the Government of the United States issued an Indian allotment to one Hattie Moody, which allotment included this particular land, amounting to 5 acres. Through some inaccuracy in keeping the records no notation was made in the matter, and several years later, or about 1908, Ulysses S. Bartlett was permitted to acquire the land under the homestead law, and a patent was issued. Bartlett sold the land. It passed through the hands of one or two innocent purchasers, and finally Mr. Pring acquired it. After Mr. Pring acquired the land and possibly had sold it—I am not sure on that point—it was discovered that there was a conflict as to the land, and that the land that had been patented to Bartlett had been allotted and patented in part to Hattie Moody. Subsequently in the United States district court the patent was canceled, so far as it involved the land in question. This tract of land is down on the river bottom, where it is very valuable. Before the matter was disposed of by the court, Pring went to the Indian woman and offered her $500 an acre for it. In order that you may know how valuable it is, I call your attention to the fact that he offered her $500 an acre for this particular tract. It was refused by her. Apparently there was nothing

for the court to do except to cancel the patent. Of course Mr. Pring is the loser. I have his affidavit here showing that he has lost something like $3,500. Now, there seems to be an objection to this bill, because we can not get it out of our heads that an acre of land is a unit of value and a medium of exchange. Gentlemen, if we still lived in an age when we kept books by cutting notches on sticks, there would be reason in that logic, but we have passed by those times. Case after case has been reported in this bill where the land did not involve as great a value and where we have permitted the person who was injured to go and acquire other lands. The last case on the bill is the Hazelbaker case. I suppose that the loss there to the original entryman is not nearly equal to the loss of Mr. Pring, yet, because we could measure it in approximately the same number of acres, no question was made, and we reported favorably on a bill to grant relief to that man. Yet here is a case where the land is valuable, worth $500 an acre nearly 10 years ago, and worth more than that now, but because it does not approximate in area 80 acres or 160 acres we say, "Why, we can not report any relief for him." I can not get any relief from the Claims Committee; I can not get any relief from the Indian Committee; I can not get any relief from the department. There is no place where this man can go for relief except here.

Mr. MONDELL. I assume that the claimant is not a qualified homestead entryman?

Mr. FRENCH. No; he is not.

Mr. MONDELL. And all you are doing is proposing to make him a qualified homestead entryman?

Mr. FRENCH. Yes; and let him take a homestead and let him be granted this land in lieu of the land that was erroneously patented to the Indian woman.

Mr. MONDELL. You do not grant him any particular tract?

Mr. FRENCH. No; we grant him the right to acquire a tract.

Mr. MONDELL. All you do is to make this claimant a qualified homestead entryman?

Mr. FRENCH. No; the language is practically the same as the Hazelbaker case, where it is granted to Hazelbaker the right to acquire land in lieu of land erroneously patented to Hazelbaker. Here we grant 160 acres in lieu of 5 acres, and if Pring can not find such land under the general law——

Mr. MONDELL. That is exactly what he could do if you make him a qualified entryman.

Mr. FRENCH. Then he would have to live on the land, prove up, and all that sort of thing.

Mr. MONDELL. All you do is to allow the man to make the entry?

Mr. FRENCH. No; we let him do what we have done in the Hazelbaker case—permit him to acquire land in lieu of it.

Mr. FERRIS. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. FERRIS. This was not considered by the committee?

Mr. FRENCH. It was considered by the subcommittee and was turned down.

Mr. FERRIS. This provides that the land can be had by the entryman without the payment of any money?

Mr. FRENCH. Yes.

Mr. WALSH. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. WALSH. Has the bill ever been reported by any committee?

Mr. FRENCH. I have had it before the committee; the committee did not report it, but turned it down, and the Department of the Interior reported adversely on it.

Mr. WALSH. And the gentleman is asking the House to put on an amendment rejected by the committee of the House and reported upon adversely by the Interior Department. What are the particular facts why this amendment ought to be put in the bill?

Mr. FRENCH. Mr. Speaker, I suppose, if I have done nothing else I have at least focused attention on the absurd system under which we are working when a claimant having a legitimate claim against the Government has no place to go for relief.

I have introduced a bill that the department may have the power over small claims to adjudicate them, and that in certain cases they may be taken to the Court of Claims on appeal, and in case of large claims they may be taken to the Congress. What are we going to do? The Government was at fault in this case; it issued a patent of the land to an Indian woman and later permitted a homesteader to acquire the same land, which, when Mr. Pring owned it, was worth $500 an acre, and to save himself he was willing to pay the Indian woman $500 an acre and wipe out her claim. We are asking that he may not be allowed to lose the value of the land on account of the blunders of the Government, and there ought to be some way in which to find relief.

Mr. WALSH. Can the gentleman state the grounds on which the committee refused to report the bill?

Mr. FRENCH. I think the grounds are the ones that I have indicated, that the amount of the land is only 5 acres. There is one other point, and that is one relied upon in part by the department, that Mr. Pring knew that the land was Indian land before he bought it. He swears positively that he did not. More than that, it is clearly within the land purchased by Pring, according to the description of the patent, and it required action in the Federal court to set aside the title.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. McLAUGHLIN of Michigan. What the gentleman says indicates that this case is similar to the one I had.

Mr. FRENCH. With this exception: That this only involves 5 acres of land which are of great value, and in the gentleman's case he had a larger area—80 or 160 acres, I forget which—that could be taken care of by an even exchange. In this case we have only 5 acres, and it is worth more than 160 acres of any other land referred to in the bill.

Mr. McLAUGHLIN of Michigan. I am in thorough sympathy with the gentleman and what he is trying to do. There ought to be some way in which the department of the Government that makes serious mistakes involving land can correct these mistakes and make good the loss. In my case there was a schoolteacher of my district who undertook to get a patent on 80 acres of land. It was found to be subject to patent, and she located on it, put improvements on it, and expended $2,500.

Mr. FRENCH. I think we have taken care of that case in this bill.

Mr. McLAUGHLIN of Michigan. When she applied for a patent she was told that it had previously been patented to another party. She asked for redress, and the officials told her that the deed given by the Government is only a quitclaim and that there is no liability whatever on the Government. The only way for us was to come to Congress and ask for relief, and when we do so we are put off for years, as we are in this case.

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

Mr. FRENCH. I ask for five minutes more.

Mr. MANN. Reserving the right to object, the gentleman has had how much time?

Mr. FRENCH. Ten minutes.

Mr. MANN. There are a lot of other cases on the calendar. Does not the gentleman think he has had a fair chance to make his statement?

Mr. FRENCH. When it comes to that, I have occupied little time of the House, but I am willing to recognize the fact that other Members are much interested in other bills, and I think, Mr. Speaker, I have said all I need to say.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Idaho.

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

Mr. McCLINTIC. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

At the end of the bill add a new section, as follows:

"That I. N. Ellis be permitted to purchase from the United States at the price of $1.25 per acre, lots 6 and 7 of section 3, and lots 4, 5, 6, 7, 8, 9, 10, and 11 of section 10, township 8 north, range 21 west, of the St. Stephens meridian survey, in Lawrence County, Miss., containing 234.82 acres: *Provided*, That nothing herein contained shall be so construed as to deprive Mack and John P. Sutton of any rights they may have under their pending application to make entry of portions of said lands under the homestead laws: *Provided further*, That application for the purchase must be filed within six months from the passage of this act."

Mr. STAFFORD. Mr. Speaker, I reserve the point of order on the bill.

Mr. McCLINTIC. Mr. Speaker, this is a measure that has been duly considered by the Public Lands Committee and afterwards referred to a special committee, and a hearing was had on the same. The special committee found that the bill should be enacted into law and reported it back to the Public Lands Committee with a favorable report. The bill is now on the Private Calendar. This is a case in which a party named Ellis and those through whom he received title from have had undisputed possession of the property for a period of 50 years. In 1916 the Government made a new survey, and in this new survey they found that this land that this man had been paying taxes on for a period of 50 years was not included in that which he originally obtained, and so the Public Lands Committee and the subcommittee, after considering the merits of the matter, reported this bill favorably to the House. It is on the Private Calendar and for that reason I wish to have it added to this bill.

The SPEAKER pro tempore. Does the gentleman from Wisconsin make the point of order?

Mr. McCLINTIC. Mr. Speaker, I hope the gentleman will not make the point of order. It has been duly considered by one of the large committees in the House and has been considered by a special committee. The Secretary of the Interior has reported favorably upon it. There is no controversy about it, and even the attorneys——

Mr. STAFFORD. Which committee reported favorably upon it?

Mr. McCLINTIC. The Public Lands Committee. And even the attorneys representing the two contending parties have agreed that the bill should be enacted into law.

Mr. STAFFORD. Mr. Speaker, after the House has adopted an amendment which the committee did not favorably report I do not think that it is consistent to make the point of order on one upon which it did favorably report. I withdraw the point of order.

The SPEAKER pro tempore. The gentleman from Wisconsin withdraws the point of order. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

Mr. GANDY. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

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

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

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

Mr. GANDY. Mr. Speaker, eight of the items included in the bill just passed are on the Private Calendar as individual bills, and I ask unanimous consent that they be ordered to lie on the table, the bills being H. R. 4239, H. R. 1672, H. R. 13109, H. R. 3786, H. R. 12122, H. R. 10403, H. R. 11919, and H. R. 6052.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent that the bills be enumerated on the Private Calendar, which have been incorporated within the bill just passed as amendments, do lie on the table. Is there objection?

There was no objection.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the bill passed and upon my services in this House.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

BRIDGE ACROSS MONONGAHELA RIVER, ALLEGHENY COUNTY, PA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13427) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania.

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

There was no objection.

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

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge, with approaches thereto, across the Monongahela River, at a point suitable to the interests of nagivation, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, 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 pro tempore. 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.

Mr. GARLAND. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

Mr. KELLY of Pennsylvania. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

CANAL CONNECTING LAKE ERIE AND OHIO RIVER.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11579) to authorize the appointment of a board of engineers to make a preliminary location, survey, and plans for a canal connecting the waters of Lake Erie and the Ohio River on the line of the Miami and Erie Canal from Toledo to Cincinnati, Ohio, and from a point near Defiance, Ohio, to a point in the southerly end of Lake Michigan, and to estimate the cost thereof.

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

Mr. WELTY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice and be placed at the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the bill be passed over without prejudice to go to the foot of the calendar. Is there objection?

There was no objection.

CIVIL RIGHTS OF SOLDIERS AND SAILORS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13185) to amend paragraph 1 of section 200 of article 2 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918.

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

Mr. MANN. Mr. Speaker, reserving the right to object, I wish the gentleman would explain the necessity for this now.

Mr. STEELE. Mr. Speaker, it is recommended by the Attorney General's Department, and until the war is actually ended there is some necessity for it, according to his statement. Technically the war is not over and probably will not be for several months, and perhaps more than that.

Mr. MANN. We have gotten along without it until the war was actually over, and what is the necessity for it now?

Mr. STEELE. The only change made by this amendment is to protect the rights of the United States so that they shall not be compelled to give an indemnifying bond. That is the only purpose of the amendment.

The SPEAKER pro tempore. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, reserving the right to object, I should like to have the bill reported.

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

The Clerk read as follows:

Be it enacted, etc., That paragraph 1 of section 200 of article 2 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918, be, and is hereby, amended to read as follows:

"SEC. 200. That in any action or proceeding commenced in any court if there shall be a default of an appearance by the defendant the plaintiff before entering judgment shall file in the court an affidavit setting forth facts showing that the defendant is not in military service. If unable to file such affidavit plaintiff shall in lieu thereof file an affidavit setting forth either that the defendant is in the military service or that plaintiff is not able to determine whether or not defendant is in such service. If an affidavit is not filed showing that the defendant is not in the military service, no judgment shall be entered without first securing an order of court directing such entry, and no such order shall be made if the defendant is in such service until after the court shall have appointed an attorney to represent defendant and protect his interest, and the court shall on application make such appointment. Unless it appears that the defendant is not in such service the court may require as a condition before judgment is entered that the plaintiff file a bond approved by the court conditioned to indemnify the defendant, if in military service, against any loss or damage that he may suffer by reason of any judgment should the judgment be thereafter set aside in whole or in part. And the court may make such other and further order or enter such judgment as in its opinion may be necessary to protect the rights of the defendant under this act: *Provided*, That in cases in which the United States is the plaintiff no indemnity bond shall be required, and court fees incurred by attorneys appointed to protect the interests of absent defendants, together with such attorneys' fees as the court may direct, shall be paid by the United States."

With the following committee amendment:

Page 3, lines 3 and 4, strike out "together with such attorneys' fees as the court may direct."

The SPEAKER pro tempore. Is there obejction to the present consideration of this bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

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

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The Clerk read the bill.

Committee amendment: Page 3, lines 3 and 4, strike out "together with such attorneys' fees as the court may direct."

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

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

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

VALIDATION OF CERTAIN PUBLIC-LAND ENTRIES.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13034) to validate and confirm certain erroneously allowed entries in the State of Minnesota.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

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

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

The Clerk read as follows:

Be it enacted, etc., That in all cases where Chippewa Indian lands in Minnesota, ceded under the act of Congress approved January 14, 1889 (25 Stat. L., p. 642), were assessed under the State drainage laws prior to the opening of the lands to entry, where the lands were subsequently opened to entry and were thereafter sold under the said drainage laws, and where cash entries for the lands were subsequently made as though authorized by the act of Congress approved May 20, 1908 (35 Stat. L., p. 169), such erroneously allowed entries, if otherwise regular, be, and the same are hereby, validated and confirmed.

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

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

WAR WORKERS OF AMERICA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13072) to incorporate the War Workers of America.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I object to this bill. There is another of similar tenor on the calendar.

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

ADDITIONAL JUDGE, NORTHERN JUDICIAL DISTRICT, TEXAS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13629) to provide for the appointment of an additional district judge in and for the northern judicial district of the State of Texas.

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

Mr. CRAMTON. Mr. Speaker, I object.

Mr. SUMNERS. Will the gentleman withhold his objection?

Mr. CRAMTON. Certainly, I will withhold my objection.

Mr. SUMNERS. Mr. Speaker, I desire to make a very brief statement to the Members of the House with regard to this bill. Judge Meeks, who is the presiding judge of this district, is now in a sanitarium in California. He has been out of the district much of the time for the past two years. His health began to fail about 10 years ago, and since that time his health has been in a precarious condition. Last fall he had a stroke, and under the advice of his physician left the district. He was unconscious for a while and his physician states that he will not be able to return for at least a year and a half, and when he does return he will not be able to do the heavy work of the district. There is now pending in that district about a thousand cases. There has not been tried in that district but one civil case since last summer. The district is composed of about 99 counties, something in the neighborhood of 70,000 square miles of territory. It embraces the cities of Dallas and Fort Worth, 32 miles apart, which have a total population of more than a quarter of a million people. There is in this district about a million and a quarter of people. Now, to add to the difficulties of that situation, the judge of the eastern district, which is an adjoining district, is in a sanitarium now at El Paso. This bill was prepared by the Department of Justice and was introduced at the request of the Attorney General. The Attorney General came before the Committee on the Judiciary, having this bill in charge, and urged upon us that the situation obtaining in that district amounts practically to a denial of justice. Now, I am going to read a very brief statement which indicates some of the difficulties we are up against——

Mr. CRAMTON. If the gentleman would yield—I do not want to interrupt any statement the gentleman desires to make—but in view of the very unhealthy climate of Texas in reference to Federal judges I withdraw my objection.

Mr. SUMNERS. I thank the gentleman.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. SUMNERS. Mr. Speaker, 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 and, pending that request, I desire to ask the Chair with reference to a parliamentary matter. A bill identical in purpose but very slightly different in language, has passed the Senate and is now on the Speaker's table. I desire to have the Senate bill substituted for the House bill.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent——

Mr. WALSH. What is the Senate bill?

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill be considered in the House as in Committee of the Whole——

Mr. MANN. We do not know it is to be considered at all if the request is granted. The gentleman, I understood, asked unanimous consent to consider the Senate bill in lieu of considering the House bill.

Mr. SUMNERS. That was the request I desired to make.

Mr. MANN. Is the Senate bill at the desk?

Mr. SUMNERS. Yes; I have sent it up. It has passed the Senate.

The SPEAKER pro tempore. The request the gentleman makes is that this bill be considered in the House as in the Committee of the Whole.

Mr. MANN. The Committee of the Whole can not substitute one bill for another. The House might do so.

Mr. SUMNERS. What I desire is that we may now consider the Senate bill, which is identical in purpose with the House bill.

Mr. MANN. It is not identical, but——

Mr. SUMNERS. And I desire to submit that request.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to consider the Senate bill in lieu of the House bill. Is there objection?

Mr. MANN. Let the Senate bill be reported.

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

The Clerk read as follows:

A bill (S. 5342) providing for the appointment of an additional district judge for the northern judicial district of the State of Texas.

Be it enacted, etc., That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the northern judicial district of the State of Texas, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district.

SEC. 2 That whenever a vacancy shall occur in the office of the district judge for the northern district of Texas senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

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

Mr. SUMNERS. Mr. Speaker, I ask 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. The gentleman from Texas 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? [After a pause.] The Chair hears none. The Clerk will report the bill for amendment.

The bill was read for amendment.

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

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

The SPEAKER pro tempore. Without objection, the House bill of similar tenor will lie on the table. Is there objection? [After a pause.] The Chair hears none.

On motion of Mr. SUMNERS, a motion to reconsider the vote by which the bill (S. 5342) was passed was laid on the table.

BRIDGE ACROSS ROCK RIVER, JANESVILLE, WIS.

The next business on the Calendar for Unanimous Consent was the bill (S. 5192) for the construction of a bridge across Rock River at or near South Jackson Street, in the city of Janesville, Wis.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the city of Janesville, in the State of Wisconsin, be, and the same is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rock River at a point suitable to the interests of navigation, at or near the point where South Jackson Street, in said city of Janesville, connects with said Rock River, 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 pro tempore. The question is on the third reading of the Senate bill.

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

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

LAFAYETTE NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (S. 4957) to establish the Lafayette National Park in the State of Maine.

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

Mr. STAFFORD. Reserving the right to object, personally I have no objection to creating the Mount Desert Park or the Sieur de Monts National Monument, situated on Mount Desert Island, as a national park, but I question the propriety of giving the name of Lafayette to a small monument such as this, rather than having Lafayette's name attached to some large national park which might more fittingly express the obligation of our Government to that great revolutionary patriot.

Mr. PETERS. Mr. Speaker, if there were any larger park which the gentleman desired to have honored by this name, I can see force in his objection, but there is none, and there are many reasons why this is an appropriate name. This land which is the subject of this bill and is of about 5,000 acres in area now, and is to be increased by gifts to the Government to 10,000 or 20,000 acres, has very interesting historical relations with the French, having been discovered by Champlain in the very early part of the seventeenth century.

The people interested in this measure desired to change the name to Lafayette National Park. While I personally believe that the name of Mount Desert National Park might be more appropriate and more distinctly local, I deferred in my judgment to that of others interested in this matter. For that reason I hope the gentleman will not insist on his suggestion that the name be changed by amendment.

Mr. CRAMTON. Will the gentleman yield further?

Mr. PETERS. Certainly.

Mr. CRAMTON. It should also be noted in the statement of Secretary Lane that this proposed park is now the third among all national-park areas in the number of people visiting it annually, something like 50,000.

Mr. PETERS. I think it is the second, if the gentleman will permit me, in the number of people visiting it.

Mr. MANN. Will the gentleman from Maine yield?

Mr. PETERS. Yes.

Mr. MANN. If this should be named "Lafayette National Park" will you guarantee it will not be used by suffragettes for burning various things, which might cause a great forest fire?

Mr. PETERS. I wish to say that our suffragettes are not of the incendiary variety, and besides Maine voted 2 to 1 against suffrage about a year ago. So I do not think there is any danger along that line.

Mr. MANN. But Lafayette Park is used for that purpose almost daily, and everybody now knows where Lafayette Park is.

Mr. DALLINGER. You ought to change the name of the latter park to some other.

Mr. MANN. When Lafayette Park is mentioned—and nobody will say Lafayette National Park—there will occur to the mind of everybody in the country the front of the White House, where the suffragettes are engaged in burning some kind of a proclamation, trying to annoy President Wilson, or doing something else.

Mr. PETERS. As soon as we get suffrage all those objections will disappear entirely.

Mr. MANN. It will still be known as "Lafayette Park."

Mr. PETERS. But the value of the objection will cease.

Mr. MANN. Here is the name of a well-known park fronting the White House, across the Avenue from the President's Mansion, and now they want to name a park up in Maine and call it "Lafayette National Park." The word "National" will not be used, except officially, and no one will take the trouble to hunt it up and locate it. Everybody will think of Lafayette Park down here in Washington.

Mr. CRAMTON. I know, as the gentleman has stated, that it is called down here "Lafayette Park," but on the books is it not called Jackson Park?

Mr. MANN. I think that may be so.

Mr. McLAUGHLIN of Michigan. I think the gentleman will find that that is so.

Mr. PETERS. I think there will be no confusion in the minds of people visiting the area in question.

Mr. STAFFORD. I agree with the mover of the bill that the name "Mount Desert" would be more appropriate.

Mr. PETERS. I hope the gentleman will not insist upon it.

Mr. STAFFORD. All of us know the location of Mount Desert, and I am not going to enter an objection to the consideration of the bill just because I think the name of Lafayette is not fittingly connected with this small island park.

Mr. PETERS. It is a larger and more important park than remarks of the gentlemen might indicate. It is essentially a park and not a monument, and that is one reason why this bill should pass. Having now an area of 5,000 acres, it is hoped to increase it to 20,000 in the not distant future, all without cost to the Government, through the continuance of the public-spirited efforts of the farsighted and patriotic gentlemen (preeminently including Mr. George B. Dorr, of Boston and Bar Harbor) who have been devoting their energy to this matter for years.

The park already is an important national project, and its possibilities are immense.

It is the only national park area established for the use and enjoyment of the people east of the Rocky Mountains and the only national park area in the country bordering on the ocean and giving people contact with the sea or view of coastal scenery.

It is in the heart of the most beautiful and picturesque scenery on the Atlantic coast, if not in the world. It includes as its dominating feature the highest summit on the Atlantic shore. It is the only spot where the mountains meet the sea. It is in a climate eagerly sought by thousands for its invigorating and health-giving qualities in summer, autumn, and even winter. This New England section constitutes by far the greatest recreational asset in the country and the most available, lying within reach by motor, train, and boat from the most densely peopled section of the United States and of over half of its total population. This shore is being rapidly taken up in private occupation by people coming from every eastern and central portion of the country, and in a few years' time this tract, now nationally owned, will be the single spot of beauty on it freely open to the public and devoted to a public use.

It will furnish recreation and pleasure to different types of people to an extent greater than any other park possible in this country.

Is a man interested in geology? Within the area of this park are some of the most ancient and interesting mountain and rock formations in the world, clearly exhibiting to the trained eye of the geologist changes of level of the coast and the later movement of the ice sheet, which stripped from the land its ancient soil, wore down the hills which had been pushed up, cut the valleys, and formed the innumerable lakes and ponds, now filled with the clearest and purest of water.

Is a man interested in history? This land contains the site, in 1613, of the earliest French missionary settlement upon the continent. It was discovered by Champlain in 1604, who first landed and named these mountains, which for more than a century remained the property of France as a portion of her ancient Province of Acadia, granted in 1688 by Louis XIV to Cadillac, the founder of Detroit and early governor of Louisiana, passed by English conquest into the possession of Massachusetts and by her given to her last colonial governor, Sir Francis Bernard, as a reward for patriotic service.

Is a man interested in botany and forestry? This particular spot, for some reason, through a combination of soil and climate, is more earnest in its effort to grow things than any other place in that fertile section of the country. It is covered by an extraordinary variety of trees, shrubs, and flowers, and capable of sheltering and nurturing many others.

Is a man interested in wild life? This country is rich in bird life, and this particular spot under national management could be made a bird sanctuary of large importance, lying, as it does, directly in the course of the Atlantic coast migration route to the great summer breeding regions of the north. It was formerly a favorite haunt of moose, deer, and beaver, which need protection only to become again abundant. Trout thrive very plentifully in the lakes and streams, and it is alone among our national-park lands in the admirable opportunities it offers for deep-sea fishing.

For the tired professional man, business man, or mechanic it offers unexcelled facilities for recreation and health, walking and climbing its paths and trails, breathing the ozone of the forests mingled with the breath of the sea.

Secretary Lane has called attention to the fact that the creation of this park was not the result of chance but of care-

ful, thought-out intention. No better way of extending into the crowded eastern regions of the country the immediate benefits of our national-park system could have been devised. The bringing of this park into the national-park system will be of inestimable benefit to future generations.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PETERS. Mr. Speaker, I move that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Maine moves that the bill be considered in the House as in Committee of the Whole. The question is on agreeing to that motion.

The motion was agreed to.

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

The Clerk read the bill, as follows:

Be it enacted, etc., That the tracts of land, easements, and other real estate heretofore known as the Sieur de Monts National Monument, situated on Mount Desert Island, in the county of Hancock and State of Maine, established and designated as a national monument under the act of June 8, 1906, entitled "An act for the preservation of American antiquities," by presidential proclamation of July 8, 1916, is hereby declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Lafayette National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for Sieur de Monts National Monument.

SEC. 2. That the administration, protection, and promotion of said Lafayette National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provision of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes," and acts additional thereto or amendatory thereof.

SEC. 3. That the Secretary of the Interior is hereby authorized, in his discretion, to accept in behalf of the United States such other property on said Mount Desert Island, including lands, easements, buildings, and moneys, as may be donated for the extension or improvement of said park.

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

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

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

Mr. PETERS. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject.

The SPEAKER pro tempore. The gentleman from Maine asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

FLATHEAD INDIAN RESERVATION, MONT.

The next business on the Calendar for Unanimous Consent was the bill (S. 940) to provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects.

Mr. STAFFORD. Mr. Speaker, at the request of the lady from Montana I will reserve my objection.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves his objection.

Miss RANKIN. Mr. Speaker, this bill provides that certain people who have taken up land on the Flathead Indian Reservation shall not be required to pay the amount asked for in the second appraisement.

When the Flathead Indian Reservation was opened to settlement, and there was quite a little confusion because some land which had been allotted to the Indians and was afterwards withdrawn, this land was not appraised at the time the settlers went in. The Land Department sent word that these settlers should be allowed to go on the land, and they went on with the idea that the land would be appraised at the same value as similar land. After they had entered this land a second appraisement was made, and now the question is according to which appraisement should they pay. This bill provides that those who settled between August 26, 1910, and June 14, 1911, shall be required to pay the amount asked for in the first appraisement, and that the money shall be authorized to be repaid to the Indians, covering the difference between the two appraisements.

Altogether this difference could not amount to more than $65,000. It is not exactly known how much land will be involved, but the amount will not exceed $65,000. I think that any private corporation or land company that made the representations to the people that the Government made to the people who entered this land on the Flathead Indian Reservation would certainly be held liable for this difference. The people who entered this land increased the value of it before the second appraisement was made, and at that time there was a boom in land values in that part of the country, which partially accounts for the difference in the appraisements.

Mr. STAFFORD. Mr. Speaker, will the lady from Montana yield?

Miss RANKIN. Yes; I yield to the gentleman.

Mr. STAFFORD. Under the first entry were not all the lands that had been appraised taken and sold to those who had made entry upon them? And is it not a fact that these persons who entered upon lands that were not appraised went there subject to the right of the Government to make any appraisal that it might see fit to make in the future?

Miss RANKIN. According to the letter from the Land Department——

Mr. EVANS. Mr. Speaker, will the lady yield to me?

Miss RANKIN. Yes.

Mr. EVANS. The situation was this: The land was partly appraised; a large portion was appraised. Let us assume that the first set numbers from 1 to 7. The second set represent a piece of land contiguous to the first, where the value was not appraised. The settlers went upon the second piece of land on the same day, perhaps, that settlers went on the first piece. The Government says in substance, "I can not accept your filing on the second piece until the first piece shall have been appraised." It took five years to get the first piece appraised.

Mr. MANN. This bill does not apply to those cases. This bill only applies to the land that was appraised in 1907 and 1908.

Mr. EVANS. It applies to lands that were settled upon at the date of the settlement of the lands in 1908, when they were appraised, but some of them were not settled upon until 1912.

Mr. MANN. It says, "lands which have been appraised at an amount in excess at which similar lands were appraised."

Mr. EVANS. The gentleman is right. These settlers went on the land in perfect good faith, with the assurance that the price would be no greater than the first appraisement.

Mr. STAFFORD. There was no assurance. It was understood that these lands should be sold at the appraised value, and certain of the lands were appraised. Those that entered upon the land paid the amount of that appraisal. The others went on land that had not yet been appraised, subject to the right of the Government to appraise the land later. The lands rose in value, and then the appraisers placed a higher value upon them than had been placed upon the land originally. Now they are trying to get something from the Government for nothing.

Mr. EVANS. The man who settled on the second piece of land added a value to it just as much as the man who settled on the first piece, because he built roads, and schoolhouses, and ditches, and farms.

Mr. MANN. Very well. Supposing that is the case. This was Indian land?

Mr. EVANS. Yes.

Mr. MANN. The Government acted as an intermediary between the Indians and the settlers on the land, to transfer the title to the settlers?

Mr. EVANS. Yes.

Mr. MANN. Why should the intermediary have to pay a large sum of money just because the title passed through the intermediary? If the first appraisement was sufficient to allow settlements with the settlers, why is it not sufficient to settle with the Indians? They are all residents of this same territory, are they not, both Indians and settlers?

Mr. EVANS. Yes. The only reason I could assign in answer to the gentleman's question is that the Government, by reason of its failure to appraise the second piece of land, made itself liable.

Mr. MANN. It is nonsense to talk about the Government paying this because it did not appraise the land. Now, here is the position: This bill was up here before, and the committee itself struck out the provision that the Government should pay the difference.

Mr. EVANS. Yes.

Mr. MANN. Here is a case where the Government is not interested in any way whatever financially. It passes the title from the Indians through the Government to the settlers.

Mr. EVANS. Yes.

Mr. MANN. An appraisement is made at a low rate on a part of the land. Settlers acquired part of the land on that basis. Their improvements added to the value of the land. The Indians did not add to the value of the land. The claim is

that the settlers added to the value of the land and that therefore the settlers who did not obtain the land on the first appraisement should now obtain it on the payment of the value of the land at the time of the first appraisement. Well, that is very much to the interest of the settlers. It may be just, but thereupon our good friends out there insist that because the Indians also live in Montana the Government also must pay them on the last appraisement, and give to the Indians the benefit of the additional value of the land, a value added by the settlers, but must not make the settlers pay that. Well, the Government is a bare trustee, and for acting as a bare trustee you want to make them pay a large sum of money. Is that fair?

Mr. EVANS. Would it be satisfactory to the gentleman to strike out the second section of the bill and let the first section pass?

Mr. MANN. It would be if it was a House bill, and so we could control it; but, being a Senate bill, if we pass it here it will have to go back to the Senate, and this will very likely be restored there.

Mr. STAFFORD. The insurmountable objection that I had to the bill was that it imposed an obligation on the United States Government, which had no possible financial interest in the matter.

Mr. MANN. I suppose eventually we will pay it anyhow, because we pay almost any old Indian claim in the course of time.

Mr. HASTINGS. Let me remind the gentleman from Illinois that you do not pay any Indian claim until after the lapse of about 100 years.

Mr. EVANS. Certainly this is a hardship on those people out there.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object to it in its present form.

Miss RANKIN. Mr. Speaker, I ask unanimous consent to have this bill passed over without prejudice, to go to the foot of the calendar.

The SPEAKER pro tempore. The lady from Montana asks unanimous consent that the bill may go to the foot of the calendar. Is there objection?

There was no objection.

MEMORIAL TO FRANCIS ASBURY.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. BANKHEAD. When we had under consideration the Senate joint resolution authorizing the erection of a memorial to Francis Asbury, the gentleman from Illinois [Mr. MANN] raised certain objections. I have prepared an amendment to the resolution and submitted it to the gentleman, and it meets with his approved, and I think will meet with the approval of the members of the committee. Therefore I ask unanimous consent to return to Senate joint resolution 107, and to clear up the matter by offering the amendment.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to return to Senate joint resolution 107, authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury, to which he proposes to offer an amendment. Is there objection?

Mr. STAFFORD. Let the suggested amendment be read first.

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

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 2, line 5, after the word "memorial," insert the following:

"*Provided*, That the memorial herein provided for shall not be erected or placed on any part of the Mall or Potomac Park, nor on any ground within one-half mile of the Capitol."

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am quite in sympathy with the position taken by the gentleman from Illinois, that all available tracts of land in the District of Columbia should not be preempted by the erection of monuments or memorials upon them, for worthy persons, it is true, but persons who are not known except perhaps to a small number. Would the gentleman have any objection to having the site chosen by the Commission of Fine Arts?

Mr. MANN. That is provided in the resolution, is it not?

Mr. STAFFORD. No; it merely says that it shall be approved by the Commission of Fine Arts. Of course, we know that on Connecticut Avenue——

Mr. BANKHEAD. What is the gentleman's suggestion?

Mr. STAFFORD. To have the proviso read:

Provided, That the design of the memorial shall be approved and the site chosen by the Commission of Fine Arts.

Mr. BANKHEAD. I have no objection to that. I shall be glad to accept that suggestion.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission to the Francis Asbury Memorial Association for the erection on public grounds of the United States in the city of Washington, D. C., other than those of the Capitol, the Library of Congress, and the White House, of a memorial to Francis Asbury, a pioneer itinerant, whose continuous journeyings through our cities, towns, villages, and early settlements, from 1771 to 1816, greatly promoted the interests of patriotism, education, morality, and religion and were a distinct aid to the American Republic: *Provided*, That the site chosen and the design of the memorial shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

Mr. BANKHEAD. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 2, line 5, after the word "memorial," insert the following:

"*Provided*, That the memorial herein provided for shall not be erected or placed on any part of the Mall, or Potomac Park, nor on any ground within one-half mile of the Capitol."

Mr. STAFFORD. Does not the gentleman think the exception more fitting to lines 5 to 9 carried in the bill?

Mr. BANKHEAD. It might be from the standpoint of literary construction, but I do not see that it adds anything to the exception.

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

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, lines 2 and 3, strike out the words "site chosen and," and after the word "approved," in line 3, insert "and the site chosen."

Mr. WALSH. Does the gentleman think that is in accord with the construction he desires to have placed in the proviso?

Mr. STAFFORD. I hope so.

Mr. WALSH. I suggest that it needs the words "site shall be chosen."

Mr. STAFFORD. I accept the gentleman's suggestion, and I modify my amendment to that extent.

The SPEAKER pro tempore. The question is on the amendment as modified.

The amendment was agreed to.

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

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

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

STOCK-WATERING PRIVILEGES—FLATHEAD INDIAN RESERVATION, MONT.

The next bill on the Calendar for Unanimous Consent was the bill (S. 932) to provide stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I want to inquire if these lands are classified and appraised; and if so, whether they will be sold at the appraised value.

Mr. EVANS. I do not know whether they are classified. My understanding was that they were Indian lands that would be allotted, and when allotted they want to keep open a passageway, so that the cattle can get to the streams of water.

Mr. STAFFORD. The purpose is, as I gathered from the report, that these lands were to be opened for settlement. It may be that the lady from Montana can give the information.

Miss RANKIN. There are certain lands back in the hills that can be allotted for stock-raising purposes. There is no value to them unless they can have water. Trails have been formed by the cattle going to the water, and it is asked that the Department of the Interior withhold from allotment a narrow strip of land following these trails on the natural highway, so that the cattle may always find water. Then it will be possible to allot the lands back in the hills for stock-raising purposes.

Mr. STAFFORD. It is not the purpose to throw the lands open for settlement?

Miss RANKIN. No further than they are opened, but it is the purpose to withhold this land, so that the cattle can get to the water. It is already thrown open to settlement.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of an objection.

The SPEAKER pro tempore (Mr. GARNER). Is there objection to the present consideration of the bill?

There was no objection.

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

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

There was no objection.

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

The Clerk read as follows:

Be it enacted, etc., That the act of April 23, 1904 (33 Stats. L., p. 302), entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana," and all amendments thereto, be amended by adding thereto the following section:

"SEC. 26. That the Secretary of the Interior be, and he hereby is, authorized and directed to designate as valuable for stock-watering purposes such of the unallotted and unreserved lands of the Flathead Indian Reservation, which border on streams, as may be subject to settlement and disposal under sections 9 and 13 of this act. Lands so designated shall be disposed of under the terms of this act, subject to the conditions, which shall be expressed in all patents issued for land so designated, that existing trails crossing said lands shall be kept open to the extent necessary to provide access for live stock to streams adjacent to said lands. The Secretary of the Interior is authorized and directed to perform all acts necessary to the enforcement of this condition."

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

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

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

LOTS FOR SCHOOL PURPOSES, SUN RIVER PROJECT, MONTANA.

The next bill on the Calendar for Unanimous Consent was the bill (S. 3571) granting lands for school purposes in lots No. 111 in each of the town sites of Fort Shaw and Simms, Sun River reclamation project, Montana.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be hereby authorized and directed to issue patent conveying lot No. 111 in the town site of Fort Shaw, Sun River reclamation project, Montana, to school district No. 82, Cascade County, Mont., and also lot No. 111 in the town site of Simms, Sun River reclamation project, Montana, to school district No. 39, Cascade County, Mont.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Reserving the right to object, I assume that there is some necessity for this legislation although the report does not indicate what it is. Have they not got the sites for schools for educational purposes?

Miss RANKIN. In the reclamation projects they have made no provision for school sites. This is to give school sites in these two townships. The town sites are laid out by the Reclamation Service. It is on Government land.

Mr. WALSH. There is no reservation in reclamation projects for school purposes?

Miss RANKIN. No.

Mr. STAFFORD. Mr. Speaker, there is an informal matter to which I wish to call the attention of the lady from Montana. There is an obvious customary clause omitted in line 1. It reads "that the Secretary of the Interior be hereby authorized." The customary language is "that the Secretary of the Interior is hereby authorized." The word "be" should be stricken out and "is" inserted.

Miss RANKIN. Then I ask unanimous consent to so amend the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, there is no information whatever in the report upon this bill. It is one of those reports sent in by the Secretary of the Interior Department and gives no information whatever. The so-called report describes the bill, and the description of the bill occupies most of the report, and then we find the following language:

Upon investigation of the matter I find that there would be no objection to the issue of such patent to the school districts, and I therefore suggest favorable action on the bill.

That is about the limit! We go far enough in accepting the reports of the departments of the Government, and I have always insisted that we have a report from the department, but the object of that is to get information. There is no information here about this case. Although I do not know anything about it, having no information whatever before me, I presume that we have already given the State of Montana her proportionate share of school lands, and generally where additional lands are desired, it has been the practice to permit the school districts to acquire them upon paying the minimum price per acre. Whether there is an acre or more here I do not know. Probably no one else here knows how much there is. The Secretary of the Interior has not given us that information. All we know is that it is lot 111 in the town site of Fort Shaw, and a lot of the same number in the town site of Fort Simms. Does anybody know how much the lot is?

Mr. EVANS. As a Representative from Montana, I will state that I do not.

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

Mr. MANN. Yes.

Mr. BAER. I surveyed a great many of these lots——

Mr. MANN. That may be true, but the gentleman has not surveyed lot 111, has he?

Mr. BAER. I may have surveyed this lot in the city of Simms, and that is what I was about to refer to. The average size of the lots run about 50 by 140.

Mr. MANN. Nobody knows whether this is the average size lot or not. I have had a good deal to do with lots myself, and I know quite a good deal about it, but when the Committee on the Public Lands comes before the House with a bill to give away public land, it ought to give us some information, and when a bill is referred to the Department of the Interior for information, that department ought to give some information in addition to redescribing the title of the bill.

The Secretary has given us a report about 10 or 12 lines long, and all but a couple of lines of the report repeat information already in the bill. Out of respect to the lady from Montana [Miss RANKIN], and because she will not be with us in the next House, which I very much regret [applause], I am not going to object to the consideration of the bill, because the amount involved can not be very much; but I shall in the future, as I have in the past, object to considering bills of this character by unanimous consent which come before the House with no information.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Miss RANKIN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment under the five-minute rule.

The Clerk again reported the bill for amendment.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. Although the bill is not in the customary form, yet because it is a Senate bill, and because the intent of Congress is known, I shall not press the amendment I suggested in respect to the form of the bill.

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

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

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

GIG HARBOR MILITARY RESERVATION.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11219) providing for the appraisal and sale of the Gig Harbor abandoned military reservation, in the State of Washington, and for other purposes.

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

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask if the Clerk has a star print of the bill? A number of amendments were reported by the committee, but they are not shown on the print of the bill.

Mr. JOHNSON of Washington. Mr. Speaker, this bill is a print known as Calendar No. 327, carrying the same matter as the bill H. R. 11219, which is the bill carrying numerous amendments suggested by the Department of the Interior and adopted by the Committee on the Public Lands. This bill is the same as the bill H. R. 8749, and that bill was reintroduced to cover certain amendments requested by the Interior Department.

Mr. MANN. Of course, I have no way of telling what the committee had in its mind, but this is what the committee reports:

The revised bill is H. R. 11219, which the Committee on the Public Lands recommends with the following amendments.

If those are not amendments to H. R. 11219, then the committee has expressed itself in a very unfortunate way.

Mr. JOHNSON of Washington. The committee made three additional amendments. I hope the gentleman will not object to the consideration of the bill, but will let us make the amendments on the floor.

Mr. MANN. I asked if there was a star print, thinking perhaps that the gentleman on looking at the bill would find that the amendments were not reported and would have a star print of it made.

Mr. JOHNSON of Washington. I would like to say that in order to conform to requests of various departments, I am about to offer still another amendment.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman why the bill carries a provision that only one-tenth of the appraised value shall be paid in cash and the balance in nine equal installments, with interest at the rate of 4 per cent?

Mr. JOHNSON of Washington. That is following the plan heretofore followed in legislation affecting abandoned military reservations in that section of the United States. There were and are still a number of them, most of them small. This one is only eighty-odd acres.

Mr. STAFFORD. As I understand, where we have heretofore granted deferred payment it has usually been for a period of no longer than five years and the interest rate has been not less than 5 per cent.

Mr. JOHNSON of Washington. I think these proposed provisions are about the same as in the cases of abandoned military reservations 23 and 24. At any rate, it comes up from the Interior Department fully recommended.

Mr. STAFFORD. Does the gentleman believe when you are going to sell land under deferred payments that it should not be as low a rate as 4 per cent?

Mr. MANN. We have frequently done it.

Mr. JOHNSON of Washington. I shall be satisfied with any reasonable per cent of interest.

Mr. MANN. Of course the interest rate has increased some, but we have frequently done it at 4 per cent.

Mr. STAFFORD. What is the interest rate in the gentleman's State?

Mr. JOHNSON of Washington. It varies, but I presume it is 8 per cent generally in the State of Washington.

Mr. LA FOLLETTE. The gentleman will understand that 8 per cent would be on short loans, but 6 per cent is the rate on real estate.

Mr. STAFFORD. Does not the gentleman think it should be 5 per cent.

Mr. JOHNSON of Washington. I do not object to any reasonable figure.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk began the reading of the bill.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STAFFORD. When will amendments to the respective sections be in order—at the conclusion of the reading of the sections or the reading of the bill?

The SPEAKER pro tempore. This is the first reading of the bill. If gentlemen desire to offer amendments, there can be a second reading of the bill.

The Clerk read as follows:

Be it enacted, etc., That the Gig Harbor abandoned military reservation in sections 5 and 8, all in township 21 north, range 2 east, Willamette meridian, in the county of Pierce and in the State of Washington, be caused by the Department of the Interior to be surveyed and subdivided into tracts and lots to conform as far as practicable to the tracts and lots lawfully occupied by the tenants thereon on December 5, 1917.

SEC. 2. That after said survey and the approval thereof by the Commissioner of the General Land Office the plat thereof shall be filed in the office of the register and receiver in the manner provided by law, and thereafter any lawful lessee in actual occupancy on December 5, 1917, of any portion of the lands described in section 1 hereof who made actual settlement thereon in good faith under the terms of a lease by the War Department, or a sublease thereunder on said date, or the heirs or assignees of such lessee or sublessee, shall be entitled to purchase for the appraised value one of such surveyed tracts so occupied, no right of purchase of such lessee or sublessee to exceed the lands actually occupied and improved by him on December 5, 1917, and in no case exceeding 10 acres in a body, according to Government surveys and subdivisions thereof, upon the payment to the Government of a sum of money equal to the appraisal value thereof, such appraisement to be made as provided by law: *Provided*, That payment to the Government may be made in one sum, or one-tenth cash and the balance in nine equal annual installments, with interest at 4 per cent per annum, as the purchaser may elect.

SEC. 3. That if any tract of the lands described in section 1 hereof be not purchased by the lessee or sublessees, his heirs or assigns, as provided in section 2 of this act, within 90 days after the same becomes subject to purchase under the provisions of this act, then and in that event the Secretary of the Interior is hereby authorized to dispose of the remaining lands under the provisions of the act of Congress of July 5, 1884, entitled "An act to provide for the disposal of abandoned and useless military reservations," and the said lessees, sublessees, heirs or assigns, in occupancy of lawfully leased tracts on December 5, 1917, who do not purchase such tracts shall have the privilege of removing from their tracts any and all improvements made thereon, and the Secretary of the Interior is authorized to reappraise any unsold tracts from time to time before offering the same for sale under said act of July 5, 1884.

Mr. JOHNSON of Washington. Mr. Speaker, I ask that the House consider amendments proposed in the report on this bill, beginning with page 2, line 15, after the word "law" insert the following——

Mr. MANN. It should be page 2, line 18.

Mr. JOHNSON of Washington. Yes; page 2, line 18, add the following amendment: After the word "law" insert the following:

Provided, That in making such appraisements the appraisers shall not include the improvements thereon made by the occupants of such land.

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

The Clerk read as follows:

Page 2, line 18, after the word "law" insert the following:
"*Provided*, That in making such appraisements the appraisers shall not include the improvements thereon made by the occupants of such land."

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

Mr. JOHNSON of Washington. The next amendment is, page 2, line 21, after the word "annum" insert the words "payable annually."

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

The Clerk read as follows:

Page 2, line 21, after the word "annum" insert the words "payable annually."

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

Mr. STAFFORD. Mr. Speaker, I would like to offer an amendment to the section under consideration. Line 21, page 2, strike out the word "four" and insert "five."

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

The Clerk read as follows:

Page 2, line 21, strike out the word "four" and insert the word "five."

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

Mr. JOHNSON of Washington. Now, Mr. Speaker, another committee amendment. Page 3, line 11, strike out the words "and all improvements made thereon" and insert the words "buildings placed thereon."

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

The Clerk read as follows:

Page 3, line 11, strike out the words "and all improvements made thereon" and insert the words "buildings placed thereon."

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

Mr. JOHNSON of Washington. Mr. Speaker, since this report was made by the Committee on the Public Lands, dated January 15, this year, carrying with it a report from the Interior Department, dated April 1, 1918, that department has made a supplementary report, dated February 12, this year, asking for an amendment providing for a place for a light post site. I feel that in good faith I should offer the amendment as suggested in the supplementary report from the Interior Department, and I ask the Clerk to read.

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

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 3, add a new section, as follows:

"SEC. 4. That any land needed for lighthouse or roadway purposes may be segregated or reserved for such use, and the land so segregated or reserved shall not be subject to disposal hereunder."

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman, is there a lighthouse at this harbor now?

Mr. JOHNSON of Washington. There may be a light post. This speaks of a light post. I think there is not a full-fledged lighthouse there. The Department of Commerce, however, has written the Department of the Interior asking for a reservation, and names one particular lot, lot 1, as desirable to be reserved for lighthouse purposes, and asks for the reservation of a roadway through lots 4 and 5. This amendment is to cover that.

Mr. WALSH. Yes; but this does not cover it. It would cover lots 1, 2, and 3; this amendment would cover several lots.

Mr. JOHNSON of Washington. Well, it might, of course, but not likely, unless bureaucracy simply runs wild. This designation of lots 1, 4, 5, and so on, is not, I believe, official. Therefore I can not propose designation by lots in the amendment. This is but an 80-acre tract of land.

Mr. WALSH. Eighty acres; but if the Department of Commerce wants 80 acres for a lighthouse site, which the War Department no longer needs for a military reservation, and the Interior Department does not dispose of under present law, the gentleman has no objection?

Mr. JOHNSON of Washington. Oh, well, I might as well say I have no objection. I hope it will not be that way. I get so tired, I will say to the gentleman, of running down, hat in hand, to this department and kow-towing to that department on some small thing that ought to be passed through Congress on its own merits, and getting reports and supplemental reports and departmental amendments and committee amendments, that I have given up all thought of having these various abandoned military reservation bills put through with uniform provisions. I have to take what I can get and swallow all amendments, foolish or otherwise. You can not get a bill out of committee until you have received a favorable report on it from some bureau, and then the committee will not let the bill come to the House until it hangs on a few amendments just to show its authority. This bill is a case in point.

Mr. WALSH. I understand. The gentleman is now offering an amendment from the department to the House that has not even been considered by the committee.

Mr. JOHNSON of Washington. It is sent to me by the chairman of the Committee on Public Lands. I am presenting it simply as a matter of good faith. I would be glad to specify the particular lot No. 1, but I do not know as it officially has that designation in an abandoned military reservation.

Mr. WALSH. I will not object. I wanted to draw out that information.

Mr. JOHNSON of Washington. I agree with the gentleman thoroughly.

Mr. WALSH. I know the gentleman is considerable of a runner when it comes to attending to business in the departments of the Government. If it will relieve him, I want him to have this.

Mr. JOHNSON of Washington. Oh, of course, it is some relief; this bill has been so amended that its own father would not recognize any part of it, and can not take much pride in it. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Washington [Mr. JOHNSON].

The amendment was agreed to.

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

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

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

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD on this bill. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Under the permission just granted, I desire to place in the RECORD the supplemental report from the Interior Department, to which I have referred. It is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 12, 1919.

Hon. SCOTT FERRIS,
House of Representatives.

MY DEAR MR. FERRIS: This department is in receipt of a letter from the Acting Secretary of Commerce, dated January 16, 1919, in which he suggests that if practicable there be reserved for the purpose of the Lighthouse Service of the Department of Commerce a sufficient area for a post light on lot 1, section 8, township 21 east, range 2 east, western meridian, Washington, together with a right of way to such reservation over said lot 1, and also over lots 5 and 6, section 5, said township and range. The lands described are included in the Gig Harbor abandoned military reservation.

Said letter calls attention to the fact that there is pending before Congress bill H. R. 8749, which provides for the appraisal and sale of said lands and requests that, unless there be objection to so doing, this department take such steps as may be necessary to enable the reservation for lighthouse purposes and to see that the proposed legislation if enacted into law will not in any way interfere with the interests of the Lighthouse Service in case the land and right of way be reserved as requested.

It does not appear that the lands needed for lighthouse purposes are occupied by any settler, and in view of the suggestions made by the Acting Secretary of Commerce it is recommended that bill H. R. 8749 be amended by adding thereto a fourth section reading as follows:

"That any lands needed for lighthouse or roadway purposes may be segregated or reserved for such use, and the lands so segregated or reserved shall not be subject to disposal hereunder."

The amendment of the bill in the manner suggested would enable the reservation of the lands needed for lighthouse purposes and also the lands required to afford a means of ingress thereto and egress therefrom.

Cordially, yours,

(Signed) F. K. LANE,
Secretary.

Mr. Speaker, it will be noted that the Lighthouse Service designates clearly the tract or lot it desires to reserve, and the portions of lots to provide an approach or roadway. For reasons stated, I have not designated in the amendment to the bill the lots by number, but the intent and purpose is clear.

BRIDGE ACROSS CONNECTICUT RIVER, IN MASSACHUSETTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13369) granting consent of Congress to the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Springfield and West Springfield, in said county and Commonwealth.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, and the city of Springfield, in said county, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Connecticut River at a point suitable to the interests of navigation between the city of Springfield and the town of West Springfield, in the county of Hampden, in the State of Massachusetts, 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 following committee amendment was read:

Page 1, line 3, after the word "the," strike out: "consent of Congress is hereby granted to the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, and the city of Springfield, in said county, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Connecticut River at a point suitable to the interests of navigation between the city of Springfield and the town of West Springfield, in the county of Hampden, in the State of Massachusetts, in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906"; and insert the following:

"That the times for commencing and completing the construction of a bridge authorized by act of Congress approved August 25, 1916, to be built across the Connecticut River between the city of Springfield and the town of West Springfield, in Hampden County, Mass., are hereby extended one and three years, respectively, from the date of approval hereof."

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

Mr. GILLETT. Mr. Speaker, this is a bill reported unanimously from the committee. It simply extends the time for constructing a highway bridge.

Mr. STAFFORD. Has the objectionable stage passed, Mr. Speaker?

The SPEAKER pro tempore. It has.

Mr. GILLETT. I can not conceive that anybody will object, so I will allow the bill to be put for passage.

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

The question was taken, and the 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.

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

The title was amended to read as follows: "To extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass."

MODOC NATIONAL FOREST, CAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes.

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

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, will the gentleman who is interested in this bill explain the purpose that is expected to be accomplished?

Mr. RAKER. The purpose of the bill is to add additional territory to the national forest. Before the committee at the same time was the bill S. 1847, and we agreed upon amendments to the Senate bill, which passed on the last Unanimous Consent Calendar, a bill that came from the Senate and was reported by Mr. TAYLOR for Mr. MONDELL. In H. R. 17, which

has been pending for some time, we finally corrected the language sufficiently to harmonize it, leaving it to cover such land as the Secretary of Agriculture might ask to go on, with the approval of the Secretary of the Interior. This is a tract of land that practically everyone in the community wants to be added to the forest reserve for protection.

Mr. STAFFORD. I notice the following language in the letter of the Secretary of Agriculture.

Mr. RAKER. We have corrected that.

Mr. STAFFORD. It says:

From the reports of forest officers it is learned that these tracts do not support commercial timber in sufficient quantities, nor is the forest cover thereon of sufficient value for stream-flow protection to warrant inclusion within the national forest for national-forest purposes.

Mr. RAKER. We have corrected that, on page 2 of the bill, lines 15 and 16, where we have added:

with the approval of the Secretary of the Interior.

So only such land goes in there as the Secretary of Agriculture requests and the Secretary of the Interior insists, for stream flow. It is identically the language of the bill that we passed last week. The committee had both bills up at the same time, and used practically the same language so as to cover the addition to the national forest.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. I will.

Mr. WALSH. This takes in about 2,200 acres.

Mr. RAKER. It takes more than that in. It is a larger tract. There are two tracts, one on the west side of the county, near a large tract, and there are only about 1,000 acres on the east side, which squares up with the Modoc National Forest and Fremont National Forest in Oregon. The Forest Service is very anxious about that being put in there. It was requested by everybody in that community.

Mr. WALSH. It is a large tract to square up the lines. What has that to do with the merits of the proposition, the having of about 2,000 acres to square up a line?

Mr. RAKER. The larger tract is over 22,000 acres.

Mr. WALSH. It may be; but there is nothing in the report that says anything of how large that larger tract is.

Mr. RAKER. Well, that is true; it does not.

Mr. WALSH. Why does it not?

Mr. RAKER. We used the same report. The same conditions existed in this as in the other, and no one raised the objection. We did not think it was necessary, because everybody in that community and in that country have filed petitions, and they have been sent down to the department, and the matter was presented to the committee that such land as may be needed for these purposes, namely, for the production of timber and the protection of stream flow and the proper preservation of the feeding pasturage on that land should be included.

Mr. WALSH. Well, I notice this language in the report of the Secretary of Agriculture:

It would seem to be the wiser policy to take this matter up as a whole and provide for regulative grazing on all the public domain, not otherwise disposed of, so long as it is under Government ownership. If, however, the Congress decides to add the lands in question to the Modoc National Forest at this time, the department would have no objection to the passage of the bill.

Mr. RAKER. May I answer that?

Mr. WALSH. Yes.

Mr. RAKER. The policy of the department is that they desire to class in all the public lands remaining in the United States in the forest reserves.

Mr. WALSH. "Class in"?

Mr. RAKER. Yes. They desire that they should make the land part of the forest reserves; in other words, extend the forest reserve law over the remaining public domain. The committee has never been favorable to that, and the people are not favorable to it. He therefore says that as a general policy, but that if these people want to grant the tract, just as you granted last week in the case of a similar kind of tract in Wyoming, to add to a national forest if the people desire it, he approved that inclusion and that addition to the national forest.

Mr. WALSH. Now, that is the objection of the Secretary of Agriculture. I would like to read to the gentleman what the Secretary of the Interior says.

Mr. RAKER. I would like to read that to you, if you will permit.

Mr. WALSH. If the gentleman is going to answer it in the manner in which he answered the objection of the Secretary of Agriculture, he need not do so, because I do not think he answered it.

Mr. RAKER. If the gentleman will put his question, I will answer it. I am familiar with the matter.

Mr. WALSH. I know. That is why I am asking the gentleman the question.

Mr. RAKER. The Department of Agriculture desires to classify or place in the national forest all the remaining public lands of the United States. The committee and the people are not favorable to that. Now, he says if these people in this community desire a small tract to be added to the national forest, he is favorable to it, but that there should be a general policy. The committee reported this unanimously, as they reported another similar bill two weeks ago, and therefore this particular tract of land is to be added to this particular forest under the law creating and setting aside that national forest.

Mr. WALSH. Which measure does the gentleman refer to, of two weeks ago?

Mr. RAKER. Senate bill 1847.

Mr. WALSH. What was that tract?

Mr. RAKER. That was in reference to some land added to the national forest in Wyoming; a tract of land.

Mr. WALSH. Of course, they did not have the objection of two Secretaries to that. But here is what the Secretary of the Interior says in regard to the policy of Congress for classification of lands suitable for stock-raising homesteads:

In view of this policy, of the classification contemplated by said act, and of the demand for homesteads, I do not believe the area in question should be added to the national forest or otherwise reserved at this time.

I would like to have the gentleman answer that objection.

Mr. RAKER. In answer to that the committee amended the bill so as to include, on page 2, lines 15 and 16, the following language: "With the approval of the Secretary of the Interior."

Mr. WALSH. Of course, that means that what Congress has directed shall meet with his approval before it is done.

Mr. RAKER. No. The Secretary of Agriculture requests certain lands to be designated and added to this forest. He presents that report to the Secretary of the Interior. If the Secretary of the Interior objects to the particular tracts, they are eliminated and only those tracts that the two departments agree upon are classified into the national forest.

Mr. WALSH. Well, Mr. Speaker, of course if that is so the Secretary of the Interior can entirely nullify this act, and it is likely that he will in view of his adverse report. If he is going to nullify the act, what is the use of passing it?

Mr. RAKER. Two weeks ago we passed another bill——

Mr. WALSH. Yes. The gentleman has already referred to that.

Mr. RAKER. I do that for the purpose of showing that the committee had these two bills before it at the same time and amended them in the same way. If lands are chiefly valuable for these purposes, they may be included in the national forest. We amended the Senate bill 1847, and we dealt with the bill H. R. 17 in the same way, adding certain lands to the Modoc National Forest.

Mr. WALSH. Well, Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Massachusetts objects.

MUNICIPAL WATER SUPPLY, SAN DIEGO, CAL.

The next business on the Calendar for Unanimous Consent was the bill (S. 3646) to grant rights of way over Government land for dam and reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. GRAHAM of Illinois. Mr. Speaker, reserving the right to object, I have looked over this bill hastily, and it seems to me to be important enough not to be considered in the way it will get consideration here if it is taken up, and therefore I will object.

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

The SPEAKER pro tempore. Does the gentleman from Illinois reserve his objection?

Mr. GRAHAM of Illinois. Yes; I reserve it.

Mr. KETTNER. Mr. Speaker, I would like to inform the gentleman from Illinois that this bill has passed the Committee on Public Lands twice and has passed the Senate. It is approved by the Secretary of the Interior and by the Indian Commissioner; in fact, it has been approved by all the departments. It means a great deal to the city of San Diego as a water supply for the city, which is growing very rapidly.

Mr. GRAHAM of Illinois. Well, conceding that to be true, what do we know about it? Here you are taking certain public lands that are reserved for certain purposes and giving them away to a municipality or permitting the municipality to take them. What do the Members of this House know about it and what do I know about it? I am entitled to be reasonably informed, it seems to me.

Mr. KETTNER. We have a favorable report here from the Committee on Public Lands, who considered the bill very carefully, and I would like to inform the gentleman that all California cities have had to acquire their water supply in a similar way. The city of Los Angeles had a bill pass the Congress granting a water supply from Owens River. Congress granted the Hetch Hetchy water supply to the city of San Francisco, and several similar bills have passed the House for cities in the State of Oregon.

Mr. GRAHAM of Illinois. If the gentleman will take the floor and go into this new plan, so that I and other Members of the House may know about it, I shall not object; but I do not propose to sit here and consent to the passage of a bill like this by unanimous consent without knowing what it is.

Mr. FERRIS. Will the gentleman withhold his objection until the gentleman from California can explain the bill? This is a very important matter. It involves the water supply of the city of San Diego.

Mr. STAFFORD. The gentleman has reserved the right to object.

Mr. GRAHAM of Illinois. Yes, I have reserved it.

Mr. KETTNER. Mr. Speaker, water is king in California. I think the gentleman is aware of that fact. The city of San Diego has grown very fast in the last two years. The census of 1910 gives San Diego something like 39,000 people. At the present time we have over 100,000, and we must have water. This proposition was taken up by the land office in Los Angeles and considered some two weeks by the register and receiver, and they both reported unanimously that the city should have this water supply. I introduced the bill over a year ago, and it was thoroughly investigated by the Indian Department. The Hon. Mr. Cato Sells made a trip to California to investigate this matter, and he reported favorably upon it. The Secretary of the Interior reported favorably. Some of the members of the Committee on the Public Lands, who considered this bill, made a trip to San Diego and went over this dam site, and reported favorably. In fact, everyone who has seen it and studied the question has reported favorably. I hope the gentleman will not object.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. KETTNER. Yes.

Mr. GRAHAM of Illinois. How much land is proposed to be taken?

Mr. FERRIS. It is only a right of way.

Mr. KETTNER. The land is mountainous. It is a dam site that we want. It is a narrow valley with steep cliffs on both sides. The land is not worth anything.

Mr. GREEN of Iowa. As I understand, this land is not useful for any other purpose whatever.

Mr. FERRIS. It is a barren waste.

Mr. STAFFORD. I wish to inquire of the gentleman, under the reservation of objection, whether the rights of the municipalities up the valley would be impaired by the granting of this privilege to the city of San Diego?

Mr. KETTNER. Not at all.

Mr. STAFFORD. It has been called to my attention from outside sources that if we should grant this privilege to San Diego it would interfere with the municipalities up the valley, whose names I have forgotten, in getting additional water supply.

Mr. KETTNER. I would like to explain to the gentleman.

Mr. STAFFORD. The gentleman cited the outrageous action of this House some years back in granting the right to overflow the most beautiful valley in California outside of the Yosemite, that known as Hetch Hetchy. That was done upon misrepresentation to this House. With others I voted for that without full knowledge of the facts. It was represented to be for drinking-water purposes, when in fact it was a water-power proposition. If the full facts had been disclosed to the House I question very much whether we would have followed Mr. Pinchot and Secretary Lane in granting that privilege. Now, I wish to ask, in this connection, is this for the purpose of securing a water supply or is it for the purpose of obtaining water power?

Mr. KETTNER. Purely for a water supply. It is not high enough for power.

Mr. STAFFORD. It has been represented that San Diego has other sources of supply that are available besides this.

Mr. KETTNER. We are trying to develop some other sources. The city is growing very fast, and both the Army and the Navy have recently established new activities there, such as the cantonment and the naval training station. The water is absolutely needed.

Mr. STAFFORD. I think the Senate bill has many objectionable phases in merely granting a right of way over public lands without compelling the city of San Diego to exercise those rights at any definite time in the future.

Mr. KETTNER. We do not want the Senate bill. We want the House bill. And in answer to the gentleman's former question, I will state that I am firmly convinced that the cities of La Mesa and El Cajon will be better protected under this bill than they are at the present time. I believe that the city of San Diego will purchase the Cuyamaca water-supply system from Mr. Fletcher. If they do not I feel certain they will not be able to carry the bonds to build the dam. I believe it is in the interest of Mr. Fletcher; I believe it is in the interest of the cities of La Mesa and El Cajon and also of the city of San Diego. I would not be in favor of voting bonds to build this dam unless the city of San Diego first purchased the Cuyamaca water system from Mr. Fletcher.

Mr. MAYS. The gentleman says it is in the interest of Mr. Fletcher and of these two other towns. Have they withdrawn their objection?

Mr. KETTNER. I do not think so. That is, Mr. Fletcher has not, but Mr. Fletcher has absolutely no confidence in some of our city officials; but I am firmly convinced that the city will not be able to vote the bonds unless they purchase the Cuyamaca system from Mr. Fletcher at a price to be fixed by the State utilities commission.

Mr. MAYS. Does the gentleman believe this bill fully safeguards the rights of Mr. Fletcher and of these other cities and towns?

Mr. KETTNER. I do.

Mr. MAYS. In what respect?

Mr. KETTNER. In every way.

Mr. MAYS. Does the bill contain any provision carrying protection to these towns?

Mr. KETTNER. Yes; it carries the clause that all these bills carry, that no rights which anyone possesses under the State laws of California shall be taken away.

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

Mr. GRAHAM of Illinois. Further reserving the right to object, I have not got very much information yet as as far as I am concerned, but I assume that if the gentlemen in the country where this is located have no objections, perhaps I should not block the passage of the bill. Therefore I withdraw my reservation.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I understand from the gentleman from California that if consent is given for the consideration of this Senate bill, it is his purpose to offer the House bill as a substitute?

Mr. KETTNER. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore (Mr. HASTINGS). This bill is on the Union Calendar.

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

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. KETTNER. Mr. Speaker, I ask unanimous consent to dispense with the reading of the Senate bill and read the House bill.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to dispense with the reading of the Senate bill and read the House bill. Is there objection?

There was no objection.

The Clerk read the House bill, as follows:

Be it enacted, etc., That the south half of the northeast quarter of the northwest quarter and the north half of the southwest quarter of section 8; the west half of the southwest quarter of the southwest quarter and the west half of the northeast quarter of the northwest quarter of section 9, all in township 15 south, range 2 east, San Bernardino base and meridian, within the Cleveland National Forest; and the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter of section 15; the northeast quarter of the southeast quarter of section 21; the northwest quarter of the northeast quarter, the northwest quarter, the north half of the southwest quarter, and the southwest quarter of the southwest quarter of section 22; the west half of the northwest quarter of section 27; and the east half of the northeast quarter, the southwest quarter of the northeast quarter, and the southeast quarter of section 28; and the northeast quarter, the west half of the southeast quarter, the east half of the southwest quarter, and the southeast quarter of the northwest quarter of section 33, all in township 14 south, range 2 east, San Bernardino base and meridian; also the north half of the southwest quarter and the southwest quarter of the southwest quarter of section 3, and lots 2, 3, 6, 7, 8, 9, 10, 11, and the south half of section 4, all in township 15 south, range 2 east, San Bernardino base and meridian within the Capitan Grande Indian Reservation, and all within the county of San Diego and State of California, are hereby granted to the city of San Diego, a municipal corporation in said county and State, for dam and reservoir purposes for the conservation and storage of water, whenever said city shall have provided compensation as hereinafter specified for

all property rights and interests and damages done to Mission Indians located upon the Capitan Grande Indian Reservation: *Provided*, That the lands herein granted shall not be sold, assigned, transferred, or conveyed to any private person, corporation, or association; and in case of any attempt to sell, assign, transfer, or convey, or upon a failure to use and apply said lands exclusively to the purposes herein specified, this grant shall revert to the United States.

SEC. 2. That the lands herein granted are and shall be subject to all legal rights heretofore acquired by any person, persons, or corporation in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States, and no private right, title, interest, or claim of any person, persons, or corporation in or to any of such lands shall be interfered with or abridged, except with the consent of the owner or owners, or claimant or claimants thereof, or by due process of law and just compensation paid to such owner or claimant: *Provided*, That the rights and claims of the Mission Indians of the Capitan Grande Indian Reservation, located upon the lands herein described and affected by the grant herein, shall be protected and provided for as hereafter set forth in section 3 of this act.

SEC. 3. That the law of eminent domain of the State of California is hereby extended over and made to apply to said lands, and the Secretary of the Interior or his duly authorized representative is hereby directed to appear on behalf of, in the name of, and to represent the Capitan Grande Band of Indians and the United States in any proceedings instituted by the city of San Diego to condemn the interest of said Indians in said lands: *Provided*, That any judgment or order of condemnation entered in such proceeding shall be binding upon said Capitan Grande Band of Indians only upon the approval by the Secretary of the Interior of the terms of said judgment: *Provided further*, That the Secretary of the Interior shall require from the city of San Diego in addition to the award of condemnation such further sum which, in his opinion, when added to said award, will be sufficient in the aggregate to provide for the purchase of additional lands for the Capitan Grande Band of Indians, the erection of suitable homes for the Indians on the lands so purchased, the erection of such schools, churches, and administrative buildings, the sinking of such wells and the construction of such roads and ditches, and providing water and water rights, and for such other expenses as may be deemed necessary by the Secretary of the Interior to properly establish these Indians permanently on the lands purchased for them; and the Secretary of the Interior is hereby authorized to expend the proceeds, or any part thereof, derived from this grant for the purposes above enumerated, for the exclusive use and benefit of said Indians: *And provided further*, That the grant made in this act shall not become effective until payment has been made of the sums herein provided for.

SEC. 4. That within one year after the approval of this act the city of San Diego shall commence condemnation proceedings to acquire the lands herein described and shall diligently prosecute such proceedings to a final judgment. Within two years after the approval by the Secretary of the Interior of any such judgment of condemnation the city of San Diego shall institute, and thereafter shall diligently prosecute, proceedings for the issuance and sale of municipal bonds to defray the amount necessary to satisfy any such judgment of condemnation, paying such additional sum as the Secretary of the Interior may require, as provided for in section 3, and providing for the acquisition, construction, and completion of a dam, reservoir, pipe line, and appurtenances thereto necessary or convenient to the storage and conservation of water upon the lands herein described for the purposes set forth in this bill. Within six months from the time of payment into the city treasury of the moneys realized from the sale of municipal bonds issued as herein provided the city of San Diego shall commence the construction of said dam and reservoir, and the same shall be prosecuted diligently, and no cessation of such construction shall continue for a period of three consecutive years, and in the event that the Secretary of the Interior shall find and determine that there has not been diligent prosecution of the work or that there has been a cessation of such construction for a period of three consecutive years, or that said condemnation proceedings have not been commenced and diligently prosecuted, or that municipal bonds have not been issued and sold as herein provided, then he may declare forfeited all rights of the grantees herein and request the Attorney General, on behalf of the United States, to commence suits or proceedings in the proper court having jurisdiction thereof for the purpose of procuring a judgment declaring all rights to be forfeited to the United States, and upon such request it shall be the duty of said Attorney General to cause to be commenced and prosecuted to a final judgment such suits or proceedings: *Provided*, That the Secretary of the Interior shall make no such findings and take no such action if he shall find that the issuance or sale of municipal bonds or the construction or progress of the dam or reservoir has been delayed or prevented by the act of God or the public enemy or by legal, engineering, or other difficulties that could not have been reasonably foreseen and overcome, or by other special or peculiar difficulties beyond the control of said grantee: *Provided further*, That in the exercise of the rights granted by this act the grantee shall at all times comply with the regulations herein authorized, and in the event of any material departure therefrom the Secretary of the Interior or the Secretary of Agriculture, respectively, may take such action as may be necessary in the courts or otherwise to enforce such regulations: *Provided further*, That if such dam be built the Indians of the Capitan Grande Reservation shall be permitted to reside on, occupy, and cultivate the lands of their present reservation up until within 90 days of the time when water for storage purposes will be turned into the reservoir to be constructed hereunder, provided such occupancy by the Indians will not materially hinder the construction of the dam and storage work, which fact is to be determined by the Secretary of the Interior.

SEC. 5. That said reservoir, when constructed, shall be maintained and controlled by the city of San Diego for the use and benefit of said city and the inhabitants thereof, and of such other municipalities within the county of San Diego, State of California, as may be now or hereafter furnished with water by said city of San Diego, and for the use and benefit of riparian owners along the San Diego River below the lands herein described, and for the benefit of persons, corporations, or municipalities situated along or adjacent to the pipe lines of said city of San Diego for the conservation and storage of water for domestic, irrigation, or municipal uses: *Provided*, That the city of San Diego shall sell to the United States for the use of the War and Navy Departments such water as the War and Navy Departments, or either of them, may elect to take, and shall deliver the same through its system in or near the city of San Diego to the mains or systems of such military or naval reservations in that vicinity as may be designated by the Secretary of War or the Secretary of the Navy, or both, under such rules and regulations as they or either of them may prescribe. In payment of such water and the delivery thereof the United States shall pay to said city of San Diego a rental to be calculated at a fixed rate per 1,000 gallons, said rate not to exceed the actual cost of such water to said city for all water so furnished, as determined by meter measurements: *Provided, however*, That the grantee shall at all times comply with and observe on its part all of the conditions specified in this act; and in the event that the sums are not reasonably complied with and carried out by the grantee upon written request by the Secretary of the Interior, it is made the duty of the Attorney General, in the name of the United States, to commence all necessary suits or proceedings in the proper court having jurisdiction thereof for the purpose of enforcing and carrying out the provisions of this act.

SEC. 6. That this act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting, or intending to affect, or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation, or for municipal or other uses, or any vested rights acquired thereunder; and the Secretary of the Interior and the city of San Diego, in carrying out the provisions of this act, shall proceed in conformity with the laws of said State.

SEC. 7. That the grantee shall file with the Secretary of the Interior, within six months after the approval of this act, its acceptance of the terms and conditions of this grant.

Mr. CRAMTON. Mr. Speaker, I wish to offer an amendment. In lines 10 and 11, page 15, strike out, after the word "diligently," the remainder of the line and all of line 11 up to and including the word "years."

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

The Clerk read as follows:

Page 15, line 10, after the word "diligently," strike out the language "and no cessation of such construction shall continue for a period of three consecutive years."

Mr. CRAMTON. Mr. Speaker, one fear I have had is that we might place certain powers within the hands of the city of San Diego, and by failure to use them they might permanently, or very nearly permanently, tie up the situation, stop developments by private companies, or by other public projects, and not succeed in doing anything themselves.

Section 4 allows them a great deal of time. They have two years after the approval of the judgment, and they have other extensions, and finally after the land is condemned and they pay the money into the Treasury they begin the work of construction of the dam and reservoir. Then, the bill proposes that the same shall be prosecuted diligently, "and no cessation of such construction shall continue for a period of three consecutive years." That to my mind would be a statement that Congress in its judgment thought that any construction would be diligent that did not cease for a period of three years. They might cease construction for 2 years and 11 months, go to work for a week, and then a new three-year period would begin. There would be no end to it. Hence I would omit that language and leave it that "the same shall be prosecuted diligently." Later it goes on to say that if the Secretary of the Interior shall find and determine that there has not been diligent prosecution of the work he may declare the right to forfeit it, and so forth. If this amendment carries, I would omit similar language later down. It seems to me that it does not injure anyone, and it leaves discretion in the Secretary of the Interior.

Mr. FERRIS. The only thought against that is that it is stated in the negative below.

Mr. CRAMTON. I hope to offer an amendment, if this one passes, to cure that.

Mr. EMERSON. Mr. Speaker, I rise to oppose the amendment. I ask unanimous consent to speak out of order for five minutes.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to speak out of order for five minutes. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Speaker, I have been requested by many people along the chain of the Great Lakes and have received numerous letters and telegrams urging me to assist in bringing about, if possible, the construction of a ship canal connecting the Great Lakes with the Atlantic Ocean.

I can see the great commercial value to be derived by the construction of this waterway and the much-needed relief to the delays, inconveniences, and heavy expense incurred by congestion of freight traffic so often encountered on the railroads, especially the great trunk lines from Chicago to the Atlantic tidewater.

It is generally well known that I am a preparedness man; not necessarily a military-preparedness man but an industrial-preparedness man as well.

That I believe in American preparedness; and thus I am personally in favor of a ship canal as nearly as possible entirely within the boundaries of the United States.

We are annually confronted with car shortage to move heavy crops of the Central and Middle Western States that find the Atlantic seaboard the gateway for millions of tonnage for

foreign commerce. How often have we heard of the overcrowded condition of warehouses, docks, and piers and railroad terminals; could not the transportation of wheat, for instance, from the great Northwest to the Atlantic seaboard in vessels add greatly to relieving freight congestion and car shortage so often complained of?

If this be true with a part of the wheat crop, is it not true of every other commodity going to the eastern seaboard?

Would not the same condition maintain in westbound freight traffic to Great Lake points?

What we need in this country is a regulation whereby a shipper can send his goods from one point to another over railroads and water lines and give a bill of lading to the point of destination. This canal would cost in round figures a little less than $200,000,000—less than a fifth of the amount alleged to have been spent on aircraft production that rendered no service to this country at all during this war.

I am told that millions of dollars annually are lost by inefficiency of facilities for handling the enormous freight traffic at terminals.

If this be so, and a remedy can be provided by construction of a suitable canal over some properly established route, I think the Congress should move to build it.

I am told it would handle 10,000,000 tons of traffic every year.

That it would pay for itself within a few years.

That it would not only assist the country through which it passed, but would assist the extreme West and save millions of dollars to the people of this country every year.

The question is not whether we can afford to build it, but whether we can afford to be without it.

Let us stop for a moment and realize the long chain of great lakes along our northern border, adjacent to and affording facilities for transporting the products of vast agricultural territory, and along its shores are found many of the largest manufacturing industries of our country, all of which are closely identified with foreign commerce, and yet Congress has failed to provide an American commercial outlet for this great chain of lakes to the Atlantic tidewaters.

It matters little to me what route should be selected; that must depend upon the intelligence and engineering skill of our Government engineers that have to do with this branch of the work; but let us adopt a route, approve plans, and commence the construction of an overwhelmingly and almost indispensably needed artery for freight traffic that will reach every grower and producer east of the Rocky Mountains—if not directly, it will indirectly, by quieting the too-often cry of railroad companies that "We are short of cars and terminals are crowded."

In conformity with the provisions of the sundry civil act of June 4, 1897, to make surveys and examinations of deep waterways and routes most feasible and practicable between the Great Lakes and the Atlantic tidewaters, a board of engineers, appointed by the President, made surveys and examinations, including the estimated cost of deep waterways and the routes for this proposed improvement, and submitted to Congress through the Secretary of War an elaborate report thereon.

It occurs to me that this requisition of Congress, entailing the expenditure of large sums of money for making these surveys and investigations leading up to the location and designation of the most feasible and practical routes, was done for a purpose, and that purpose was designed by the large agricultural and manufacturing interests, and it was intended to build a canal, and any failure on the part of Congress to act was probably caused by the frequent changes in the personnel of Congress or powerful influences outside of Congress.

While I remain in this Congress it will be my constant aim to follow up legislation that will result in the construction of this much-needed waterway, which, according to the estimates of the engineers, will cost $197,393,203.

I therefore have prepared and presented a resolution bearing upon this subject, and at the proper time shall address the House in further detail.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Michigan.

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

Mr. CRAMTON. Mr. Speaker, in lines 14 and 15 I move to amend by striking out in line 14 all after the words "the work" and striking out in line 15 all up to and including the word "years."

The Clerk read as follows:

Page 15, in line 14, strike out the language after the word "work," "or that there has been a cessation of such construction for a period of three consecutive years."

The amendment was agreed to.

The Clerk read as follows:

SEC. 6. That this act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation, or for municipal or other uses or any vested rights acquired thereunder, and the Secretary of the Interior and the city of San Diego in carrying out the provisions of this act shall proceed in conformity with the laws of said State.

Mr. GRAHAM of Illinois. Mr. Speaker, I call the attention of the committee to the fact that the word "appropriation" is misspelled in line 16, and move that the letters appearing there be stricken out and that the word "appropriation" be inserted.

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

The Clerk read as follows:

Page 18, line 16, after the word "control" strike out "appropriaion" and insert "appropriation."

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

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to return to section 5 in order that I may offer an amendment which I think is agreeable to everyone.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to return to section 5. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment, to be placed at the end of section 5.

The Clerk read as follows:

Add at the end of section 5, page 18, line 11, the following:

"*Provided*, That the city of San Diego is authorized to assign all its rights, powers, and privileges under this act to any public water district formed under the laws of California."

Mr. CRAMTON. Mr. Speaker, in connection with that amendment permit me to say that I understand from the statement of the gentleman from California [Mr. KETTNER], as made this afternoon upon the floor, and from personal conversation with him, that it is his hope and his expectation that the authority given under this bill may very possibly be used to secure the development of these waters for the use not only of the city of San Diego but of the other communities, chiefly in San Diego County, El Cajon, and La Mesa, and various irrigation projects. In other words, that a number of communities that are entirely dependent for their water supply upon these waters are not to be shut off, but that possibly some project for the common benefit of all may be worked out, and that that may be done under a water district that would include not only the city of San Diego but portions of San Diego County. I understand that that is a fair statement.

Mr. KETTNER. That is a very fair statement, and I concur in it.

Mr. CRAMTON. In addition to that, the gentleman from California [Mr. KETTNER] is aware that I have had some doubts in my mind about this legislation. Those doubts were aroused not only by my fear that these outside communities were not sufficiently protected but also by some feeling in my mind that there was a personal animosity existing between certain city officials of San Diego active in this project and a private concern, the Cuyamaca Water Co., and that possibly this legislation might not be so much to provide water supply for San Diego as to provide the destruction of the private corporation. The conversation I have had with the gentleman and his assurances have entirely removed my feeling as to that. I understand that those officials are not to predominate in this adjustment, and that these other communities are to be taken care of; in other words, there is to be a sincere effort to bring about a development of that water that will be for the benefit of all.

Section 5 as it is now provides that the "reservoir, when constructed, shall be maintained and controlled by the city of San Diego for the use and benefit of the city" and these other communities, and throughout the section limits the control and ownership to the city of San Diego. Therefore, if the gentleman's hope is realized, that instead of the city of San Diego undertaking this great project a larger water district shall undertake it, the bill would not fit. I have suggested this amendment which does nothing except to provide that if there is such an arrangement brought about and there is a joint effort upon the part of the city of San Diego and the communities of El Cajon and La Mesa, and so forth, to form one large water district, then the rights we give the city of San Diego may be assigned to that larger district. I hope the committee will accept the amendment.

Mr. KETTNER. Mr. Speaker, so far as I am concerned I will gladly accept the amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

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

The amendment as amended was agreed to.

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

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

The title was amended to read: "A bill granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes."

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

MODOC NATIONAL FOREST, CAL.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to return to the bill H. R. 17, preceding this, for I believe now there will be no objection to its consideration.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to return to the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 17) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes.

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

Mr. MANN. Mr. Speaker, reserving the right to object, the committee has inserted an amendment in the first section of this bill referring to those portions of the two counties, as follows:

found by the Secretary of Agriculture to be available for the production of timber or the protection of stream flow.

Under that portion of the bill the only land that could be included in the forest would be those lands found to be, by the Secretary of Agriculture, available either for the production of timber or the protection of stream flow. Is that right?

Mr. RAKER. No.

Mr. MANN. Well, here is the way it reads, and I ask the gentleman to construe it.

Mr. RAKER. There was a little confusion and I possibly did not get the gentleman's question.

Mr. MANN. The language of the first paragraph of the amendment proposed by the committee——

Mr. RAKER. Yes; I have it.

Mr. MANN. Reads:

That any land within those certain portions of Modoc and Siskiyou Counties, Cal., found by the Secretary of Agriculture to be available for the production of timber or the protection of stream flow, described as follows—

And so forth—

may be included in and made part of the national forest.

They are only public lands available for the production of timber or the protection of stream flow——

Mr. RAKER. No.

Mr. MANN. Then what does that mean? That is what it says.

Mr. RAKER. I am trying to answer the gentleman, as I understand it clearly, so there can be no question. Now, turning to page 2——

Mr. MANN. But I am not turning to page 2; I know what is contained on page 2.

Mr. RAKER. That is what it means.

Mr. MANN. According to the first paragraph, no land could be included in the Modoc National Forest unless found by the Secretary of Agriculture either to be available for the production of timber or the protection of stream flow, according to the committee amendment which I read.

Mr. RAKER. Yes, sir.

Mr. MANN. But that is not what the gentleman wants?

Mr. RAKER. Not all of it. I know what the gentleman had in his mind. I was trying to cover it as clearly as I could.

Mr. MANN. Now, the Secretary of Agriculture says, "From the reports of the forest officers it is learned that those tracts do not support available commercial timber in sufficient quantities"—that disposes of the timber proposition—"nor is the forest cover thereon of sufficient value for stream-flow protection to warrant inclusion within the national forest for national forest purposes." That disposes of the second proposition. Now, what does the gentleman want?

Mr. RAKER. I want it for those two purposes, and the further purpose, lines 19 and 20, is for regulation and for improving the grazing thereon.

Mr. MANN. But the Secretary of Agriculture has reported that it is useless for the two first purposes he named, and yet under the committee amendment those are the only two purposes. I say to the gentleman from California if this bill passes in the form it is in, with the committee amendment, it will not add an inch, not a square inch, to the Modoc National Forest.

Mr. RAKER. Of course, as I view it in talking with officials, it will only include the greater part; but what I would like, if the committee will consent to it, in line 6, page 1, after the word "flow," is to insert the words "or regulation and improvement of grazing thereon."

Mr. MANN. That is what the gentleman wants?

Mr. RAKER. Yes, sir.

Mr. MANN. Yet the committee amendment would exclude that entirely——

Mr. RAKER. Well, I thought that was one object it will include.

Mr. MANN. I do not know whether the committee thought it will or not, but evidently they did not. Here is a bill designed to include in a national forest land in order to regulate and improve grazing thereon, and the committee proposed an amendment which would exclude that, and so they give the right to add land for purposes which the Secretary of Agriculture says do not exist.

Mr. RAKER. Well, the gentleman is correct.

Mr. MANN. And leaves it to him?

Mr. RAKER. I will try to get an amendment if I can to change it, because that is what I want to get.

Mr. MANN. I believe in adding to these national forests, so I will not object. I am trying to help the gentleman out; I do not always do it, but I usually do it.

Mr. RAKER. I thank the gentleman.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hear none. This bill is on the Union Calendar.

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

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That those certain portions of Modoc and Siskiyou Counties, Cal., described as follows, to wit:

Commencing at that point on the California-Oregon State line where the same crosses the west line of the Modoc National Forest, being in section 29, township 48 north, range 8 east, Mount Diablo meridian; thence southerly and westerly, following the meanderings of the said west line of said Modoc National Forest to the point where the same crosses the south line of township 45 north, range 4 east, Mount Diablo meridian, at the southeast corner of section 34 in said township; thence west following the section lines to the southwest corner of township 45 north, range 3 east, Mount Diablo meridian; thence north along the township line between ranges 2 and 3 to the point where the same crosses or intersects the California-Oregon State line; thence east along said State line to the point of beginning; also all of sections 34 and 35, township 48 north, range 16 east, and the west half of section 2 and all of section 3, in township 47 north, range 16 east, Mount Diablo meridian, be, and the same are hereby, included in and made a part of Modoc National Forest, Cal., for the purpose of regulation and improvement of the grazing thereon, and thereafter to be governed, controlled, and used under the same rules and regulations now in force or to be hereafter adopted governing said Modoc National Forest.

Committee amendment: Page 1, line 3, after the word "that" insert the words "any lands within."

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

The Clerk read as follows:

Page 1, line 4, after the word "California" insert "found by the Secretary of Agriculture to be available for the production of timber or the protection of stream flow."

Mr. RAKER. Mr. Speaker, I offer the following amendment to be added after the word "flow": "or regulation and improvement of the grazing thereon."

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

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 1, line 6, amend the committee amendment after the word "flow" by inserting the words "or regulation and improvement of the grazing thereon."

The amendment to the amendment was agreed to.

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

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

The Clerk read as follows:

Committee amendment: Page 2, line 15, after the word "meridian," insert the words "with the approval of the Secretary of the Interior."

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

The Clerk read as follows:

Committee amendment: Page 2, line 16, after the word "be," strike out the comma and the words "and the same are hereby."

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

The Clerk read as follows:

Committee amendment: Page 2, line 18, after the word "California," insert the words "by proclamation of the President."

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

The Clerk read as follows:

Committee amendment: Page 2, line 19, at the beginning of the line, insert the words "production of timber, protection of stream flow, or."

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

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

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

LEAVE OF ABSENCE.

Mr. STEVENSON, by unanimous consent, was granted leave of absence for five days on account of attendance on a conference committee.

WAR MOTHERS OF AMERICA.

Mr. DENTON. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 15608.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 15608) to incorporate the War Mothers of America.

The Clerk began the reading of the bill.

Mr. WALSH. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present, and evidently there is none.

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

The motion was agreed to.

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

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

Ashbrook	Edmonds	Langley	Scully
Barnhart	Estopinal	Lesher	Sears
Beakes	Fairchild, G. W.	Littlepage	Sells
Benson	Fairfield	Lunn	Shackleford
Birch	Farr	McCormick	Shallenberger
Blackmon	Fields	McCulloch	Sherley
Booher	Flynn	McKenzie	Sisson
Borland	Fordney	McLaughlin, Pa.	Smith, Mich.
Bowers	Francis	Madden	Smith, T. F.
Britten	Freeman	Maher	Snook
Brodbeck	Gallivan	Mason	Steenerson
Browne	Goodall	Miller, Minn.	Stephens, Miss.
Brumbaugh	Graham, Pa.	Moon	Stephens, Nebr.
Caldwell	Gray, N. J.	Morin	Sterling
Campbell, Kans.	Greene, Mass.	Nelson, A. P.	Strong
Cannon	Greene, Vt.	Nelson, J. M.	Sullivan
Cantrill	Griest	Nicholls, S. C.	Swift
Carew	Hamill	Nichols, Mich.	Tague
Carlin	Hamilton, N. Y.	Nolan	Taylor, Ark.
Carter, Mass.	Hamlin	Norton	Taylor, Colo.
Chandler, N. Y.	Haskell	Oliver, Ala.	Templeton
Church	Hayes	Oliver, N. Y.	Tinkham
Cooper, W. Va.	Heflin	Olney	Van Dyke
Copley	Heintz	O'Shaunessy	Vare
Costello	Helm	Park	Voigt
Cox	Helvering	Powers	Waldow
Crosser	Hensley	Pratt	Walker
Curry, Cal.	Hicks	Price	Watson, Pa.
Davey	Howard	Riordan	Webb
Delaney	Hutchinson	Roberts	White, Ohio
Denison	Johnson, Ky.	Robinson	Wilson, Ill.
Dent	Kelly, Mich.	Rouse	Winslow
Dooling	Kennedy, R. I.	Rowe	Woods, Iowa
Dowell	Kinkaid	Rowland	Woodyard
Drukker	Kreider	Russell	

The SPEAKER. On this roll call 290 Members, a quorum, have answered to their names.

Mr. RUBEY. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Clerk will report the bill.

The Clerk completed the reading of the bill.

During the reading the following occurred:

Mr. CRAMTON. Mr. Speaker, a point of order.

The SPEAKER. What is the point of order?

Mr. CRAMTON. That there is not a quorum present.

The SPEAKER. Oh, we just counted one.

After the reading:

The SPEAKER. Is a second demanded?

Mr. WALSH. Mr. Speaker, I demand a second.

Mr. DENTON. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. CRAMTON. I object, Mr. Speaker.

The SPEAKER. The gentleman from Indiana [Mr. DENTON] asks unanimous consent that a second may be considered as ordered, and the gentleman from Michigan [Mr. CRAMTON] objects. The gentleman from Indiana and the gentleman from Michigan will take their places as tellers.

Mr. CRAMTON. Mr. Speaker, if it is in order at this time, I suggest the absence of a quorum.

Mr. FOSTER. That is dilatory. We just had a quorum counted.

The SPEAKER. It has not been more than five minutes since 290 Members answered to their names.

Mr. CRAMTON. It has been long enough to have them disappear.

The SPEAKER. The Chair construes that demand as dilatory and appoints the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Indiana [Mr. DENTON] as tellers.

The House divided; and the tellers reported—ayes 48, noes 50.

The SPEAKER. The motion to suspend the rules does not receive a second.

VOCATIONAL TRAINING.

Mr. BANKHEAD rose.

The SPEAKER. The gentleman from Alabama is recognized.

Mr. BANKHEAD. Mr. Speaker, I move to suspend the rules and pass Senate bill 5038, with certain committee amendments.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 5038) extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes.

Be it enacted, etc., That the special fund for vocational education, authorized by section 7 of the vocational rehabilitation act, approved June 27, 1918, together with the items of appropriation made by said act, are hereby made available, in addition to the purposes therein prescribed, for such other expenses as in the discretion of the board is deemed necessary and proper for the payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibility for training under the act, and the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment and for supplementing any or all of the other items of appropriation made by said act.

The SPEAKER. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Would it be proper for me to inquire, as there is a great number of Members here who would like to know, whether the calling of the Unanimous Consent Calendar is going to be resumed for the consideration of bills thereon this afternoon?

The SPEAKER. The Chair has agreed to recognize certain gentlemen. He agreed to do it a good while ago. The number has increased until there are now 24 of them. Of course the Chair does not undertake to stay here until 24 of them get the rules suspended. If the House wants to return to the Unanimous Consent Calendar after two more of these bills have been disposed of the Chair will have no objection.

Mr. STAFFORD. This is one of the two, then?

The SPEAKER. This and the next one. Then the Chair would have no objection to returning to the calendar.

Mr. STAFFORD. Will the Chair kindly indicate what are the other bills where he will recognize gentlemen to suspend the rules?

The SPEAKER. One of them is by the gentleman from Texas [Mr. SUMNERS], about a court.

Mr. WALSH. That is passed.

The SPEAKER. Does the gentleman say that the gentleman from Texas has got his bill passed?

Mr. STAFFORD. Yes.

The SPEAKER. The next one coming after that of the gentleman from Alabama [Mr. BANKHEAD] is that of the gentleman from Illinois [Mr. FOSTER], and then one by the gentleman from South Dakota [Mr. GANDY].

Mr. FOSTER. I do not think there will be much opposition to mine. It is so urgent that I wanted to be sure to get it up.

The SPEAKER. And Mr. RAYBURN's bill.

Mr. STAFFORD. I think those bills on the Unanimous Consent Calendar will be reached.

The SPEAKER. The Chair promised this morning to recognize two gentlemen some time to-day, but the Chair has no sort of doubt but that half of these gentlemen on the list can get their bills passed by unanimous consent.

Mr. STAFFORD. There is a most important bill next on the Unanimous Consent Calendar and a number more.

Mr. WALSH. Several Senate bills.

Mr. STAFFORD. Yes; there are several Senate bills that should be passed, and passed expeditiously.

The SPEAKER. Is the gentleman from South Dakota [Mr. GANDY] here?

Mr. STAFFORD. We passed this morning a private claims bill which had no right on the Unanimous Consent Calendar. Still we passed it.

The SPEAKER. The gentleman was very generous. [Laughter.]

Mr. STAFFORD. I try to be generous at the close of a Congress.

Mr. RAYBURN. Mr. Speaker, I am willing to take my chances on the last six days.

The SPEAKER. All right. The gentleman from Oklahoma [Mr. CARTER] comes next. The Chair will recognize Mr. FOSTER and Mr. CARTER.

Mr. CARTER of Oklahoma. I am willing to take my chances on the Unanimous Consent Calendar.

Mr. FOSTER. If you are going to call this calendar through, I will have no objection to taking my chances along with everybody else.

The SPEAKER. When we get through with the bill submitted by the gentleman from Alabama [Mr. BANKHEAD], then——

Mr. BANKHEAD. Will the gentleman withdraw his request for a second?

Mr. GARRETT of Tennessee. While the good humor is on, why can we not get unanimous consent for the consideration of the Bankhead bill?

Mr. STAFFORD. It is not proposed to ask unanimous consent that a second be ordered.

Mr. FOSTER. Why not give unanimous consent for its consideration?

Mr. STAFFORD. All right; go ahead.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent for the consideration of the bill S. 5038, with sundry committee amendments.

Mr. STAFFORD. That is on the understanding that there will be none of the others called up.

Mr. CLARK of Florida. Mr. Speaker, the statement made by the gentleman from Wisconsin [Mr. STAFFORD] would indicate that it does not require unanimous consent that there shall be further suspensions to-day. I want to state that the Speaker kindly put me on the list. It is true I am very far down on the list, but I want a chance to move to suspend the rules and pass a public building bill.

The SPEAKER. The gentleman would not be reached under this suspension business for a week.

Mr. CLARK of Florida. I might if we should go on.

The SPEAKER. The gentleman is away down on the list.

Mr. CLARK of Florida. I do not want to if unanimous consent is required, but if none is required I will object.

The SPEAKER. The Chair recognized the gentleman from Alabama [Mr. BANKHEAD] to move to suspend the rules, and a suggestion came from somewhere to take up this bill by unanimous consent instead of wasting time to suspend the rules. The Chair asks if there is any objection to taking it up that way?

Mr. STAFFORD. Reserving the right, Mr. Speaker, I think there should be some explanation of the bill before that is done.

Mr. BANKHEAD. I intend to explain the bill. Is there any objection, Mr. Speaker?

Mr. STAFFORD. I renew my reservation of the objection, Mr. Speaker.

Mr. FOSTER. Then it will all be declared off. The gentleman from Alabama is going to explain the bill.

The SPEAKER. The gentleman from Alabama moves to suspend the rules. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the special fund for vocational education authorized by section 7 of the vocational rehabilitation act, approved June 27, 1918, together with the items of appropriation made by said act, are hereby made available, in addition to the purposes therein prescribed, for such other expenses as in the discretion of the board is deemed necessary and proper for the payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibility for training under the act, and the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment, and for supplementing any or all of the other items of appropriation made by said act.

Mr. BANKHEAD. Mr. Speaker, is a second demanded?

The SPEAKER. Is a second demanded? The Chair will ask the gentleman from Alabama, Are the amendments already in this bill, or does the gentleman propose to amend it?

Mr. BANKHEAD. They are printed in italics.

Mr. STAFFORD. I demand a second.

The SPEAKER. The gentleman from Wisconsin demands a second.

Mr. BANKHEAD. I ask unanimous consent, Mr. Speaker, that a second be considered as ordered.

The SPEAKER. The gentleman from Alabama asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. CANNON. I object.

The SPEAKER. The gentleman from Illinois objects. The Chair appoints Mr. BANKHEAD and Mr. CANNON to act as tellers.

The House divided, and the tellers reported—ayes 111, noes none.

Accordingly a second was ordered.

The SPEAKER. The gentleman from Alabama is recognized for 20 minutes.

Mr. BANKHEAD. Mr. Speaker, I desire to secure, if possible, the attention of the House while I make an effort, as briefly as possible, to explain the purposes and the necessity for the passage of this bill. It will be recalled that section 7 of the act providing for the rehabilitation of wounded and disabled soldiers, which was approved on June 27, 1918, provided that the board was authorized and empowered to receive gifts or donations from either public or private sources, offered unconditionally, and that the moneys received as gifts or donations should be paid into the Treasury of the United States and constitute a permanent fund, to be called the special fund for vocational rehabilitation, and to be used under the direction of said board in connection with the appropriations then made or hereafter to be made to defray the expenses of providing and maintaining courses of vocational rehabilitation.

Section 8 of the bill appropriated an aggregate sum of $2,000,000 for the purpose of carrying it into effect.

When the joint committees of the House and Senate were having hearings to frame up this legislation, Dr. Prosser and others who were interested in the proposition, when asked to make an estimate of the amount of money that would be required for its operation for the first fiscal year, estimated that it would require the sum of $2,000,000; but on account of the well-known objections in both Houses of Congress to making lump-sum appropriations, it was suggested to him that he should undertake to budget the different items to be appropriated and used for the different purposes of the bill, and at that time it was very frankly conceded that it would be impossible to make an accurate estimate of the amount that would be used for each particular purpose. But in undertaking to do that, there were two items in section 8 of the bill to which I desire to call attention, and which are affected by the bill now pending before the House, one of them an item for renting and remodeling buildings and quarters, repairing, maintaining and equipping same, and for equipment and other facilities necessary for proper instruction of disabled persons, $250,000.

There is another item in the bill amounting to $545,000 for tuition for disabled persons pursuing courses in existing institutions, public or private.

In the course of the practical administration of the vocational rehabilitation act for disabled soldiers it has developed that the board did not require the amount of $250,000 provided in the first item I read for rent and so forth, but, as a matter of fact, on account of existing facilities, it has only become necessary for them to expend a small portion of that item.

It has also further developed that in the administration of the law up to date the board found that at the different institutions of learning in the States—the universities, normal schools, and other places where the States had provided the facilities for instruction of this character—the State authorities absolutely refused to require any compensation whatever, but very generously and patriotically tendered all of their State facilities to cooperate free of charge with the Federal board in the retraining of disabled discharged wounded soldiers. So it has been found that the board would need only a small portion of this item of $545,000 appropriated in the bill for the purpose of tuition.

So that, according to the hearings on the bill, of the amount originally appropriated for these two purposes which I have named there is an unexpended balance of approximately $700,000.

It has further become apparent in the operations of the board that while they do not need these items for the purposes stated, they do need them very seriously and very imperatively for other purposes. We had hearings on this bill. It passed the Senate in December without opposition, and it was explained by Dr. Prosser, Dr. Chandler, and other members of the Vocational Board that it developed that in the discharge of soldiers from the Army and Navy hospitals of the country after they had been physically and functionally rehabilitated it was found impossible, with the limited number

of agents in the field, for the Federal board to keep in close and intimate touch with these soldiers or to advise them or confer with them relative to the benefits conferred by this act; so that as a result of this situation, and on account of the very rapid discharge of these disabled soldiers from the various hospitals of the country, thousands of these men who, as a matter of fact, are entitled to receive the benefits of this humanitarian legislation that we passed affecting them, have not had the opportunity even to be informed specifically of the benefits accruing to them under its operations. The purpose of this bill is to authorize the Federal board to spend this unexpended sum—to coalesce these funds into one and spend it for the purpose of sending out their agents to the various hospitals in the country, of which the Army and Navy now have 120. Hundreds of men are being daily discharged from these hospitals without being informed, a great many of them, of the benefits of this act. And you may be surprised to learn that although the Surgeon General's Office promised sympathetic cooperation with the Vocational Board, up until December last the Federal board were deprived of the privilege of having their agents go into these hospitals or of disseminating their literature to these disabled men in the hospitals, and in the meantime thousands of soldiers had left the hospitals without receiving this information.

Mr. WALSH. Will the gentleman yield?

Mr. BANKHEAD. For a brief question.

Mr. WALSH. How many investigators has the board to travel about to these various States to make these inquiries?

Mr. BANKHEAD. I regret that I can not give the gentleman from Massachusetts that information.

Mr. WALSH. If this fund is made available for that purpose, of course the board will eventually have a vast army of them, will it not?

Mr. BANKHEAD. I hardly think that is a fair statement of what it will have. The purpose of the board is to use this money to put into the field a sufficient number of men to carry out adequately the purposes of Congress in passing this legislation, that is all.

Mr. BURNETT. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. BURNETT. Are these investigators to be appointed from civil life?

Mr. BANKHEAD. They are to be appointed under civil-service regulations in accordance with the terms of the vocational education bill.

Mr. TOWNER. Will the gentleman yield?

Mr. BANKHEAD. I will be glad to yield to my colleague.

Mr. TOWNER. And it is true that the Surgeon General's department has requested that the men be sent to hospitals so that they may at once be able to confer with those discharged from the hospitals, and thus save time.

Mr. BANKHEAD. That is the regulation now in existence.

Mr. SLAYDEN. Why can not the authorities at the hospitals be required to inform the soldiers of these benefits?

Mr. BANKHEAD. Under the orders issued on the 10th of December it is made the duty of those in charge of hospitals to inform from now on those disabled soldiers of their rights under the vocational bill.

Mr. BENJAMIN L. FAIRCHILD. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. BENJAMIN L. FAIRCHILD. Is it not true that the very purpose is to have these agents go to the hospitals, 142 in number, meet the soldiers at the hospitals and give them the benefit of this information, and does not that number—142 hospitals—very nearly answer the question of the gentleman as to the total number of agents that will be required?

Mr. BANKHEAD. That is correct, and in addition I want to say that there are thousands of soldiers entitled to the benefits of this act who have been discharged from hospitals from the Army and the Navy, now occupying the status of civilians, and we desire to get in touch with them. In that connection I want to say that there were, according to recent figures, December 28, 1918, 9,317 men whose compensation under the war-risk insurance, has not yet been determined. It is to be remembered that the vocational board can not undertake to exercise its functions until the awards are made by the Bureau of War Risk Insurance.

Mr. CANNON. Will the gentleman yield?

Mr. BANKHEAD. Certainly.

Mr. CANNON. I understand from what the gentleman has stated that in all of these 142 hospitals, and elsewhere, orders have been issued that these soldiers shall be fully informed of the benefits of this act.

Mr. BANKHEAD. Such orders now exist, but unfortunately for a long time they did not exist.

Mr. CANNON. So there is no necessity for 142 agents or three times 142 agents from civil life being sent out to perform the duty which would turn this charitable appropriation, devoted to another purpose, into an employment fund for people who desire to make a living that way.

Mr. BANKHEAD. I do not agree with the gentleman. The vocational board is administered by districts—12 or 14 districts. They have a district agent with headquarters, and in some districts there would not be any Army hospital at all. The gentleman from Illinois overlooks this important feature, the real spirit and purpose of the vocational act, to wit: That it is the duty of the board to advise, confer, and to talk with these men as to their future trades, to encourage them in taking one of these courses for their future benefit. So we would eliminate that personal factor in the event this legislation is not enacted. That is one of the purposes of the agent.

Mr. CANNON. I am one with the gentleman in giving all the education that practically can be given to these soldiers who have been wounded, so that they may have something to do and learn to do it; but I am fearful when you take this nearly a million dollars and divert it to the employment of people in civil life that it will become not for the aid of the soldier but for the aid of the civilian who is not a soldier.

Mr. BANKHEAD. I want to say that this is not the sole purpose. If you will read the report—and I am sorry I will not have time to go as fully into the matter as I would like—the purpose is to meet a situation of this sort: In many instances men are discharged from the hospitals without any means, without sometimes the opportunity to get home; they are crippled, an arm gone, or a leg gone, or two arms gone, and yet they are cured as far as the hospital is concerned. One purpose is that the fund may be used to give a small financial assistance to such penniless wounded victims.

Mr. KINCHELOE. Will the gentleman yield?

Mr. BANKHEAD. I will.

Mr. KINCHELOE. Where is there any provision in the bill that any part of this sum shall be paid for the expenses of these agents? It says for the payment of expenses of disabled men.

Mr. BANKHEAD. If the gentleman will read on page 2, it says, "and for supplementing any or all the other items of appropriation made by said act."

Mr. BENJAMIN L. FAIRCHILD. In many cases when the men are discharged from the hospital penniless it is because they have not been able to get pay from the War Department, and also by delay of records they are not able to get compensation.

Mr. BANKHEAD. I do not know what the reason is, and I do not care to go into that, for I do not think it is necessary in discussing the merits of this bill. But under the ruling of the Comptroller of the Treasury the gift fund provided for in section 7 in the original act could not be used for any of these humanitarian and necessary purposes that I have suggested. They said on account of the phraseology of the act these gifts should be limited to the purposes named in section 7 and could not be used for this other purpose.

The American Red Cross has come to the relief and has underwritten a credit of $100,000—put it into the gift fund; but under this ruling of the Comptroller of the Treasury, however anxious the board might be to take care of these wounded and crippled men, they can not do it unless we pass this legislation.

Mr. STAFFORD. Will the gentleman yield, and I will give him more time, if necessary?

Mr. BANKHEAD. I will be glad to yield to the gentleman.

Mr. STAFFORD. Mr. Speaker, will the gentleman explain what is the purpose, to its fullest extent, of the amendment of the committtee as carried on page 2, lines 7 to 9?

Mr. BANKHEAD. I should be very glad to do that.

Mr. STAFFORD. I yield to the gentleman five minutes of my time.

Mr. BANKHEAD. Mr. Speaker, it will be noted that the act as it passed the Senate, reading on line 3, provided that "the special fund for vocational education, authorized by section 7 of the vocational rehabilitation act," which is mentioned in section 7 of the original act, "is hereby made available, in addition to the purposes therein described, for such other expenses as in the discretion of the board is deemed necessary and proper."

The House committee inserted an amendment to strike out the word "is" and insert the words "together with the items of appropriation made by said act," so that we coalesce these two items contained in section 8 of the original act, to which I referred in the beginning of my remarks. In other words, the purpose of the amendment is to make available for the use of the fund all of the $2,000,000 appropriated for the purposes named in this amended act as well as for the purpose named in the original act.

Mr. STAFFORD. As I understand it, the maximum charge upon the Treasury for this purpose will be $2,000,000?

Mr. BANKHEAD. Two million dollars. It does not authorize the appropriation of a single additional dollar out of the Treasury of the United States, and I am very glad that the gentleman called my attention to that. It simply authorizes the expending of the aggregate sum of these two unused items for purposes I have suggested to the House. It does not make any additional charge on the Federal Treasury, but merely regulates the expenditure of the money carried in the original act.

Mr. CANNON. Mr. Speaker, may I ask the gentleman another question?

Mr. BANKHEAD. Yes.

Mr. CANNON. I understand that the Comptroller of the Treasury has prohibited by his construction the use of this money for the purpose as indicated that comes by gift, and that $100,000 has come by gift.

Mr. BANKHEAD. There is more than that, possibly.

Mr. CANNON. Has the gentleman or his committee thought of legislating to reverse that ruling?

Mr. BANKHEAD. I do not know what the rest of the committee have thought, but, as far as I am concerned, I will say that I heartily approve of this gift fund for this great and noble purpose.

Mr. CANNON. Would it not be better to reverse the ruling by legislation than to cut it off?

Mr. BANKHEAD. That is exactly what we are proposing to do by this legislation—to reverse this ruling.

Mr. CANNON. But to pay it from the Treasury.

Mr. BANKHEAD. Oh, no.

Mr. CANNON. Accept gifts?

Mr. BANKHEAD. My friend from Illinois must have forgotten the provisions of section 7 in the original act authorizing the acceptance of gifts and donations. It provided that they should be accepted when made unconditionally and put into the Treasury as a special fund, to be known as a fund for the vocational training of disabled soldiers.

Mr. CANNON. And that was wiped out by the decision of the Comptroller of the Treasury.

Mr. BANKHEAD. Whatever money has been in there has not been wiped out, but he held that the board could not expend it except for the purpose of tuition.

Mr. CANNON. Is it the object of this proposed legislation to enable the board to expend it?

Mr. BANKHEAD. It is.

Mr. CANNON. But it also enables the board to expend the $2,000,000 for the same thing?

Mr. BANKHEAD. Yes.

Mr. CANNON. Is there any necessity for spending more than the gifts at this time?

Mr. BANKHEAD. They are needing not only the $700,000 covered in this new legislation, left over out of the original act, but the $100,000 from the Red Cross, and they are needing infinitely larger sums to properly administer this law.

Mr. CANNON. Between this and the next fiscal year?

Mr. BANKHEAD. The gentleman is a member of the Committee on Appropriations, and he probably knows more about that subject than I.

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

Mr. BANKHEAD. Yes.

Mr. MONTAGUE. As I understand the bill, it is to make available the existing gifts and future gifts, together with the $700,000.

Mr. BANKHEAD. That is the purpose of it.

Mr. MONTAGUE. And it carries no more burden to the Treasury?

Mr. BANKHEAD. That is true.

Mr. MONTAGUE. It simply consolidates the sum which is found to be not usable for other purposes?

Mr. BANKHEAD. And not needed for those purposes.

Mr. MONTAGUE. And makes it available for purposes that are immediately and urgently needed?

Mr. BANKHEAD. Yes; that is a correct statement of the purposes of the bill.

Mr. MONTAGUE. And specifies that in the act?

Mr. BANKHEAD. Yes.

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

Mr. BANKHEAD. Yes.

Mr. MANN. I understand that the gift provision in this bill is to be stricken out.

Mr. BANKHEAD. No; the gentleman is in error about that. If he will look at the part of the Senate bill stricken out he will see that refers to conditional gifts, and there was some objection in the Committee on Education to extending the gift proposition to those that were to be made for certain specific purposes.

Mr. MANN. I have not been able to find anything in the bill that would authorize expenditure of any money except that which was appropriated in the original act.

Mr. BANKHEAD. There is not, and that which may be in this gift fund.

Mr. MANN. Where is that in the bill?

Mr. BANKHEAD. The first section provides that the special fund for vocational education, authorized by the act, together with the items of appropriation made by said act, are hereby made available, in addition to the purpose therein prescribed for such other expenses as in the discretion of the board is deemed necessary and proper, and so forth.

Mr. BLAND of Virginia. Does not section 7 of the vocational act provide for gifts?

Mr. BANKHEAD. It does.

Mr. BLAND of Virginia. And this act makes those gifts now applicable to the items specified in section 8?

Mr. BANKHEAD. That is a correct statement, whereas if we do not pass this legislation those gift funds can only be used for purposes specified in the original act creating that fund, to wit, in the following language—

to be used under the direction of said board in connection with appropriations hereby made to defray expenses of providing and maintaining courses of vocational rehabilitation—

And the board does not need the money for this purpose.

Mr. BLAND of Virginia. But does include the items specified in section 8?

Mr. BANKHEAD. Exactly. Mr. Speaker, how much time have I occupied?

The SPEAKER. Twenty-two minutes.

Mr. KINCHELOE. Will the gentleman yield?

Mr. BANKHEAD. I will.

Mr. KINCHELOE. I desire to ask the gentleman if anything was developed in the hearing on this as to how much the number of these agents would be increased?

Mr. BANKHEAD. No; that testimony did not come out.

Mr. KINCHELOE. Can the gentleman state what the salary of these agents is?

Mr. BANKHEAD. I do not know what it is. Mr. Speaker, I would like to incorporate as a part of my remarks, and I ask unanimous consent to do so, because I think it will be interesting information to the Members of the House, a statement by the Federal Board of Vocational Education, showing the number of soldiers under treatment, and so forth, up until December 28, 1918.

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

The report is as follows:

[Federal Board for Vocational Education, miscellaneous 80, Jan. 11, 1919.]

MARKING PROGRESS IN REHABILITATION OF THE DISABLED.

Disabled men registered with the Federal board on December 28, 1918, numbered 12,684. These were at the time of their registration all of them prospective candidates for vocational training and placement by the board. In 49 cases compensation for disabilities had been denied by the War Risk Insurance Bureau on or before December 28, in 9,317 cases compensation had not been determined at that date, and in 3,318 cases compensation had been awarded. Definite action providing training can not be taken in individual cases prior to the award of compensation by the War Risk Insurance Bureau, although in such cases contacts with the men can be established and preliminary vocational surveys completed.

The 14 district offices of the Federal board had reported 2,183 cases classified as prospects for training, and district case boards had recommended 520 men for specific courses of training. Men reported pending placement numbered 6,474, and the number of men reported as placed in civil employment was 1,455. In the table below the distribution of these cases is shown by district vocational offices. District No. 5, embracing the States of North and South Carolina, Georgia, Florida, and Tennessee, reported the largest number of registrations, 2,230. District No. 9 (Iowa, Nebraska, Kansas, and Missouri) reported 1,573 cases; district No. 2 (Connecticut, New York, and New Jersey), 1,420 cases; district No. 7 (Ohio, Indiana, and Kentucky), 1,317 cases; district No. 8 (Michigan, Illinois, and Wisconsin), 1,142 cases; and other districts smaller numbers, as shown in the table.

Information regarding men discharged or to be discharged from the Army or Navy is obtained from various sources, including the War Risk Insurance Bureau, the Department of Labor, hospital, the Red Cross, the man himself, and friends or relatives of the man. Contacts with the men registered are established immediately by letter or by personal interview. Vocational surveys are then completed to determine the man's vocational aptitudes, preferences, disabilities, and capabilities, and upon the basis of all data collected specific recommendations are made for training or placement, as the case may require.

DIVERSITY OF TRAINING PROVIDED FOR OUR DISABLED MEN.

A tentative classification of the first 157 cases approved for training indicates the wide diversity of vocations for which our disabled men are already being trained. For these first 157 cases 63 distinct courses of training are reported, as shown in the following summary statement. If the tabulation had been extended to include all of the 520 cases recommended for training by the district offices, an even greater diversity of courses would be shown:

First 157 cases approved for training, classified by character of course elected.

NUMBER APPROVED FOR TRAINING.

Character of course:	
Agriculture	18
Academic	1
Accountancy	6
Architecture	1
Animal husbandry	2
Auto driving and mechanics	3
Business course, general	12
Bookkeeping and office management	1
Banking	1
Bookkeeping	3
Building construction	1
Bookkeeping and farm production	1
Commercial	19
Civil engineering	2
Chemist	1
Dairying, scientific	2
Drafting	1
Electrical drafting	1
Electrical course, general	4
Engine designing and drafting	1
Embalming	1
Electrical plant operation	1
Exporting	1
Electrical engineering	3
General education	1
Jewelry and watch repairing	1
Jeweler	1
Law	4
Lip reading and bacteriology	1
Lip reading	3
Monotype operator	1
Machinist	1
Mechanical engineer	4
Mechanics and shop practice	4
Mechanical drafting	1
Machine operator	1
Marine gas-engine operation	1
Motor mechanics	11
Milk inspection	1
Medicine	2
Meat inspection	2
Normal teacher	1
Normal training	1
Oxyacetylene welding	1
Penmanship	1
Poultry raising	1
Poultry and swine raising	1
Store management	1
Show-card writing and painting	2
Special gas-engine course	1
Silversmithing and designing	1
Steam engineering	1
Secretarial course	3
Salesmanship	2
Stationary steam engineer	1
Scientific farm management	1
Sheet-metal designing	1
Telegraphy and business course	2
Telegraphy	3
Tailoring	1
Traffic management	1
Tool and instrument making	2
Window dressing and designing	1
Total	157

In 25 of the 157 cases some line of agricultural training—crop or stock farming, dairying, poultry raising, farm management—had been elected and approved after careful survey of the applicants' qualifications and preferences, and it would thus appear from the data already in hand that agriculture will attract a large proportion of the disabled men. Commercial courses had been approved in 19 cases, general business courses in 12 cases, and motor mechanics in 11 cases.

INSTITUTIONS PROVIDING TRAINING COURSES.

Evidence that our disabled men are being given worth-while training may be found in the character of the institutions in which they have been placed for training. The 157 first cases classified above were distributed for training to the institutions listed below. It should be noted, however, that in some instances men were sent for training directly into industrial establishments or were inducted directly into trades. In all such cases adequate provision has been made for instruction under proper guaranties and supervision.

List of institutions in which disabled men have been placed for training: Amherst College, Boston University Law School, Harvard University, Massachusetts Institute of Technology, Filene's Department Store, Tawley School of Engineering, Bryant & Stratton and Burdette Business Colleges, Soule Business College, Franklin Union College, Harvard Law School, New York School of Commerce, Columbia University, Colorado University, Pratt Institute, Lehigh University, Strayer's Business College, Maryland State Agricultural College, Howard University, David Rankin Trade School, Hampton Institute, Alabama Polytechnic Institute, Virginia Polytechnic, George Washington University, Maryland University, North Carolina Agricultural and Mechanical College, Tuskegee Institute, Tennessee State Agricultural College, Clemson College, University of Tennessee, Tulane University, Mississippi Agricultural and Mechanical College, Ohio State University, Baltimore Business College, Purdue University, Michigan State Agricultural College, Indiana State Normal College, University of Michigan, University of Illinois, Nebraska University, Dunmoody Institute, University of Nevada, University of California, University of Texas, American Institute for Banking.

NUMBER APPROVED FOR TRAINING INCREASING RAPIDLY.

Reports indicate that by January 31 the number of cases approved for training will be approximately 1,000. Preliminary surveys of individual cases are being completed by the district offices and recommendations for training forwarded to the central office for approval.

Federal board registration of disabled men for vocational training and placement to date, Dec. 28, 1918.

District.	Number of cases registered by Federal Board for Vocational Education.							
	Total.	War Risk Insurance action.			Prospects for training.	Case board recommendations.	Placement pending.	Placed by the board or self-placed.
		Compensation denied.	Compensation undetermined.	Compensation awarded.				
Total	12,684	49	9,317	3,318	2,183	520	6,474	1,455
District No. 1: Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island	760	5	606	149	311	59	29	128
District No. 2: Connecticut, New York, and New Jersey	1,420	4	1,121	295	296	40	83	318
District No. 3: Pennsylvania and Delaware	623	2	462	159	112	38	.....	158
District No. 4: District of Columbia, Maryland, Virginia, and West Virginia	700	8	493	199	191	89	337	86
District No. 5: North Carolina, South Carolina, Georgia, Florida, and Tennessee	2,230	4	2,006	220	425	47	446	105
District No. 6: Alabama, Mississippi, and Louisiana	676	1	505	170	83	30	589	80
District No. 7: Ohio, Indiana, and Kentucky	1,317	.....	840	477	127	51	841	240
District No. 8: Michigan, Illinois, and Wisconsin	1,142	3	758	381	310	18	1,007	30
District No. 9: Iowa, Nebraska, Kansas, and Missouri	1,573	9	1,243	321	67	52	1,420	77
District No. 10: Minnesota, North Dakota, and South Dakota	334	.....	230	194	66	40	12	64
District No. 11: Wyoming, Colorado, New Mexico, and Utah	499	1	190	308	45	9	499	1
District No. 12: California, Nevada, and Arizona	649	5	387	257	47	18	540	99
District No. 13: Montana, Idaho, Oregon, and Washington	172	.....	109	63	13	6	170	5
District No. 14: Arkansas, Oklahoma, and Texas	589	7	367	215	90	23	501	64

Mr. STAFFORD. Mr. Speaker, I have had no requests for time in opposition to this bill. I have had a request for five minutes from the gentleman from Iowa [Mr. TOWNER], a member of the committee, and I yield him that time.

Mr. TOWNER. Mr. Speaker, I thank the gentleman from Wisconsin for his courtesy. Mr. Speaker, this bill has the unanimous consent of the membership of the committee. It is simply a bill to make available for purposes that are needed the funds already appropriated. Two hundred and fifty thousand dollars were appropriated for the purposes of paying rent and to provide buildings. It was found, very fortunately indeed, that the States and colleges very largely provided those necessary buildings without additional cost, so that the $250,000 is not all needed. Four hundred and fifty thousand dollars was provided for the payment of tuition. It was expected that tuition for the training of the soldiers would have to be paid for, but very fortunately, and to the great credit of the educational institutions of the country, they came almost unanimously to the board saying, "We will gladly give to the wounded soldiers their tuition free," so probably almost nothing will have to be paid for tuitions for the soldiers for their vocational rehabilitation. Besides this the gift fund provided for under the terms of the act was interpreted by the Comptroller of the Treasury to apply only for the purpose of tuition, the very thing that was not needed at all, so that fund was not available. Gentlemen, this is simply a bill for the purpose of carrying out the rehabilitation act, the great humanitarian and great patriotic act which we passed in the House here that gave to the disabled soldiers an opportunity to have provided for them an education particularly devoted to their individual requirements and adapted to their particular condition, so that they may become independent and self-supporting members of society. The operations of this act

have been marvelously successful in Canada and in England and in France, and we are only doing our part in this great work for the benefit of our soldiers. I yield to the gentleman from Ohio [Mr. FESS].

Mr. FESS. I desire to ask the gentleman if he knows whether thus far the work has been entirely satisfactory?

Mr. TOWNER. It has, I think, but it has been mainly organization work so far, I will say to the gentleman. Of course, the real work of the rehabilitation of the soldier has just commenced.

Mr. FESS. That is largely due to the fact that primarily the work is done in the hospital, and we have not reached the other yet?

Mr. TOWNER. That is very true, and these agents referred to are not agents going about the country soliciting or anything of that kind. They are representatives of the board who are sent to the various hospitals, these soldiers' hospitals under the control of the Army, for the purpose of cooperating with the Surgeon General's assistants in preparing these soldiers for the educational work.

Mr. SNOOK. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. SNOOK. So far as the act has been brought to the attention of the wounded soldiers of their right to have the benefits of it, has there been any difficulty in getting them to take advantage of that act?

Mr. TOWNER. We hardly have proceeded far enough, I will say to the gentleman, with that work to know. The work so far has not progressed far beyond organization, and the only thing we can say with reference to that is that it has been wonderfully successful in England and in Canada, our neighbor.

Mr. SNOOK. The main purpose of this is to bring to their attention the benefits that will accrue to them under this bill if they take advantage of it?

Mr. TOWNER. Certainly.

Mr. CANDLER of Mississippi. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. CANDLER of Mississippi. The gentleman from Alabama stated a moment ago that there had been thousands of soldiers discharged who had gone out of these hospitals that had not been notified of the benefits to be derived under this bill. Now, is it the purpose and object of the extension of this bill as amended to reach those soldiers as well as the ones who are still in the hospitals?

Mr. TOWNER. I will say that it is the thought by putting agents of the Rehabilitation Board in the hospitals, as the Surgeon General desires, it is expected it will not cost more than $5 per soldier to accomplish this necessary work of making the work of the Education Board immediately follow the work of the Surgeon General's office, whereas if these men have to go out and see these men and talk and induce them, as they have been compelled in large measure, it will cost $50 or $75 in each case.

Mr. BANKHEAD. That is after they have been discharged and gone out?

Mr. TOWNER. After they have been discharged.

Mr. CANDLER of Mississippi. Those that have been discharged will be furnished information and get the benefit of it?

Mr. TOWNER. Yes; and there will not be one single disabled soldier that will not have placed before him all the information necessary to assist him to take hold of this work.

Mr. CANDLER of Mississippi. I am delighted to hear that. I want the soldiers to have that benefit.

Mr. DONOVAN. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. DONOVAN. Was not the reason that some men have been discharged from the hospitals and now are afield as to the benefits of the act because the War Department did not permit the dissemination of this information in the hospitals before December 10?

Mr. TOWNER. That is very true; and from the further fact that since that time the board has not had money enough in order to carry out and secure the necessary assistants.

Mr. DALLINGER. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. DALLINGER. Is not one reason for the urgency of this bill the fact that a large number of men have been discharged from the hospitals and that their compensation status has not been determined, and this is to carry them over for subsistence and travel since that time?

Mr. TOWNER. That is true. As to all of this work, whatever the soldier may desire to do, who has been injured, wounded, or incapacitated in any way from following out his old vocation in whole or in part or in preparing for some new work, it is expected and provided that the board will assist him to do it.

Mr. SWITZER. Is the soldier actually receiving the benefits from this fund or is it used in organizations?

Mr. TOWNER. Oh, they are now receiving the benefit of the fund. I do not know how many.

Mr. SWITZER. I understood it was largely used in organizations.

Mr. TOWNER. It has been necessarily so, so far. But the very provisions of this supplementary legislation is to carry out quickly and without delay the purpose of the rehabilitation act. It is to tide over a dangerous interim that may exist between his discharge as a soldier and his entrance again into civil life. It is to help him to understand so he will accept the benefits of the training for success in life which the Government gladly tenders him. This is the object and purpose of this legislation, and it has no other object nor purpose.

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

Mr. MANN. Mr. Speaker, I sympathize to the utmost with the effort to teach the maimed soldiers and others methods of earning their livelihood. I have been here long enough to watch the various and sometimes devious ways pursued by branches in the executive departments of the Government for getting hold of money. A good many departments think that the moment a sum of money is appropriated for a particular purpose, after investigation, under those departments, the money belongs to them. They think it is theirs. They will come before Congress and ask money to accomplish a special thing, and after consideration Congress grants them the money; and the moment it is appropriated these departments think they own the money. They object to having their activities circumscribed. They think they should be permitted to use the money as they please.

Now, this bureau has a right, I suppose—I am not very familiar with the legislation; I was not here when it was passed—to come before the Committee on Appropriations and ask to have reported in the sundry civil bill appropriations to carry out the purpose of the rehabilitation act. They are having hearings in the Committee on Appropriations now on the sundry civil bill. It is likely to become a law, if it becomes a law at this session, as soon as this bill becomes a law. But if they go before the Committee on Appropriations they have to specify what they want money for, and how much they need for a certain purpose, and be examined and cross-examined. They have to show the goods before they get the money. So what did they do? They find that in the original rehabilitation act there was a lot of money appropriated for which they had no use, and, thinking they own the money, they say, "Why should Congress tell us how we should use this money? That is none of your business up there. All you ought to tell us is that we can have a large sum, and we can spend it as we please." And having a sum in the neighborhood of three-quarters of a million dollars which they can not expend under the terms for which it was appropriated, and, thinking they own the money, they say, "Let us spend it as we want to." And that is what this bill says in effect.

Mr. DONOVAN. Will the gentleman yield?

Mr. MANN. I will.

Mr. DONOVAN. I was going to ask the gentleman, from the fact that this is a new enterprise, so to speak, and, as stated by the gentleman from Alabama, when the committee or the vocational board was asked to budget it they said in good faith at that time they could not make a definite appropriation by guesswork, there would not be a justification for their now coming in and asking after having had first an experience of that kind?

Mr. MANN. Why, they have the right to come in before the Committee on Appropriations, like other branches of the executive departments, and tell what they want the money for and how much. But they are not willing to do it. They think it is easier to work through a bill which lets them use the money as they please, on the plea—and that is the plea made by this bill—that this is not appropriating new money, that this is just a readjustment of the powers concerning the use of the money already appropriated; and we seem to act upon the theory that when we appropriate money we lift it up in our hands and put it over in a certain place, and it is there by itself.

Why, every year we appropriate millions of dollars for purposes for which the money is not used, and necessarily, but it is not paid out. There is not a branch of the Government that does not, every once in a while, try to say, "The money is ours, because it was appropriated. Let us use it for something else. We do not need it for the purpose for which it was appropriated."

If they have got a just claim for money they can get it just as quickly and specify what it is for and tell what they want to use and how much they want to use, instead of trying to "work" Congress. That is what this is. It is trying to "work" Congress. I have never had any patience with the executive branches of the Government which seek to slide in, if they can not get an appropriation from one committee, and run to another committee; which seek to slide in, and if they can not get it on the basis of the facts, try to divert it from something else which they can not spend it for. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. FESS].

The SPEAKER. The gentleman from Ohio is recognized for three minutes.

Mr. FESS. Mr. Speaker, the objection made by the gentleman from Illinois [Mr. MANN] is an objection with which all of us have sympathy, and for that reason when this bill was first written—I mean the original rehabilitation bill—providing for an appropriation of $2,000,000 it was written in a lump sum, $2,000,000. It was suggested, however, in the committee that if the sum could be apportioned to the varied divisions to which it was to be applied it ought to be done, because the Members of Congress dislike to vote money in that lump-sum method. Dr. Crosser, who was before the committee, said that it would be impossible at that stage to estimate the particular amount that would be needed for each of the activities specified, and it would be only a mere guess, and for that reason he questioned the wisdom of dividing it. However, the Members on the part of the Senate thought it should be divided and the Members of the House agreed to that. This was agreed to in the joint meeting of the two committees of the House and the Senate.

At this time, after the lapse of these months, there is a better chance to know what activities need the money than when we wrote the bill; and while I appreciate fully what the gentleman from Illinois says, and while I have a lot of sympathy for that position, yet really I do not believe that the criticism can be applied with as much force to this particular case as the interpretation that he has placed upon it would indicate.

Mr. STAFFORD. Mr. Speaker, I believe I have two minutes left?

The SPEAKER. The gentleman has two minutes more.

Mr. STAFFORD. I am asked by the gentleman from Massachusetts [Mr. DALLINGER] for time. I yield to the gentleman the time I have, two minutes.

The SPEAKER. The gentleman from Massachusetts is recognized for two minutes.

Mr. DALLINGER. Mr. Speaker, I am much obliged to the gentleman from Wisconsin for granting me all of his remaining time. I trust that the Members of the House will not refuse to suspend the rules and pass this very important bill. The gentleman from Illinois [Mr. MANN] has had something to say about the Committee on Appropriations. Mr. Speaker, when this crisis arose, of these crippled boys being discharged from the Army hospitals with their compensation status undetermined for weeks and sometimes for months at a time, making it impossible under the law for their regular civilian training to begin, the gentleman from Alabama [Mr. BANKHEAD] introduced a bill similar to this bill and went before the Committee on Appropriations to urge its immediate consideration and report. This was at the very beginning of the session in December, and the Committee on Appropriations took no action whatever. Moreover, nothing has been done by that committee since, and as a result of that fact the Board for Vocational Education has not been able to use this money already appropriated in the original rehabilitation act for the purposes specified in this bill, and thousands and thousands of crippled soldiers have had no provision whatever made for them, and many of them have been found begging on the streets of our large cities.

Mr. STAFFORD. Mr. Speaker, in fairness to the Committee on Appropriations, I do not think the gentleman ought to make the wild charge that nothing has been done. The subcommittee on the sundry civil appropriation bill last week gave a hearing to this board concerning their work, and I am certain that subcommittee is giving careful consideration to this appropriation.

Mr. DALLINGER. Mr. Speaker, what the gentleman from Wisconsin refers to is for the next fiscal year, beginning the 1st of July next. Something ought to have been done during the first week of last December. The matter was so important and so urgent that the Committee on Appropriations owed it to the country and to the crippled and disabled soldiers to bring in some sort of a bill, even a special deficiency bill. The Committee on Appropriations did not do it, and hence the Committee on Education has brought in this bill, and this House ought to pass it under suspension of the rules here and now.

It is said that this bill does not provide or specify what the money is to be spent for. Mr. Speaker, it expressly specifies that it is for "the payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibility for training under the act"—that is, during the time their compensation status is being determined by the War Risk Insurance Bureau—"and for the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment." In other words, it is to cover the gap between the time that these crippled soldiers are discharged by the military authorities from the hospital and the time their compensation is determined by the Bureau of War Risk Insurance, and they can go into actual training. It seems to me if Members of this House desire to prevent these soldier boys from being resentful against their Government for not giving them the opportunities which this Congress has provided, they will pass this bill, and pass it speedily. [Applause.]

The SPEAKER. The gentleman's time has expired. All time has expired. Those in favor of suspending the rules and passing this bill will say "aye"; those opposed will answer "no."

The question was taken.

The SPEAKER. In the judgment of the Chair, two-thirds having voted in the affirmative, the rules are suspended, and the bill is passed.

NEW TRIALS.

The next business on the Calendar for Unanimous Consent was the bill (S. 68) to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary."

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

There was no objection.

The bill was read as follows:

Be it enacted, etc., That section 269 of the act approved March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," be, and the same is hereby, amended so as to read as follows:

"SEC. 269. All of the said courts shall have power to grant new trials, in cases where there has been a trial by jury, for reasons for which new trials have usually been granted in the courts of law. On the hearing of any appeal, certiorari, writ of error, or motion for a new trial, in any case, civil or criminal, the court shall give judgment after an examination of the entire record before the court, without regard to technical errors, defects, or exceptions which do not affect the substantial rights of the parties."

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

EXCHANGE OF LANDS WITH THE STATE OF MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 2715) to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ALEXANDER). Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask the Member having this matter in charge to give a little fuller explanation than is contained in the report.

Mr. MANN. Mr. Speaker, I am not interested in this bill in any way whatever, but it proposes to authorize an exchange of land between the Government of the United States and the State of Montana in order to carry out the purposes of the Government in one of its reclamation projects, and the Secretary of the Interior, when this matter was up in July, 1917, stated that the Legislature of Montana would meet in 1919. I do not know whether that legislature has met and adjourned or not, but he stated that the State would endeavor to keep anybody off the land belonging to the State until the State legislature had met and had had an opportunity to pass an enabling act authorizing a transfer of the land. There seems to be no question but that it is desirable on the part of the Government of the United States to have the land transferred. The only question is whether the State of Montana will agree to it.

Mr. STAFFORD. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. STAFFORD. I believe it is customary in these bills providing for the exchange of land to insert a provision that the land exchanged shall be of substantially the same value.

Mr. MANN. That is customary in exchanges with private individuals or corporations; but here the Government of the United States is seeking to get land owned by the State of

Montana to use it for a reclamation purpose. I suppose the land will be of about equal value, but I think it is not customary to specify that in the law.

Mr. STAFFORD. It is not specified in this bill?

Mr. MANN. No.

Mr. STAFFORD. Though it does state, not exceeding the amount of land included in said object.

Mr. MANN. Yes.

Mr. STAFFORD. They may take land of a different character, forest land, which might be of much greater value than the land received from the State.

Mr. MANN. I do not think there is any danger of that.

Mr. WALSH. Mr. Speaker, what is the necessity for the exchange? That is what I am trying to ascertain. The report from the Acting Secretary of State as usual does not set forth the necessity.

Mr. MANN. In reporting the bill there was probably a slight error in not including the letter, which I have, which was sent to the chairman of the Public Lands Committee in the Senate, which is included in the Senate report. I presume in reporting it to the House somebody inadvertently left that letter out. The Government of the United States needs the land owned by the State of Montana in connection with one of its reclamation projects.

Mr. WALSH. That is sufficient. I withdraw the reservation.

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

There was no objection.

Mr. MANN. I ask to have this bill considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to considering the bill in the House as in Committee of the Whole?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That upon receipt of proper deeds from the State Board of Land Commissioners of the State of Montana, executed under authority of its legislative assembly, reconveying to the United States of America title to the northwest quarter of the northwest quarter section 2, north half of the northeast quarter and southeast quarter of the northeast quarter section 3, township 22 north, range 1 west, Montana principal meridian; northeast quarter of the northeast quarter, south half of the northeast quarter, and southeast quarter section 20, east half of the northeast quarter, and southeast quarter section 21, southwest quarter of the northwest quarter, east half of the southwest quarter, and southwest quarter of the southeast quarter section 27, northeast quarter, northwest quarter, north half of the southwest quarter, and north half of the southeast quarter section 28, north half of the southwest quarter section 29, southeast quarter of the northwest quarter section 30, north half of the northeast quarter, and north half of the northwest quarter section 32, north half of the northeast quarter, and northeast quarter of the northwest quarter section 33, east half of the northeast quarter, south half of the northwest quarter, east half of the southwest quarter, and west half of the southeast quarter section 34, township 23 north, range 1 west, Montana principal meridian, for the Muddy Creek Reservoir site, Sun River project; and the northwest quarter of the northeast quarter section 35, township 32 north, range 32 east, north half of the southwest quarter section 4, township 31 north, range 32 east, and all of section 36, township 32 north, range 31 east, Montana principal meridian, for the Nelson Reservoir site, Milk River project; the Secretary of the Interior is authorized to issue patents to said State for such vacant, surveyed, unreserved, unoccupied, nonmineral public lands as may be selected by said State within its boundaries, not exceeding the amount of land included in said deeds, and said land when so reconveyed shall not be subject to settlement, location, entry, or selection under the public-land laws, but shall be reserved for the use of the United States Reclamation Service for the purposes aforesaid: *Provided, however*, That the Secretary of the Interior may restore such lands as he may determine are not needed for said reservoir sites.

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

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

BLACKFEET RESERVATION IN MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 4404) repealing that portion of the Indian appropriation act of March 1, 1907 (34 Stat. L., pp. 1015 and 1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation in Montana.

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

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

Mr. CARTER of Oklahoma. Mr. Speaker, the provision contained in this bill is carried in the Indian appropriation bill. I do not think it is necessary to take any action on the bill to-day. I do not think it ought to be stricken from the calendar until after the Indian appropriation bill has become a law.

Mr. STAFFORD. Let the gentleman ask that it be passed over without prejudice.

Mr. CARTER of Oklahoma. Yes; Mr. Speaker, I ask that it go to the foot of the calendar. There is an error in the statement on the calendar that it was reported from the Committee on Public Lands. It was reported from the Indian Committee. I ask that it go to the foot of the calendar.

Mr. MANN. Reserving the right to object, I should like to ask the gentleman how it is in the Indian appropriation bill? The Senate passed the bill reserving the mineral rights for the tribe, I judge. The House committee reported the bill striking the provision out. How did it appear in the Indian appropriation bill?

Mr. CARTER of Oklahoma. When the Indian bill was prepared I was sick.

Mr. CHANDLER of Oklahoma. I think I can inform the gentleman. It went into the Indian appropriation bill as it is in this bill as amended. The mineral rights go to each allottee.

Mr. MANN. That is once when the Indian Affairs Committee put something over on the House. The House has been endeavoring to protect these rights for a long time and not let the white man steal it from the Indians.

Mr. CHANDLER of Oklahoma. This does not give it to the white men.

Mr. MANN. Pretty nearly.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Speaker, the citation on the calendar that the bill came from the Public Lands Committee ought to be changed.

The SPEAKER pro tempore. Without objection, that will be done.

There was no objection.

BRIDGE ACROSS MISSOURI RIVER, BISMARCK, N. DAK.

The next bill on the Calendar for Unanimous Consent was the bill (S. 5058) to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.

The Clerk read the bill, as follows:

Be it enacted, etc., That the counties of Morton and Burleigh, in the State of North Dakota, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation near the city of Bismarck, Burleigh County, N. Dak., 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 pro tempore. Is there objection?

There was no objection.

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

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

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

PAYMENT FOR CERTAIN INDIAN RESERVATION LANDS—MONTANA.

The next bill of the Calender for Unanimous Consent was the bill (S. 935) for the relief of settlers on certain railroad lands in Montana.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Reserving the right to object, I think some statement should be made by the gentleman having charge of this matter as to whether these settlers are entitled to this relief.

Miss RANKIN. Mr. Speaker, this bill was considered by the Committee on Public Lands. I did not have charge of the bill. As I understand the land was formerly an Indian reservation and was opened for settlement. It was later found that some of the land was in the grant of the Northern Pacific Railway. This provides for land in lieu of that.

Mr. WALSH. Several thousand acres of land?

Miss RANKIN. There are 64 settlers involved.

Mr. WALSH. The Secretary of the Interior seems to be doubtful as to whether the settlers have such claims as would warrant him in recommending enactment of this legislation. The railroad company on investigation found that valuable improvements have been placed on the land. It looks to me that where it involves such a large tract of land with comparatively few people as if it was doubtful propriety in enacting this legislation.

Mr. EVANS. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. EVANS. The matter has been looked into and the State legislature has memorialized Congress for the passage of the act. It does not involve a great tract of land; it involves a number of interests, I think 50 or so. The people went in there in good faith believing that they were going to get the land and put on improvements. In 1898 a law was passed

that wherever a settler was on railroad land the railroad company would get out and take land somewhere else.

Mr. WALSH. Who would get out?

Mr. EVANS. The railroad company. That does not apply to this case.

Mr. MONDELL. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. MONDELL. There was a question at one time as to whether the railroad company owned the land.

Mr. EVANS. Yes.

Mr. MONDELL. At the time the settlers went on the land there was a question as to whether this was railroad land, the alternate sections within these reservations.

Mr. EVANS. Yes.

Mr. MONDELL. The first settlers went on the land with a very good reason to believe that they had a right to settle on the land.

Mr. EVANS. Yes.

Mr. MONDELL. It was finally held that the lands belonged to the railroad company, and, of course, that left the settlers without legal rights. Let me make this suggestion to the gentleman from Massachusetts [Mr. WALSH]: The railroad company is authorized to make an exchange in this case. Of course, these settlers could have gone on the lands which the railroad company will now take, so it does not seem to be very material from anyone's standpoint if the exchange is made. For instance, any land that the railroad company can now get in exchange for the land the settlers have the settlers could have taken in the first instance. The settlers preferred to take this particular land. The assumption is, and it is reasonable, that whatever lands the railroad company can get are at least no better than the lands which the settlers have, and the probabilities are that, as a matter of value, the railroad company can not get any land that is as valuable as the land which the settlers have taken. Naturally they are not particularly desirous of making the exchange. Occasionally a condition of this kind arises in the western country, where there is some question as to the rights of the railroad companies to the lands within certain portions of what is finally determined to be the limit of their grants, and settlers go on lands under a misapprehension.

Mr. WALSH. Will this land which the railroad company takes be contiguous to that which it owns elsewhere?

Mr. MONDELL. They could take it anywhere in the State.

Mr. WALSH. That is just it. I do not think we ought to approve the taking by the railroad of land of equal value or similar character elsewhere in the State. What will the railroad company do with this land if it takes a tract of 15,000 acres miles away from a railroad?

Mr. MONDELL. That only reason why the railroad company can afford to agree to a settlement of this kind is that they can take those lieu rights and locate them where some one may want a tract of land, sell the land, and in that way they may get $8 or $10 an acre.

Mr. WALSH. Can not the railroad sell these lands to these settlers?

Mr. MONDELL. Yes, they could; but the settlers would have to pay the railroad company for the lands, and, of course, the settlers can not afford to pay the railroad company for lands they have earned as homestead settlers.

Mr. WALSH. The railroad company can eject these settlers if nothing is done?

Mr. MONDELL. It can.

Mr. WALSH. And they will be without other land to settle on?

Mr. MONDELL. They would lose their improvements. They would have to move and go to some distant place, and would lose all that they have.

Mr. WALSH. They would not lose very much, probably. They would be here with a bill to give them land somewhere else, or to reimburse them for their improvements.

Mr. MANN. They might come here with a bill, but they would not have much show to get reimbursement.

Mr. MONDELL. Let me remind the gentleman of what we have done in other cases where a conflict arose. There was the case of the Wisconsin Railroad, where a considerable number of settlers went on land, and the Supreme Court held, finally, that the land belonged to the Wisconsin Central Railroad. We gave those settlers the right to take other land, or to let the railroad company take other land, an alternative provision, so that settlement could be made.

This is a wise settlement to make so far as the Government is concerned; that is, let the railroad company take other land.

Mr. MANN. It is wise for the Government and best for the settlers.

Mr. WALSH. And for the railroad. I do not know; I think we ought——

Mr. MANN. It is a concession on the part of the railroad to people who live along their lines.

Mr. MONDELL. If the gentleman will stop to consider, there is not an acre of land that the railroads can get in Montana that any settler can not take as a homestead and get it for nothing. There is not an acre of land that will be subject to location by the railroad that can not be taken up in a 320 or a 640 acre tract under homestead settlement.

Mr. WALSH. I suppose, in view of the legislation we are sometimes called upon to consider, that that will continue to be here until the end of time——

Mr. MONDELL. It should be so, because that is the way to settle the land. This is just a question as to whether certain homesteaders are to be compelled to leave the homes they have built and turn them over to the railroad company and go out elsewhere and take other lands unimproved, or whether the railroad company is to be allowed to go and take those unimproved lands. Does the gentleman know of any good reason why as reasonable a thing as that should not be done?

Mr. WALSH. Of course, I know the gentleman is an expert on these land matters, and I am several degrees below a novice, but I think we ought to quit some time giving land to railroads out in this western country. We have given it to them here before. These settlers have got on the land by mistake or through not knowing that it belongs to the railroad, and now we are saying to the railroad, "You let the settler stay on this land and we will let you take land somewhere else," and that would be best for the settler, best for the State, and best for the railroad, even though they lost from $2 to $4 per acre on the land they get in lieu of the land escaped, but I think we ought to show some indication that legislation like this should have a narrow escape when it is submitted here, and I think the escape has been sufficiently narrow, so that I will not object.

Mr. MANN. I hope the gentleman will not think that is what he wants to do because there are many of these cases. It is not the railroad that is asking for the legislation, it is the settler. The railroad would like to have it defeated, because that gives an excuse for grabbing the improvements made by the settler. A great deal has been said about railroad companies giving up one piece of land and taking another. That question arises every once in a while; but, in the first place, when much of this land was settled, people could not always state where the lines were—they did not know.

Mr. WALSH. Of course, we do not know; and it is rather significant, I will say to the gentleman from Illinois, that the Secretary of the Interior, under whose administration these land problems come, seem to be doubtful as to whether the settlers have such claims as would warrant, as I understand, this legislation.

Mr. MANN. Oh, well, it is a question of policy after all. The Secretary does not have much to do with it.

Mr. WALSH. It is a question affecting his jurisdiction and his department, and he seeks to convey the impression that he does not favor this means of extricating these gentlemen from the difficulty in which they find themselves.

Mr. MONDELL. Let me remind the gentleman from Massachusetts that the Secretary of the Interior is guided by those in his office. Sometimes letters that come here, signed by the Secretary, so liberal in the expression of their views that I do not find I can follow them. Here is a case where, from the viewpoint of anyone who knows, the plan proposed is fair. Any man acquainted with the public land in the West knows how this sort of thing occurs and how essential it is to remedy it by legislation. The fact that some official in the department has taken some curious view should not affect our judgment with regard to them. I certainly have no interest in this situation except to have justice done or something like justice done. These people under the law would be required to give up their homes and give up the lands on which they have lived for years. Naturally the railroad company would prefer to have them do that if they viewed it wholly from the viewpoint of the company's finances, but the company will agree to this plan, and I think we should protect the settlers in their homes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. STAFFORD. 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 Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That in the adjustment of the grants to the Northern Pacific Railroad Co., if any of the lands within the indemnity limits of said grants through that portion of the former reservation for the Gros Ventre, Piegan, Blood, Blackfoot, and River Crow Indians lying south of the Missouri River in the State of Montana be found in possession of an actual bona fide qualified settler under the homestead laws of the United States who has made substantial improvements thereon and such land has been adjudged by the Secretary of the Interior to inure to the Northern Pacific Railway Co. under the grants made to its predecessor in interest, the Northern Pacific Railroad Co., the Northern Pacific Railway Co., upon request of the Secretary of the Interior, may file a relinquishment of said lands in favor of the settler and shall then be entitled to select an equal quantity of other lands in lieu thereof from any of the surveyed public lands within the State of Montana, not mineral and not otherwise appropriated at the date of selection, to which it shall receive title the same as though originally granted: *Provided, however*, That lands withdrawn or classified as coal lands may be selected by said company, and as to such lands it shall receive a restricted patent as provided by the act of June 22, 1910.

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

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

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

PATENT TO LINCOLN-DOUGLASS SANATORIUM, COLORADO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11368) to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association, a corporation, of Denver, Colo., for a certain-described tract of land.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is the gentleman acquainted with the character of the land that is purposed to be transferred to this private sanatorium?

Mr. TIMBERLAKE. I beg to state to the gentleman that I am well acquainted with the character of the land. It is sandy land along a ditch which supplies a reservoir with water, and it has been lying open for entry for a number of years, but has not been taken because of the worthless character of the land.

Mr. STAFFORD. I withdraw the reservation of the objection.

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

Mr. TIMBERLAKE. Mr. Speaker, this is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent that it be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for the following tract of land, to wit: The northwest quarter of the northwest quarter of section 1 and the northeast quarter of the northeast quarter of section 2, in township 3 north, range 61 west of the sixth principal meridian, in Colorado.

Also, the following committee amendment was read:

Page 2, line 2, insert: "upon the payment of $1.25 per acre: *Provided*, That there shall be reserved to the United States all oil, coal, or other mineral deposits found in the land, and the right to prospect for, mine, and remove the same: *And provided further*, That this grant shall be subject to all prior, valid existing rights under the land laws of the United States, and that if the grantee shall fail to use the land for sanatorium purposes or shall devote the same to other uses the title thereto shall revert to the United States."

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

The question was taken, and the 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.

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

WATER SUPPLY, CORVALLIS, DALLAS, AND OREGON CITY, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12770) to reserve as part of the Oregon and Siuslaw National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. *v.* The United States.

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

Mr. STAFFORD. Reserving the right to object, I believe this bill was considered once before, about a month ago.

Mr. HAWLEY. The gentleman is correct.

Mr. STAFFORD. And at that time objection was made?

Mr. HAWLEY. At that time it was transferred to the foot of the calendar.

Mr. STAFFORD. Well, it was half objected to, then. Why can not the cities that are sought to be benefited by the transfer of the land to the forest reserve take over the responsibility of preserving their own water supply?

Mr. HAWLEY. These three towns have entered upon public improvements, including sewers and water systems and paving, and have issued bonds to such an extent that they are not prepared at this time to sell bonds sufficient to take over the lands absolutely essential to the protection of their water supply. An act was recently passed by Congress transferring a large quantity of Oregon and California grant lands to the Oregon National Forest, for the protection of the water supply of the city of Portland, and this bill follows that precedent.

Mr. STAFFORD. These tracts of land are 11 and 8 miles, respectively, from the nearest boundaries of the forest reserve?

Mr. HAWLEY. Not all of them.

Mr. STAFFORD. A large portion of them are.

Mr. HAWLEY. Not a large portion. About 2,000 acres are the distances that the gentleman mentions, but the other land, about 5,000 acres or more, will go into the Oregon national forest as a compact part of that forest.

Mr. STAFFORD. Is there any instance where Congress has passed a special act providing for the transfer of certain public lands as a part of a national forest which is 11 miles separated from the nearest boundary of that forest?

Mr. HAWLEY. As to one of these tracts, the one for the city of Corvallis, which is I think at farthest distance from the national forest, the Forest Service has made a favorable report, and they say they can administer it. But this particular tract will be cared for by the city. It is now cared for by the city to prevent fires, and they will take care of it under the supervision of the Forest Service if this bill becomes a law.

Mr. STAFFORD. What assurance has the Government, if we allow this act to pass, that the municipal authorities will patrol this separated tract of land?

Mr. HAWLEY. I asked that question specifically of members of the city council and the city water committee, and they assured me that if these lands were transferred to the national forest, they would provide protection. The school of forestry of the Oregon Agricultural College will use it as a training station for the students of that school. It is on the east side of Mount Chintimini. If it is burned, it would destroy the only available water supply for the college, where 2,000 students attend annually; and it would also prevent the city from getting an adequate supply of fresh, pure, clean water for its citizens.

Mr. STAFFORD. Well, Mr. Speaker I understand that this bill will protect the water supply of these municipalities, and that it is an obligation that ought to be undertaken by the municipalities.

Mr. PARKER of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. PARKER of New Jersey. I wish to ask the gentleman from Oregon how many acres there are?

Mr. HAWLEY. About 7,000.

Mr. PARKER of New Jersey. And the Government has got to provide protection for that area?

Mr. HAWLEY. Yes; in part.

Mr. PARKER of New Jersey. Is there any taxation involved here?

Mr. HAWLEY. Yes; there are back taxes—back taxes accrued prior to the time the Government took control of the land, payment of which was provided in the legislation for the disposition of the grant.

Mr. PARKER of New Jersey. How much?

Mr. HAWLEY. That amount I have not been able to ascertain, as the lands are parts of a large area.

Mr. PARKER of New Jersey. I recall that there was a bill up a little while ago in which there was something like $700,000 paid for the lands, and I understood there were more taxes to be paid then than the original value of the land.

Mr. HAWLEY. No. Even if the Government pays for the land and pays the back taxes, it will be the beneficiary by several million dollars by the sale of the Oregon & California Railroad land grant.

Mr. STAFFORD. Why should we impose this obligation on the National Government to protect the water supply of a municipality?

Mr. HAWLEY. If this is not done and the land is sold to private holders and cut over, the lands will become valueless for purposes of protecting the water supplies of these cities.

Mr. STAFFORD. If the lands were valuable, we might be justified in making them an integral part of the forest reserves, but I do not think the State, or the municipality, if they have a college there, ought to ask us to buy lands for the protection of their water supply.

Mr. HAWLEY. In the case of the two cities that the gentleman has called attention to, where the lands are separated from the other forest lands, the intention is to acquire these lands, as I understand, when the cities are financially able, because they can not afford to allow them under any circumstances, if they can help it, to pass under private control.

Mr. STAFFORD. I think the State or the city should pay the back taxes before that is done, and therefore I will object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects, and the Clerk will report the next bill.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that this bill go to the foot of the calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon that the bill go to the foot of the calendar?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. FERRIS. Has the gentleman come to any conclusion as to when he will let us get up the conference report on the oil and gas bill?

Mr. KITCHIN. Let us finish the military bill to-morrow.

Mr. STAFFORD. I understand a rule is to be brought in by the Committee on Rules making in order legislation on the military appropriation bill.

Mr. KITCHIN. I can not say about that. It has been before the Committee on Rules.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina [Mr. KITCHIN]?

There was no objection.

BIRD RESERVATIONS IN CALIFORNIA AND OREGON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10612) to restore to the public domain certain lands heretofore reserved for a bird reservation in Siskiyou and Modoc Counties, Cal., and Klamath County, Oreg., and for other purposes.

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

Mr. MANN. Reserving the right to object, good reasons ought to be given before this bill is allowed to pass. I understand that since these bird reservations were established there has been a very large increase in the bird population on the Pacific coast and elsewhere. Now, are we to take away gradually the bird reservations in order for some one to try to cultivate land that is hardly tillable at the best?

Mr. RAKER. The office of the biological survey having charge of this matter in the Department of the Interior, and the officers in the General Land Office have had this matter up, and I want to say to the gentleman, from personal observation and knowledge of the country, that if the provisions of this bill are carried into effect, and the fractional sections bordering on the lake are reserved, it will do more to protect the birds than anything that has been done in that reservation. It is conceded by the authorities that it will have that effect.

Mr. MANN. How will it have that effect?

Mr. RAKER. The tules on that land are a breeding ground for coyotes and wild varmints. If this bill becomes a law the land will be cultivated within a year, and the wild animals that now prey upon the birds will be destroyed. The fractional sections bordering on the lake and the lake itself will be protected so as to give these migrating birds opportunity to alight and nest there, whereas the wild animals which now destroy them will be exterminated.

Mr. MANN. Oh, well, the gentleman is not familiar with bird life at all. The gentleman's position is that if they cultivate close to the lake and destroy the coyotes, that will make the birds more apt to go there and settle near where the human abodes are built.

Mr. RAKER. I am speaking of the birds that nest there.

Mr. MANN. I can remember when I was a boy seeing the ponds and lakes on my father's farm covered with ducks as thick as they could sit on the water. The coyotes have been destroyed, and so have the birds. There are no ducks there now, and not many other birds except human birds.

Mr. FESS. Civilization got rid of them.

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

Mr. MANN. I do not know that I shall object hereafter. I do not pretend to be as well posted about this bill as I should like to be. It was reported in my absence.

Mr. RAKER. I do not want to take the time of the House, but if I can have five minutes——

Mr. MANN. I am very strongly in favor of keeping the reservations, where birds can multiply and safely feed. I believe this is in the interest of the whole country.

Mr. RAKER. I can explain that it will be an advantage to the birds to have this land thrown open for settlement, with the fractional sections around the lake reserved.

Mr. MANN. The gentleman has already explained that, but the explanation does not sound very reasonable. For the present I shall have to object.

Mr. RAKER. I ask unanimous consent that the bill go to the foot of the calendar.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

There was no objection.

ADDITION TO YELLOWSTONE PARK, WYO.

The next bill on the Calendar for Unanimous Consent was the bill H. R. 13350, to add certain lands to the Yellowstone National Park.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire of the gentleman as to this provision that all bona fide claimants and entrymen shall have the right to graze upon lands, reasonably adjacent to the lands which are owned by them, such number of live stock as they have been accustomed to so graze in the past?

Mr. MONDELL. There are a few settlers in the extreme southern portion of the area that is to be added to the park who have small flocks and herds, and the provision is made that the stock which they own and maintain on those farms can be grazed under proper regulations in adjacent areas.

Mr. STAFFORD. It goes further than that; they are not willing to leave it to the judgment of the Secretary of the Interior, but it is mandatory; they say "on the same terms that they now enjoy."

Mr. MONDELL. Under regulations to be fixed by the Secretary of the Interior. It says:

Provided further, That the Secretary of the Interior shall have authority, under rules and regulations to be prescribed by him, to grant grazing permits and authorize the grazing of live stock on the lands hereby added to the Yellowstone National Park, to the extent that live stock have heretofore grazed upon these lands under permits issued by the Forest Service.

Mr. STAFFORD. Why does the gentleman stop there?

Mr. MONDELL. Because I want to explain that situation.

Mr. STAFFORD. The following clause is the objectionable one, "and at fees not to exceed those charged by the Forest Service on adjacent areas."

Mr. MONDELL. I did not suppose that gentlemen had any objection to that. The situation is this: There is some stock that have been grazed on these lands as part of the forest reserve. Only a limited part of the area has been used for stock grazing, and the forestry people and the park people say there is no reason why that stock should not be grazed there, as it has been grazed for some time. Naturally they would want to know what they are to pay, and the fees are to be those that have been paid in the past. They have been reasonable in the past and there is no reason why they should be increased.

Mr. STAFFORD. Under the phraseology of the proviso that right could never be taken away by Congress.

Mr. MONDELL. Yes; the Secretary of the Interior shall have authority.

Mr. STAFFORD. I am alluding to the prior proviso:

Provided, That under rules and regulations to be prescribed by the Secretary of the Interior all bona fide claimants or entrymen shall have the right to graze, upon lands reasonably adjacent to the lands claimed or owned by them, such number of live stock as they have been accustomed to so graze in the past, or as may be reasonably necessary to the use and utilization of their lands, and to secure timber for use on and for the improvement of their lands.

Mr. MONDELL. There are a few settlers in the extreme southern portion of this area who are there with their little farms of 160 acres to 320 acres who have some stock. That stock has to be grazed on adjacent land, and the provision is that as long as they hold their land they shall have reasonable opportunity to graze that small number of stock.

Mr. STAFFORD. Is it within the gentleman's present knowledge that the stock on these lands is in limited quantities?

Mr. MONDELL. All small farms and a limited amount of stock.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation on the gentleman's statement.

Mr. CURRY of California. Mr. Speaker, I would like to ask the gentleman what necessity there is to add any more land to the area of Yellowstone Park?

Mr. MONDELL. For many years it has been believed that the Yellowstone should be extended to the south in order to have natural rather than the artificial boundaries. It takes in no land now used for grazing purposes except in a limited way. Nearly all the lands added to the park are now in a State game reserve, and have been for years.

Mr. CURRY of California. Would the Secretary of the Interior under this act have the power to take away any rights of these settlers who have 160 or 320 acres there?

Mr. MONDELL. He would have no right to take away the rights they have to the land or the right to graze their stock on adjacent lands.

Mr. CURRY of California. He could make the grazing tax prohibitive.

Mr. MONDELL. No; because we have provided that the rates shall not be above charges now.

Mr. CURRY of California. Inasmuch as the gentleman introduced the bill, and as the thing is in his State, I shall not object; but I think we have all the parks and forest reserves we need now in the United States.

Mr. MONDELL. This simply rounds out the Yellowstone and gives it natural rather than artificial boundaries.

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

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The Clerk read as follows:

Be it enacted, etc., That portions of the south and east boundary lines of the Yellowstone National Park, in the State of Wyoming, are hereby changed as follows:

Beginning at a point on the present south boundary line where it is intersected by the Idaho-Wyoming State line; thence south along the Idaho-Wyoming State line to its intersection with the Ashton and Jackson Lake Road in what will be, when surveyed, township 47 north, range 118 west of the sixth principal meridian; thence east along the south side of the said Ashton and Jackson Lake Road until it rises to the hydrographic divide immediately north of Boone Creek, as shown on the Geological Survey Shoshone quadrangle map; thence from the point said road descends from the said divide, east following the said hydrographic divide immediately north of Boone Creek to the hydrographic divide between Falls River, Boone Creek, and Berry Creek; thence southerly along the said hydrographic divide to Surrey Peak, elevation 9,200 feet; thence southerly along the hydrographic divide, said divide following the summit of the Teton Mountains, between Boone, Conant, and Berry Creeks, Birch and Owl Creeks, North Fork Pierre River and Webb Canyon, Badger Creek and Moran Canyon, Leigh Creek and Leigh Canyon, and Teton Canyon and Glacier Creek to a peak, elevation 11,400 feet, on the said hydrographic divide, between the headwaters of Teton Canyon and Taggart Creek and a branch of Death Canyon waters, which enter said Death Canyon about one and one-half miles northwest of Phelps Lake; thence following easterly along the main hydrographic divide south of Taggart Creek and Taggart Lake to its intersection with the unsurveyed section line between, what will be when surveyed sections 10 and 15, township 43 north, range 116 west; thence east along the said section line and continuing east along the section line between sections 11 and 14 of said township and range to the southeast corner of the southwest quarter of section 11, said township and range; thence north to the northeast corner of the northwest quarter of section 2, said township and range; thence east to the southeast corner of the southwest quarter of the southeast quarter of section 35 in unsurveyed township 44 north, range 116 west; thence north to the northeast corner of the southwest quarter of the southeast quarter of section 35; thence west to the northeast corner of the southwest quarter of the southwest quarter of section 35; thence north to the northeast corner of the northwest quarter of the northwest quarter of section 35; thence east to the southeast corner of the southwest quarter of section 26; thence north to the northeast corner of the southeast quarter of the southwest quarter of section 26; thence east to the southeast corner of the northwest quarter of the southwest quarter of section 25; thence north to the northeast corner of the northwest quarter of the southwest quarter of section 25; thence east to the southeast corner of the southeast quarter of the northwest quarter of section 25; thence north to the northeast corner of the southeast quarter of the northwest quarter of section 25; thence east to the southeast corner of the northwest quarter of the northeast quarter of section 25; thence north to the northeast corner of the southwest quarter of the northeast quarter of section 13; thence west to the northwest corner of the southwest quarter of the northwest quarter of section 13; thence north to the southwest corner of the northwest quarter of the southwest quarter of section 12; thence east to the southeast corner of the northwest quarter of the southwest quarter of section 12; thence north to the northeast corner of the northwest quarter of the southwest quarter of section 12; thence east to the southeast corner of the northwest quarter of section 12; thence north to the southeast corner of the northeast quarter of the northwest quarter of section 12; thence east to the southeast corner of the northwest quarter of the northeast quarter of section 12; thence north to the northeast corner of the northwest quarter of the northeast quarter of section 12; thence east to the southeast corner of section 1; all in unsurveyed township 44 north, range 116 west; thence east along the section lines between sections 6 and 7, 5 and 8, 4 and 9, and 3 and 10 to the southeast corner of the southwest quarter of section 3, all in township 44 north, range 115 west; thence north to the northeast corner of the northwest quarter of section 3, said township and range; thence east along the township line to the southeast corner of section 35, township 45 north, range 115 west; thence north to the northeast corner of said section 35; thence east to the southeast corner of the southwest quarter of section 25, said township and range; thence north to the northeast corner of the northwest quarter of said section 25; thence east to the southeast corner of the southwest quarter of section 19, township 45 north, range 114 west; thence north to the southeast corner of lot 10 of said section 19; thence west along the south line of lot 10 to the shore line of Jackson Lake; thence north and east along the shore line of Jackson Lake to its outlet into the Snake River; thence easterly along the south bank of the Snake River to its intersection with the Buffalo Fork; thence from the said intersection of the Snake River and Buffalo Fork, easterly along the south bank of the Buffalo Fork to the junction with a tributary of said Buffalo Fork approximately in unsurveyed section 6 of partially surveyed township 45 north, range 109 west; thence easterly following up the main hydrographic divide between said tributary and Buffalo Fork to United States Geological Survey bench mark, elevation 10,599 feet; thence northeasterly, continuing along the divide, passing over Buffalo Plateau to the Continental Divide; thence northeasterly, following the Continental Divide to the hydrographic divide formed by the Absaroka Range between the headwaters of Deer Creek, Buffalo Fork, and Yellowstone River; thence northeasterly, continuing along the said hydrographic divide between Thorofare and Bruin Creeks and Deer, Red, Yellow, Tall, and Cabin Creeks, headwaters of Shoshone River, to Kingfisher Peak, elevation 11,100 feet; thence northwesterly along the hydrographic divide between Butte and Pass Creeks and Deer and Ishawooa Creeks, passing over Ishawooa Pass, elevation 9,870 feet, to Ishawooa Cone, elevation 11,840 feet; thence northwesterly along the hydrographic divide between Open, Mountain, and Dike Creeks, and Rampart, Fishhawk, Eyrie, and Eagle Creeks, passing over Overlook Mountain, elevation 11,800 feet; Chaos Mountain, elevation 11,500 feet; and Pinnacle Mountain, elevation 11,400 feet, to a point on the present east boundary line of the Yellowstone National Park, in the State of Wyoming, which is about three-fourths mile south of the boundary monument, marked 6 north, and all the lands lying between the present existing south and east boundary lines and the boundary line as herein described, all of which lands are in the State of Wyoming, are hereby added to and made a part of the Yellowstone National Park.

SEC. 2. That the provisions of section 2475, Revised Statutes, United States, and the act of May 7, 1894, entitled "An act to protect the birds and animals in Yellowstone National Park and to punish crimes in said park, and for other purposes"; the act of June 28, 1916, entitled "An act to amend an act entitled 'An act to protect the birds and animals in Yellowstone National Park and to punish crimes in said park, and for other purposes,' approved May 7, 1894"; and the act of August 25, 1916, entitled "An act to establish a national-park service, and for other purposes"; and all acts supplementary to and amendatory of said acts are made applicable to and extended over the lands hereby added to the park.

SEC. 3. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: *Provided*, That under rules and regulations to be prescribed by the Secretary of the Interior, all bona fide claimants or entrymen shall have the right to graze, upon lands reasonably adjacent to the lands claimed or owned by them, such number of live stock as they have been accustomed to so graze in the past, or as may be reasonably necessary to the use and utilization of their lands, and to secure timber for use on and for the improvement of their lands: *Provided further*, That the Secretary of the Interior shall have authority, under rules and regulations to be prescribed by him, to grant grazing permits and authorize the grazing of live stock on the lands hereby added to the Yellowstone National Park, to the extent that live stock have heretofore grazed upon these lands under permits issued by the Forest Service, and at fees not to exceed those charged by the Forest Service on adjacent areas.

SEC. 4. That nothing herein contained shall be held to abridge the rights acquired under the reclamation law to the use of Jackson Lake as a reservoir under said law or the taking and use by the Reclamation Service of timber, stone, or other materials needed for the operation and maintenance of the Jackson Lake Reservoir under rules to be prescribed by the Secretary of the Interior.

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

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

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

MINING OF METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

Mr. HAYDEN. Will the gentleman withhold his objection?

Mr. WALSH. I will withhold it for a moment, but I am going to object to the bill. This is a bill that was endeavored to be passed at the last unanimous-consent day under suspension of the rules, and I do not think anything can be heard now to overcome the arguments made against it at that time.

Mr. HAYDEN. The gentleman may remember what the vote was, but I should like to have this bill transferred to the foot of the calendar for the purpose of comparing it carefully with the conference report upon the oil-leasing bill, so as to determine whether it conforms to that legislation, and if we have

time to do that, I think I may convince the gentleman that the bill may be properly amended so that it will be satisfactory to him. I ask unanimous consent that the bill be transferred to the foot of the calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

NATIONAL SANITARIUMS ON PUBLIC LANDS.

Mr. RAKER. Mr. Speaker, it was 11 o'clock when we met this morning, but in looking up the RECORD of Saturday I noticed that we were to meet at 12 o'clock, but I did not notice the fact that it was to be on Sunday. There is a bill on the calendar, H. R. 249, which was stricken from the calendar——

Mr. WALSH. The gentleman ought not to misstate the RECORD. The RECORD said that we would meet at 12 o'clock on Sunday.

Mr. RAKER. I say it said at 12 o'clock and I thought it meant this morning. I was dictating letters at the time and I looked at the matter hurriedly. Of course it referred to yesterday, but I thought it meant to-day.

The SPEAKER pro tempore. What is the gentleman's request?

Mr. RAKER. My request is that this bill remain on the calendar and retain its place.

The SPEAKER pro tempore. What is the bill?

Mr. RAKER. It is the bill H. R. 249, to authorize the Secretary having jurisdiction of the same to set aside certain public lands to be used as national sanitariums by fraternal or benevolent organizations and for other purposes.

The SPEAKER pro tempore. Is it the gentleman's request that the bill remain on the calendar to go to the foot of the calendar?

Mr. RAKER. I suppose that will have to be the request, yes.

The SPEAKER pro tempore. The Clerk informs the Chair that the order has already been made. The Clerk will report the next bill.

SALARY OF UNITED STATES DISTRICT ATTORNEY, LOUISIANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 1590) providing for an increase of salary for the United States marshal and district attorney for the western district and for the United States district attorney for the eastern district of Louisiana.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. I object.

Mr. WATKINS. Mr. Speaker, will the gentleman permit me to make a statement?

Mr. CRAMTON. I will withhold the objection for a moment out of courtesy, although I intend to object.

Mr. WATKINS. I hope the gentleman will not press his objection. This is a Senate bill. It went to the House committee, and the House committee made careful examination. The Attorney General made a favorable report to the Senate committee and to the House committee, and the facts are that the work down there done by the officials now is from three to four times the amount they had to do at the time the salary was fixed in 1896, over 20 years ago.

The population has doubled, and all the facts go to show that the work done in this district now, to which this bill refers, exceeds the amount of work which is done in the other districts of the country in which the salary is equal to or greater than the salary fixed in this bill. I hope the gentleman will withdraw his objection.

Mr. CRAMTON. Mr. Speaker, the bill in question has not had any consideration from the committee of the House having jurisdiction of the subject, and I make the objection.

Mr. WATKINS. The Committee on the Judiciary considered it, to which committee the Speaker properly referred the bill.

Mr. DUPRÉ. Mr. Speaker, I ask permission that this bill may be sent to the foot of the calendar.

The SPEAKER pro tempore. Is there objection to the request?

Mr. CRAMTON. It does not matter, and I will not object to that.

The SPEAKER pro tempore. The Chair hears no objection.

BRIDGE ACROSS THE MISSOURI RIVER BETWEEN NEBRASKA AND IOWA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13393) to extend the time for constructing the bridge across the Missouri River between the States of Nebraska and Iowa.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the time for commencing and completing the bridge authorized by act of Congress approved April 22, 1912, to be built across the Missouri River at a point suitable to the interests of navigation, at or near South Sioux City, in the county of Dakota, in the State of Nebraska, is hereby extended one and three years, respectively, from the date of the approval hereof.

The committee amendment was read, as follows:

That the act approved April 22, 1912, authorizing the city of South Sioux City, in the county of Dakota and State of Nebraska, to construct, maintain, and operate a bridge, and approaches thereto, across the Missouri River, at a point suitable to the interests of navigation, at or near South Sioux City, in the county of Dakota, in the State of Nebraska, be, and the same is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein authorized be commenced within one year and completed within three years from the date of approval hereof.

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

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

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

The title was amended so as to read: "A bill to revive and reenact the act entitled 'An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa,' approved April 22, 1912."

BRIDGE ACROSS THE ALLEGHENY RIVER NEAR MILLVALE BOROUGH, PA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13648) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale borough, in the County of Allegheny, in the Commonwealth of Pennsylvania.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge, with approaches thereto, across the Allegheny River at a point suitable to the interests of navigation at or near the borough of Millvale, in the county of Allegheny, in the Commonwealth of Pennsylvania, 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 bill was ordered to be engrossed and read the third time, was read the third time, and passed.

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

Mr. MANN. Mr. Speaker, there is an error in the printing of the calendar. Calendar No. 278 is intended to be the bill H. R. 13647, which is a bridge bill, and it is printed as 13649, which is also Calendar No. 279. I ask that the bill H. R. 13647 be considered as Unanimous Consent Calendar No. 278.

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

Mr. STAFFORD. That is, with the reservation of the objection to the bill when considered?

Mr. MANN. Oh, certainly.

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

The Clerk read as follows:

A bill (H. R. 13647) granting consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the report from the Acting Secretary of War states that this bill is identical in its provision with H. R. 13429, returned to the committee with report on December 22, 1918.

Mr. CAMPBELL of Pennsylvania. I think that bill expired by limitation.

Mr. STAFFORD. No; the bill referred to is a bill that has been reported in this session of Congress. I have not had time to examine to see whether that bill has been acted upon by the House or whether it has been reported favorably by the committee.

Mr. CAMPBELL of Pennsylvania. There has been no report or action taken on any of the bills. There have been four bills introduced by the several Members representing Allegheny County and there is a duplication of bills. There was a bill introduced by Mr. PORTER, Mr. MOORE of Pennsylvania, Mr. KELLY

of Pennsylvania, and some by myself, and those we have all straightened out, and this is a bill for a bridge at McKees Rocks, across the Ohio River on the north side of Pittsburgh, and it does not conflict with any other bill, and, of course, if it does conflict, it will not be pressed.

Mr. STAFFORD. Then, as I understand, the other bill, identical in purport, has not been reported from the committee?

Mr. CAMPBELL of Pennsylvania. It has not.

Mr. PARKER of New Jersey. That is true. We had a question as to what bill ought to be reported.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge, with approaches thereto, across the Ohio River, at a point suitable to the interests of navigation, at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, 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 pro tempore. The question is on the engrossment and third reading of the bill.

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

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

BRIDGE ACROSS ALLEGHENY RIVER, PITTSBURGH, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13649) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be enacted, etc., That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge, with approaches thereto, across the Allegheny River, at a point suitable to the interests of navigation, at or near Sixteenth Street, in the city of Pittsburgh, in the county of Allegheny, and Commonwealth of Pennsylvania, 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 pro tempore. The question is on the engrossment and third reading of the bill.

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

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

AMENDING SECTION 4414 OF THE REVISED STATUTES.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 14920) to amend section 4414, Revised Statutes of the United States, to classify and provide salaries for clerks in the Steamboat-Inspection Service.

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

Mr. STAFFORD. I object.

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

Mr. ZIHLMAN. Will the gentleman withhold that?

Mr. STAFFORD. I will withhold it at the request of the gentleman.

Mr. ZIHLMAN. Mr. Speaker, I wish to say that while this bill was introduced by the gentleman from Texas [Mr. HARDY], I am very much interested in this legislation. It carries an increase for the clerks of the Steamboat-Inspection Service of $6,820, which is applied in 13 cities. The men who are the beneficiaries under this bill are expert stenographers in the offices of the inspectors of steamboats in various parts of the country. I have here before me a transcript made by a stenographer of a trial held here in the city of Washington, a verbatim report, of a steamboat captain as to whether or not his license should be revoked, which stenographer receives in the office of Inspector General of Steamboats only $900 a year.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. ZIHLMAN. Yes.

Mr. STAFFORD. Under the existing law the maximum salary is $1,500. According to the estimate submitted this year by the Secretary of Commerce for this service, he estimated that thirteen should receive $1,500, seventeen $1,400, and a number of additional ones at $1,000. No request whatsoever was made by him to increase the salaries of those receiving below $1,500 to the maximum salary. The committee increased the total appropriation of $109,000 by $6,000, making a total of $115,000. Now, if there is an inequality of payment of salary as indicated by the gentleman from Maryland and just instanced by him, it can be corrected by the Secretary of Commerce providing for such increase under the present arrangement, by allotting him an increase of salary commensurate with his work, up to $1,500.

Mr. ALEXANDER. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ALEXANDER. That is the trouble. This $1,500, under the existing law, is the maximum pay of a clerk in the office of the local inspector, and that pay should be increased, and that is what we undertake to do. For instance, in New York, that great shipping point, the clerk who acts as chief clerk receives the miserable sum of $1,500 a year. In these other ports—San Francisco, Seattle, New York, Philadelphia, Baltimore, Norfolk, Boston, Providence, Detroit, Buffalo, Cleveland, New Orleans—they all receive the maximum pay of $1,500 a year. It is impossible to keep the men in the service at that rate of pay. The Committee on Appropriations can not allow a larger sum, and it would have been folly for the Secretary of Commerce to go to the Committee on Appropriations and ask for pay of the clerks in the offices of the local inspectors at those places named at the sums carried in this bill or any other sum in excess of $1,500 a year.

Mr. STAFFORD. I grant that; but he did not come and ask for an increase of any salary of those receiving less than $1,500 in his estimates of this year, which he was privileged to do. Now, all these men will receive, I assume, in addition to the $1,500, the $240 increase that was voted very generously by the House to all the employees in the Government service.

Mr. ALEXANDER. If they should, they would not even then receive the pay to which they are entitled for the service rendered. Now, if the gentleman would suggest an amendment, if this bill passes, by which they should not receive the increases provided for in other bills, there might be some merit in the contention; but it seems to me to expect to keep competent men in this service at the rate of pay from $900 to $1,500 a year when these local clerks must practically in every instance be expert stenographers and capable of going into court and reporting the proceedings, is a thing not to be thought of. They are going out of the service because they can not afford to remain in this service at their present rates of pay.

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

Mr. STAFFORD. Yes.

Mr. LAGUARDIA. Is it not true that the chief clerk in the New York office has been in that office since 1898, and his salary was increased only in 1906 to $1,500?

Mr. SIEGEL. Yes; and he is an expert stenographer. He could readily go to work and leave that office and obtain higher pay. In the city of New York a man should certainly have more than $1,500 who is doing that responsible work.

Mr. LAGUARDIA. Why, we pay a sweeper in the docks in New York more than that.

Mr. STAFFORD. They are free to go elsewhere and improve their condition if they are dissatisfied with the pay they receive. I am against this bill because the salaries provided are disproportionately large as compared with the salaries carried for men in other parts of the Government service.

Mr. ALEXANDER. The reason for that is that there is a limitation of $1,500 fixed on these salaries.

Mr. STAFFORD. The Secretary has not requested an increase of the appropriation for that purpose. I object.

Mr. WHITE of Maine. Mr. Speaker, will the gentleman yield right there?

The SPEAKER pro tempore (Mr. BURNETT). The gentleman from Wisconsin objects.

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that this bill be placed, without prejudice, at the foot of the calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Speaker, I raise the point of no quorum.

The SPEAKER pro tempore. The gentleman from New York raises the point of no quorum. The Chair will count.

Mr. ALEXANDER. I hope the gentleman from New York will not raise the point of no quorum. I regard this bill as of great merit, but I would not make the point of no quorum.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). Does the gentleman from New York insist upon his point of no quorum?

Mr. FOSTER. Will not the gentleman from New York withdraw his point?

Mr. SIEGEL. I will withdraw the point of no quorum, Mr. Speaker.

The SPEAKER pro tempore. The point of no quorum is withdrawn. The Clerk will read the next bill.

MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 2653) to revive, with amendments, an act entitled "An act to incorporate the Medical Society of the District of Columbia."

The title of the bill was read.

The SPEAKER pro tempore (Mr. BURNETT). Is there objection?

Mr. STAFFORD. I object, Mr. Speaker.

Mr. FOSTER. Does the gentleman object?

Mr. STAFFORD. I do.

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

Mr. STAFFORD. Yes.

Mr. FOSTER. This is to revive a medical society in the District of Columbia that the doctors desire to have revived. It was many years ago when it was first incorporated. It carries with it nothing except incorporation; no other privilege or right.

Mr. MANN. Mr. Speaker, may I ask my colleague a question?

Mr. FOSTER. Yes.

Mr. MANN. Under the District Code can not these gentlemen incorporate here in the District?

Mr. FOSTER. I think that is possibly true, but here is the situation: There are a lot of doctors who practiced here many years ago, some of whom are now out of practice and some are practicing a little, and there was a feeling among them that they wanted to revive the charter and have a reunion, and they wanted to do it under the old incorporation. That is as I understand the situation.

Mr. MANN. It will not be under the old incorporation.

Mr. FOSTER. Yes; it revives the old charter.

Mr. MANN. The title revives the old charter, but where does the bill do that?

Mr. FOSTER. I understood that it did.

Mr. MANN. Oh, no; somebody drew the title and thought that the title was legislation.

Mr. FOSTER. They were very well satisfied to get it through in this way.

Mr. MANN. It is a new charter. It is not to revive the old charter.

Mr. FOSTER. I have talked with a number of these doctors, some of whom have been here for many, many years, and they told me they wanted to hold a reunion, I think the one hundredth anniversary, and desired to renew the old charter, and that is all there is to this.

Mr. MANN. I am in the position of the Board of Commissioners of the District of Columbia. They say they know of no reason why the bill should not be enacted, but nobody yet, except my friend from Illinois [Mr. FOSTER], has offered any reason why it should be enacted.

Mr. FOSTER. That is the only reason I can offer the gentleman.

Mr. MANN. Usually it is better to have affirmative legislation. I do not see why they can not incorporate under the code of the District of Columbia. We incorporate societies by act of Congress where the people do not live in the District.

Mr. FOSTER. I had this put on the Unanimous Consent Calendar after talking with the gentleman from Kentucky [Mr. JOHNSON], the chairman of the Committee on the District of Columbia, and with a number of these physicians who have been up to see both the gentleman from Kentucky and myself. That is all there is in it as far as I know.

Mr. STAFFORD. This bill on a former occasion was brought up on District of Columbia day, discussed here for a considerable length of time, and defeated.

Mr. FOSTER. Not this bill.

Mr. STAFFORD. Yes; this identical bill.

Mr. FOSTER. Not this bill, because this bill has only recently been reported.

Mr. MANN. This bill was not reported until January 4, 1919.

Mr. STAFFORD. It was a bill of the same purport.

Mr. FOSTER. I think the gentleman is mistaken about that.

Mr. STAFFORD. I think I am not mistaken. I think I can confirm it by the RECORD.

Mr. PARKER of New Jersey. Has the gentleman sufficient information to refer to the old charter to see whether it does what it says it does? The bill might be made to say that the act of incorporation of a certain date is hereby revived. I am not making any objection, but it seems to me that might meet the objection which has been made.

Mr. FOSTER. These men seem to be satisfied with this bill, and the gentleman from Kentucky [Mr. JOHNSON] reported it, and there was no objection to it in the committee.

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

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects.

CACHE NATIONAL FOREST, UTAH.

The next business on the Calendar for Unanimous Consent was the bill (S. 4103) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, what assurance have we that the men whose land is sought to be transferred to the Government in exchange for their land will accept the other lieu lands?

Mr. WELLING. I have here the written assurance of the gentlemen who are seeking to obtain this exchange, that the land is of substantially the same value and that they desire the exchange. It is all mountain land, and the lands that are sought to be consolidated into the Cache National Forest are all within the exterior limits of the present forest area. The Agricultural Department are anxious to have the exchange made in order to assist in the administration of the forest area, and the people are perfectly willing to accept grazing land of similar character and value outside of the forest.

Mr. STAFFORD. As I understand, then, there are no improvements on the land now owned by these gentlemen. The lands are being used for grazing purposes?

Mr. WELLING. Absolutely, and there are no improvements on the land that they seek in exchange for the land in the forest.

Mr. STAFFORD. The bill provides that the land taken in exchange shall be approximately equal in value.

Mr. WELLING. I submit that that is as near a description as one could give. I am entirely familiar with both parcels of land. I should say that the land within the forest area is really more valuable for grazing purposes than the other land, because it is on a mountain range that is better for grazing purposes, there being more water, and therefore more grass and better grazing facilities.

The reason these farmers are willing to accept the exchange is that they own dry farm lands in the new region that has been opened up next to the mountains where they hope to obtain the lands. They consolidate their own land as well as benefit the Forestry Service.

Mr. STAFFORD. I was curious to ascertain the real motive of these various persons to seek an exchange for something that is no greater in value. The gentleman has furnished the information.

Mr. MANN. The Forestry Service wants the exchange.

Mr. STAFFORD. Yes; but I could not understand why the present owners should be desirous of giving up land in the forest reserve and taking other lands of approximately the same value. The gentleman from Utah has furnished the reason, which is to obtain land nearer the dry-farming area.

Mr. MANN. They get better facilities.

Mr. WELLING. The exchange is mutually agreeable to the Forestry Service and the farmers.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation.

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

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion, to accept from the persons named below, title to the following-described lands, either in whole or in part, upon certification by the Secretary of Agriculture that the lands are chiefly valuable for national-forest purposes and approximately equal in value to the lands to be given in exchange therefor:

C. Balling: The southwest quarter of section 15; the west half of section 22, all in township 14 north, range 4 east, Salt Lake meridian.

Ferdinand Zollinger, jr.: The south half of the north half and the south half of section 4; the south half of the north half and the south half of section 5; the south half of the northeast quarter and the north half of the southeast quarter of section 6; all of section 9; the north half of the northwest quarter of section 10; the north half of the northwest quarter of section 17, all in township 11 north, range 2 east, Salt Lake meridian.

Conrad Alder: The south half of the northwest quarter, the southwest quarter, the south half of the northeast quarter, and the southeast quarter of section 10; the east half of the east half of section 15; the

northwest quarter of the southeast quarter of section 17, all in township 11 north, range 2 east, Salt Lake meridian.

Robert Murdock: All of sections 18 and 19, township 14 north, range 4 east, Salt Lake meridian.

SEC. 2. That the Secretary of the Interior is also hereby authorized to issue to the persons named below in lieu thereof patents to the following-described areas or to such parts thereof as may be found approximately equal in value to the lands conveyed:

C. Balling: Lots 1 and 2 and the northeast quarter of section 21; the west half of the northwest quarter of section 22; and the southeast quarter of section 28, all in township 13 north, range 19 west, Salt Lake meridian.

Ferdinand Zollinger, jr.: The southwest quarter and the southwest quarter of the southeast quarter of section 5; the northeast quarter of the southeast quarter of section 8; the northwest quarter of the southwest quarter, the south half of the southwest quarter, and the southwest quarter of the southeast quarter of section 9; the west half of the northeast quarter, the southeast quarter of the northeast quarter, and the southeast quarter of section 17, all in township 13 north, range 17 west; the northeast quarter of the northeast quarter of section 9; the north half of section 10; the northeast quarter of the southeast quarter, the west half of the southeast quarter, the east half of the southwest quarter, and the northwest quarter of section 11; the east half, the east half of the west half, and the southwest quarter of the northwest quarter of section 12, all in township 13 north, range 18 west, Salt Lake meridian.

Conrad Alder: The south half of the southwest quarter of section 10, the west half of the northwest quarter, and the northwest quarter of the southwest quarter of section 24, all in township 4 north, range 5 east; the south half of the southwest quarter and the southwest quarter of the southeast quarter of section 26, township 5 north, range 5 east; the north half of the northwest quarter, the southwest quarter of the northwest quarter, the west half of the southwest quarter, the northeast quarter of the southwest quarter, the north half of the southeast quarter, and the southeast quarter of the southeast quarter of section 34, township 5 north, range 5 east, Salt Lake meridian.

Robert Murdock: Lots 5, 6, and 7; the southwest quarter of the northeast quarter, the west half of the southeast quarter, the southeast quarter of the northwest quarter, and the east half of the southwest quarter, all in section 1, township 14 north, range 5 west; the northeast quarter of the northwest quarter and the northeast quarter of section 12, township 14 north, range 5 west; the west half of the southwest quarter of section 5; the south half of the northeast quarter, the south half of the northwest quarter, and the south half of section 6; the northwest quarter of section 7; and the east half of the northeast quarter of section 20, all in township 14 north, range 4 west, Salt Lake meridian.

SEC. 3. That the lands conveyed to the Government shall thereupon become part of the Cache National Forest and subject to all laws and regulations applicable thereto.

The SPEAKER pro tempore. The Clerk calls attention to an error on line 18, page 3, where the word "eighteen" is misspelled.

Mr. MANN. I do not think that ought to be corrected; it is a clerical error, and the enrolling clerk will probably spell it correctly. If it is amended it would send it back to the Senate.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). Objection is heard. The question is on the third reading of the Senate bill.

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

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

CONSOLIDATION OF FOREST LAND IN THE CACHE NATIONAL FOREST, UTAH.

The next bill on the Calendar for Unanimous Consent was the bill (S. 2088) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto.

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

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized in his discretion to accept from the persons named below title to the following-described lands, either in whole or in part, upon certification by the Secretary of Agriculture that the lands are chiefly valuable for national forest purposes and approximately equal in value to the lands to be given in exchange therefor:

Isaac P. Stewart: The southwest quarter of the southwest quarter and the northeast quarter of the southeast quarter of section 21; the south half of the northeast quarter and the west half of section 28; all of sections 29, 30, and 31; the southeast quarter and the west half of section 33, all in township 11 north, range 2 east, Salt Lake meridian.

James E. Hansen: All of section 19, township 11 north, range 2 east, Salt Lake meridian.

William H. Stewart: All of section 5, township 10 north, range 2 east, Salt Lake meridian.

SEC. 2. That the Secretary of the Interior is also hereby authorized to issue to the persons named below in lieu thereof patents to the following-described areas or to such parts thereof as may be found approximately equal in value to the lands conveyed:

Isaac P. Stewart: Lots 3 and 4, the northwest quarter, and the southwest quarter of section 1; the northwest quarter of the northwest quarter of section 12; lot 4, section 30, all in township 13 north, range 18 west, Salt Lake meridian; the east half of section 11; the west half and the southeast quarter of section 15; the south half of section 27; lots 1, 2, 3, and 4, the southeast quarter of the southeast quarter, the north half of the southeast quarter, and the northeast quarter of section 33; all of section 34, all in township 13 north, range 19 west, Salt Lake meridian.

James E. Hansen: Lots 1, 2, and 3 in section 1; the north half of the southeast quarter, section 12, township 14 north, range 5 west; lots 1, 2, 3, and 4 in section 6, the north half of the southwest quarter, the northeast quarter of the southeast quarter, and the northeast quarter in section 7, township 14 north, range 4 west, Salt Lake meridian.

William H. Stewart: The southeast quarter of the southeast quarter of section 23, the south half of the northwest quarter and the southwest quarter of section 24, the west half of the northwest quarter and the northwest quarter of the southwest quarter of section 25, the east half of the northeast quarter and the southeast quarter of section 26, all in township 13 north, range 18 west, Salt Lake meridian.

SEC. 3. That the lands conveyed to the Government shall thereupon become part of the Cache National Forest and subject to all laws and regulations applicable thereto.

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

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

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

The next bill on the Calendar for Unanimous Consent was the bill (S. 4244) for the relief of entrymen within the Castle Peak irrigation project in Utah.

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

Mr. STAFFORD. Reserving the right to object, do I understand that these entrymen on these lands in the reclamation project will only have the same rights that entrymen generally would have under any irrigation project?

Mr. MAYS. They would have to make arrangements for water.

Mr. STAFFORD. They could not get any additional privileges more than they have under the general law.

Mr. MAYS. None whatever.

Mr. STAFFORD. This merely protects their rights until the project is completed.

Mr. MAYS. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

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

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

ASSESSMENT WORK ON MINING CLAIMS IN ALASKA.

The next business on the Calendar for Unanimous Consent was S. J. Res. 198, to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am somewhat acquainted with the purpose of this remedial legislation. I recognize the need of passing some such resolution as this so far as the work of prior years is concerned, but I can not see the need for having it also extend to the year 1919.

Mr. FOSTER. The representation made before our committee was that the conditions were such in Alaska that it was a question whether people would get back there or not to do this work, and for that reason they were permitted to apply it to Alaska for one additional year. This representation was made by the Delegate from Alaska [Mr. WICKERSHAM] very forcibly before the Committee on Mines and Mining. It was done at his earnest solicitation on account of conditions obtaining up there at this time as he knows them.

Mr. STAFFORD. Then I take it that if we adopt this resolution extending the privilege to the year 1919 it will not be taken as a precedent to apply throughout the entire United States?

Mr. FOSTER. Oh, no. We have a bill to extend it generally in this country, to which I have not been at all favorable.

Mr. STAFFORD. I do not wish the action taken in this case to be taken as a precedent and used as an argument for the passage of other legislation pertaining to the United States generally.

Mr. FOSTER. So far as I am concerned, I made no objection to this, but I am not agreeable to the other now.

Mr. STAFFORD. I withdraw the reservation of the objection.

Mr. MANN. Mr. Speaker, reserving the right to object, while we are at it, there is a Senate joint resolution 156, two bills below on the Calendar. Does that apply to Alaska also?

Mr. FOSTER. Yes; I think it would apply to Alaska. That applies generally to suspending the mining claims wherever the mining claims are located.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. This is on the Union Calendar.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that this resolution may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The Clerk read as follows:

Resolved, etc., That the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and the provisions of public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and amendments thereto, be, and they are hereby, extended to the Territory of Alaska. The laws requiring assessment work to be made upon mining claims in the Territory of Alaska for the years 1917, 1918, and 1919 are hereby suspended for such period; and no forfeiture or relocation of any mining claim or mining location in said Territory shall be permitted or adjudged for failure to do or have done the annual assessment work thereon for either of said years; and no mining claim or location therein shall be held to be forfeited or subject to relocation for any failure to have done the annual assessment work thereon where the owner or anyone for him complied with the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, or public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and amendments thereto.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

Mr. RAKER. Mr. Speaker, I move to strike out the last word. I misunderstood the statement, with the confusion going on in the hall. Senate joint resolution 156 follows this. Is there any objection to that resolution? Of course, it is a little late, so far as this is concerned.

Mr. FOSTER. We could not tell that until we get to it. Let us pass this one first.

Mr. RAKER. I understood that the chairman is in favor of Senate joint resolution 156.

Mr. FOSTER. I was very strongly in favor of it when it was reported.

Mr. RAKER. There is some misunderstanding, for when it was referred to a moment ago——

Mr. FOSTER. This was reported before the war closed, and conditions have changed since that time.

Mr. RAKER. I want to say now that the question of the assessment of mining claims this year is exceedingly important, and many of those miners, prospectors, are pleading with all the strength they can that this relief be extended for the year 1919.

Mr. FOSTER. Let us get through with this, and then we can go on to the other. That can be taken up then under the regular rules of the House. Let us pass this first.

Mr. RAKER. Sure, but I thought if there was any question——

Mr. FOSTER. I can not tell what the House is going to do. I am a very poor guesser, for I thought a little while ago that they would pass a bill that I was interested in, but they did not.

The SPEAKER pro tempore. Without objection the pro forma amendment will be withdrawn.

Mr. RAKER. My time has not yet expired, has it?

The SPEAKER pro tempore. No.

Mr. RAKER. Of course, we will not prevent or delay the other, because that ought to be passed.

Mr. STAFFORD. I wish to say to the gentleman, if he has any qualms about it, that I intend to object to Senate joint resolution 156.

Mr. RAKER. There was a misunderstanding before because all of these reports went out to people——

Mr. FOSTER. I suppose there are some different conditions in the country from what there were then?

Mr. RAKER. No; conditions are worse now than then in the mining districts where this legislation was originally intended to apply to give them relief in 1917 and 1918.

Mr. FOSTER. The bill was passed originally, as the gentleman will remember, during the war in 1917, with the understanding that labor was scarce and that the labor might be employed to better advantage during the war, and as they should be expected to do $100 worth of work in some useful occupation for the winning of the war. Now, of course that was a condition under which we passed that bill, and the gentleman knows about the conditions out there now very much better than I do, and we supposed from what we had been hearing throughout the United States that there was not the scarcity of labor now.

Mr. RAKER. I want to call attention to this, and in regard to the question of unemployed labor, there is some question over the United States in regard to it, and undoubtedly in many places there is a lot of unemployed labor, but these men who have their mining claims——

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

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

On motion of Mr. FOSTER, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

HOMESTEAD ENTRIES BY MINERS.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 1849) permitting miners of the age of 18 years or over to make homestead entry of the public lands of the United States.

The Clerk read the title of the bill.

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

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER pro tempore. The bill is stricken from the calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill may be retained on the calendar and go to the foot.

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

The next business in order on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 156) to suspend the requirements of annual assessment work on mining claims during the continuation of the war in which the United States is now engaged and until midnight of December 31 of the year following that in which such war is concluded.

The SPEAKER pro tempore. Is there objection to the consideration at the present time?

Mr. STAFFORD. Mr. Speaker, I object.

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

Mr. STAFFORD. Mr. Speaker, I will reserve the objection.

Mr. RAKER. Mr. Speaker, there seems to have been a general understanding among the miners of the West, so far as I have been advised, that this bill unquestionably would be enacted. Where they got that information from I am not in a position to say, because I do not know. It passed the Senate; it was on the calendar, and, under the conditions existing in the West, the bill ought to pass. The material that the men have to purchase is so high and the work they have to do is such that it is really an excessive burden, and they were in great hopes that this bill might be passed at this session of Congress. I understand that the Committee on Mines and Mining unanimously reported the bill after a hearing.

Mr. LOBECK. And the facts are, the labor is very scarce in the mining country out there where mining goes on.

Mr. RAKER. There is a good deal in that, particularly in gold mining, because that is what this applies to.

Mr. LOBECK. Well, gold and silver and other material that is found in the Rockies and the western mountains in this country.

Mr. RAKER. I repeat, even with the accusation of being unnecessary——

Mr. WALSH. Will the gentleman speak louder?

Mr. RAKER. There is a little confusion, and I do not wish to take up the time of the House——

Mr. WALSH. The silvery tones of the gentleman will overcome that.

Mr. RAKER. We have had a great deal of unanimity here to-day, and I desire to say that this bill is vital for the mining districts.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. And for other districts besides. The mining districts in my State involve a great many hundreds of claims like this. I simply raised the question on the other bill so as to call the matter up, that there would be no question that this bill would be enacted into law. No one will be injured, the Government will not be injured, but you will injure a great many of these men who have been doing all they can to assist in the winning of this war.

Mr. WICKERSHAM. If the gentleman will permit, I was very much interested in the last bill which passed, which related to Alaska. And in looking up matters and things in connection with it I discovered that in the civil-rights bill passed and approved March 8, 1918, there is a clause which seems to me to cover the bill of the gentleman from California. I do not object to the bill at all. I quite approve of it as a general proposition, but I was not sure at the time but what this clause of the civil-rights bill covered the bill from Alaska.

Mr. RAKER. I want to say to the gentleman——

Mr. WICKERSHAM. Let me read this clause, if you will:

SEC. 501. That no right to any public lands initiated or acquired prior to entering military service by any person under the homestead laws, the desert-land laws, the mining-land laws, or any other laws of the United States, shall be forfeited or prejudiced by reason of his absence from such land, or of his failure to perform any work or make any improvements thereon, or to do any other act required by any such law during the period of such service.

Mr. RAKER. I will say to the gentleman that that applies to those who entered the service. His bill came before the Committee on Public Lands, and I am in favor of it, because it ought to be the law. It came before the House, but some remarks were made that there was a question about the other bill, and I can not understand it, and I wanted to take the opportunity to be heard without taking much of the time of the House to do it.

The SPEAKER pro tempore. The time of the gentleman from California has expired. Is there objection?

The STAFFORD. Mr. Speaker, I object.

Mr. RAKER. There is no time. I want to be heard. Now, I trust the House will give me an opportunity to speak a few moments more on this bill, which is of vital importance to my district as well as the mining districts of the United States.

Mr. STAFFORD. How much time?

Mr. RAKER. I want a few more minutes.

Mr. STAFFORD. Five minutes? I will reserve my objection.

The SPEAKER pro tempore. The gentleman must ask unanimous consent if he desires to do it.

Mr. RAKER. The gentleman is reserving his right to object. Now, the five-minute rule does not apply to explaining a matter if the party reserves his right to object.

The SPEAKER pro tempore. The Chair thinks it ought to apply.

Mr. RAKER. It did not apply to-day. If it applies to me to-night, you should enforce the rule.

Mr. STAFFORD. The rule invariably is to extend only five minutes under reservation of objection.

Mr. FOSTER. I ask unanimous consent that the gentleman from California have five minutes.

Mr. RAKER. The rule has never been in force, and it is not considered enforceable and if you enforce it now when it does not apply, when a man reserves his right to object, then let the other rules apply from now on to-night. In proceeding I would like to answer the questions on this mining bill, and I want to devote my remarks to it and that alone, but before I do I would like to know.

Mr. MANN. I think the Chair is slightly in error. In the Committee of the Whole it has become the practice now to enforce the five-minute rule on a reservation of objection. But we are in the House and the five-minute rule does not apply in the House.

The SPEAKER pro tempore. We are in the House on the Unanimous Consent Calendar.

Mr. MANN. We are all working by unanimous consent, and anybody can demand the regular order.

The SPEAKER pro tempore. Yes; and the Chair thought it ought to be followed, to be entirely frank with the gentleman from Illinois. The Chair was going to rule, whether right or wrong.

Mr. RAKER. What was the ruling of the Chair?

The SPEAKER pro tempore. The question is whether there is objection to the request of the gentleman from Illinois [Mr. FOSTER] that the gentleman from California proceed for five minutes. Is there objection?

Mr. RAKER. A parliamentary inquiry. Does the Chair hold that when a Member of the House reserves the right to object that that Member only has five minutes in which to explain the bill? If that is the rule——

The SPEAKER pro tempore. It is not the rule. There is no precedent upon it. There is no rule upon it. The Chair thinks the same rule ought to apply that applies in the Committee of the Whole.

Mr. CARTER of Oklahoma. Mr. Speaker——

Mr. RAKER. I want to say this to the Chair: I hope this rule will not be applied to me to-night, when it has not been applied in this House at any time since I have been here for eight years.

The SPEAKER pro tempore. The gentleman from California, of course, understands that the Chair is not applying that rule in any way personally to him.

Mr. RAKER. I understand that.

The SPEAKER pro tempore. The Chair thinks that that is the rule which obtains in the Committee of the Whole, and it is constantly enforced, and ought to be enforced in the House on the Unanimous Consent Calendar when the reservation of an objection is made.

Mr. CARTER of Oklahoma. Mr. Speaker, a parliamentary inquiry.

Mr. MANN. As a matter of fact, it never has been enforced in the House, but the House can protect itself by demanding the regular order at any time.

Mr. CARTER of Oklahoma. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CARTER of Oklahoma. Has not the Chair, as a Member of the House, the right to stop debate at any time by exercising his right to demand the regular order?

The SPEAKER pro tempore. The gentleman means the Chairman of the Committee of the Whole?

Mr. CARTER of Oklahoma. Yes.

The SPEAKER pro tempore. He has no rights whatever.

Mr. CARTER of Oklahoma. I misunderstood the Chair; I meant the Speaker.

The SPEAKER pro tempore. Yes.

Mr. SLAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SLAYDEN. I understand that on the request of the gentleman from Illinois [Mr. FOSTER] seven or eight minutes ago unanimous consent was given to the gentleman from California [Mr. RAKER] to speak for five minutes. That time has expired. There are a lot of other Members here who have bills that they are waiting for, and, in common fairness, the business ought to be expedited, so that we can all get along and get some chance.

Mr. RAKER. I trust there will be no personal criticism when I occupy the floor of the House, as other Members do, with proper and legitimate business; and there is no need of attempting to criticize to the effect that the rest do not get their opportunity, because they do. I have not taken away any opportunity from anybody.

Mr. SLAYDEN. I will say, Mr. Speaker, that nobody else gets as much opportunity as the gentleman does.

The SPEAKER pro tempore. The Chair has ruled on the proposition. Whether rightly or wrongly, it will be determined later. There was a request on the part of the gentleman from Illinois [Mr. FOSTER] that the gentleman from California proceed for five minutes; and the gentleman from California will proceed for five minutes.

Mr. RAKER. Mr. Speaker, speaking specifically to this bill, it is but a reenactment of resolutions that have already passed. I am directing my remarks specifically to the gentleman reserving the right to object, and hope that he will not finally object to this resolution.

Mr. WALSH. But he has objected.

Mr. RAKER. No. He has reserved the right to object, as I understand.

Mr. WALSH. No. He objected, and the gentleman got five minutes.

Mr. McLAUGHLIN of Michigan. I think the gentleman will change his mind again.

Mr. RAKER. I am sure that the gentleman from Wisconsin is fair and tries to get at legislation in such a way as to give proper results, so as to give those who are entitled to protection the proper protection under the law that they should have, and when matters are called to his attention he, as all others, does not persist in an objection, although he has made one, as it has occurred to-day several times. Now, there can be no injustice done to the Government. There can be no disadvantage of the Government. The Government can not be the loser by the extension or suspension of the time, and that is all it means in this work for the year 1919.

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

Mr. RAKER. Yes.

Mr. GANDY. I want to say that in the district I have the honor to represent we have quite a large section of mining country, and this assessment proposition is serious to a lot of men this year. It is not serious to the big mining corporations or to people, as we say, who are well fixed in life, but it is serious to the little men, the prospectors, who have gone the limit in the purchase of liberty bonds, and war savings stamps, and Red Cross contributions, and everything of that kind, who find themselves to-day just on the eve of another liberty loan campaign with their finances exhausted. They are really unable to go ahead on their land and continue the development of it in assessment work. I hope the gentleman will not object.

Mr. STAFFORD. What prevents them during the remainder of the calendar year 1919 from performing another $100 worth of work to take care of their rights under their claims? Good weather is coming.

Mr. RAKER. In many instances these men are now away from their mining claims. They are in the Government service at other places.

Mr. STAFFORD. They will have 10 months in which to perform the modicum of work of $100.

Mr. RAKER. No; this is for this year.

Mr. STAFFORD. The year 1919, and they will have 10 months yet.

Mr. RAKER. The gentleman from South Dakota [Mr. GANDY] has but stated what is the condition in every other mining district. This affects the prospectors, it affects the men who have mining claims, 90 per cent of them, and they are the men who ought to have relief. It is not doing a wrong act to anybody, but is simply saying that during the year 1919 they will not have to expend $100 on their claims, but that before they get title after 1919 they must have expended, as the law directs, the full amount of $500 on their claims before they can obtain patents.

Mr. WALSH. If the gentleman's argument is well founded, why not relieve them altogether until 1947, as long as they are in the Government service?

Mr. RAKER. They are not asking for that.

Mr. WALSH. I know they are not; but the argument the gentleman makes would apply to such a claimant.

Mr. RAKER. I am only making the same argument that applied to the bill that just passed.

Mr. WALSH. They have got six months after the treaty of peace. The gentleman is carrying it until December 31, 1920, and that seems to be unreasonable.

Mr. RAKER. No; under the law which we passed it expired on December 31, 1918. We are simply asking that you extend it until the treaty of peace has been signed.

Mr. WALSH. Oh, no; the bill says until December 31 of the year following that in which the war was concluded. That is December 31, 1920.

Mr. RAKER. It covers the year 1919.

Mr. WALSH. It covers the year 1920.

Mr. RAKER. If that is all the gentleman wants, we will amend it so as to cover this year—1919.

Mr. WALSH. The present law carries it six months after the conclusion of the treaty of peace.

Mr. RAKER. No; the present law ended on the 31st day of December, 1918. It does not include this year.

Mr. FOSTER. For general mining claims it expired December 31, 1918. What the gentleman has in mind probably is the law referring to soldiers who are in the service. That extends six months beyond the time of the close of the war.

Mr. GANDY. It has simply to do with the assessment work this year. That is what we are interested in.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. RAKER. Something may occur between now and the close of the session. I ask unanimous consent that the bill remain on the calendar and go to the foot of it.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

Mr. CRAMTON. Reserving the right to object, let me inquire as to the status of these bills that are objected to to-day and then sent to the foot of the calendar. In the event that we succeed in going through the calendar today, will we start in again on those that have been sent to the foot?

Mr. RAKER. Not to-day.

The SPEAKER pro tempore. Not to-day.

Mr. MANN. We certainly will not.

The SPEAKER pro tempore. Is there objection to the request that this bill go to the foot of the calendar?

There was no objection.

PATENTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8763) to amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, more than a year ago when this bill was brought up for consideration I objected to it. The war was then on, and the war is now over. What reason can be advanced why this bill should be given consideration at the present time, when communication has been reestablished in all countries?

Mr. CHARLES B. SMITH. Mr. Speaker, the gentleman from Wisconsin is entirely mistaken about the change in conditions from the time when he objected to the bill to the present time. Within the last week I have had a letter from the Commissioner of Patents urging the necessity of the passage of this bill. Unless it is passed inventors of other countries will have an advantage over American inventors.

All we are trying to do with this is to put the belligerent countries in the same position as the enemy countries so far as the issue of patents.

Mr. STAFFORD. Will the gentleman explain where the inventors of other countries have an advantage over those of America if this bill is not passed?

Mr. CHARLES B. SMITH. Because the patent laws are reciprocal, and foreign countries have passed this kind of a reciprocal law, allowing additional time to file and complete patents and claims. If this country does not adopt it, other countries having passed laws which permit the reciprocal extension and filing of claims, the inventors of other countries will have an opportunity to do so, while similar chances will not be given to the inventors in this country. I have within the last day or two received a letter from the patent attorneys in Washington in which this statement is made. It says:

Until a bill of this character becomes law United States manufacturers desiring to obtain patent protection in a foreign country are at a disadvantage as compared with citizens of the allied, neutral, or even enemy countries, since nearly all countries have granted extensions, but these extensions apply only to "citizens of countries granting reciprocal benefits."

Suppose, for instance, a citizen of the United States desires to ship to Norway the product manufactured by him in this country, or desires to install a plant in Norway. His first act naturally is to apply for patent protection in that country; but the ordinary period for taking such action (which is based on the filing date of his United States patent) may have already expired, and he can not claim before the courts the benefit of the extension which Norway grants to citizens of other countries, because the United States has failed to pass a law granting reciprocal benefits to subjects of Norway.

Mr. STAFFORD. From the reading of the letter the subjects of Norway would not have reciprocal advantages over those of the United States.

Mr. CHARLES B. SMITH. They would if dealing with other countries.

Mr. STAFFORD. I understand we passed a remedial measure extending the privilege to inventors by permitting them an extension of nine months beyond the period required by law in case they were filed before January 1, 1918.

Mr. CHARLES B. SMITH. We did not pass that law. We passed it for enemy countries, but not for neutral or allied countries. We have dealt fairly with the enemies, but not with our friends. Section 7 follows the identical provision in the espionage bill or the enemy trading act in regard to enemy countries.

Mr. STAFFORD. Let me call the attention of the gentleman who reported the bill, the chairman of the Committee on Patents, to the act of August 17, 1916, and see whether he is correct or I am correct in the statement that I just made. The gentleman states that this act only applied to the subjects of enemy countries:

That any applicant for letters patent or registration of any trademark print or label being within the provisions of this act, if unable on account of the existing and continuing state of war to file any application or pay any official fee, or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

I shall not take the time of the House to read sections 2 and 3 of that act of August 17, 1916, applying to foreign-born subjects.

Mr. CHARLES B. SMITH. That is up to a certain date. Here is a statement from the Commissioner of Patents upon that very point:

After the outbreak of the European war nearly every country in Europe passed laws extending the period of priority. In some instances they were extended for limited periods, in others they were extended until after the war was over, but in nearly every instance a foreigner was held entitled to such an extension only if his country granted reciprocal privileges. For instance, the French decree reads as follows:

"ART. 5. The provisions of the decree of August 14, 1914, suspending the time limits in the matter of patents and of designs and models from and after August 1, shall be enjoyed by subjects and citizens of foreign countries only in so far as such countries have accorded or may hereafter accord, by way of reciprocity, equivalent privileges to the citizens of France and of the French protectorates."

So this is to reach a condition which that law did not reach.

Mr. STAFFORD. This is to extend the privilege to all those whose rights arose since August 1, 1914—that is, if they did not avail themselves of the privileges under the enabling act or the remedial act of August 17, 1916.

Mr. CHARLES B. SMITH. It has been impossible for them to file them.

Mr. STAFFORD. All this amounts to is an extension of time in which the inventors can obtain patents.

Mr. MANN. May I ask a question? Under existing law a citizen of an allied country has a right to file an application for a patent here within one year from the time he files it at home?

Mr. CHARLES B. SMITH. Yes.

Mr. MANN. What is there to interfere with filing claims here?

Mr. CHARLES B. SMITH. It is claimed that it was impossible for representatives of inventors to travel from one country to another, the mail has been delayed, and for many reasons it has been practically impossible for them to complete their claims.

Mr. MANN. I know. I suppose they always claim that, and they will claim they could not do it within nine months, but we know that there has been constant mail service and more or less traveling across the water. What is to prevent it unless the Government itself has prevented it, and this Government has not prevented it?

Mr. CHARLES B. SMITH. Let me say to the gentleman that other countries have considered it desirable to pass similar laws to this. I started to read the enactment of France, which is almost identical with the provisions of this act. This is from the French decree:

The provisions of the decree of August 14, 1914, suspending the time limits in the matter of patents and of designs and models from and after August 1 shall be enjoyed by subjects and citizens of foreign countries only in so far as such countries have accorded or may hereafter accord by way of reciprocity equivalent privileges to the citizens of France and of the French protectorates.

Mr. MANN. What has there been to prevent an American citizen from filing an application for patent in France?

Mr. CHARLES B. SMITH. The Patent Office has strongly recommended this on the ground that it was impossible, at least it was not done, and that these other countries have seen fit to pass laws of a similar nature, and the commissioner feels that we should act similarly. He regards it as absolutely necessary to protect our own inventors who have been unable, according to his statements, to complete their claims abroad.

Mr. MANN. I did not know how much there is in that. He seems to be very much exercised because there are 100 applications for patents here which can not be granted under existing law made by citizens of foreign countries.

Mr. CHARLES B. SMITH. It is claimed that the advantage will be to Americans, rather than to foreigners. Of course, Americans are barred from getting additional time in foreign countries as long as they fail to grant the additional time here, because the laws are reciprocal.

Mr. MANN. If somebody will give us an illustration why an American citizen has not been able to file application for patent abroad within a year, after he has filed one at home, very well, but I can not understand why.

Mr. CHARLES B. SMITH. I have only the statement of the Commissioner of Patents and the Interior Department that that is the fact, and this legislation has already passed the Senate, and I have had many urgent requests——

Mr. MANN. I remember when the original bill passed the House. I think I objected to it at first; I know I did for a while, and held it up. I did not think very much of that, and the Commissioner of Patents and the others all assured us that if that were done everything would be lovely and the goose would hang high. Now, without giving any reason or any facts, he wants to extend the time for nine months, and when that is up he will want to extend it longer.

Mr. CHARLES B. SMITH. No; I do not imagine there will be any further requests for extension. I believe this is a measure that is necessary on account of the difficulties of communication. It takes two weeks now to get a cable across from here to Paris.

Mr. MANN. Oh, no; it does not take two weeks. It does not take more than two hours to get a communication——

Mr. CHARLES B. SMITH. Word was sent to me yesterday that it took two weeks.

Mr. MANN. That may be in some cases. Plenty of stuff is coming from over there.

Mr. CHARLES B. SMITH. I know it is.

Mr. MANN. And plenty of stuff is going that way. The cables are in the control of the Postmaster General.

Mr. CRAMTON. It takes 10 days to get a letter from the House Office Building to the Red Cross in Washington. That is my experience.

Mr. CHARLES B. SMITH. I will say to the gentleman from Illinois that this is nothing to me.

Mr. MANN. We understand that.

Mr. CHARLES B. SMITH. I am acting for the Department of the Interior, and I am satisfied they would not be so urgent about this and so anxious to pass it if they were not satisfied it was highly desirable to do it.

Mr. MANN. Well, I suspect there are many applications for patents for things that have been invented because of the war, growing out of the war, where people have not yet made their applications and where they want to make them hereafter. Many things would never have been invented at all if it had not been for the war, but they are not willing to take their chances. They want special favors, and I think we ought to have some information before we extend a monopoly, because that is what a patent is.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The bill is stricken from the calendar.

BRIDGE ACROSS NIAGARA RIVER, BUFFALO, N. Y.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13485) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, and William F. MacGlashan to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.

The Clerk read the title of the bill.

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

Mr. MANN. Let the bill be read.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, and William F. MacGlashan, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Niagara River at a point suitable to the interests of navigation, within or near the city limits of Buffalo, in the county of Erie, in the State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That, subject to the provisions of this act, the Secretary of War may permit the persons herein named to construct a tunnel or tunnels under said river in lieu of the bridge herein authorized, in accordance with the foregoing act approved March 23, 1906, so far as the same may be applicable.

SEC. 2. That this act shall be null and void unless the construction of said bridge or tunnels is commenced within two years and completed within five years from the date of approval hereof.

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

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

Mr. CHARLES B. SMITH. Mr. Speaker, let me say this is really an extension of an act passed in 1916. The act expired some time in September, and this bill is in exactly the same form as the law which was passed in 1916 after the Committee on Interstate and Foreign Commerce had gone to Buffalo and looked over the situation carefully and had returned and had a hearing and reported the bill.

Mr. STAFFORD. Where is this bridge intended to be built?

Mr. CHARLES B. SMITH. At or near Buffalo, wherever the approval is given by the engineers.

Mr. STAFFORD. Is my memory in fault that in the last Congress we passed a bill providing for the construction of a bridge across Niagara River at or near Buffalo?

Mr. CHARLES B. SMITH. That is the bill which I referred to, back in 1916.

Mr. STAFFORD. Have not we passed a bill since then?

Mr. CHARLES B. SMITH. No; we have no vehicle bridge across the Niagara River at Buffalo. The purpose of this bill is to build a bridge across the Niagara River so as to have closer relation to Canada, and the public bodies of Buffalo, the chamber of commerce and other civic bodies, have been urging the building of such a bridge.

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

Mr. CHARLES B. SMITH. I will.

Mr. MANN. Are these men of financial standing?

Mr. CHARLES B. SMITH. I will say to the gentleman the first man, Mr. Cabana, is the head of the Liberty Bank of Buffalo. Mr. Hall, the second man, is the president of the Buffalo Trust Co. Mr. Connette is president of the International Railway Co., which operates all the street cars in Buffalo and on the suburban lines. Mr. MacGlashan is the president of the Beaver Board Co., which has plants all over this and other countries. Mr. Bradley is head of one of the biggest manufacturing plants in Buffalo. Mr. Hurt, I do not know so much about, but these men are all responsible.

Mr. STAFFORD. The gentleman mentioned last is not included in the list of incorporators.

Mr. CHARLES B. SMITH. The gentleman has the wrong bill. I introduced another bill.

Mr. MANN. We have the bill as reported and those names are not in here.

Mr. CHARLES B. SMITH. I was reading from the Senate bill. The bill is on the Speaker's table.

Mr. MANN. This is not a mere speculative proposition?

Mr. CHARLES B. SMITH. Absolutely not. These men do not want to build a bridge——

Mr. MANN. I went to Buffalo with the Committee on Interstate and Foreign Commerce, I think over 20 years ago, and they were going to build a bridge the very next day.

Mr. CHARLES B. SMITH. Well, the same situation prevails now. We want to get a bridge, and have been trying to induce somebody to build it, and these men are big enough so that they can be trusted, and the people are sure they will not abuse the permit.

Mr. MANN. I am perfectly willing, so far as I am concerned, to give everybody a right, if it is not a mere stock-jobbing proposition and is all right. This is not such a proposition?

Mr. CHARLES B. SMITH. This is not. These are leading men of the city.

Mr. CRAMTON. And these gentlemen have no interest adverse to the building of the bridge?

Mr. PARKER of New Jersey. I suppose the gentleman from New York will take the Senate bill from the Speaker's table and ask that it be considered in lieu of the House bill?

Mr. CHARLES B. SMITH. I ask that the Senate bill be now considered in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the Senate bill be considered in lieu of the House bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

A bill (S. 5534) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Niagara River at a point suitable to the interests of navigation, within or near the city limits of Buffalo, in the county of Erie, in the State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That, subject to the provisions of this act, the Secretary of War may permit the persons herein named to construct a tunnel or tunnels under said river in lieu of the bridge herein authorized, in accordance with the foregoing act approved March 23, 1906, so far as the same may be applicable.

SEC. 2. That this act shall be null and void unless the construction of said bridge or tunnels is commenced within two years and completed within five years from the date of approval hereof.

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

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

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

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

On motion of Mr. MANN, the bill H. R. 13485, of similar tenor, was laid on the table.

PERRY'S VICTORY MEMORIAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes.

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

Mr. STAFFORD. Reserving the right to object, this bill provides for the creation of a very large commission for administering the small monument.

Mr. SLAYDEN. It is a large monument.

Mr. STAFFORD. A large monument located on a small island to commemorate a great event. Will the gentleman advise the committee as to the necessity of allowing the expenses of this large commission to be paid out of the fees that are charged for admission to these grounds?

Mr. SLAYDEN. Mr. Speaker, I will tell the gentleman as briefly as possible. All I know about the bill is just what I learned when some distinguished gentlemen appeared before the committee and asked for its favorable report.

In March, 1911, the Congress made an appropriation of $250,000 to help build the monument on Lake Erie, having in view the double purpose of commemorating the Perry victory and also, although the logic of it I did not quite follow, I must confess, the celebration of the conclusion of 100 years of peace with Great Britain, because following the Perry victory the treaty was made by which armed ships of war were taken off the Lakes, and there have been none there since. The nine States referred to in the report that I wrote, to wit, New York, Pennsylvania, Rhode Island, Michigan, Kentucky, Illinois, Wisconsin, Massachusetts, and Ohio, made contributions, and the bill provides that after, in the course of nature, many of these commissioners who have been interested in the gathering of funds and looking after the construction of the monument shall have passed over, there will be three commissioners appointed by the President, and only three, from each of the States.

Mr. STAFFORD. What is the necessity of having representatives from each of the States?

Mr. SLAYDEN. I can not tell. I did not see any necessity for it myself. I favored a commission of three or, at most, five men. But the gentlemen who urged it said the people of the States wanted it, and the governors of the States wanted it, and I saw no good reason why it should not be done.

Mr. MANN. The monument was put up that way.

Mr. STAFFORD. The State of Illinois contributed, and the State of Wisconsin contributed, and other States contributed, and each State appointed commissioners to supervise the construction. Was it intended that those commissioners should hold office for life?

Mr. MANN. After all, a good many of the commissioners are dead now, or some of them are, that constructed this monument. This bill only provides we shall appoint commissioners to begin with, and as vacancies occur they shall not be filled.

Mr. STAFFORD. But the bill also provides that their expenses shall be paid out of these fees that are to be charged for seeing this monument?

Mr. SLAYDEN. Yes.

Mr. STAFFORD. The thought occurred to me—and I would like to inquire of the gentleman whether that was considered by the committee—that this monument should be placed exclusively under the jurisdiction of the park authorities of the National Government. I do not see justification for Congress sanctioning and recognizing the fee system—charging people a fee to see a great monument to commemorate a great victory—so as to defray the expenses of a commission, and also, it is true, for its maintenance.

Mr. MANN. Congress came in as a second horse here.

Mr. SLAYDEN. If Congress had paid all the expense and wanted to administer this park exclusively, what the gentleman from Wisconsin says might have some application; but people go there from Cleveland and Detroit and Toledo and other places, and they do not object to paying the small fee that is charged, and it will keep up and partially pay the expenses. Few people, comparatively, go to it.

Mr. STAFFORD. There are excursions running out from Toledo and Detroit and Cleveland during the summer, and the place is patronized by thousands of people. I believe, as in the case of national parks, this park should be open to the public without charge.

Mr. MANN. Let us see. Here are a lot of citizens who have put up this monument without asking aid directly from the Government. The Government, it is true, did contribute a little in the end, on the theory of the commemoration of 100 years of peace. But let us do something without requiring the Government to pay all the expenses of running it.

Mr. STAFFORD. Here are five Members from Wisconsin, gentlemen who went down there, I suppose, at the expense of the State of Wisconsin and had a nice junket at the expense of the funds provided by the State. Now, it is intended that their expenses in the future shall be paid out of these fees.

Mr. MANN. That, of course, means that there will not be much pay.

Mr. STAFFORD. The expense should be paid by Congress. Reserving further the right to object, Mr. Speaker, would it not be agreeable to the gentleman from Texas to allow this board to consist only of three Members on the part of the United States?

Mr. SLAYDEN. I would be breaking faith with the committee if I consented to any such thing as that.

I want to say to the gentleman that with reference to charging fees, that custom prevails throughout Europe, and I think it is a very wise one, because people who go traveling and who want to see these monuments and places of interest ought to be willing to pay for that privilege.

Mr. STAFFORD. The persons who visit this monument are usually persons who can not afford to pay. They are mostly excursionists.

Mr. SLAYDEN. If the gentleman will pardon me, I may say that they are people who can afford to go, because otherwise they would not go. They enjoy it, and there is no reason why they should not pay a trifling fee, instead of assessing it against the taxpayers. It must be paid by somebody.

Mr. STAFFORD. To-day we created a national park, the Mount Desert public monument, which is patronized mostly by

the wealthy. Here is the Put in Bay Monument, patronized mostly by the day excursionists from Cleveland and Toledo and Detroit. They take advantage of the excursion rate to go down to Put in Bay. You are going to charge a fee to those people, and you are going to charge it with the sanction of the Government of the United States.

Mr. FOSTER. They will appreciate it all the more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The Clerk read as follows:

A bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's Victory Memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes.

Whereas there has been erected by the Perry's Victory Centennial Commission, composed of members appointed pursuant to law, a great memorial monument on Put in Bay Island, Lake Erie, Ohio, at a cost of approximately $1,000,000, perpetually memorializing the victory of Commodore Oliver Hazard Perry in the Battle of Lake Erie, and Gen. William Henry Harrison's northwestern campaign in the War of 1812, and commemorating the century of peace which has ensued between Great Britain and the United States since the termination of that conflict by the signing of the treaty of Ghent; and

Whereas the Federal Government and the States of Ohio, Pennsylvania, Michigan, Illinois, Wisconsin, New York, Rhode Island, Kentucky, and Massachusetts have severally contributed to the payment of such cost; and

Whereas the legal title to the land constituting the site whereon said memorial has been erected is vested in the United States solely, in perpetual trust, for the use, occupancy, and enjoyment of said memorial and other memorial public uses and purposes not inconsistent with said memorial; and

Whereas said memorial is now self-sustaining and will so continue as to the maintenance thereof, if due provision is made for its care and protection: Therefore

Be it enacted, etc., That a Perry's Victory Memorial Commission is hereby created, consisting of Nelson A. Miles, Charles H. Davis, and J. Warren Keifer, commissioners of the United States; George H. Worthington, Webster P. Huntington, S. M. Johannsen, Eli Winkler, and Horace Holbrook, commissioners from the State of Ohio; A. E. Sisson, Milton W. Shreve, Edwin H. Vare, T. C. Jones, and George W. Neff, commissioners from the State of Pennsylvania; Arthur P. Loomis, John C. Lodge, Roy S. Barnhart, and E. K. Warren, commissioners from the State of Michigan; William H. Thompson, Chesley R. Perry, James Pugh, Richard S. Folsom, Nelson W. Lampert, Adam Weckler, William Porter Adams, Willis J. Wells, W. H. McIntosh, and H. S. Beckemeyer, commissioners from the State of Illinois; Frederick M. Symonds, John M. Whitehead, A. W. Sanborn, C. B. Perry, S. W. Randolph, Louis Bohmrich, and Sol P. Huntington, commissioners from the State of Wisconsin; William J. Conners, George D. Emerson, John F. Malone, Edward D. Jackson, Simon L. Adler, Martin H. Glynn, William F. Rafferty, William L. Ormrod, Charles H. Wiltsie, and Jacob Shifferdecker, commissioners from the State of New York; John P. Sanborn, Louis N. Arnold, Sumner Mowry, Henry Davis, and Harry Cutler, commissioners from the State of Rhode Island; and Henry Watterson, Andrew Cowan, Samuel M. Wilson, R. W. Nelson, and Mackenzie R. Todd, commissioners from the State of Kentucky, who shall serve without compensation save necessary expenses.

As vacancies occur in the commission on the part of the several States, they shall remain unfilled until only three commissioners from each State remain; thereafter the commissioners from each State shall be three.

When a vacancy shall occur in the commission on the part of the United States it shall be filled by the President of the United States, and when such vacancy shall occur on the part of any State the same shall be filled by the President of the United States on the recommendation of the governor of such State.

SEC. 2. That said commission, upon the said memorial and the site thereof being turned over to it, shall forthwith have full possession and control thereof with power to maintain, improve, protect, and preserve the same from injury thereto so far as its revenues will permit, and with power to appoint all necessary officers, agents, and employees, and to fix their compensation; also to have such other powers as may be necessary to accomplish the purposes and objects and to fulfill the duties of the commission. It shall not contract any debt or obligation payable otherwise than from the net revenues derived from its operation and management of said site and memorial or that may be derived by it from other sources.

SEC. 3. That the title to said memorial and site hitherto conveyed to the United States by the State of Ohio is hereby accepted by the United States for the uses, purposes, and trusts therein and by this act provided.

SEC. 4. That the said commission is authorized and empowered to receive donations and bequests, to improve said site, and to erect thereon, when sufficient funds are available for such purposes, other structures of a general public character, but the same shall harmonize with the memorial, and such structures when erected shall become subject wholly to said commission, and the title to the same shall vest as does the title to said site and memorial and be subject to the same uses, possession, trust, control, and management.

SEC. 5. That said commission, through its president and treasurer, shall make, in writing, a report to the Secretary of the Interior of the United States on the first Monday in December of each year, in which shall be stated the condition of the said site and memorial as to preservation and all receipts and disbursements of money pertaining thereto.

SEC. 6. That the officers of the commission shall be a president, vice president, secretary and treasurer, and such other officers, agents, and employees as it may deem necessary.

The commission shall have power to adopt rules and by-laws for its government and to provide the methods of voting and the number of votes each State having more than three commissioners shall cast at its meeting.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

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

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

AMENDMENT OF TITLE.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that the title to S. 5038, which was passed under suspension of the rules, may be corrected by the Clerk to conform to the text of the bill as it passed the House.

The SPEAKER pro tempore. Without objection it will be so ordered.

Mr. MANN. Has the gentleman indicated to the clerk how it is to be changed?

Mr. BANKHEAD. I have not, but I will do so.

FEDERAL BUILDING AT STEUBENVILLE, OHIO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3217) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I wish to inquire of the author of the bill as to the need of such a large addition as $150,000, which is by $30,000 more than the amount that was originally appropriated for this building. I understand that it is occasioned by the Federal court holding a term there and for accommodations for the court.

Mr. HOLLINGSWORTH. The report is quite full, and explains that specifically, better than I can. The estimate of $150,000 increase was made by the department uninfluenced, and it is made on a low basis of expense for construction, prewar basis.

Mr. STAFFORD. I notice that the letter of the United States district judge printed in the report gives the impression that the establishment of this fine, ornate public building will rather develop Federal litigation, and he cites the case of Dayton as having resulted in the development of such litigation by reason of the establishment of a Government building there. What kind of a judge have you out there, if I may inquire, who will make a recommendation of that purport?

Mr. HOLLINGSWORTH. I think my friend does not understand that letter.

Mr. STAFFORD. I will read the letter. Perhaps I am in error, and if I am I certainly do not wish to do this district judge an injustice. He says:

I sincerely hope that Steubenville may get its Federal building soon. There will be no court of any consequence there until that result is accomplished. It was so at Dayton. After the building was dedicated and a place thus furnished for a deputy clerk the business immediately developed, and year before last there were 56 cases that came into the court at Dayton alone.

That language may not have justified the statement I made, but I thought I was within bounds in claiming that this judge is inclined to desire ornate and luxurious quarters.

Mr. GORDON. So as to increase litigation.

Mr. STAFFORD. As the gentleman from Ohio suggests, to increase litigation.

Mr. HOLLINGSWORTH. Dayton is close to Cincinnati, and when there was no place in Dayton to hold the court, naturally the business was all transacted in Cincinnati. After they got a building in Dayton, then the business was transacted there, just as it will be in Steubenville. That was what the judge meant.

Mr. GORDON. All the business in that territory will be transacted there?

Mr. HOLLINGSWORTH. Yes. At the present time every case that can be taken to Columbus is taken there. That is what the judge means.

Mr. STAFFORD. He has a very unique way of expressing his intention, if that is his real purpose.

Mr. HOLLINGSWORTH. That is his real purpose.

Mr. STAFFORD. He knows how to use the English language so as to carry an impression just the opposite to that which he wishes to convey.

Mr. HOLLINGSWORTH. The State has been divided into Federal districts and the courts fixed there ever since 1915. The judge has been holding court just where he could find a place.

Mr. STAFFORD. Have any plans been drawn for the construction of this building?

Mr. HOLLINGSWORTH. They are simply awaiting the action of Congress. This bill has been passed twice, but by some means or other it got into a committee and stayed there, and failed in the last Congress simply because of getting into a committee pigeonhole.

Mr. STAFFORD. Has it passed this House before?

Mr. HOLLINGSWORTH. It has passed this House and also passed the Senate.

Mr. STAFFORD. If the bill was passed before, I do not wish to go further in scrutinizing the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SISSON. I object.

Mr. HOLLINGSWORTH. Will not the gentleman reserve his objection?

Mr. SISSON. I object.

UNITED STATES DISTRICT COURT OF OKLAHOMA.

The next bill on the Unanimous Consent Calendar was the Senate joint resolution 208, providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla.

The SPEAKER pro tempore. Is there objection?

Mr. MOORES of Indiana. Reserving the right to object, I would like to ask the gentleman what is the possible justification for the compelling a district judge to go from Muskogee 256 miles to try possibly one jury case a year?

Mr. CARTER of Oklahoma. This court site is necessary on account of the large volume of Federal court business adjacent to the vicinity. On account of Indian land titles, enforcement of prohibition, and other causes the United States courts have extensive jurisdiction in eastern Oklahoma, and most of the restricted Choctaw Indians reside in that section.

The city of Hugo is located some 15 or 20 miles north of Red River, which is the Texas line, and some 80 or 90 miles west of the Arkansas line. Many people having business with this court have to travel right through Hugo and on to McAlester, more than 125 miles distant, which means much needless expense and time that might be avoided with a term of court at Hugo.

Mr. MOORES of Indiana. I am asking for information. Are not nearly all of these Indian land titles tried in equity without a jury?

Mr. CARTER of Oklahoma. No; a great many are tried by a jury.

Mr. MOORES of Indiana. What proportion are law cases, do you know?

Mr. CARTER of Oklahoma. I can not tell the gentleman offhand.

Mr. MOORES of Indiana. I had a general impression that only a few were law cases.

Mr. CARTER of Oklahoma. A great many require jury trials, and many find their way to the Supreme Court of the United States eventually because they involve Federal questions.

Mr. MOORES of Indiana. There is no sense in asking a judge to hold court 250 miles from home to try equity cases.

Mr. CARTER of Oklahoma. It would be more expensive to the Government to have the parties and witnesses travel 250 miles to McAlester or Ardmore, going and returning, after they reach Hugo. A great part of this business will come from east of Hugo—probably 40 per cent—and at present they have to travel through Hugo and on to McAlester or Ardmore.

Mr. MOORES of Indiana. The gentleman understands that there is no sense at all in the committee's report as to the liquor cases, because Oklahoma is a dry State.

Mr. CARTER of Oklahoma. That is true; it is a dry State; and that part of the country has been dry for some time. There may be a few stills running at intervals up in the mountains; and the prohibitionists are strong for the bill as well as others.

Mr. MOORES of Indiana. If that is a fact, I will object to it. [Laughter.]

Mr. CARTER of Oklahoma. I hope the gentleman will not object. This is badly needed, and I ask the gentleman to reserve his objection.

Mr. MOORES of Indiana. If the gentleman can give me any good reason why a judge should travel 500 miles at his own expense to try one law case a year, I will.

Mr. CARTER of Oklahoma. Mr. Speaker, I am sure I did not make myself clear, else the gentleman from Indiana would not have insisted, for I am sure he has no desire to inflict any such inconvenience on the people of my section as present conditions impose.

The business of the Federal court in eastern Oklahoma is enormous. It is a much broader jurisdiction than that common to many other States. We have more than 100,000 Indian allottees in that section, and they have allotted from 110 to 320 acres of land each. Practically every land suit involving title to these lands in any manner may find its way into this Federal court. In addition to this the enforcement of liquor laws, internal-revenue laws, and many other cases keep the dockets congested, and I am sure if my friend understood the hardships imposed on the citizenship of southeast Oklahoma by present conditions he would not object to this bill. The bill means a great deal to many of my constituents. This will in all likelihood be the last opportunity for unanimous-consent consideration during this Congress, and I hope the gentleman will summon all his powers of forbearance and let this much needed resolution have consideration.

Mr. MOORES of Indiana. What percentage of pleas of guilty are entered in the criminal cases?

Mr. CARTER of Oklahoma. The gentleman knows we Congressmen are kept on the job here so constantly that it is impossible for us to keep track of law business, or any other business for that matter, back in our home States. I am unable to give that information, but I presume about the same per cent as in other States having similar cases. I doubt if many States in the Union have as large dockets as that in eastern Oklahoma; that is, from the standpoint of cases actually filed and tried.

Mr. MOORES of Indiana. Where does the court sit except at Muskogee?

Mr. CARTER of Oklahoma. Muskogee, Vinita, Tulsa, and McAlester, in the northern part of the State, and at Ardmore, in the southern part of the State.

Mr. MOORES of Indiana. How far is Ardmore from this place?

Mr. CARTER of Oklahoma. It is 101 miles from Hugo, but I think most cases from this part of the district go to McAlester. This necessitates 50 miles travel west over the Frisco to Durant, a change of cars, and then 75 or 80 miles north on the Katy to McAlester. But many of these litigants must travel 50 to 100 miles before reaching Hugo on their way to McAlester, thereby requiring four or five hundred miles travel in one trip to court.

This Federal court has about the same volume of Indian business as the ordinary State circuit has of all business. There are more restricted Choctaw Indians residing convenient to Hugo than to any other city of like size in Oklahoma. It is not fair to force them into the Federal court and then keep the court 200 miles away from them. They are demanding that this court be made more convenient, and they have a right to more considerate treatment. If the United States court did not have such wide jurisdiction, if the court cases involved only the small amount of business usual with Federal courts, then the emergency would not be so urgent; but we should not expect people to travel all this distance and take all this time from their business in attendance on court which is nothing more nor less in many cases than the Nation's business.

The committee has amended this bill so as to relieve the Government of any expense for quarters. Therefore its passage will involve no expense to the Government.

If I am only able to make clear conditions as they actually exist, if I could only make my friend understand the pressing necessity for the establishment of a court in this vicinity, I am sure he would not object to consideration of this important resolution.

Mr. MOORES of Indiana. Mr. Speaker, I withdraw the objection.

Mr. CARTER of Oklahoma. I thank the gentleman very much.

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

The Clerk read as follows:

Resolved, etc., That one term of the United States District Court for the Eastern District of Oklahoma shall be held each year on the second Monday in May at Hugo, in said State and district, and all acts and parts of acts not in accordance herewith are hereby modified in accordance with the provisions of this act.

With the following committee amendment:

Page 1, at the end of line 8, add the following:
"*Provided*, That suitable quarters for holding said court shall be furnished without expense to the Government."

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

Mr. CARTER of Oklahoma. 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 Oklahoma asks unanimous consent that the resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

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

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CARTER of Oklahama, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

FEDERAL BUILDING AT STEUBENVILLE, OHIO.

Mr. HOLLINGSWORTH. Mr. Speaker, I ask unanimous consent to return to No. 291 on the calendar, being H. R. 3217, respecting the Federal building at Steubenville, Ohio.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to return to Calendar No. 291. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, I hope the gentleman will withhold that request until the gentleman from Mississippi [Mr. SISSON] returns.

Mr. HOLLINGSWORTH. I do not think I will. I would rather make a demand for a quorum. I will modify my request.

The SPEAKER pro tempore. Is there objection to the request made by the gentleman from Ohio?

Mr. SISSON. What is the request?

The SPEAKER pro tempore. The request is that the House return to the consideration of the bill H. R. 3217.

Mr. SISSON. Mr. Speaker, I object.

Mr. HOLLINGSWORTH. Then, Mr. Speaker, I ask unanimous consent for permission to move to suspend the rules at this time.

The SPEAKER pro tempore. The Chair can not recognize the gentleman for that purpose now.

Mr. HOLLINGSWORTH. But I asked unanimous consent.

The SPEAKER pro tempore. The Chair will put the request.

Mr. SISSON. I object.

The SPEAKER pro tempore. The gentleman from Mississippi objects, and that settles the matter.

Mr. HOLLINGSWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOLLINGSWORTH. May I move to suspend the rules?

The SPEAKER pro tempore. The Chair can not recognize the gentleman to make that motion now.

Mr. AUSTIN. Mr. Speaker, I ask the gentleman from Mississippi [Mr. SISSON] to withhold for a moment his objection to the consideration of this request for unanimous consent.

Mr. SISSON. How is that?

Mr. AUSTIN. May I crave the indulgence of the gentleman from Mississippi to withhold his objection to unanimous consent for a moment?

Mr. SISSON. Yes, I will withhold it.

Mr. AUSTIN. Mr. Speaker, I sincerely trust that my friend from Mississippi will not prevent the consideration of this measure at this hour. This is the last and only opportunity to pass this bill. It is strongly recommended by the Treasury officials, and the gentleman from Ohio [Gen. HOLLINGSWORTH], who has served so long and faithfully here, retires on the 4th of March. He has had this proposition very close to his heart and the merits of the bill so appealed to us that the Committee on Public Buildings and Grounds made an exception of the bill. We did that because it has not only merit but we thought that we would extend this favor to the retiring Member from Ohio. He and the gentleman from Ohio now in front of me [Gen. SHERWOOD] and the gentleman from California [Maj. OSBORNE], are the only Members serving in the lower House of the American Congress who fought to preserve the Union we love so well, and if this request was coming from the gentleman from North Carolina [Maj. STEDMAN] or the gentleman from Louisiana [Gen. ESTOPINAL], who served equally well in the Confederate Army, I would stand here and if necessary appeal to my Republican colleagues not to obstruct the passage of a measure in which they were interested.

I appeal to my big-hearted and generous friend from Mississippi [Mr. SISSON], and I hope my appeal does not fall upon deaf ears.

Mr. SISSON. Mr. Speaker, I want to state to the House the reason which prompted me to make this objection. There are now pending in the Committee on Appropriations requests for public buildings. I can not tell how many are there asking to be made special bills. I felt that matters of this kind ought to be dealt with just alike.

Mr. HOLLINGSWORTH arose.

Mr. SISSON. If the gentleman just will not interrupt I will state what I am going to be prompted to do. [Applause.] My purpose in objecting was that all these matters might be dealt with in exactly the same manner, but I am going to heed the appeal made by my friend from Tennessee [applause] and withdraw my objection.

The SPEAKER pro tempore. Is there objection?

Mr. DUPRÉ. Mr. Speaker, reserving the right to object, I assume probably the suggestion I made that my colleague from Louisiana [Gen. ESTOPINAL] would not object might have had something to do with the persuasive manner in which Representative AUSTIN of Tennessee has made his appeal—without reference to me—and that Mr. SISSON of Mississippi has withdrawn his objection. [Laughter and applause.]

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 3217) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio.

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

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

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

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase or otherwise, such additional lands or rights contiguous to the building site now owned by the United States in Steubenville, in the State of Ohio, as may be necessary for the erection and completion on the lands thus owned and acquired of a suitable building, with fireproof vaults therein, for the use and accommodation of the United States court and post office, at an additional cost not to exceed $150,000, in addition to amounts heretofore authorized.

Mr. BLANTON. Mr. Speaker, I would like to ask the gentleman from Ohio a question. How large a place is Steubenville?

Mr. HOLLINGSWORTH. By the census of 1910 it is shown as having a population of 22,000 plus. That is in 1910, but my guess would be, and I am pretty familiar with it, that it is around 30,000. Of course this is only a guess. It is an up-to-date progressive city.

Mr. BLANTON. I understand an appropriation of $30,000 has already been authorized for a building there. Is that the fact?

Mr. HOLLINGSWORTH. There was an appropriation in the Sixty-first Congress for the erection of a post office.

Mr. BLANTON. That $30,000 is still available?

Mr. HOLLINGSWORTH. Thirty-five thousand dollars of that was used for purchase of a site.

Mr. BLANTON. And there is $120,000 authorized in addition to this $150,000?

Mr. HOLLINGSWORTH. There is $85,000 unexpended. Thirty thousand dollars of the original authorization went to complete the site, and after that the report shows $10,000 more are needed. After purchase of site, this rearranging of the Federal districts in the State took place. That was under my predecessor. I was a Member of Congress when the post-office building was provided for. Then, in the whirligig of Ohio politics, another came in, and he introduced the court bill, but he did not provide for any building. He sat here with me just a while ago, and is favorable to this bill.

Mr. BLANTON. There is a building there, though?

Mr. HOLLINGSWORTH. Oh, no; there is not anything. If you will look at the report you will see that they are paying $3,000 for a post office there now as rental, as the report shows.

Mr. BLANTON. The point I am getting at is this: There is an appropriation available outside of this proposed $150,000. Is there or is there not an appropriation available?

Mr. HOLLINGSWORTH. Why, certainly.

Mr. BLANTON. Of how much?

Mr. STAFFORD. Eighty-five thousand dollars.

Mr. BLANTON. Mr. Speaker, I offer an amendment.

Mr. KNUTSON. Will the gentleman from Texas yield to me for just a moment?

Mr. BLANTON. In just a minute. I offer the following amendment: Strike out "$150,000" and insert "$100,000" in lieu thereof.

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

Mr. BURNETT. Mr. Speaker, I make the point of order that this being by unanimous consent no amendment can be offered.

The SPEAKER pro tempore. The point of order is overruled. The Clerk will report the amendment.

The Clerk read as follows:

Mr. Blanton offers the following amendment: Line 11, strike out "$150,000" and insert "$100,000."

Mr. BLANTON. Mr. Speaker, in a town of only 22,000 inhabitants, and where there is already authorized an appropriation of $85,000, and where there has been already purchased a site available for this building, to be used jointly as a post office and a court, I can not for the life of me at this time and under the conditions which confront us see why there should be expended this $150,000 additional. I believe if the same kind of judgment was used in constructing public buildings by the Government as is used in constructing private buildings that we could get a better building out of half of the money that we appropriate at each session of Congress. And I think that with the $85,000 already provided for and $100,000 additional there should be built in this little town in Ohio a suitable building, commensurate with the needs of that country, both for a post office and court. I know of a number of court buildings that have every kind of facility, every kind of convenience, even for a Federal judge to hold court in, that have cost less than $185,000.

Mr. KNUTSON. Will the gentleman yield just a moment?

Mr. BLANTON. Certainly.

Mr. KNUTSON. The gentleman represents a district that is fast coming to the front as an oil-producing district.

Mr. BLANTON. Yes.

Mr. KNUTSON. It will no doubt be necessary for the gentleman to come in with bills, using the same method as the distinguished gentleman from Ohio [Mr. HOLLINGSWORTH].

Mr. BLANTON. Yes. I do not want the gentleman to take all my time.

Mr. KNUTSON. I am not taking all your time.

Mr. BLANTON. I will answer the gentleman from Minnesota.

Mr. KNUTSON. I want to make an observation, Mr. Speaker.

Mr. BLANTON. I do not yield to the gentleman any further. For one of the largest oil fields in the United States to-day, at Ranger, Tex., a little town which about a year ago had 800 people, and now has 25,000 people, a field which flows to-day 55,000 barrels of oil per day, I have asked for a very modest sum for a post-office building, and if that money is expended properly there will be a post-office building adequate for the needs of the people for years to come.

Mr. ELSTON. Do you mean the building or the site?

Mr. BLANTON. For a building. I can take $5,000 in my portion of the country and build a better building than the Government can construct with $10,000. I want to see the time come when the Government can get as much for its money as a private citizen can. I think $150,000 additional is entirely too much, Mr. Speaker, and I hope the amendment will prevail.

Mr. EAGLE and Mr. BURNETT rose.

The SPEAKER. The gentleman from Texas is recognized.

Mr. MANN. Oh, Mr. Speaker, if we are going to take all the time on this amendment, we will quit now.

Mr. BURNETT. I would like to have five minutes to reply to the gentleman from Texas [Mr. BLANTON].

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

The question was taken, and the chairman announced that the "noes" seemed to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 3, noes 39.

So the amendment was rejected.

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

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

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

CUSTODIAN SERVICE, TREASURY DEPARTMENT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 344) for the regulation of salaries in the custodian service of the Treasury Department.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves the right to object.

Mr. STAFFORD. Mr. Speaker, this bill provides for an increase of salaries for a large number of people in the custodian force. There are some discrepancies in the salaries fixed in the bill. For instance, on page 2, line 23, the salary of the chief engineer is fixed at $2,500, whereas the assistant chief engineer is to receive the same salary. You grant him the maximum salary of $2,500. There ought to be some leeway, some difference, between the salary paid the chief engineer and that of the assistant engineer. You should not grant the assistant engineer the maximum salary which is paid to the chief engineer.

Mr. LOBECK. I wish to state to the gentleman from Wisconsin that in preparing the bill H. R. 344, the bill now under consideration, the committee went over it carefully with the officials of the Treasury Department, and we thought the bill as prepared fixed salaries in an equitable manner.

Mr. STAFFORD. I think in the case instanced it must have been an oversight, because in most instances you grade the salaries. Would the gentleman have any objection to inserting in lieu of "$2,500" the salary of "$1,200 to $2,000" for the assistant chief engineer. That would be in harmony with the general plan. On page 2, line 23, you provide for a chief engineer at $2,500, and in the next line you provide the salary of the assistant chief engineer also at $2,500. Certainly a less salary should be paid to the assistant engineer than the maximum salary paid to the chief engineer.

Mr. LOBECK. I think myself that is an error. I will be glad to accept a proper amendment.

Mr. STAFFORD. I direct the gentleman's attention also to section 3, authorizing the Secretary of the Treasury to vary from the schedule of salaries set forth in the preceding sections. What is the necessity of allowing the Secretary of the Treasury to override the action of Congress and pay these employees any salary he chooses?

Mr. LOBECK. Well, it has been the custom heretofore, for all time; the Secretary of the Treasury has been authorized to fix these salaries according to the location of the buildings throughout the country. There are certain portions of the country now where there is not the same amount in the day's work; that is, the length of work is not as much as it is in other parts of the country, and during certain periods of the year they do not need the service all the time. So, in the first place, the gentleman from New York [Mr. CHARLES B. SMITH] introduced a bill in the Sixty-fourth Congress. We had that up for consideration in our committee several times, and reported back a bill in substance like this which is now before the House, H. R. No. 344. We found out, upon consideration, that in the larger cities, those that have a population of 100,000 or more, it was necessary to pay a larger wage than in cities of from 25,000 up to 100,000, and still less in cities of less than 25,000.

If the gentleman from Wisconsin will consult the hearings—I do not know whether he has a copy; if not, I will give one to him—he will find out that it was thought wise by the committee of the Treasury Department to divide the buildings into three classes.

Mr. STAFFORD. I am not objecting to the classification, but I do not think we should grant to the Secretary of the Treasury unlimited authority to pay any salary to these officials that he sees fit. We are making a liberal provision for these respective employees of the Government. Their salaries should be increased. They should have been increased a long time ago.

Mr. LOBECK. Surely.

Mr. STAFFORD. But I think that section 3 should be eliminated from the bill.

Mr. LOBECK. The Secretary of the Treasury has had to pay these salaries out of lump sums appropriated by Congress.

Mr. STAFFORD. That is what we want to overcome. I am sorry to say that the Committee on Appropriations are at fault. For several years I have attempted, in committee and on the floor, to have the lump-sum appropriations for the custodian force of the country increased, but without success. Now, the salaries provided in this bill are not inordinately high. Let us prescribe them, and allow the men to receive these salaries.

Mr. LOBECK. The salaries which are here provided.

Mr. STAFFORD. Is the gentleman willing to have section 3 stricken out? I think it is fair that the employees should receive the salaries prescribed in this bill.

Mr. LOBECK. Yes; I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

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

There was no objection.

Mr. LOBECK. I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

The Clerk read as follows:

Assistant chief engineer, $2,500 per annum.

Mr. STAFFORD. I move to strike out "$2,500" in line 24, page 2, and insert "$1,200 to $2,000."

Mr. LOBECK. I accept the amendment.

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

The Clerk read as follows:

Page 2, line 24, strike out "$2,500" and insert "$1,200 to $2,000."

The amendment was agreed to.

The Clerk read as follows:

Engineer-electrician (second class), $1,200 per annum.
Engineer-electrician (third class), $1,200 per annum.

Mr. MANN. Mr. Speaker, what is the object in having an engineer-electrician (second class) and an engineer-electrician (third class), whose salary is the same?

Mr. LOBECK. The work is the same in both classes of building.

Mr. STAFFORD. This bill, as has been explained, divides the cities into three classes according to population, and salaries paid to these engineer-electricians are the same in both classes because the work is the same in both classes.

The Clerk read as follows:

SEC. 3. That the Secretary of the Treasury is authorized to vary from the schedule of salaries hereinabove set forth in such cases where, in his judgment, a strict adherence thereto would militate against procuring the services of suitable and efficient employees or would result in the payment of a larger compensation than is warranted by local conditions, character of employment, etc.

Mr. STAFFORD. Mr. Speaker, I move to strike out section 3.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Page 7, line 4, strike out all of section 3.

Mr. STAFFORD. Mr. Speaker, just a word. As was stated in the colloquy with the gentleman from Nebraska [Mr. LOBECK], this section would give the Secretary of the Treasury the privilege of reducing or increasing the amounts carried in this bill. It might result in the same low salaries remaining in effect that are now being paid to the custodian force, because the total appropriation carried in the sundry civil bill might not be adequate to give these salaries. If section 3 is stricken out, the men will receive the increase of salaries, and if the appropriation is inadequate that will be a warrant for a deficiency appropriation to pay the salaries which this bill prescribes.

Mr. LOBECK. Does the gentleman mean that if this section stays in the bill the Secretary of the Treasury could reduce the salaries below the figures fixed here?

Mr. STAFFORD. That is one of the provisions of this paragraph.

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

The amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. LOBECK. Mr. Speaker, I ask unanimous consent to go back to section 1, line 8. Section 3 has been stricken out, and the words in line 8 are "except as set forth in section 3 hereof." I move that those words be stricken out.

The SPEAKER pro tempore. The gentleman asks unanimous consent to return to section 1, line 8. Is there objection?

There was no objection.

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

The Clerk read as follows:

Page 1, line 8, after the word "schedule," strike out the remainder of the paragraph.

The amendment was agreed to.

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

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

BRIDGE ACROSS THE COLUMBIA RIVER, STATE OF WASHINGTON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13915) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DILLON. Mr. Speaker, I ask unanimous consent that the bill S. 5316, a similar bill on the House Calendar, be substituted for the House bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Wenatchee-Beebe Orchard Co., a corporation organized under the laws of the State of Maine, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near a point within 4 miles northerly from the town of Chelan Falls, in the county of Chelan, in the State of Washington, 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 pro tempore. The question is on the third reading of the Senate bill.

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

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

The bill H. R. 13915 was laid on the table.

SALARIES OF CLERKS OF UNITED STATES DISTRICT COURTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3079) to fix the salaries for clerks in the United States district courts and to provide for their official expenses, and for other purposes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That on and after the 1st day of July, 1918, all clerks of United States district courts shall be appointed by the judge for the district, or the senior judge if there be more than one judge in the district, subject to the approval of the senior circuit judge for the circuit in which the district is situated, and all fees and emoluments authorized by law to be paid to the clerks of the United States district courts, except the clerks of the district courts of Alaska, shall be charged as heretofore and shall be collected, as far as possible, and paid into the Treasury of the United States in such manner and at such times as hereinafter provided; and such clerks shall be paid, in lieu of the fees and emoluments now allowed by law, an annual salary as hereinafter provided: *Provided*, That this section shall not be construed to require or authorize fees to be charged or collected from the United States.

SEC. 2. That the clerk of the United States district court for each of the judicial districts of the United States, except the clerks of the district courts of Alaska, shall be paid, in lieu of the fees, salaries, and per cent now allowed by law, an annual salary to be fixed by the Attorney General at not less than $2,500 nor more than $5,000, based in each instance upon the amount of business transacted by the court and the fees and the emoluments received by the clerks in the four years last preceding.

SEC. 3. That when any clerk of a district court is necessarily absent from his official residence on any official business he shall be allowed his actual traveling expenses only and his necessary and actual expenses for lodging and subsistence, the latter not to exceed $4 per day.

SEC. 4. That when, in the opinion of the Attorney General, the public interest requires it he may, on the recommendation of the clerk of a district court, which recommendation shall state facts (as distinguished from conclusions) showing necessity for the same, allow such clerk to employ necessary deputies and clerical assistants, upon compensation to be fixed by the Attorney General from time to time and paid as hereinafter provided.

When any such deputy or clerical assistant is necessarily absent from the place of his regular employment on official business he shall be allowed his actual traveling expenses only and his necessary and actual expenses for lodging and subsistence, the latter not to exceed $3 per day.

SEC. 5. That the necessary office expenses of the clerks of the district courts of the United States shall be allowed when authorized by the Attorney General.

SEC. 6. That the salaries of the clerks, deputy clerks, and clerical assistants to the clerks of the district courts shall be paid monthly by the marshals of the respective districts.

SEC. 7. That the expense accounts of clerks of the United States district courts, when made out and verified, and the expense accounts of their deputy clerks and clerical assistants, when made out and certified as correct by the clerk of such court, covering the necessary expenses incurred by such clerk, deputy clerk, or clerical assistants when necessarily absent from the place of regular employment on official business, shall be paid by the marshal, who shall include them in his accounts with the United States.

SEC. 8. That the necessary office expenses of the clerk of the United States district court, as allowed and authorized by the Attorney General, shall be paid by the marshal and included in his accounts with the United States.

SEC. 9. That the clerk of every district court, except the clerks of the district courts of Alaska, shall account quarterly for all the fees and emoluments earned during the quarter last preceding such accounting, except where the person requiring the services is relieved by law from prepayment of fees and costs, and for all fees and emoluments received within the quarter which had been earned prior thereto. Such accounting shall be in writing and shall be made to the Attorney General, in such form as he may prescribe, on the 1st day of January, April, July, and October in each year, or within 20 days thereafter, and shall include all moneys received in connection with the admission of attorneys to practice in the court, all that portion retained by the clerk of moneys received for services in naturalization proceedings in whatever capacity rendered, and all other amounts received for services in any way connected with the clerk's office. Such accounts shall be made in duplicate and be verified by the oath of the officer making them. The Attorney General shall cause each such return or account to be carefully examined by the proper officer of the Department of Justice and shall approve the same as he may deem just and proper, and shall transmit it with his approval to the Auditor for the State and Other Departments, by whom an account shall be stated against the officer rendering such return or account. Immediately upon receipt of notice from the auditor, or within 10 days thereafter, the clerk shall deposit to the credit of the Treasurer of the United States the amount so stated against him.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, on page 3, line 9, I find that the limit of expenses for the deputy clerk when it is necessary for him to travel in the performance of a public duty is only $3 a day, while when the clerk himself travels it is $4 a day. I can see no difference. I do not know why one should be allowed $4 and the other only $3.

Mr. SIEGEL. The clerk himself must travel a greater distance for the purpose of covering the entire field, while the deputy clerk travels only over part of the circuit. That was considered in the Senate. The Attorney General recommends that it be fixed in that way.

Mr. McLAUGHLIN of Michigan. When one official travels he is at as much expense as the other. If it will not embarrass the bill, this being a Senate bill, I should offer an amendment.

Mr. SIEGEL. Mr. Speaker, I will ask the gentleman not to offer an amendment for this reason: The clerks and the Attorney General and everyone else asks for the passage of this bill as it is.

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

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

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. DYER. Mr. Speaker, I desire to ask the gentleman a question. On page 1 there is a provision that the clerks shall be appointed by the judge for the district, or the senior judge, if there be more than one judge of the district. Has the gentleman examined the bill that we passed some time ago increasing the pay of Federal judges and making other provisions with reference to the appointment of additional judges?

Mr. SIEGEL. Yes.

Mr. DYER. Does the gentleman know, from his examination and consideration of this, in connection with the Department of Justice, who would appoint the district clerks in those cases—whether the old judge or the judge coming in, if one does come in under the provisions of that law?

Mr. SIEGEL. My understanding of the opinion of those favoring this bill is that the old judge would make the appointment.

Mr. DYER. Is the gentleman positive about that or is he guessing at it?

Mr. SIEGEL. I am not guessing at it. That is what I have been told. Take New York, with its four judges. The appointment has to be made subject to the senior judge.

Mr. DYER. One provision of that bill is that the President may appoint an additional judge where he finds the present judge, because of physical or mental disabilities, unable to perform the duties of the office. My understanding of that bill was that the new judge appointed would be the senior judge in effect.

Mr. MANN. Yes.

Mr. DYER. He would appoint the clerk, would he not?

Mr. MANN. I think that is correct.

Mr. DYER. That was my understanding, and I think the gentleman from New York is wrong.

Mr. SIEGEL. My understanding was the other way, but it would not make any difference, because where there is more than one district judge the appointment would have to receive the approval of the senior circuit judge.

Mr. DYER. The new judge in that case would make the appointment, subject to the approval of the senior circuit judge.

Mr. MANN. I think so, under that bill.

Mr. DYER. It makes no difference, but I just wanted to get the information.

Mr. SIEGEL. I differ on that point.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. SIEGEL. Yes.

Mr. BLANTON. What is the necessity of a deputy clerk traveling over the district?

Mr. SIEGEL. The necessity is this: Let us take a district like New York, for example, where there are eight criminal cases proceeding at the present time. The chief clerk is expected to remain there and the deputy clerk would have to go about in the district if it was decided to hold court somewhere else outside of Manhattan Borough.

Mr. BLANTON. The way business is transacted in the State of Texas, there are six places where one district judge holds court, and at each of those places there is a resident deputy clerk.

Mr. HASTINGS. That is not true in Oklahoma.

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

The SPEAKER pro tempore. The regular order is, Shall the bill pass?

The question was taken, and the bill was passed.

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

On motion of Mr. SIEGEL, a similar House bill—8426—was ordered to lie on the table.

Mr. LOBECK. Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD on the custodian bill, just passed.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MAKING GULFPORT, MISS., A PORT OF ENTRY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5999) for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise.

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

There was no objection.

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

The Clerk read as follows:

Be it enacted, etc., That the privileges of the first and seventh sections of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement be, and are hereby, extended to the port of Gulfport, Miss.

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

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

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

STOCK-RAISING HOMESTEADS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12589) to amend section 4 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, are we to understand that the purpose of this bill is to increase the acreage that may be obtained by homesteaders from 320 to 640 acres?

Mr. GANDY. Not in the least.

Mr. STAFFORD. The report is not very clear in that respect.

Mr. GANDY. Down to the proviso this follows the same language as present section 4. There are quite a few cases where men have taken noncontiguous additional entries under the half-section act. Folks who have that kind of an entry, who are residing on the land, should not be barred from taking such acreage adjoining them as will give them a total of 640 acres. They are barred if their noncontiguous additional is more than 20 miles from their original, notwithstanding they are living on the noncontiguous additional.

Mr. STAFFORD. Well, was it intended when that original act was passed that we would only grant this privilege to take this land within immediate territory? At the suggestion of my then colleague, the gentleman from Wisconsin, Mr. LENROOT, it was placed at 10 miles, and later it was extended to 20 miles. Now, is it intended to have no limit?

Mr. GANDY. Let me say to the gentleman at the time that bill was passed we did not have a provision for the noncontiguous additional under the half-section act. That has been passed since the section act was passed. The intention of Mr. LENROOT, who, during the consideration of the section bill, offered the amendment on the 20-mile limitation to my amendment providing for noncontiguous additional entries was that

the said additional should be within that distance of the place where the homesteader resides. This amendment simply permits a homesteader who is residing on the noncontiguous additional under the half-section act to fill his section adjoining it. It does not permit him to go any place else.

Mr. STAFFORD. As I understand it, it permits him to take more than 640 acres——

Mr. GANDY. No.

Mr. STAFFORD. Besides the original entry.

Mr. GANDY. No; the original, the noncontiguous additional under the half-section act, and then this additional under the section act must not exceed 640 acres, subject to all being designated under the section act. Thus if the original is not of the kind and character contemplated by the section act he could not take anything under this, but if the original and noncontiguous additional on which he is living and which he is cultivating are of that kind of land, then there is no reason why, if there is any adjoining vacant public land, he should not be permitted to file on it.

Mr. STAFFORD. I ask the gentleman to have this bill passed over without prejudice.

Mr. GANDY. I hope the gentleman will permit this bill to go to passage.

Mr. STAFFORD. Oh, this merely grants to some persons who have large holdings at the present additional holdings and takes land from others who would like to locate on it.

Mr. GANDY. This is to take care of a condition that has arisen since section 7 was added to the half-section act.

Mr. STAFFORD. Well, Mr. Speaker, I object.

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

ADDITIONAL JUDGE FOR NORTHERN DISTRICT OF CALIFORNIA.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 2910) providing for an additional judge for the northern district of California.

The Clerk read the title of the bill.

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

Mr. WALSH. Mr. Speaker, I object.

Mr. KAHN. Mr. Speaker, I hope the gentleman will reserve his objection for a moment.

Mr. WALSH. I will reserve it for a moment, but I intend to object.

Mr. KAHN. Mr. Speaker, I hope the gentleman will not do that because there is a very serious condition in the northern district of California. That district is the second in the United States in point of number of cases on the calendar and tried. It is the first in the Union in the collection of fines. It pays its own expenses. There are now some 700 criminal cases waiting for trial and not a dead case in the lot. There are 3,500 civil cases between civilians to which the Government of the United States is not a party, but cases that have to be tried under the United States laws and in a United States court.

Mr. GORDON. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GORDON. Why have they not transferred a judge from some other district?

Mr. KAHN. I was going to say that they have had two judges there for 401 days within the last year and a half, and yet they can not seem to catch up with the calendar.

Mr. GORDON. Are they gaining any on it?

Mr. KAHN. No. They are not gaining, because about as many cases as they are able to try are filed, so that the calendar keeps right up. They have made no dent in it at all. It is a very serious condition. There are about a million inhabitants right around the bay of San Francisco; and then the court also holds a session in Sacramento, where there is a pretty good-sized calendar.

Mr. GORDON. That must be an awfully lawless community.

Mr. KAHN. Oh, well; it is not worse than Cleveland. [Laughter.]

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. I object.

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

Mr. RAKER. Mr. Speaker, if it is still in order, I hope the gentleman will let the bill remain on the calendar.

The SPEAKER pro tempore. The bill has already been stricken from the calendar.

Mr. RAKER. I ask unanimous consent to have it remain on the calendar and go to the foot of it.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that it may remain on the calendar and go to the foot of the same. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. I ask unanimous consent that I may extend my remarks upon this bill.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks on this bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

CONTRIBUTION OF NATIONAL BANKS TO UNITED WAR WORK CAMPAIGN.

The next business on the Calendar for Unanimous Consent was the Senate joint resolution 179, authorizing national banks to subscribe to the United War Work Campaign.

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

Mr. WALSH. Mr. Speaker, I object.

Mr. EAGLE. Will the gentleman reserve his objection?

The SPEAKER pro tempore. Will the gentleman from Massachusetts give ear to the gentleman from Texas? Will the gentleman reserve his objection?

Mr. WALSH. Yes; but I intend to object, I will say to my distinguished friend from Texas.

Mr. EAGLE. If the gentleman's mind is made up without any opportunity for an exchange of views, I will not ask for the time.

Mr. WALSH. I reserve the objection if the gentleman desires to extend his views, and will listen to them very gladly.

Mr. DUPRÉ. Will the gentleman insist, after the gentleman from Texas has spoken, in pursuing his inquiry?

Mr. WALSH. Not having made an inquiry, there is no reason for me to pursue it.

Mr. DUPRÉ. Will the gentleman insist in the enlargement of his language of the situation?

Mr. WALSH. I will reserve the objection. As I said, I will be very glad to hear the gentleman from Texas.

Mr. EAGLE. Mr. Speaker, I have no interest in this bill any different from what may be had by any other gentleman of the Congress. The Banking and Currency Committee of the Senate unanimously reported Senate joint resolution No. 179, and the Senate of the United States unanimously passed it. The Committee on Banking and Currency of the House of Representatives unanimously have passed this resolution and have asked that report be made on it to that effect, and it has been; and it has been placed on the calendar.

Mr. GORDON. What does the bill provide for?

Mr. EAGLE. I was going to state that next. It will follow in due course.

While the war was at its height, along in October, the President of the United States, at the solicitation of seven great American charitable organizations that desired to turn their activities to helpful purposes in the war, directed the designation of "The United War Work Campaign." These seven associations were the Young Men's Christian Association, the Young Women's Christian Association, the Knights of Columbus, the Jewish Welfare Board, the War Camp Community Service, the American Library Association, and the Salvation Army.

They started out to raise a total of $170,500,000, every cent of which was to be devoted to helping in a material way and in a moral way and in other ways, if possible, the soldiers of the American Army and the sailors of the American Navy. Most of that money has been raised. All that has been raised is being turned over to an incorporation entitled "The United War Work Campaign (Inc.)." Its officers are persons of the highest standing, even as its incorporators are; and so every branch of religion whose devotees live in this country, and every branch of charitable inclination in this land, desiring to do what the women and the men call "war work," have united their activities and their solicitations for the funds necessary to enable them to perform those activities.

For instance, in this aggregation $100,000,000, or 58.65 per cent, is the amount which the Young Men's Christian Association is to raise; the Young Women's Christian Association is to raise $15,000,000, or 8.80 per cent; the Knights of Columbus, $30,000,000, or 17.60 per cent; the Jewish Welfare Board, $3,500,000, or 2.05 per cent; the War Camp Community Service, $15,000,000, or 8.80 per cent; the American Library Association, $3,500,000, or 2.05 per cent; and the Salvation Army, $3,500,000, or 2.05 per cent.

I am almost done, and I appreciate the courtesy of the House and of the gentleman from Massachusetts [Mr. WALSH] for permitting me to make this statement. I want in conclusion to say only this: The 7,500 or 7,600 national banking associations are each and all by statute prohibited from making any contributions toward this cause, as they were prohibited from contributing to the Red Cross until a few months ago, when the

Congress amended the banking law so as to allow contributions to be made by national banks to the funds of the Red Cross. Now, a further amendment is proposed to allow national banks to subscribe to this fund by this joint resolution.

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

Mr. EAGLE. Yes; and I may say that this resolution expressly limits the time within which such subscriptions can be made to the termination of the war, which, of course, as we know, will be on the declaration of peace.

Now, one word more, and then I shall have said what it seems to me is proper to be said in this connection, and that is that the National Bankers' Association, in convention assembled, unanimously adopted a resolution, which they sent to our committee, asking that this legislation be passed. And, lastly, I want to add that the national banks have subscribed a total of some $6,000,000, contingent upon the possible passage of this resolution. The Senate has passed it unanimously. If consent is given for its present consideration, I believe it will pass almost unanimously in the House.

Mr. FESS. Some of us, and among us perhaps our friend from Texas, voted against singling out one of these activities, because it did not include the others. This is to include all the united war-work activities?

Mr. EAGLE. It is; and it is the giving of an opportunity to each and all persons so inclined to give that made it possible for the work that has been done in this common cause to be performed, thus eliminating entirely any sectarian, any religious, any denominational, or any other undesirable qualification. [Applause.]

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Well, Mr. Speaker, I was opposed to this policy, as instanced by opposing the bill to give the banks authority to contribute to the Red Cross; and certainly I am opposed to extending that authority and broadening the authority given to these banks, and therefore I object.

The SPEAKER pro tempore. The gentleman from Massachusetts objects, and the bill is stricken from the calendar. The Clerk will report the next bill.

AMENDMENT TO THE FEDERAL RESERVE ACT.

The next business on the Calendar for Unanimous Consent was the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States.

The title of the bill was read.

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

Mr. MANN. Reserving the right to object, if this had come up in the regular order I should have made a point of order against the amendment recommended by the committee, because it is subject to a point of order. I am opposed absolutely and clear through to section 4 of this bill permitting branch banking.

I do not know what other gentlemen may think about other features of the bill, but as far as I am concerned I am perfectly willing to consider the bill, if gentlemen still agree that section 4 of the House amendment be stricken out.

Mr. HAYES. Mr. Speaker, I ask unanimous consent that section 4 be stricken out.

Mr. PHELAN. Mr. Speaker, reserving the right to object, I wish to say that ordinarily when the committee of which I happen to be chairman reports a bill, I endeavor to keep in the bill all the sections which the committee have reported; but there are some sections of this bill that are of extreme importance; and because of the importance of those sections and the great necessity of getting action on this bill, I am perfectly willing to have section 4 stricken out if that will secure consideration for the bill.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think the bill is of such importance that some explanation should be made of the various purposes of the bill before it passes the objection stage.

Mr. PHELAN. I am perfectly willing to make any explanation that is necessary.

Mr. HAYES. Mr. Speaker, is it in order to put my request that section 4 be stricken out?

The SPEAKER pro tempore. The Chair hardly thinks it would be in order until consent is given for the consideration of the bill. Is there objection?

Mr. SISSON. Mr. Speaker, the bill has not been reported.

The SPEAKER pro tempore. The bill has been reported by title.

Mr. SISSON. By title, but not read.

The SPEAKER pro tempore. If the gentleman demands it, the bill will be read.

Mr. MANN. Is it proposed to read the Senate bill or the House amendment?

Mr. PHELAN. I ask unanimous consent that the reading of the Senate bill be dispensed with and that the Clerk read the House bill only.

Mr. MANN. The House amendment?

Mr. PHELAN. The Senate bill as amended by the House committee.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the House amendment be read. Is there objection?

There was no objection.

The Clerk read as follows:

That that part of the first paragraph of section 7 of the Federal reserve act which reads as follows: "After the aforesaid dividend claims have been fully met, all the net earnings shall be paid to the United States as a franchise tax, except that one-half of such net earnings shall be paid into a surplus fund until it shall amount to 40 per cent of the paid-in capital stock of such bank," be amended to read as follows:

"After the aforesaid dividend claims have been fully met, the net earnings shall be paid to the United States as a franchise tax, except that the whole of such net earnings shall be paid into a surplus fund until it shall amount to 100 per cent of the subscribed capital stock of such bank, and that thereafter 10 per cent of such net earnings shall be paid into the surplus."

SEC. 2. That that part of section 10 of the Federal reserve act which reads as follows: "The members of said board, the Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency, shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank," be amended as follows:

"The Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The appointed members of the Federal Reserve Board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank, except that this restriction shall not apply to a member who has served the full term for which he was appointed."

SEC. 3. That section 11 of the Federal reserve act, as amended by the act of September 7, 1916, be further amended by striking out the whole of subsection (m) and by substituting therefor a subsection to read as follows:

"(m) Upon the affirmative vote of not less than five of its members, the Federal Reserve Board shall have power to permit Federal reserve banks to discount for any member bank notes of any one borrower in excess of the amount permitted by section 9 and section 13 of this act: *Provided, however*, That all such notes discounted for any member bank in excess of the amount permitted under such section shall be secured by not less than a like face amount of bonds of the United States issued since April 24, 1917, or certificates of indebtedness of the United States."

SEC. 4. That section 25 of the Federal reserve act be amended by adding thereto a provision to read as follows:

"That any national bank located in a city or incorporated town of more than 100,000 inhabitans and possessing a capital and surplus of $1,000,000 or more, may, under such rules and regulations as the Federal Reserve Board may prescribe, establish branches, not to exceed 10 in number, within the corporate limits of the city or town in which it is located. But no such branch shall be established in any State in which neither State banks nor trust companies may lawfully establish branches, nor shall the number of branches which a member bank may establish exceed the number of branches which the laws of the State in which said bank is situated permit a State bank or trust company to establish within the corporate limits of said city or town."

SEC. 5. That section 5172, Revised Statutes of the United States, be amended to read as follows:

"That in order to furnish suitable notes for circulation the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved, in the best manner to guard against counterfeiting and fraudulent alterations, and shall have printed therefrom and numbered such quantity of circulating notes in blank, or bearing engraved signatures of officers as herein provided, of the denominations of $1, $2, $5, $10, $20, $50, $100, $500, and $1,000, as may be required to supply the associations entitled to receive the same. Such notes shall express upon their face that they are secured by United States bond deposited with the Treasurer of the United States, by the written or engraved signature of the Treasurer and Register, and by the imprint of the seal of the Treasury; and shall also express upon their face the promise of the association receiving the same to pay on demand, attested by the written or engraved signatures of the president or vice president and cashier; and shall bear such devices and such other statements and shall be in such form as the Secretary of the Treasury shall, by regulation, direct."

The SPEAKER pro tempore (Mr. HASTINGS). Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, let the chairman of the committee, Mr. PHELAN, explain the purposes of sections 1 and 2.

Mr. PHELAN. I will be very glad to explain the whole bill if the gentleman desires to have it explained now.

Mr. STAFFORD. That is the practice when we are considering bills by unanimous consent, particularly a bill of this importance.

Mr. PHELAN. Mr. Speaker, section 1 of this bill provides for a different application from that prevailing under present law of the earnings of the Federal reserve banks, above the dividend requirements. Under the present law, after the divi-

dends have been paid, all the net earnings are paid to the United States as a franchise tax, except that one-half of these net earnings are put into a surplus fund until that surplus fund reaches 40 per cent of the paid-in capital stock of such bank.

Under the proposed amendment the net earnings above dividend requirements are to be paid over to the surplus Federal reserve bank until it equals 100 per cent of the subscribed capital; that is, twice the paid-in capital, and thereafter annually 10 per cent of the net earnings above dividend requirements shall be paid into the surplus. There are three general purposes. In the first place, the building up of the surplus will make the Federal reserve banks even stronger than they are to-day. I think there is nobody—at any rate, nobody in this country—who questions the strength of these Federal reserve banks; but the war has made many changes. There are now in circulation a great many more Federal reserve notes than there were before the war broke out, or than were contemplated when the act went into effect. The banks have extended more credits than they would have extended if it had not been for the war, and anything we can do to add to the resources of the banks and to strengthen the banks, makes them better able to meet any necessary demands or expansion coming hereafter.

Mr. STAFFORD. Is there any way by which the Federal reserve banks can curtail the credit and asset currency they have floated during the war period?

Mr. PHELAN. They can do it whenever it is desirable to do it—whenever the commercial or governmental needs are such that they can do it without interfering with such needs.

Mr. STAFFORD. Does not the gentleman believe that the tremendous expansion of credit that has been going on during the war should be curtailed?

Mr. PHELAN. I do not know that it should be. I hope that conditions will permit it to be done. I think we are in a position where it is being done. I think within a short time there has been a curtailment of 400,000,000 Federal reserve notes.

Now to continue: The second reason, looking at it from a domestic standpoint, for this amendment is this: In 10 of the 12 Federal reserve districts the banks have already purchased sites for buildings; in two reserve cities they have not done it. In rented quarters they have found it extremely difficult to get the proper accommodations for their business. They find it difficult, for example, in rented quarters to get proper vault accommodation. With this great growth it is essential to get permanent and adequate quarters. It is undesirable as a banking proposition to have to invest too great a proportion of their capital and surplus in fixed investments, such as real estate and buildings. If we give them additional surplus, it will enable them to invest the money for these much-needed facilities without using too great percentage of the capital and surplus.

In the third place, this amendment is important because of the effect it will have on foreign countries with whom the people of this country in the near future will be carrying on a very extensive foreign trade. The people in foreign countries, when they look at a bank in any country to judge of its strength, look primarily at its capital and surplus. When they look at the banks in this country, individual Federal reserve banks, that is the first item to which they give their attention. We know how the Federal Reserve System was established. We know the firm foundation underneath the whole system, but the foreigner can not have that explained to him.

And especially he will have difficulty in understanding it when traders from other countries will be pointing out how much stronger their banks are than ours. If we build up a good surplus in the banks we will increase the apparent strength as well as the real strength. To create the proper impression in foreign countries in which we plan to develop trade of great magnitude we ought to make a showing of capital and surplus which will give some indication of the unquestionable soundness and strength which actually exists in our Federal reserve banks.

For example, the Federal reserve bank in New York has a capital and surplus of something over $20,000,000, while the Bank of England has a surplus of $97,000,000, France $44,000,000, Italy $53,000,000, and so on down through the various foreign banks.

The Federal reserve bank possesses an abundance of strength and power and resources far beyond what its capital and surplus would indicate. When it is so easy to add to its surplus by the adoption of this amendment, we certainly ought to do it and thus give it in every respect the appearance of power with which it is actually endowed.

Mr. HAYES. Mr. Speaker, in response to the gentleman from Wisconsin, I want to remind him that a large per cent of these loans and this extension has come about because the banks are financing the Government. These loans are largely secured by United States securities. I can say to the gentleman that I know from very reliable authority that the Federal banks have notified the member banks some time ago and cautioned them frequently to curtail loans as far as possible.

Mr. STAFFORD. Can the gentleman inform the House the amount per capita of the issue of Federal reserve notes?

Mr. HAYES. I can not; but it is very large.

Mr. STAFFORD. I have heard that it was $35 per capita, more than twice the amount that was out at the close of the Civil War. That is pure asset currency, and accounts for the tremendous inflation and high prices that obtain.

Mr. PHELAN. Oh, no.

Mr. STAFFORD. Does the gentleman deny that high prices have not resulted from it?

Mr. PHELAN. Not from the Federal reserve banks. It has come about by war itself, and the Federal Reserve System has taken care of war conditions. Let me point out that a considerable number of reserve notes have been issued in this war by an amendment to the Federal reserve act passed by Congress many months ago permitting the Federal banks to exchange Federal reserve notes for gold, in order that they might accumulate the gold floating around through the country.

Because of that act and because of their issue of Federal reserve notes, they have accumulated a very large sum of gold, which has been of great advantage during the war, and, of course, will be of great advantage to the business, commerce, and agriculture of the country in the great work of reconstruction.

Mr. STAFFORD. Mr. Speaker, we all realize that we authorized the Federal Reserve Board to increase the amount of the Federal reserve notes as a war emergency. The predecessor of the gentleman acting as chairman, now the distinguished Secretary of the Treasury, advocated the issue of asset currency as a war-emergency proposition, and it may have been necessary, but I thought some method would be devised whereby we would go to normal conditions and do away with the inflation from which we are now suffering.

Mr. PHELAN. I have no recollection of any act that passed to enable notes to be issued for war purposes. We did pass an act to permit Federal reserve bank notes to be issued to take care of the situation in a dependency of a foreign country, but all Federal reserve notes that have been issued have been issued under authorization of law enacted long before we went into war.

Mr. STAFFORD. I remember distinctly the former chairman stating that the legislation then under consideration would not have had his support if it were not for the war conditions.

Mr. PHELAN. That was the so-called silver coinage bill, which permitted an issue of Federal reserve bank notes, but that had absolutely nothing to do with local or domestic conditions. It had to do simply and solely with a foreign country, or rather with the dependency of one of our cobelligerents, to take care of a critical situation there. We passed that, and when we passed it, all we did was to furnish Federal reserve bank notes in place of silver certificates, the security of which—that is the silver was melted before the Federal reserve bank notes were put out; hence any Federal reserve bank notes that were put out, as suggested by the gentleman, were put out to replace silver certificates that had been outstanding at the time we passed the legislation.

Mr. HAYES. Let me suggest here that all this asset currency, as the gentleman from Wisconsin [Mr. STAFFORD] calls it, has behind it more than 40 per cent of gold.

Mr. PHELAN. Oh, it has behind it to-day over 50 per cent of gold.

Mr. PLATT. More than 50 per cent.

Mr. SLOAN. Fifty-one per cent the Treasurer told us to-day, which prompts me to ask the gentleman as to whether or not the reserve system——

The SPEAKER pro tempore (Mr. HASTINGS). Is there objection to the present consideration of the bill?

Mr. SLOAN. Mr. Speaker, I reserve the right to object for a moment. Is it the gentleman's opinion that the reserve system will be sufficiently strong to serve the purpose of our present foreign commerce and our prospective foreign commerce during the next two or three years, or will it need assistance from some other Federal agency.

Mr. PHELAN. I think it is fully strong enough to take care of every demand made upon it, either domestic or foreign.

Mr. SLOAN. I quite agree with the gentleman.

Mr. PHELAN. I have the utmost confidence that is so, and I will say in that connection that it has already borne burdens that nobody ever realized or anticipated could have been heaped upon it. The Federal Reserve System has done more

than anybody could anticipate, and without the Federal Reserve System it is a question how, if at all, the Government could have financed the world war.

Mr. SLOAN. I am very glad to hear the gentleman say that, representing the position, because I have taken that position in committee meetings, where a different position was taken by a great many members, and I insisted that the Federal system be given an opportunity to finance the country, and especially arrange for its foreign commerce now and during the next three years.

Mr. PHELAN. I am glad to hear the gentleman say that.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. PHELAN. 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 Massachusetts asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. HAYES. Mr. Speaker, I ask unanimous consent that section 4 of the House amendment be stricken out.

The SPEAKER pro tempore. The gentleman asks unanimous consent that section 4 of the House amendment be stricken from the bill. Is there objection?

There was no objection.

Mr. PHELAN. Mr. Speaker, in view of that, I ask unanimous consent that the title be changed.

Mr. MANN. We have not yet come to the question of the title. Let me ask the gentleman a question. This is a Senate bill, and as it passed the Senate the title reads:

To amend sections 7, 10, and 11 of the Federal reserve act—

And so forth.

That indicates when the bill was introduced in the Senate it included an amendment to section 10 of the Federal reserve act, and as that is not in the bill as it comes before the House from the Senate, it indicates to me that the Senate struck out the amendment to section 10. Now, the House committee proposes to amend section 10, which was stricken out in the Senate. I have no objection, as far as I am concerned, but the Senate having stricken out, and as these are the last days of the session and the only purpose of section 10 is to take care of one man in the United States who is amply able to take care of himself, does not the gentleman think it would be wiser policy to pass the Senate bill without that amendment instead of passing the House amendment? If he does the former, that ends it. If the gentleman really wants to kill his bill, he should persist in passing the House amendment, because there is an even chance it will not become a law.

Mr. PHELAN. Mr. Speaker, I have no desire to kill the bill, of course, as the gentleman knows. I may be mistaken, but my recollection is that the Senate committee had reported the bill without section 10, as finally reported. I may be mistaken on that.

Mr. MANN. The title covered section 10.

Mr. PHELAN. I noticed that when the bill came over, but I will say for the sake of the RECORD that the committee did not put in section 2 for the sake of one man. It is true that the names of two men were brought to the attention of the committee, but the committee looked far beyond any one or two men and saw the trouble that might arise from the severe restrictions we had put upon members of the Federal Reserve Board.

Mr. MANN. I will say to the gentleman I am perfectly willing to take care of Paul Warburg; I think he is one of the ablest men the Federal Reserve Board had or is likely to have for a long time to come, but if I were in charge of the bill at this stage of the session of Congress, certainly I would try to pass the bill. I do not care what the gentleman does.

The SPEAKER pro tempore. The Chair is advised that the bill was only read for information. The Clerk will read the bill for amendment.

The bill was read for amendment.

The SPEAKER pro tempore. Section 4 was stricken out by unanimous consent. Without objection, the Clerk will renumber the following sections.

There was no objection.

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

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

Mr. PHELAN. I move to amend the title——

Mr. MANN. The gentleman does not need to amend the title.

Mr. PHELAN. Section 25 ought not to be in there, and we have stricken out section 4.

Mr. MANN. The Senate title is all right.

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

The SPEAKER pro tempore. Without objection, the title will be amended to conform to the text.

There was no objection.

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

CERTAIN CREDITS TO DISBURSING CLERK, BUREAU OF WAR RISK INSURANCE.

The next business in order on the Calendar for Unanimous Consent was Senate joint resolution 214, authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none.

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

The SPEAKER pro tempore. Is there objectiion? [After a pause.] The Chair hears none.

The Clerk read as follows:

Resolved, etc., That for such reasonable time as may be fixed by the Secretary of the Treasury, but not extending beyond the fiscal year ending June 30, 1920, the accounting officers of the Treasury are hereby authorized and directed to allow credit in the accounts of the disbursing clerk of the Bureau of War Risk Insurance for all payments of insurance installments heretofore or hereafter made under the provisions of Article IV of the war-risk insurance act in advance of the verification of the deduction on the pay rolls, or of the payment otherwise, of all premiums.

Mr. BANKHEAD. Mr. Speaker, the gentleman from Texas [Mr. RAYBURN] had charge of this joint resolution reported from the Committee on Interstate and Foreign Commerce. He stayed here until quite a late hour, and he had a very imperative engagement, and I would suggest——

Mr. ESCH. Mr. Speaker, I think the joint resolution is perfectly plain.

The SPEAKER pro tempore. The question is on the joint resolution.

The question was taken, and the joint resolution was passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

SUGGESTIONS FROM COMMISSION OF FINE ARTS.

The next business in order on the Calendar for Unanimous Consent was Senate joint resolution 202, requesting the Commission of Fine Arts to submit to the Congress certain suggestions.

Mr. MANN. Mr. Speaker, I ask unanimous consent that this resolution be placed at the foot of the calendar.

Mr. SLAYDEN. What is the request of the gentleman?

Mr. MANN. I ask that the resolution go to the foot of the Unanimous Consent Calendar.

The SPEAKER pro tempore. Is there objection?

Mr. SLAYDEN. I shall certainly object, as this is the last chance.

Mr. MANN. I object.

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

RESTRICTIONS ON EXPORTATION OF WORKS OF ART.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12981) authorizing the Secretary of the Treasury to refuse to permit the exportation of any work of art purporting to be a gift made by an individual or organization to a foreign nation or municipality unless by consent of the Secretary of State.

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

Mr. MANN. I object.

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

COMMISSION TO STANDARDIZE SCREW THREADS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15495) to amend an act to provide for the appointment of a commission to standardize screw threads.

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

Mr. WALSH. Well, Mr. Speaker, reserving the right to object, can the gentleman from Connecticut [Mr. TILSON] state briefly what the amendments are?

Mr. TILSON. The amendments are, in the first place, to authorize the continuance on the screw-thread commission of two Army officers who are not Regular Army officers. As my friend knows, these officers may now at any time cease to be

officers, or be placed on the reserve list on inactive duty. The other, and the only other, amendment is in the last section, extending the life of the commission for one year. It originally passed the House at one year, but was cut to two months in the Senate and then fixed at six months in the conference. This puts it at a year and a half from the date of the original appointment of the commission; that is, extends the life of the commission one year.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Well, Mr. Speaker, I am not very enthusiastic about this measure. I recognize that it has accomplished quite a good deal of good in the last few months. I was opposed to it when it passed before. I will not object.

Mr. EAGLE. Will the gentleman yield?

Mr. TILSON. I will.

Mr. EAGLE. I want to congratulate the gentleman for having risen later in the evening, when the spirit of amity and good fellowship had arisen in the breast of my friend from Massachusetts.

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

The Clerk read as follows:

Be it enacted, etc., That the act providing for the appointment of a commission to standardize screw threads, approved July 18, 1918, be, and the same is hereby, amended so that it will read:

"That a commission is hereby created, to be known as the Commission for the Standardization of Screw Threads, hereinafter referred to as the commission, which shall be composed of nine commissioners, one of whom shall be the Director of the Bureau of Standards, who shall be chairman of the commission; two commissioned officers of the Army, to be appointed by the Secretary of War; two commissioned officers of the Navy, to be appointed by the Secretary of the Navy; and four to be appointed by the Secretary of Commerce, two of whom shall be chosen from nominations made by the American Society of Mechanical Engineers and two from nominations made by the Society of Automotive Engineers: *Provided*, That the two commissioned officers of the Army who may be serving as commissioners at the time of the approval of this act may continue to act as commissioners during the life of the commission.

SEC. 2. That it shall be the duty of said commission to ascertain and establish standards for screw threads, which shall be submitted to the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce for their acceptance and approval. Such standards, when thus accepted and approved, shall be adopted and used in the several manufacturing plants under the control of the War and Navy Departments, and, so far as practicable, in all specifications for screw threads in proposals for manufactured articles, parts, or materials to be used under the direction of these departments.

SEC. 3. That the Secretary of Commerce shall promulgate such standards for use by the public and cause the same to be published as a public document.

SEC. 4. That the commission shall serve without compensation, but nothing herein shall be held to affect the pay of the commissioners appointed from the Army and Navy or of the Director of the Bureau of Standards.

SEC. 5. That the commission may adopt rules and regulations in regard to its procedure and the conduct of its business.

SEC. 6. That the commission shall cease and terminate at the end of one year and six months from the date of its original appointment.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to amend, page 1, line 12, by striking out the words "commissioned officers" and inserting the one word "representative." And on lines 1 and 2, on page 2, strike out "commissioned officers" and insert the word "representatives."

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

The Clerk read as follows:

Amendment offered by Mr. TILSON: Page 1, line 12, strike out the words "commissioned officers" and insert the word "representatives."

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

The amendment was agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. TILSON: Page 2, lines 1 and 2, strike out the words "commissioned officers" and insert the word "representatives."

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

The amendment was agreed to.

Mr. TILSON. Mr. Speaker, I move to strike out the proviso.

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

The Clerk read as follows:

Amendment offered by Mr. TILSON: Page 2, line 7, after the word "Engineers," strike out the rest of the paragraph.

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 the engrossment and third reading of the amended bill.

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

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

Mr. MANN. Mr. Speaker, it is now more than an hour later than we had planned to run, and I make the point of no quorum.

Mr. FOSTER. Does the gentleman insist on the point?

Mr. CANDLER of Mississippi. Will the gentleman let me pass a bridge bill? It will take but a minute. There is no objection to it in the world.

Mr. BURNETT. If the gentleman will withhold, we can get through, I think, in 15 minutes.

Mr. CANDLER of Mississippi. I am asking for this because my county is interested in it.

Mr. MANN. I would be willing to pass almost any of these bills, but we would not get through, anyway, and we can meet again at 11 o'clock to-morrow.

Mr. AUSTIN. We have a number of bills on the calendar from the Committee on Public Buildings and Grounds, and one of them is one of the most important bills that has been pending before Congress for a long time.

Mr. BURNETT. We all appreciate the magnanimity of the gentleman from Illinois in regard to the Unanimous Consent Calendar to-day.

Mr. MANN. If it had not been for me, the House would have quit at 4 o'clock this afternoon on the Unanimous Consent Calendar. I am willing to stay here a long time without anything to eat to help gentlemen get through their bills, but I am going to my dinner now.

The SPEAKER pro tempore. Does the gentleman from Illinois insist on his point of no quorum?

Mr. MANN. I do.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of no quorum.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 45 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Tuesday, February 18, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill to prohibit the unauthorized use of the word "navy" or "naval" by any person, association, organization, agency, or corporation, and for other purposes (H. Doc. No. 1806); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill for the relief of Lieut. D. A. Neumann, Pay Corps, United States Naval Reserve Force (H. Doc. No. 1807); to the Committee on Claims and ordered to be printed.

3. A letter from the Secretary of the Navy transmitting a tentative draft of a bill for the relief of Capt. J. S. Carpenter, Pay Corps, United States Navy (H. Doc. No. 1808); to the Committee on Claims and ordered to be printed.

4. A letter from the Secretary of War, transmitting a tentative draft of suggested amendments which provide for the relief of officers and for the settlement of certain claims (H. Doc. No. 1809); to the Committee on Claims and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the president of the Civil Service Commission submitting a deficiency estimate of appropriation required for traveling expenses for the fiscal year 1918 (H. Doc. No. 1810); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Commissioners of the District of Columbia submitting a deficiency estimate of appropriation required for expenses of executing writs of lunacy, fiscal year 1919 (H. Doc. No. 1811); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of War, transmitting item of tentative legislation to enable the Secretary of War to acquire and operate the Cape Cod Canal (H. Doc. No. 1812); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a deficiency estimate of appropriation required for the relief of Eskimos and other natives of Alaska suffering from

influenza and the effects thereof (H. Doc. No. 1813); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Public Printer submitting a deficiency estimate of appropriation required by the Superintendent of Documents for general expenses and distribution of documents for the fiscal year 1919 (H. Doc. No. 1814); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of the Treasury, transmitting a tentative draft of legislation for inclusion in the general deficiency appropriation bill (H. Doc. No. 1815); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 352) granting pensions to certain members of the former Life-Saving Service, reported the same without amendment, accompanied by a report (No. 1079), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (S. 4023) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Cal., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Cal., to the city of Los Angeles, Cal.," approved June 30, 1906, reported the same with amendment, accompanied by a report (No. 1080), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 15993) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes, reported the same without amendment, accompanied by a report (No. 1081), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 570) requesting the President to communicate to the House certain information regarding the War Trade Board, reported the same with amendment, accompanied by a report (No. 1082), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 5722) for the relief of Ellen B. Walker, reported the same with amendment, accompanied by a report (No. 1075), which said bill and report were referred to the Private Calendar.

Mr. GOODWIN of Arkansas, from the Committee on Claims, to which was referred the bill (H. R. 15480) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims, reported the same with amendment, accompanied by a report (No. 1076), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 1738) for the relief of the Southern States Lumber Co., reported the same without amendment, accompanied by a report (No. 1077), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 4013) for the relief of Wickliff Fry, for horse lost while hired by the United States Geological Survey, reported the same with amendment, accompanied by a report (No. 1078), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Michigan: A bill (H. R. 15997) authorizing the Secretary of War to donate to the city of Kalamazoo, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15998) authorizing the Secretary of War to donate to the town of Homer, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15999) authorizing the Secretary of War to donate to the city of Eaton Rapids, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FAIRFIELD: A bill (H. R. 16000) authorizing the Secretary of War to donate to the town of Corunna, county of Dekalb, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 16001) authorizing the Secretary of War to donate to the village of Loyal, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LITTLE. A bill (H. R. 16002) donating captured cannons to the cities of Rosedale, Bonner Springs, Osawatomie, Pleasanton, Bronson, Louisburg, Kansas City, Kans., and the University of Kansas, in the State of Kansas; to the Committee on Military Affairs.

Also, a bill (H. R. 16003) donating captured cannons to the counties of Allen, Anderson, Bourbon, Douglas, Franklin, Johnson, Linn, Miami, and Wyandotte, in the State of Kansas; to the Committee on Military Affairs.

By Mr. MOON: A bill (H. R. 16004) to amend sections 9 and 19 of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. KELLY of Pennsylvania: A bill (H. R. 16005) authorizing the Secretary of War to donate to the borough of Port Vue, in the State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARDY: A bill (H. R. 16006) to provide for the creation or establishment of a war-museum commission; to the Committee on Appropriations.

By Mr. MILLER of Minnesota: A bill (H. R. 16007) authorizing the Secretary of War to donate to the village of Chisholm, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEDMAN: A bill (H. R. 16008) authorizing the Secretary of War to donate to the North Carolina State Normal and Industrial College two German cannons or fieldpieces, with carriages and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 16009) authorizing the Secretary of War to donate to the Greensboro College for Women, at Greensboro, N. C., two German cannons or fieldpieces, with carriages and suitable complement of projectiles; to the Committee on Military Affairs.

By Mr. DONOVAN: A bill (H. R. 16010) authorizing the Secretary of War to donate to the Fort Washington War Service Honor Roll Committee of the city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GARLAND: A bill (H. R. 16011) authorizing the Secretary of War to donate to the city of Edgewood, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 16012) to amend sections 2237 and 2240 of the Revised Statutes of the United States; to the Committee on the Public Lands.

By Mr. FESS: A bill (H. R. 16013) authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Milford Center, Ohio; to the Committee on Military Affairs.

By Mr. SHERLEY: A bill (H. R. 16016) providing additional aid for the American Printing House for the Blind; to the Committee on Education.

By Mr. BURNETT: A bill (H. R. 16017) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. SCHALL: A bill (H. R. 16018) to donate one captured cannon or gun to the village of Monticello, Minn.; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 16019) directing delivery of State war-service records to States requesting same; to the Committee on Military Affairs.

By Mr. HEFLIN: Resolution (H. Res. 586) making in order certain new legislation in House bill 15796, notwithstanding the general rules of the House; to the Committee on Rules.

By Mr. RUBEY: Resolution (H. Res. 587) for the consideration of House bill 15796; to the Committee on Rules.

By Mr. SWITZER: Resolution (H. Res. 588) to amend the standing rules of the House; to the Committee on Rules.

By Mr. DENT: Resolution (H. Res. 589) for the consideration of House bill 15835; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 428) directing the Secretary of War to report to Congress necessary legislation for the construction of a ship canal from the Great Lakes to the Atlantic Ocean; to the Committee on Rivers and Harbors.

By the SPEAKER: Memorial of the Legislature of the State of Washington, requesting that rules governing demobilization should favor the immediate release of those who are needed in business and industrial pursuits; to the Committee on Military Affairs.

By Mr. BURNETT: Memorial of the Legislature of the State of Alabama, urging legislation for an appropriation for the employment and securing homes for returned soldiers and sailors; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Alabama, favoring the return of railroads and other public utilities to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Alabama, urging the lifting of the embargo on cotton, and urging the establishment of American steel steamship lines for the promotion of American commerce; to the Committee on the Merchant Marine and Fisheries.

By Mr. HADLEY: Memorial from the Legislature of the State of Washington, favoring the passage of the Jones resolution, and requesting the United States Emergency Fleet Corporation to immediately remove the emergency restriction against the acceptance by American shipyards of foreign contracts for ships; to the Committee on the Merchant Marine and Fisheries.

By Mr. JOHNSON of Washington: Memorial from the Legislature of the State of Washington, favoring the removal of restriction against acceptance of foreign shipbuilding contracts by American shipyards; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of the State of Washington, concerning the freight rates on sand and gravel as fixed under executive control of the railroads; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARTER of Oklahoma: A bill (H. R. 16014) for the relief of Samuel H. Butler; to the Committee on Claims.

By Mr. HERSEY: A bill (H. R. 16015) granting an increase of pension to Henry Quint; to the Committee on Invalid Pensions.

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: Memorial of Athenæum of Triumph of the United States, asking official recognition and right of eminent domain in the acquisition of a site for the erection of a memorial hall as a tribute to those who went forth in the great war; to the Committee on Public Buildings and Grounds.

By Mr. CARY: Petition of fur manufacturers of Wisconsin, strongly urging the repeal of tax on furs contained in revenue bill; "retention of this clause in the law is bound to curtail output and throw many of the millions now employed out of work"; to the Committee on Ways and Means.

By Mr. DOREMUS: Petition of Colin F. Manisan and 110,000 other residents of Michigan, praying for the withdrawal of American soldiers from Russia or their reinforcement; to the Committee on Military Affairs.

By Mr. EMERSON: Petition of council of the city of Cleveland, Ohio, indorsing action of Congress in combating influenza; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Ancient Order of Hibernians in America urging self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. FREEMAN: Petition of Ernest H. Caughs and others, in favor of league of nations; to the Committee on Foreign Affairs.

Also, petition of A. W. Sedgwick and others in favor of league of nations; to the Committee on Foreign Affairs.

Also, petition of Thomas Gilbert and others in favor of league of nations; to the Committee on Foreign Affairs.

Also, petition of W. B. Davis and others, of Middletown, Conn., in favor of league of nations; to the Committee on Foreign Affairs.

Also, petition of Carrie M. Hewett and others in favor of league of nations; to the Committee on Foreign Affairs.

By Mr. GORDON: Petition of City Council of Cleveland, Ohio, indorsing the proposal to spend $5,000,000 to combat influenza; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFIN: Petition of Emil O. Cederholm, New York City, urging passage of House bill 12352 and Senate bill 4637, known as McKellar-Keating retirement bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Standard Arch Co., New York, indorsing House bill 14893; to the Committee on Public Buildings and Grounds.

Also, petition of Elisabeth Marbury, president Woman's National Committee American Defense Society, New York, favoring House bill 13651; to the Committee on Appropriations.

Also, petition of speaker of New York State Assembly, favoring Post Office appropriation bill; to the Committee on Appropriations.

Also, petition of Foreign Service Camp, No. 87, Department of New York, United Spanish War Veterans, urging the passage of the Harrison bill (H. R. 15145); to the Committee on Military Affairs.

By Mr. HAMILTON of Michigan: Petition of citizens of Michigan, asking for withdrawal of American soldiers from northern Russia and return of them to the authority of their own officers, that they be properly housed, fed, clothed, munitioned, and given proper hospital facilities without delay; to the Committee on Military Affairs.

Also, petitions of citizens of St. Joseph, Caloma, Benton Harbor, Berrien Springs, Bargman, and Youngstown, Mich., Chicago, Ill., and South Bend, Ind., relating to withdrawal of American soldiers from Russia; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: Memorial of A. P. McCombs, Wellsville, Ohio, and 154 other citizens of Wellsville and East Liverpool, Ohio, asking that national ownership and Government operation of railroads of United States and its possessions, including all lands, terminals, and equipments necessary to such, be held by the Government for furnishing transportation to the people; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Local No. 10, Brotherhood of Operative Potters, East Liverpool, Ohio, favoring appropriation of funds to complete all authorized public improvement on account of the war; also to prohibit immigration until returned soldiers, sailors, and war workers get employment; also extra pay for one year to unemployed soldiers and sailors; to the Committee on Military Affairs.

Also, memorial of Ohio General Assembly, favoring appropriation of $1,000,000,000 for road improvement under present plan for Federal aid; to the Committee on Roads.

By Mr. MAPES: Petition of Walker School Mothers' Club, of Grand Rapids, Mich., for the withdrawal of the United States troops from Russia; to the Committee on Foreign Affairs.

By Mr. MERRITT: Petition of Lithuanian citizens of Bridgeport, Conn., urging the Government of the United States to curb the imperialistic ambition of the Poles in respect to Lithuania and prevent and save the people of Lithuania from a foreign yoke; to the Committee on Foreign Affairs.

By Mr. WATSON of Pennsylvania: Petition of Business Men's Association of Royersford, Pa., favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire system under Federal control; to the Committee on Interstate and Foreign Commerce.

Also, petition of Board of Trade of Perkasie, Pa., favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire system under Federal control; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *February 18, 1919.*

(Legislative day of Thursday, February 13, 1919.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment and call the roll.

The SECRETARY. The pending amendment of the committee is, on page 18, line 15, relative to the Red, Black, Ouachita, and