and for other purposes," approved June 3, 1916, be amended to read as follows:

"Sec. 129. That an enlisted man honorably discharged from the Army, Navy, or Marine Corps since November 11, 1918, or who may hereafter be honorably discharged, shall receive 5 cents per mile from the place of his discharge to his actual bona fide home or residence, or original muster into the service, at his option: Provided, That for sea travel on discharge, transportation and subsistence only shall be furnished to enlisted men: Provided, That naval reservists duly enrolled who have been honorably released from active service since November 11, 1918, or who may hereafter be honorably released from active service, shall be entitled likewise to receive mileage as aforesaid."

And the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the figure "4": and the Senate agree to the same.

Mr. DENT. Now, Mr. Speaker, unless some Member desires to ask a question, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

RELIEF OF INFORMAL CONTRACTS.

Mr. DENT. Mr. Speaker, I call up the conference report on the bill (H. R. 13866) an act entitled, "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions," submit the following written statement explaining the effect of the action agreed upon:

The House receded upon Senate amendment No. 1 with an amendment giving to enlisted men in the Naval Reserve who have been on active duty the same privileges allowed to the enlisted men in the Army, Navy, and Marine Corps upon mustering out. The Senate receded from amendment No. 2, providing for extra pay and officers and enlisted men in the Army, Navy, and Marine Corps, this matter having already been adjusted by both Houses in the revenue bill. The only other change, of course, is in the numbering of the sections.

Mr. DENT. Let me suggest to the gentleman from Alabama that he call up the other conference report on the resumption of voluntary enlistments in the Regular Army, and for other purposes, submit the following written statement explaining the effect of the action agreed upon, to wit: Instead of providing for a period of enlistments for one year only, as decided by the House, the Senate agreed that one-third of the enlistments should be for a period of one year and the remaining two-thirds for a period of three years. The Senate provision exempts enlistments from service in the reserve. An agreement was reached as to the House provision making the pick of enlisted men the same as that of the act of May 18, 1917, the act providing for the temporary increase in the Army. The provision was also agreed upon to the effect that those enlisting for three years might be discharged at the discretion of the Secretary of War after the expiration of a period of one year.

Mr. WALSH. Will the gentleman state how the proportions are fixed at one-third and two-thirds?

Mr. DENT. That is largely a matter of guesswork. It was first suggested in conference that a certain number of the Army enlist for a period of one year and the balance for a period of three years.

Mr. WALSH. As I understand it, the Army will have no enlistment for three years with four years in the reserves after this becomes a law?

Mr. DENT. That is true.

Mr. TILSON. What do I understand about the one-third; what does that mean? Suppose you can not get any men under the three-year enlistments, but all want to enlist in the one-third for one year; how many men can you enlist for one year?

Mr. DENT. You could only enlist one-third of the total.

Mr. TILSON. And not one-third of those who enlist?

Mr. DENT. No; one-third of the total.

Mr. TILSON. If the Army constitutes 175,000 men, that would authorize one-third of 52,500, even if no men enlisted for the three-year period?

Mr. DENT. That is undoubtedly the construction to be placed upon the agreement reached by the conference. Mr.
Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

VALIDATION OF INFORMAL WAR CONTRACTS.

Mr. DENT. Mr. Speaker, I call up the conference report upon the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. WALSH. Mr. Speaker, this matter is one of the most important matters awaiting attention, and we ought to have a full attendance whenever it is considered. I make the point of order that there is no quorum present.

Mr. BYRNES of South Carolina. Mr. Chairman, will not the gentleman from Alabama [Mr. DENT] withdraw that motion and allow us to go on with the appropriation bill?

Mr. DENT. Mr. Speaker, this is a very pressing matter, and it is something that necessarily must go back to conference. It does not make any difference what action the House takes, this bill necessarily must go back to conference, because there is a complete disagreement. We are in exactly the same situation that we were when we started. I hope the gentleman from Alabama will not make the point of order that there is no quorum present, but will let us dispose of this matter in some shape. If the matter comes up, it is my intention to make a motion that the House do further insist upon its disagreement to the Senate amendment.

The SPEAKER. Does the gentleman from Massachusetts insist upon his point of order?

Mr. WALSH (interrupting the count). Mr. Speaker, I withdraw the point temporarily.

The SPEAKER. The Chair thanks the gentleman, and the Clerk will report the conference report.

The Clerk reads as follows:

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

S. H. DENT, Jr., W. J. FIELDS, JULIUS KAHN, Managers on the part of the House.

Gen. E. Chamberlain, C. S. Thomas, F. E. Warren, Managers on the part of the Senate.

Mr. DENT. Mr. Speaker, I move that the House do further insist upon its disagreement to the Senate amendment.

Mr. FOSTER. Mr. Speaker, I desire to offer a motion to instruct the conferees.

Mr. GORDON. They have already been instructed, have they not?

Mr. GORDON. Yes.

Mr. FOSTER. But I want to instruct them again.

Mr. GORDON. They have been twice instructed against this same thing.

Mr. DENT. The gentleman has the right to make that motion.

The SPEAKER. The Chair will suggest that, under a long line of decisions in matters similar to this, there is nothing before the House. Speaker, the Clerk held there was nothing before the House, and such a motion would not be in order at this time.

Mr. FOSTER. Is not this bill before the House?

The SPEAKER. There is nothing in this report that the House has to act on.

Mr. FIELDS. The bill is before the House with a Senate amendment.

The SPEAKER. That is correct. We are exactly where we started.

Mr. FOSTER. Before the bill goes back to conference, I desire to move to instruct the conferees.

Mr. HARRISON of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARRISON of Virginia. Is a motion now in order that the House concur in the Senate amendment in regard to making claims, with an amendment that the amount shall not exceed a certain amount?

Mr. MANN. Mr. Speaker, it is not in order to concur in a part of the Senate amendment with an amendment. The House must by its action in the end dispose of the Senate amendment. The House can concur in the Senate amendment with an amendment, or it can insist upon its disagreement to the Senate amendment, but it can not concur in a part of the Senate amendment with an amendment. It must act upon the whole amendment.

The SPEAKER. Is that the case the gentleman from Virginia presents?

Mr. MANN. That is the case, because the gentleman’s suggestion was with reference to section 7 of the Senate amendment. The Senate made one amendment to the entire bill. The action taken by the House, whatever it may be, must be upon the entire amendment. Of course we can concur in the Senate amendment with an amendment striking out all of the Senate amendment and inserting what the House thinks should be inserted, but we cannot concur in a part of the Senate amendment. You can instruct the conferees before they are appointed.

The SPEAKER. The gentleman from Illinois has answered the inquiry of the gentleman from Virginia, and the Chair concurs in his answer.

Mr. FIELDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. When this matter was before the House a few days ago, the House instructed the conferees to disagree to section 5 of the conference report. Would a motion be in order to send the conferees back to conference uninstructed?

Mr. MANN. Of course a motion to send the conferees back uninstructed is not in order, because it is not necessary.

Mr. FIELDS. The conferees go back instructed unless the House instructs them.

Mr. GORDON. We have already instructed them.

Mr. MANN. I do not very much whether they go back instructed. They have reported that they disagree on the instruction that was bad. Of course, the conferees might feel inclined to retain the instructions of the House, but when you appoint new conferences my impression is that the old instructions go by the board.

The SPEAKER. The old instructions are played out. We have to start anew again. This matter is precisely where it was when the conferences were appointed.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

Mr. WINGO. The conferees having made a report, and the Speaker having laid the bill before the House, the only action that the House can take at this time is to send it back to conference, is it not?

The SPEAKER. Of course.

Mr. WINGO. Is a motion in order to send the bill back to conference and appoint new conferences?

The SPEAKER. Yes.

Mr. WINGO. I make that motion.

Mr. KAHN. It has already been made.

The SPEAKER. The gentleman from Alabama [Mr. DENT] has already made that motion.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes in regard to this matter, which is a very important matter for the business interests of this country and the European nations.

Mr. FOSTER. Would not the gentleman wait until I offer my motion to instruct the conferences?

Mr. GORDON. Oh, we have to divide the time on this.

Mr. CANNON. Does the gentleman propose to discuss the merits of the proposition?

Mr. KAHN. No.

Mr. CANNON. On this bill?

The SPEAKER. If it gets in conference, then before the conferences are appointed the gentleman from Illinois [Mr. FOSTER] can make his motion. The gentleman from Alabama moves that the House insist on its disagreement and ask for a new conference.

Mr. KAHN. Mr. Speaker, will the gentleman from Alabama yield me 10 minutes.

Mr. DENT. I yield the gentleman from California 10 minutes.

Mr. KAHN. Mr. Speaker, the conferences on the part of the House, taking the instructions of the House, refused to accept the Senate amendment on the mineral section of the informal compact bill. The conference on the part of the Senate are just as firm for the Senate proposition as the conferences on the part of the House. But they suggested that we call to the attention of the House a proposition that they had in mind, namely, that