Mr. DENT. Mr. Speaker, I move that the House agree to the conference report as read.

The SPEAKER. There is nothing to act on.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. The parliamentary motion in a case of this sort is to recede from the position of the House conferees and agree to the Senate amendment, is it not?

The SPEAKER. That is a preferential motion when the time comes to make it.

Mr. DENT. Mr. Speaker, let me state what the facts are, so that my motion may be understood. The Senate struck out the House bill after the enacting clause and inserted as one entire amendment a separate bill, so that the conference had to bring back a report showing an entire disagreement. As a matter of fact, the conferees did reach an agreement practically every proposition except that involved in section 7 of the Senate bill, which relates to mine and mineral war contracts.

Now, I am moving at this time to agree to the report of the conferees disagreeing to the Senate amendment. Then I shall follow that with a motion to agree to a further conference asked for by the Senate on yesterday afternoon.

The SPEAKER. The gentleman moves to further insist on the disagreement to the Senate amendment No. 7.

Mr. DENT. No. I move that the House further insist on its disagreement to the Senate amendment.

The SPEAKER. That is exactly what the Chair said, and was about to put it.

Mr. GARNER. Will the gentleman from Alabama yield for a question?

Mr. DENT. I will.

Mr. GARNER. If the House should agree to the conference report—that is, the statement of the committee—and further insist on its disagreement and agree to the conference, do the conferees still think they would be bound by the agreement they made to bring in a report showing a total disagreement?

Mr. DENT. I state to the gentleman that I propose, after we vote on the first motion I made, to adopt the conference report, to move to go into conference; and I shall state frankly and accurately the position of the conferees and await the different instructions the House may see fit to give.

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

The SPEAKER. The gentleman is making a motion to further insist.

Mr. HAMLIN. He is moving now to agree to the conference report as reported.

Mr. DENT. That is the motion, and the effect of that motion is that we insist on disagreement to the entire Senate bill.

Mr. MANN. Oh, no.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. There is not anything to act on.

Mr. HOWARD. Then, Mr. Speaker, if it is in order, I move that the House agree to the conference report properly ought to be disposed of.
Mr. SLOAN. I ask unanimous consent that the Senate amendment, in which the House is now asked to concur, be read.

Mr. FOSTER. I object. That is the whole amendment.

Mr. SLOAN. That is a matter of right, to have the amendment read under the rule.

The SPEAKER. The Clerk will read the amendment.

Mr. SLOAN. Mr. SPEAKER, I ask unanimous consent to make a statement of one minute's duration.

Mr. DENISON. I object. I tried to get tellers on this thing, and no one over there would stand for it.

The SPEAKER. The Clerk will report the Senate amendment.

Mr. HAMLIN rose.

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

Mr. HAMLIN. I understood the gentleman requested only the reading of the amendment as section 7 of the bill, and none other.

Mr. FOSTER. No. He demanded the reading of the amendment.

The SPEAKER. Not a word was said about section 7. It is not needed to that. The Clerk will read.

The Clerk read as follows:

"Strike out all after the enacting clause and insert:

'That whenever, prior to said November 12, 1918, any individual, firm, company, or foreign Government .....

Mr. SLOAN. Mr. Speaker, let the amendment be reported.

We can not understand it.

The SPEAKER. The House is divided. Those who favor taking the motion of the gentleman from Georgia [Mr. HOWARD] say 'aye'; those who do not say 'no.'

Mr. HOWARD. A division, Mr. Speaker.

The SPEAKER. A division is demanded. The House divided; and there were—ayes 101, noes 68.

Mr. DENISON. Mr. Speaker, I ask for tellers on that vote.

The SPEAKER. Tellers are demanded. Those who favor taking the motion of the gentleman from Georgia [Mr. HOWARD] say 'aye'; those who do not say 'no.'

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Alabama moves the previous question. The question is on ordering the previous question.

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

Mr. HAMLIN. I asked the Speaker whether the previous question was on the motion of the gentleman from Georgia. I understood it was.

The SPEAKER. It is on both.

Mr. DENT. It was only on the motion of the gentleman from Georgia.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

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of the commission a notice of appeal; Provided, however, That if the commission shall not decide and determine the same at any time within 30 days after the receipt of such notice of appeal, and the making of such award, the award shall be deemed and considered final, and an appeal therefrom shall be deemed and considered as perfected.

3. That this act shall be deemed and considered as a lien on any contract executed in compliance with all of the provisions of this act by the Secretary of War or the commision, and shall be enforceable in any court of competent jurisdiction as a lien on any contract executed in compliance with all of the provisions of this act by the Secretary of War or the commission.

4. That no contract in excess of $500 shall be made without the approval of the Secretary of War, and no contract in excess of $10,000 shall be made without the approval of the commission.

5. That the Secretary of War shall make an award to any prime contractor, subcontractor, or any claimant or claimants who shall make such incorrect or fraudulent claim, as hereinbefore provided, and who shall be found guilty thereof, and who shall be convicted of the offense of which he is accused, the sum of $500,000, or such sum as shall be found by the commission to be just, equitable, and reasonable, and to be the full amount of the damage sustained by the claimant or claimants, and who shall be convicted of the offense of which he is accused, and who shall be convicted of the offense of which he is accused.

6. That this act shall be deemed and considered as a lien on any contract executed in compliance with all of the provisions of this act by the Secretary of War or the commission, and shall be enforceable in any court of competent jurisdiction as a lien on any contract executed in compliance with all of the provisions of this act by the Secretary of War or the commission.

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tion that I previously made, and at the proper time the chairman of the Committee on Military Affairs will make a motion, and I will then ask the Chair to recognize me to make a motion to instruct the conference on the particular section of the amendment, section 7, which will very greatly simplify the situation.

Mr. DENT. I do not think so. I think that is one among only one short paragraph of it. I do not think it is a newspaper?

Mr. DENT. The gentleman withdraws it.

Mr. DOWELL. The gentleman, as just stated by the Speaker, there is one Senate amendment, which is the bill the Senate adopted. The Senate struck out all of the House bill after the enacting clause and adopted a bill that was subsequently we had to come back to the House, under the promise that I had made to the House that we would ask for instructions in regard to section 7, before any final action was taken on the entire amendment. As a matter of fact the conference have practically agreed on the bill in every particular with two exceptions. One is the Senate provision requiring that the contracting officer who happened to make the contract shall make an affidavit as required by law that the contract was beneficial to the Government and that he himself had no personal interest in the contract, and that this must be done before the claim can be considered. The other is section 7, which has brought up so much trouble here on the floor of the House, and which provides for the payment of claims arising out of the development of war minerals by the Shipping Board, the Secretary of the Interior, and the War Industries Board. It appears that the House refused to agree to that section. I think if the House will read that section there will be no question in the world that there ought to be a unanimous vote not to adopt it in the language in which it was originally introduced. According to the construction of the conference, it is impossible to place upon it, and it which is possible to place upon it, every person in the country who happened to own a piece of land with an undevolved mineral deposit upon it, upon reading the statement of the Secretary of the Interior in the newspapers that he should develop these particular ores needed for war purposes, and who went to work to do it, would have a claim against the Government. Why, the language of section 7 of the Senate bill may be so construed as to authorize the Secretary of the Interior to recognize any moral obligation that he sees fit. I do not believe that there is a single Member of this House who is willing to let the House go that far.

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

Mr. DENT. Yes.

Mr. WINGO. Mr. Speaker, I am going to ask that the gentleman be permitted to continue and not be interrupted.

Mr. DENT. The production of which by any claimant or claimants was requested, or demanded, by personal solicitation of, or personal inducement to, government or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior.

Mr. DENT. That is not the only provision in section 7. Section 7 contains about three pages. The gentleman has read only one sentence of it.

Mr. WINGO. The question is, Does not that section limit the consideration of these claims to cases where there was personal inducement or solicitation to the individual?

Mr. DENT. I do not think so. I think that is one among many various clauses in it that are improper, and I do not believe in that sort of thing. It is a strange thing in legislation to provide that an obligation be recognized because of some personal solicitation, or personal inducement, or personal activity. Can anybody define it? Can anybody construe it? Does anybody know what in law the words "personal solicitation" mean? Is that language used in any statute in any State of the Union or by Congress or anywhere else?

Mr. DENT. I want the gentleman to explain to the House, if he will, why he objects to settling claims that are merely unliquidated moral claims, growing out of transactions with the Secretary of War? I want him to explain the distinction.

Mr. DENT. I will not give the gentleman the chance. I am glad he asked me that question, because I am coming to that. I have no objection—of course it would not make any difference whether we objected or not—but personally the conferences have no objection to being instructed. We would be glad to be relieved of that responsibility. I stated to the conferences of the Senate that I was willing to state on the floor of the House that if this bill was sent back to conference I would agree to a separate section giving the Secretary of the Interior the right to adjust, discharge, and settle contracts in exactly the same language that we have given that right to the Secretary of War, and that is about all I think anybody ought to ask us to do.

Mr. HOWARD. Will the gentleman yield for a question right there?

Mr. DENT. Yes.

Mr. HOWARD. In order that the House may understand the gentleman's position, as a matter of fact the House passed what is known as the war minerals bill, carrying an appropriation of $50,000,000; that fund did not become available until after the armistice was signed, and the aggregate amount of those claims, as it is estimated, that could have been paid out of that appropriation was less than $8,000,000, and was so reported by the Secretary of the Department of Agriculture.

Mr. GORDON. Will the gentleman yield?

Mr. DENT. I may have time.

Mr. GORDON. Nobody claims to have any contract under this war minerals law.

Mr. HOWARD. Well, let us see.

Mr. DENT. I decline to yield further.

Mr. HAMLIN. Will the gentleman yield me to a question?

Mr. DENT. For a question, I should like to finish my statement, though.

Mr. HAMLIN. Is it not true that the claims embraced in the so-called war validating act which we have passed through the House every one of those claims included in that act is based upon a contract, either perfect or imperfect?

Mr. DENT. That is true.

Mr. HAMLIN. But not upon a moral obligation alone.

Mr. DENT. That is true.

Mr. HAMLIN. Is it not also true that the moral claims, called, are claims on no kind of an obligation, but simply moral ones?

Mr. DENT. Some of them may be.

Mr. FORDNEY. Mr. Speaker, I am going to ask that the gentleman be permitted to continue and not be interrupted.

Mr. SUMNERS. Will the gentleman yield for a brief suggestion?

Mr. DENT. Yes.

Mr. SUMNERS. If the gentleman would refuse to be interrupted and proceed to make an orderly statement—

Mr. DENT. That is a good suggestion, although I dislike to decline to be interrupted.

Mr. DENT. I am willing if this bill is sent back to conference to agree to support the section giving the Secretary of the Interior the right to adjust contracts in the same manner that we have given the right to adjust contracts made with the Department. But I am not willing to agree to section 7 as it passed the Senate. I want to say to the House that ordinarily I would not be willing to go that far, because I do not think that this legislation does "personal solicitation" this House passed. The Senate has put on an amendment which is not at all germane to the subject matter of the bill as it passed the House, and I think a committee having jurisdiction of that subject would have heard hearings at it introduced a bill of its own. I do not think it is wise legislation on matters of this kind simply by amendment on the floor of the Senate when not a single committee of either House has had an opportunity to consider it. [Applause.] But in order to get a bill—and this matter is urgent and pressing—in order to get a bill, I am willing to go as far as I have stated to the House, and that is to authorize the Secretary of the In-
Mr. GRAHAM of Illinois. Before the gentleman yields, will he permit me to ask a question?

Mr. DENT. Yes.

Mr. GRAHAM of Illinois. I am asking for information. I have been informed by one of the principal chrome producers in this State who has been producing chrome during the war at the request of the Government, that if there was an embargo placed on the shipment of these rare minerals and substances into this country at this time, or if there was protection improper there, that he had become involved, and continue their present business in the production of these minerals, and claims would not be necessary.

Mr. DENT. The gentleman’s question illustrates the point that I recently made, that all these things ought to be investigated by a committee.

Mr. CRISP. Will the gentleman yield?

Mr. DENT. Yes.

Mr. CRISP. Can the gentleman inform the House as to the total amount of claims involved in this amendment?

Mr. DENT. I can only say to the House that a representative of the Department of the Interior appeared before the committee and stated that the total sum involved would be somewhere from four and a half million dollars to eight million dollars, but the number of claimants did not give us.

Mr. GORDON. Will the gentleman yield?

Mr. DENT. I will.

Mr. GORDON. The representative of the Interior Department did not claim that any of these contracts had been made under this law.

Mr. DENT. He said some had been made.

Mr. GORDON. By whom?

Mr. DENT. The Secretary of the Interior.

Mr. GORDON. My understanding was that the Secretary of the Interior did not get a copy of the bill until after the armistice was signed.

Mr. DENT. OK.

Mr. GORDON. I am talking about the war mineral bill.

Mr. DENT. The commissioners were not actually appointed until after the armistice was signed.

Mr. KINCHLOE. Will the gentleman yield?

Mr. DENT. Yes.

Mr. KINCHLOE. I am asking for information. There is no doubt that the War Industries Board and the Fuel Administration all requested the coal people to go on and make investments for the output of coal, and a lot of fellows were exempted to go into the mines instead of fighting. The question is whether or not there is a coal director who had a contract made during the war. But the request of the War Industries Board, got his hole in the ground and his tipple up about the time the armistice was signed, could he not come in under the provisions of section 7?

Mr. WINGO. No; coal was not included in the rare-minerals bill. If the gentleman will read the bill, he will see that coal was not included.

Mr. DENT. Now, Mr. Speaker, I reserve the balance of my time and yield five minutes to the gentleman from Georgia [Mr. Howard].

Mr. HOWARD. Mr. Speaker and gentlemen of the House, here is the situation in a nutshell. I will ask not to be interrupted, because I have only five minutes. There was a great shortage in this country of pyrites, chrome, and manganese. Pyrites was wanted to make sulphur for ammonia, chrome was wanted to harden the gun metal, and so was manganese. The lining of all the guns was of chrome steel, to make it efficient and durable. The Secretary of the Interior himself said, as a result of this request, he had a contract made for chrome, and he had power in his disposal to extend it nobly and patriotically, to say to these men, “You can do it nobly and patriotically, to say to these men, “You can do it nobly and patriotically.”

Why, the man who stopped long enough to consider, to put his fingers to his forehead to get his mental equilibrium, to determine where this or that thing would lead him, was denounced as unpatriotic and a slacker. He was told that the Government needed him, and these patriotic gentlemen responded to the call, and now we want to force these men into bankruptcy and force them to carry these large loans in the banks and these institutions that have raised the rates of interest on them from 5 per cent to 64 per cent. The Government of the United States has given these men a day to prove that they were not going to be paid under the provisions of this act to any single man in the United States of America. We have been impotent to conduct this war if England had cut off the entire manganese supply, and we have been impotent to conduct this war if, if it had not been for the miners of manganese. These gentlemen responded, and section 7 gives to the Secretary of the Interior power to administer this fund, and if the war mineral bill had been passed during the pendency of the war, we would have had manganese supply to the United States during the pendency of the war, and we would have had manganese to harden the gun metal, and manganese to line all the guns was chrome steel, to make sulphuric acid for ammunition; pyrites was wanted to make sulphuric acid for ammunition; manganese was used to harden the gun metal, and all these minerals would not have been included.

Mr. CRISP. Will the gentleman yield?

Mr. DENT. The Commissioner of the Interior did not claim that any of these contracts had been made under this law.

Mr. DENT. Mr. Speaker, I have had so many requests for the time to read two short paragraphs of it. It is in point. It is the thing on which this section 7 is based:

SEC. 3. That the President is authorized from time to time to purchase such necessaries and to enter into, to accept, to transfer, and to assign contracts for the production or purchase of same, to provide for such facilities for and for the purchase of, the services of transportation facilities, and to use, distribute, or allocate said necessaries, or to sell the same at reasonable prices, but such sales made during the war shall not be at a price less than the purchase or cost of production thereof.

That gave the President power to take a man’s property away from him and to do whatever he wished with it. But we did not stop there. Section 4 penalizes the man if he does not submit to this performance. That section reads as follows:

SEC. 4. That any person who shall neglect or refuse to comply with any order or requisition made by the President pursuant to the provisions of this act, or who shall obstruct or attempt to obstruct the enforcement of or the compliance with any such requisition or order; who shall violate any such order or regulation; who shall violate any such order or regulation adopted hereunder, shall, upon conviction, be fined not exceeding $5,000, or be imprisoned for not more than two years, or both.

Everyone knows that the President had nothing to do with it, but these several boards were given power to and did order men to do this, and, if they did not do so, they would be penalized for not doing so. If you have any business or I shall take it away from you by force and run it by the Government.

Mr. CARTER of Oklahoma. Mr. Speaker, will the gentleman yield?
Mr. FERRIS. Yes.

Mr. SANDERS of Indiana. Does the gentleman know of a single proposition in what is known as the war-validating contract portion of this bill, and which was carefully considered by the House, that does not rest well in this war. Let us so treat them that they would serve again if emergency arose.

Mr. CARTER of Oklahoma. What minerals did the act of October 5 apply to?

Mr. SANDERS of Indiana. It is the point. The difference between that class of claims and the claim submitted in section 7 is that no contracts were ever made with these mine owners by the Government. Other contracts had been made, for Congress had not authorized them. If the Secretary of the Interior had wanted to make a contract with one of those mineral owners he knew he did not have place in additional legislation to this bill; but what I do say is that during war times, having by force of arms taken a man's property away from him and penalized him when he did not turn it over, then afterwards want to pay him for it, that ought to give him a chance to be heard. This does that and no more. Secretary Lane will protect it.

There has been current conversation around where I have been sitting. We did not pay him anything for it if he does it. I do not say that this is the place to talk about it; but what I do say is that during war times, having by force of arms taken a man's property away from him and penalized him when he did not turn it over, then afterwards want to pay him for it, that ought to give him a chance to be heard. This does that and no more. Secretary Lane will protect it.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent that the recital of them includes a whole paragraph, which I shall insert at this point:

Mr. HAMLIN. Mr. Speaker, the other day, when this bill was sent to the conference, I insisted that the conference ought to give assurance to the House that this amendment of the Senate, known as section 7, should not be agreed to in conference without first giving the House an opportunity to know something about it. I did not say at that time that I thought the Senate had a right to make a contract without the House; but what I did say that we ought not to establish a precedent in this House of subjecting $50,000,000 to the payment of claims, the validity of which the House had never for one moment considered one way or the other. Now, the Senator from Indiana (Mr. FERRIS) is here in his right place, and I want to put on record that the difference between that class of claims and the claim submitted in section 7 is that no contracts were ever made with these mine owners by the Government. Other contracts had been made, for Congress had not authorized them. If the Secretary of the Interior had wanted to make a contract with one of those mineral owners he knew he did not have place in additional legislation to this bill; but what I do say is that during war times, having by force of arms taken a man's property away from him and penalized him when he did not turn it over, then afterwards want to pay him for it, that ought to give him a chance to be heard. This does that and no more. Secretary Lane will protect it.

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set out here in a brief, which I take for granted is the strongest evidence they have on that point, and the first thing set out in an advertisement by the California Chrome Co., insisting that all the chrome producers produce all they can because the Government needs all the chrome; then next a bulletin from the Geological Survey says this:

Unfortunately for the United States, the present domestic supply of chrome is practically one-fourth of the quantity needed for war and domestic uses. At present we are facing a deficit in the supply of chrome and we shall have to increase the imports of this mineral in this country as well as that of adjacent countries.

Now, that is the statement made by the department; not promulging a law, or enacting anything in any sense of the word, but asking them to redouble their efforts as patriotic men to produce over what they had been producing in small quantities.

The Du Pont Powder Co. tended to the Secret of the Interior their advertising space in the magazines of the country, and he made an announcement of the pressing needs of the country for these minerals, just as the Food Administration and the President and everybody else were insisting that the farmers of this country plant more acreage, grow more wheat, more corn, raise more hogs and more cattle, because they said that "food would win the war." Does any man in this House believe that in doing that they were placing this Government under obligations to compensate these farmers for any loss they might sustain in case the war should end?

Mr. HOWARD. They did it to the extent of $1,250,000,000.

Mr. HAMLIN. They never paid a cent nor made a contract until Congress had given them the authority to do so. That is exactly what we had not done in this case.

Mr. WINGO. Does the gentleman say that was the only reason?

Mr. HAMLIN. Yes.

Mr. WINGO. The gentleman talks about newspaper advertising being the basis of this. Does the gentleman think the newspaper advertising has come within this limitation of law which says the claim shall be limited to where there was personal demand on the part of certain agencies of the Government?

Mr. HAMLIN. I am contending that the only pretense they have between them and the Government are the things they set out here themselves in the advertisements to the effect that the country would need this material.

Mr. WINGO. Does the gentleman say that was the only reason?

Mr. HAMLIN. I want to say—

Mr. WINGO. Does the gentleman say there were no personal letters?

Mr. HAMLIN. I want to say to my friend from Arkansas, who is a good lawyer, that he knows if they could prove that the War Industries Board, the Bureau of Mines, or the Geological Survey made any promises to these people absolutely to indemnify them against any loss that would not be worth the snap of your finger, because they had no authority to make it. Consequently if your claim is not founded on that, then it is not founded on a moral obligation.

Mr. WINGO. I have not been talking about that.

Mr. HAMLIN. The gentleman refers to that.

Mr. WINGO. I am trying to get the gentleman away from something that we all agree on to discuss something that is in issue.

Mr. HAMLIN. I can not yield any further.

The thing resolved itself into this one proposition, that there is no basis in law for these claims at all, none whatever, no contract made, and none could have been made. And the difference between this character of claims and those embraced in the balance of this bill is as great as night is from day. And, as the gentleman from Alabama says, this character of claims has no more business on this bill than a wart has on the nose of a prima donna.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. HAMLIN. I will.

Mr. SANDERS of Texas. I want to ask the gentleman if there is any reason, if these gentlemen have any sort of claim, why they should be put on a different basis than these others that have claims?

Mr. HAMLIN. I will say to my friend from Texas let them do what the people under the balance of this bill did. Let them have a bill introduced and let it go to the committee having jurisdiction of the matter and let that committee investigate the claims, and let the Senate consider it as it considers ordinary measures. Let the Senate consider it as it considers ordinary measures. And then, if the Congress of the United States wants to throw wide open the doors of the Treasurers, they do not have to do it under law, of course it will be all right to let the money be paid; but do not let us tack it as a rider on this bill without giving it any consideration. [Applause.]

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Speaker, like the gentleman from Missouri, I am a member of the Committee on Mines and Mining. The chairman of that committee introduced a bill in this House which had practically verbatim the provisions of the bill covered by the amendment. That bill was introduced for the purpose of relieving the persons who had become operators in war minerals. We had no hearings on that bill, but it was then simply placed on this bill.

I think the House ought to become aware of the fact that it is proposed here by an amendment to authorize the use to the extent of $50,000,000 of money already appropriated by this Congress. I was interested in the passage of what is known as the war-minerals bill, and the gentleman from Oklahoma [Mr. FARRIS] seemed to think there was something in the provisions of that bill that justified this proposed amendment. There is nothing in that bill which justifies it. That bill simply authorized the President of the United States to go out and purchase these war minerals. It authorized the President of the United States, if there was an idle mine, and a mine that was not operating sufficiently, to go out and take it over; but there was nothing in that bill to authorize any man under any of the provisions of this amendment to make a claim against the United States Government.

I do not claim that there may not be some men who engaged in the production of these war minerals who have a just claim against the United States Government, but it seems clear to me that Congress of the United States would not have authorized, without the consideration by any committee of the House and without the consideration by the Committee of the Whole, to enact this legislation which authorizes a part of the executive department to pass upon claims without any law to guide him, without any rule to guide him, but simply upon the supposed proposition that there is a moral obligation.

I assert that there is not a Member of Congress who has considered a measure, which was written nearly as I have read it, that could rise in his seat now and tell us of a specific instance of a mine operator who has so invested his money as to have a just and valid claim against the United States Government.

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

Mr. SANDERS of Indiana. Certainly.

Mr. RAKER. Is it not a fact that the Committee on Mines and Mining reported out section 7 to the Senate regularly and then simply placed it on this bill so as to insure its passage?

Mr. SANDERS of Indiana. I do not know what steps were taken to insure its passage.

Mr. RAKER. Now, another question. Mr. SANDERS of Indiana, I understand that there have been no hearings on this bill.

Mr. RAKER. Is it not a further fact that the Committee on Mines and Mining, the House select committee, had a hearing, had an understanding that that committee would not dispose of the matter, but would let the Senate dispose of the matter in such manner as they saw fit?

Mr. SANDERS of Indiana. Not to my knowledge. Now, I can not yield further. I have only five minutes.

Mr. RAKER. All right.

Mr. SANDERS of Indiana. We have already been furnished with a brief on this subject. That brief was furnished by the men who suffered these great losses, and I certainly sympathize with them very deeply, and I hope there will be some remedy found for them. But that brief loses their claim largely on the fact that the executive departments of this Government violated a tacit agreement with them—with these ore producers—by permitting imports to come into the United States.

Mr. RAKER. The gentleman from Indiana has expired.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GORMAN].

Mr. GARRETT of Texas. Will the gentleman prefer to have the time of the gentlemen from Indiana [Mr. SANDERS] and Indiana [Mr. SANDERS]?

Mr. GORMAN. The gentleman from Ohio is recognized for five minutes.
dollar upon the faith of any statement of any official authorized to act or speak in the premises.

Mr. STEAGALL. Will the gentleman yield for a moment on that point?

Mr. GORDON. Yes.

Mr. STEAGALL. This bill does not limit these claims to those who were requested or solicited by the Interior Department, or the War Industries Board, or anybody. That is the section of the bill which deals with their investigation of claims; that section of the bill which authorizes them to pay any claimant, and they may pay anybody who went out for the purpose of producing something that might be needed, because they had read in a paper somewhere that the Government would need it.

Mr. GORDON. Certainly.

Mr. HARDY. I do not know anything about a paper, but I have in mind a particular case where a man was sent for by the, Secretary of the Interior, who urged him to produce materials.

Mr. GORDON. That does not justify any claim against the Government. You personally might go out and induce somebody to produce something for the Government. Do you mean to say that that would make any valid claim against the Government, or that it would bind the Government in any way?

Mr. HARDY. It would bind me if I induced you to do something and, in my opinion, the Government is as properly bound and is under the same moral obligation to pay its just debts as an individual.

Mr. GORDON. You are entirely mistaken about that. You operating to pay these claimants was requested, or demanded, by personal solicitation of one of the departments.

Mr. FOSTER, Mr. Speaker, I yield five minutes to the gentle-

man from Illinois [Mr. Foster].

Mr. FOSTER. Mr. Speaker, the amendment of the Senate to the House bill is for the purpose of validating contracts which are not legal, and according to the decision of the Comptroller of the Treasury not one of these $2,000,000,000 contracts could be paid unless the claimant should go into court and there be able to secure a Judgment against the United States.

Mr. HAMLIN. Will the gentleman yield right there?

Mr. FOSTER. Just for a question.

Mr. HAMLIN. Is it not true that the ruling was based on the fact that they were not contracts but that they were not formally reduced to writing and signed, as the law specifically requires?

Mr. FOSTER. The gentleman from Missouri is a good lawyer, and has practiced law, and he knows the difference between a legal contract and an illegal contract and whether an illegal contract can be enforced in the courts or not. Now, these contracts that could not be paid under existing law.

Mr. HAMLIN. If the gentleman will permit, that is only one of the kinds of contracts contemplated by the bill that is in conference. The case that the gentleman from Missouri names is only one phase of it. There are three other phases of it.

Mr. FOSTER. Hence the necessity of the amendment of the Senate in order to secure the war minerals that were necessary in prosecuting this war.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. FOSTER. No; I can not yield. I have only five minutes.

I will yield later if I get more time. Men were asked to come to Washington on this matter of war materials. I hold in my hand a copy of a telegram sent to a man in Arkansas who came here and was urged to go back home and mine as much manganese as possible in order that it might be used for the war. He had two sons then in the Army and three more going, which he said made five sons who were to win this war in Europe. He remained at home, and each week when his men were paid off he would make a speech urging them to work harder and longer in order that they might get out more of this material for the Government and win the war quickly. To-day that man is a bankrupt, because he acted in good faith and did as he was urged to do.

Is this great Government of ours willing to save its citizens, "When we urged you to go and put your money into a mine in order that you might produce the necessary material to win the war, now we are not going to pay you anything for it"? That man told me that before the war he was worth $100,000. To-day that man is a bankrupt, because he acted in good faith and did as he was urged to do.

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Applause.

I voted for the bill to validate these contracts when the bill passed the House, because I believed this Government ought to settle up these contracts. Now, I believe we ought to settle up these contracts.

Mr. GORDON. Yes.

Mr. FOSTER. The gentleman from Missouri [Mr. Foster] read the provisions of this mining bill, and he read the provisions showing that it authorized the President to do a great many things. But he did not tell you that any of these claimants had acted under that authority of the President or under the authority of anybody authorized by the President, and the truth is that the President never did authorize any of these claimants, and no person acting for the President in that matter under this bill ever authorized anybody to spend a dollar under this legislation.

Mr. HAMLIN. Mr. Speaker, will the gentleman permit another interruption?

Mr. GORDON. Yes.

Mr. HAMLIN. There is a statement in that brief there from Mr. Leaf stating that the bill spoken of by the gentleman from Arkansas [Mr. Frazier] was not operative, because it could not become operative if there was an overproduction, and he said there was an overproduction, and it could not operate.

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

Mr. KAHN. If the gentleman will permit, that is only one phase of it. There are three other phases of it.

Mr. FOSTER. Hence the necessity of the amendment of the Senate in order to secure the war minerals that were necessary in prosecuting this war.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. FOSTER. No; I can not yield. I have only five minutes.

I will yield later if I get more time. Men were asked to come to Washington on this matter of war materials. I hold in my hand a copy of a telegram sent to a man in Arkansas who came here and was urged to go back home and mine as much manganese as possible in order that it might be used for the war. He had two sons then in the Army and three more going, which he said made five sons who were to win this war in Europe. He remained at home, and each week when his men were paid off he would make a speech urging them to work harder and longer in order that they might get out more of this material for the Government and win the war quickly. To-day that man is a bankrupt, because he acted in good faith and did as he was urged to do.

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the contracts of these men who were urged by the Government to take the risks of these ventures. It is from a bill which passed the House early in May went to the Senate and remained there until October before it came back, and was agreed to and finally signed on the 5th day of October. Before it was turned over to the Secretary of the Interior to administer, it was too late to do anything with it. The Secretary, wisely in my judgment, refused to administer that law until further action was taken by Congress. Now, can we not trust Secretary Taft and the Senate to administer that law and those contracts that ought not to be allowed? I believe we can trust him, and I believe that we ought to agree that these small claims shall be settled along with the others, which amount to two or three billion dollars. Let us not forget the small men. [Applause.]

Mr. FIELDS. I yield five minutes to the gentleman from Illinois [Mr. OLDFIELD].

Mr. OLDFIELD. Mr. Speaker and gentleman, I want to tell you something about how this situation has worked out with regard to one of my constituents, Mr. W. H. Denison, from my home county, went into the manganese business in 1887. I know of no better citizen anywhere. Some 15 or 20 years ago the manganese industry ceased to be profitable, on account of manganese coming from South American countries; but when the war started Mr. Denison was sent for and came here at the solicitation of the War Industries Board, the Shipping Board, and the Interior Department, and was told what to do. He was a loyal citizen. He was anxious to do anything that the Government needed him to do to win the war. He had three sons in the Army and two more to go. Five of those sons did go into this war. Three of them have returned. The other two are still in the Army. Mr. Denison was a man in good circumstances in our country, worth $100,000. When they returned he was broke, and he was broke because this Government told him what to do, and because he had done it, and now the Government, or some Members of Congress at any rate, seem not to want to carry out the understanding that the Interior Department and the War Industries Board had with him.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. SANDERS of Indiana. The gentleman is talking about a specific case, and that is what I have been wanting. The gentleman has mentioned the name of a person who produced manganese. What I would like to know is, What agency of the Government created this obligation, what particular officer of that agency dealt with this gentleman?

Mr. OLDFIELD. This man was not a lawyer, as the gentleman no doubt is. He did not wait for a legal contract as some people probably would. He was anxious to win the war and do his bit before he went overseas, and he had done it. Therefore all he knew was to do what the authorities at Washington told him to do. He said to them, "Gentlemen, take over my mines and operate them, and I will be your superintendent with regard to one of my constituents. Mr. W. H. Denison, of Indiana."

Mr. OLDFIELD. The War Industries Board and the Shipping Board and the Interior Department. I do not know which particular one, but he did not want to take these chances. He said, "I have lost a great deal of money in the manganese game; I have saved up something like $100,000 in other business, and I would rather work for the Government for nothing than to take any chance. They said, "No; we can not do that. You go back and do it," and they intimated that if he did not do it he was a slacker. Now, gentlemen, that was a very bad name to call a man in my country. A man would rather do anything than be called a slacker in Arkansas. Therefore he went back and did it.

When these boys came home from France—and remember that these boys were in business with him before they went away, and you fellows who are helping your fathers run the various businesses, and dispense with their services. One of them resigned from a lieutenancy in a camp in Arkansas and went to France as a private in order to get back the very money the Government was helping him run the various businesses, and dispense with their services. One of them resigned from a lieutenancy in a camp in Arkansas and went to France as a private in order to get back the very money the Government was helping him run the various businesses, and dispense with their services. The other two sons are still in the War. He now comes back and finds his father and mother paupers because his father had enough confidence in the United States Government to do what they told him to do. Now, is not that a moral obligation?

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. GREENE of Vermont. Assuming it is a moral obligation, in the broad and general sense, how would the claimant reduce to specific figures the exact damage that he sustains against the Government, there being no contract?"

Mr. OLDFIELD. The Secretary of the Interior will adjust that matter, just as the Secretary of War is going to adjust those matters.

Mr. GREENE of Vermont. But these matters are matters of immediate contracts; they may have had a beginning, or they are proceeding under an old one.

Mr. OLDFIELD. The Secretary of the Interior knows that the War Industries Board, and the War Industries Board knows that it is largely responsible for making paupers out of men in the country. They think they can adjust these obligations, and I am willing to leave that to them.

Mr. GREENE of Vermont. But these are all generalities only.

Mr. OLDFIELD. Mr. Speaker, I desire to print in the Record a letter which I received from Mr. Denison:

Mr. W. A. OLDFIELD. Congressman from Arkansas.

Dear Sir: Below are the exact telegrams as passed between myself and the Mineral Division of the War Industries Board of the United States Government.

WASHINGTON, D. C, March 15, 1918.

MANGANESE DEVELOPMENT CO.,
Cushman, Ark.

You are invited to attend a conference of producers of manganese ores with Mr. L. J. Lippole, of the War Industries Board, and Messrs. Leigh and Spurr, of the Shipping Board, meeting to take place Monday, March 22, at 11 a.m., in the 17th Avenue, 14th and B Streets, Washington.

Mr. W. H. DENISON,
Cushman, Ark.

March 13, 1918.

To which I replied, as follows:

WASHINGTON, D. C, March 16, 1918.

Mr. W. H. DENISON,
Cushman, Ark.

Meeting to get views of producers, with a view of stimulating production, and getting off raw material to supply the needs of the war. Please wire nature of this meeting and who you expect to be present; will be there if possible.

W. H. DENISON.

Mr. OLDFIELD. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Speaker, I am going to try and speak simply of the legal rights of this bill. Gentlemen have dressed themselves to a brief that has been filed by some claimants—what claimants they do not say. They have talked about a brief as being involved in the bill, but that brief can have no possible relationship to the bill before us. The question is, what the people said in the brief, but the question is, What are the provisions of this bill? The chairman of the committee started the discussion by saying that anyone in the United States who has a piece of land upon which or under which there are minerals can prosecute a claim against the United States and enforce it, and then he says that it provides for the adjustment of claims against the United States.

Now, that is the general line of discussion here. The question is, Are these two things true? Can any man who has a piece of land with underlying minerals now or may have an area of minerals that he can assert a claim against the United States, and for the adjustment of claims which have no basis except a moral basis? I say neither of these things is true. Let us turn to the bill and see; and I am going to read all that is important, and I ask if you will be good enough to follow my reading.

Section 7 is as follows:

SEC. 7. That the Secretary of the Interior be, and hereby is, authorized to proceed to ascertain the nature of and extent of the money heretofore invested and obligations incurred by investors in manganese industries in the United States; to make a survey and report to Congress, and the United States Government shall be held and indemnified for any and all costs, expenses, and charges incurred in connection therewith.

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Meeting to get views of producers, with a view of stimulating production, and getting off raw material to supply the needs of the war. Please wire nature of this meeting and who you expect to be present; will be there if possible.

W. H. DENISON.
Mr. HARDY. The gentleman would not induce a man to perform such labor for himself without compensating him?

Mr. FIELDS. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, I am in favor of the provision for two reasons. One of them is that I believe it is the duty of the Government, the same as an individual, to meet its moral obligations. The other reason is a practical one from the standpoint to which you refer. When the Secretary of the Interior, the War Department, or the Government, repudiates a claim, then there is no use for Congress to vote money for the settlement of those claims. So I think you should ask, Why do you bring in a separate bill? If you vote down this proposition to-day and there is not some provision made for the settlement of these claims, mark my words, these men could come back and say that the Government is not going to meet its moral obligations.

Mr. DECKER. Does not the gentleman think a bill ought to come to get the House to do that?

Mr. WINGO. Mr. Speaker, in my opinion, if the Government is going to meet these obligations, the men who have been induced to invest their money should be indemnified.

Mr. DECKER. Who made this promise to these miners?

Mr. HARDY. The gentleman would not make a promise to me.

Mr. DECKER. Who made this promise to those who have been requested by three agencies to invest their money in the settlement of those claims? That bill has been so changed in the Senate that I think it has been very materially improved.

Mr. DECKER. Does the gentleman mean to say that these men, with enough intelligence and information and money to run a mine, did not understand that the Secretary of the Interior meant to meet these obligations?

Mr. HARDY. They not only had enough intelligence and money, but they had enough patriotism. [Applause.] And they did go ahead and put their money into these investments in order to help win the war.

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

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DECKER. Does the gentleman mean to say that these men, with enough intelligence and information and money to run a mine, did not understand that the Secretary of the Interior meant to meet these obligations?

Mr. HARDY. They did go ahead and put their money into these investments in order to help win the war. They did not make such a guaranty as that?

Mr. DECKER. Who made this promise to these miners?

Mr. HARDY. The Secretary of the Interior and the War Industries Board.

Mr. DECKER. The Secretary of the Interior, the War Department, and the Government—by the Shipping Board, by the War Industries Board, by the Secretary of the Interior—to produce these metals, which manganese may lie may present a claim, but only those men who have been requested by the Government in pursuance of this act by these three agencies of the Government, and I point to the act itself, which reads thus:

Mr. DECKER. Does the gentleman mean to say that these men, with enough intelligence and information and money to run a mine, did not understand that the Secretary of the Interior meant to meet these obligations?

Mr. HARDY. They not only had enough intelligence and money, but they had enough patriotism. [Applause.] And they did go ahead and put their money into these investments in order to help win the war.

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

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Mr. HARDY. They not only had enough intelligence and money, but they had enough patriotism. [Applause.] And they did go ahead and put their money into these investments in order to help win the war.
Mr. GARLAND. And I want to say that I believe when the Republicans come in that they will pass a tariff bill to take care of the 1919. sales. I am not opposed to this Government's paying their way, and to assume the burdens of the war and the financial obligations of the war of 1918. For Mr. Speaker and gentlemen, I am opposed to allowing such contracts, and the pending proposal excludes them by limiting relief to claims based upon personal solicitations, personal inducements, and personal orders of Government representatives. I wish to God that every contract that will be settled under the War Department provision will be as clear as the contracts that Mr. Lane will settle under section 7. Gentlemen talk of the original bill that passed this House—the war-contract bill—covering only those cases where they had a contract of some kind a little bit informal. Oh, no, you are going to take care of cases like this where a man, a department employee, sits in Washington and calls up contractors and orders without limit their output. "What is your price? We are not fixing any price; send in the goods and your cost sheets and then we will fix your price." They will settle claims where there was not even a price agreed upon, in some instances. You tell me you are going to settle these claims and pay the bill and talk about the authority to settle claims with the little mine owners throughout the country. I have not one in my district of which I know. I would be ashamed of our Government if it should say it would settle the claims of Mr. Oldfield talked about, "There is no legal obligation; nothing but a moral obligation; and the Government does not meet its moral obligations." A government that will not meet its obligations, I think, is going to throw its word. The SPEAKER. The time of the gentleman has expired.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Speaker and gentlemen, I am opposed to this bill because of section 7. Section 7 came before the Committee on Mines and Mining. It was taken away from there. It was taken away from the House. There have been no hearings on this. As a matter of fact, section 7 opens up the possibility of any man to come in with a claim that he had developed, or tried to develop, a mine, and although he did not give one single pound of ore to the Government, he could produce the deposit. This paragraph was provided for development in the bill we passed on December 5, 1918.

Mr. DENT. Will the gentleman yield for a question? Mr. GARLAND. Not now. An attempt was made in this bill to pay everybody, whether they produced material or not. It seems to me that claims of that kind are not any more just than the claims of those who are abroad now and who lost all of their business. I met men on the other side and in this country who had gone into the Army at the call of war and who lost all of their business. Have they not just as much claim because of the fact that they had to go to war and forsake their businesses? They are coming back now without anything to which to go. This bill that we passed on November 5 provides also that the President of the United States can issue a protective tariff to take care of these men and their business. He has refused to do it.

The SPEAKER. The time of the gentleman has expired.
Mr. FIELDS. Mr. Speaker, how much time is there remaining?

The SPEAKER. Twenty-three minutes.

Mr. FIELDS. Mr. Speaker, I will yield to myself eight minutes.

Mr. Speaker and gentlemen of the House, when the conferees went into conference upon this bill they went in, practically, instructed upon this proposition. The chairman of the conferees had stated to the House that he would bring the matter back to the House before taking action upon it. We therefore felt that we were instructed upon the proposition.

Now, I do not believe that there is a Member of the House who wants section 7 of the Senate amendment in its entirety. I do not believe, on the other hand, that there is a Member of the House who wants the Government to repudiate any honest, moral obligation. If the conferees are instructed, why, of course, I as one of the conferees shall abide by the instructions given us. If we are sent to conference with a free hand, I know that the conferees will do all in my power to help to amend the provision so that it will take care of moral obligations and at the same time protect the Government against unjust claims.

I am in favor of the recognition of the claim of every man who says that he enlarged his operations because he read an advertisement in the newspapers that the Government wanted him to do so. On the other hand, where the Government or any of its agents in charge of the prosecution of the war, or in preparing the means for the prosecution of the war, induced men to invest their money and produce these materials, the claims of these producers are just as legitimate as the claims of any other producers, and that class of producers should be cared for. I am not in favor of individuals growing rich by reason of special favors extended to them by the Government.

On the other hand, I am not in favor of bankrupting honest men and destroying legitimate business by the strong arm of the Government. I realize that a great deal of amendment must be made to this provision before it should be accepted; and, if given a free hand in conference, I shall do all in my power to help to perfect the amendment, so that it will do justice to the Government on the one hand and to the honest, legitimate business men on the other.

I believe that it would be a mistake to instruct the conferees. If you instruct them to disagree to this amendment in its entirety, it must go out of the bill. If you do not instruct the conferees to disagree to this amendment, then I do not think it should be revised or amended in conference. Therefore, instructions would mean that the amendment would be accepted as it passed the Senate or reflected in its entirety. I think that either course would be a mistake. I think that the other is the only way to do justice to those men who have no just claims, and on the other it would defeat many honest obligations. Therefore, I hope the conferees will be permitted to work out a provision that will take care of honest and legitimate claims.

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

Mr. FIELDS. Yes.

Mr. HARDY. Will the gentleman tell me where, under section 7 of the bill, any man would have a legitimate claim except where they were asked to do work by one of these departments?

Mr. FIELDS. I am not in favor of recognizing a claim which has as its only basis the fact that a man read in a newspaper that the Government wanted him to produce these minerals.

Mr. HARDY. Can the gentleman show me, under section 7 of the bill, where I could be paid by the Government for work done by the solicitation of these departments, which has made their profit, and has made an expenditure?

Mr. FIELDS. I think it could be done. But I would put such safeguards into the amendment as would prevent that.

Mr. HARDY. Is the gentleman in favor of putting in the bill a provision that at least as these men are entitled to all perquisites of the departments having the solicitation of these departments had invested their money and made an expenditure?

Mr. FIELDS. A moment ago that I am not in favor of this Government, because of its ability to do so, bankrupting any honest, legitimate business man.

Mr. HARDY. Then I take it that the gentleman is in favor of putting into the provisions of this bill a provision which is as follows: "I believe the gentleman wants to see justice done. Does not section 7 require that every claim under it should show that the work done was done at the request of one of these departments?"

Mr. FIELDS. There is some difference of opinion on that, and I think that the conferees should be careful to throw proper safeguards around it.

Mr. DENT. Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. KAHN].

Mr. RUCKER. Mr. Speaker, before the gentleman does that and closes debate, I would like to have five minutes on this bill. I wondered if the gentleman would object if I would ask unanimous consent for five minutes, not to be taken out of the gentleman's time.

Mr. DENT. I will not object.

Mr. KAHN. I believe the time has been agreed to by the House. I have no objection to the gentleman asking for further time.

Mr. DENT. I understand one gentleman yielded back two minutes of his time, and if the gentleman from California [Mr. KAHN] is willing, I will yield those two minutes.

Mr. RUCKER. I am recognized for five minutes.

The SPEAKER. The gentleman is recognized for five minutes.

Mr. RUCKER. I am recognized for five minutes. If there is any controversy about it, that settles it.

Now, Mr. Speaker, I am not a member of the committee that has charge of this bill or of any committee that deals with this or any related question, and the most I know about the pending measure is derived from the debate I heard here to-day. I understand this bill, especially section 7 of the Senate amendment, provides a method by which certain claims may be presented against the United States, allowed, and paid. Gentlemen say the claims provided for in the Senate amendment are founded upon a moral obligation, not founded upon a legal obligation.

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

Mr. RUCKER. Yes. Make your question short.

Mr. HAMLIN. Section 7 does just what the gentleman says, and makes the findings of the Secretary of the Interior absolutely final.

Mr. RUCKER. I am greatly obligated to my colleague, but I hope I shall not be interrupted any more, because I want to say in the time given me what I have in mind. Gentlemen say—and my good friend the gentleman from Texas [Mr. HARDY] and to these other advocates of complying with the Government say the claims provided for in the Senate amendment are founded upon a moral obligation, not founded upon a legal obligation. Mr. HAMLIN. Mr. Speaker, will the gentleman yield right there?

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Mr. RUCKER. Yes.

Mr. HAMLIN. Section 7 does just what the gentleman says, and makes the findings of the Secretary of the Interior absolutely final.
hones of poor men, because there are more poor men than there are rich men, and although the poor men individually have less dollars than rich men, everybody knows that poor men have the larger number of boys.

In his memoirs, the Secretary of the "moral-obligation" doctrine going to do in a case like this? The Government asked the farmers of the country to plant more corn and to sow more wheat, and the farmers responded nobly. They treated their lands as if their sons were on the farms to help harvest the increased crops; but before the corn matured, before the golden grain waved in the breeze, and the wheat, another draft law came along and took the 18-year-old boy and the 21-year-old citizen—both of whom had just turned 18, and, by reason of the draft law, the farmer was deprived of his help to harvest his crops. Storms came, and the wheat fell and rotted in the field. On the other hand, you have the moral obligation doctrine, which determines how much you owe that man and pay him? And what about the young man, like one from my district, who had been progressive and industrious, honest, sober, and frugal, who had had great business acumen and accumulated property of considerable value, who was part owner of a bank, cashier in the bank, owner of a large hardware store, owner of four or five hundred acres of land and the stock upon it, who was drafted into the service? The summons came to him, "You must leave your bank account, abandon your hardware store, turn your farm over to tenants, sacrifice your stock and crops, and go to war." Such a man is to-day at the front, where the first shot in France was fired, but the sum total of his property may be but over $30,000 on his property and has an interest rate of $5 or $6 a day to meet. He was taken away from a profitable business and placed in a gun in his hand to fight back the enemies of democracy. Would it not be fair and morally right to pay that man his salary as bank cashier and refuse to him the interest he has paid? The Government prevented him from earning money to pay it and, therefore, is morally obligated to reimburse him. Oh, before you attempt to be morally fair with millionaires, for God's sake be morally fair to the poor men of my country. [Applause.]

Mr. KAHN. Mr. Speaker, I yield the remainder of my time to the gentleman from California [Mr. KAHN], and when he has concluded his remarks I shall move the previous question.

The SPEAKER pro tempore. The gentleman from California is recognized for 12 minutes.

Mr. KAHN. Mr. Speaker, I favor the principle involved in section 7 of the Senate amendment. Now, let us look at the situation in all fairness. We were getting manganese and chrome and pyrites, minerals absolutely necessary for the manufacture of our ordnance and ammunition, from Rhodesia and South Africa. On account of the exigencies of war our supplies of these imports were to be enforced upon us. The Department and bureaus of our Government that were called upon to furnish the ordnance and ammunition for our country necessary to the winning of the war looked with apprehension upon a statement made by one of my constituents: "Men in my district do not want to fight the war; they want to stay at home and harvest their crops; they do not want to leave their farm hands to help with the plows and the scythes to harvest their crops. Storms came, and the wheat fell and rotted in the field. On the other hand, you have the moral obligation doctrine, which determines how much you owe that man and pay him? And what about the young man, like one from my district, who had been progressive and industrious, honest, sober, and frugal, who had had great business acumen and accumulated property of considerable value, who was part owner of a bank, cashier in the bank, owner of a large hardware store, owner of four or five hundred acres of land and the stock upon it, who was drafted into the service? The summons came to him, "You must leave your bank account, abandon your hardware store, turn your farm over to tenants, sacrifice your stock and crops, and go to war." Such a man is to-day at the front, where the first shot in France was fired, but the sum total of his property may be but over $30,000 on his property and has an interest rate of $5 or $6 a day to meet. He was taken away from a profitable business and placed in a gun in his hand to fight back the enemies of democracy. Would it not be fair and morally right to pay that man his salary as bank cashier and refuse to him the interest he has paid? The Government prevented him from earning money to pay it and, therefore, is morally obligated to reimburse him. Oh, before you attempt to be morally fair with millionaires, for God's sake be morally fair to the poor men of my country. [Applause.]

Mr. BLACK. Will the gentleman yield?

Mr. KAHN. No; I cannot yield. I am sorry, but I have not the time. If the war had continued for any considerable length of time, these people could and would have delivered to the Government every penny they could; and it is certain that they would have received their pay for it. And no one would have objected. That is the truth of the matter. But the armistice, coming as suddenly as it did, found these men almost at the very eaves of the enemy and said to them, 'You have been denouncing the men in good faith hundreds of thousands of dollars to develop these mines, and I say they undoubtedly have an equitable claim upon the Government. Oh, the gentleman from Missouri [Mr. BURTON] got up and denounced the [gentleman from Missouri], about the poor farmer not getting anything. Let me call the attention of the Members of this House to the fact that there will be billed against the public for several years, and that the House, and Washington in general, have not been honest and fair in regard to the prices paid for these minerals.

There are some gentlemen in this House who think that every man who has a claim against this country is a crook. Thank God I do not believe that of my countrymen. [Applause.] I believe that there is as much honesty in the United States as you will find anywhere on the globe. I recognize the fact that every safeguard ought to be thrown around a provision of this kind. I feel confident that the Senate conference, on the part of the United States, was acting in a manner that was just, fair, and equitable, so that claims that can not be fully substantiated will be rejected and thrown out.

I am willing for one, knowing the man as I do, to let him pay the $30,000 on his property and has an interest rate of $5 or $6 a day to meet. He was taken away from a profitable business and placed in a gun in his hand to fight back the enemies of democracy. Would it not be fair and morally right to pay that man his salary as bank cashier and refuse to him the interest he has paid? The Government prevented him from earning money to pay it and, therefore, is morally obligated to reimburse him. Oh, before you attempt to be morally fair with millionaires, for God's sake be morally fair to the poor men of my country. [Applause.]

Mr. DENT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The time of the gentleman from California has expired, and all time has expired.

The SPEAKER. The question is on the motion of the gentleman from Alabama [Mr. ALABAMA] on the rejection of the Senate amendments and agree to the conference.
The question was taken, and the motion was agreed to. Mr. MANN. Mr. Speaker, is it now in order to instruct the conferees?

The SPEAKER. It is.

Mr. HOWARD. Mr. Speaker, I move that the House instruct the conferees on the part of the House to agree to section 7 of the Senate amendment.

The SPEAKER. The gentleman from Georgia moves that the House instruct the conferees to agree to section 7 of the Senate amendment.

Mr. KAHN. That if that is adopted, would it bind the conferees to the express language of section 7 as it now stands?

The SPEAKER. Of course. They are instructed to agree to section 7 of the Senate amendment. They can not juggle around and bring in something equivalent.

The question was taken; and on a division (demanded by Mr. STOKES) there were 66 ayes and 102 noes.

Mr. CURRY of California. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from California makes the point of no quorum, and evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. HOWARD. Mr. Speaker, I move that the House instruct the House conferees to agree to section 7 of the Senate amendment.

The SPEAKER. Mr. HOWARD. Mr. Speaker, I move that the House instruct the House conferees to agree to section 7 of the Senate amendment.

The SPEAKER. The gentleman will state it.

Mr. KAHN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. I believe the gentleman from Tennessee has the floor.

Mr. CURRY of California. Mr. Speaker, I make the point of order, that the house conferees are instructed to agree to section 7 of the Senate amendment. They can not juggle around and bring in something equivalent.

The question was taken; and there were—yeas 71, nays 226, answered "present" 4, not voting 128, as follows:

YEAS—71.

Mr. CURRY of California. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from California makes the point of no quorum, and evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

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YEAS—71.

So the motion to instruct the conferees was rejected.

The result of the vote was announced as above recorded, The Clerk announced the following additional pairs:

Until further notice:

Mr. EVANS of South Carolina with Mr. CANNON.

Mr. BROWNING with Mr. CHANDLER of Oklahoma.

Mr. BOOHER with Mr. HAMILTON of Michigan.

Mr. CANDLER of Mississippi with Mr. COTLEY.

Mr. CLARK of Florida with Mr. EDMONDS.

Mr. DAVEY with Mr. ESSEN.

Mr. GODWIN of North Carolina with Mr. HEATON.

Mr. KITCHIN with Mr. O'BRIEN.

Mr. LITTLEPAGE with Mr. BOWERS.

Mr. MURPHY with Mr. WASHBURN.

Mr. RICHARDSON with Mr. WINSLOW.

Mr. SEARS with Mr. NOLAN.

Mr. RUBY with Mr. STEENSHEIMER.

Mr. SLAYDEN with Mr. SWITZER.

Mr. THOMAS P. SMITH with Mr. V. ABE.

Mr. WAXDEY with Mr. WILSON of Illinois.

Mr. CANNON, Mr. Speaker, I would like to vote "no."

The SPEAKER. The vote has already been announced. The gentleman may vote "present."

Mr. CANNON. Well, I shall vote "present," if I can not vote "no."

Mr. HAMILIN, Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT, Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. Pending that I would like to see if we can agree upon a limitation to general debate.

Mr. BROWNING. Mr. Speaker, what has the gentleman to suggest?

Mr. PADGETT. I was in hopes that we might conclude it this afternoon, between now and 5 o'clock.

Mr. BROWNING. Mr. Speaker, I can not agree to that. I have requests for 2 hours and 10 minutes upon this side. I do not know what the gentleman from Tennessee has, but I told him that if he would take one hour to-morrow morning after the House goes into the Committee of the Whole House, I would be willing then that the general debate cease.

Mr. PADGETT. Mr. Speaker, I was very anxious to conclude it this afternoon.

Mr. BROWNING. So I was; but the other business has taken up too much time.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that general debate may conclude in one hour after the House goes into the Committee of the Whole House on the state of the Union for the consideration of this bill to-morrow.

The SPEAKER. Is there objection?