Mr. Neeley with Mr. Wason.
Mr. Oliver with Mr. Wheeler.
Mr. Oliver of New York with Mr. Woods of Iowa.
Mr. Olney with Mr. Zehlmen.
Mr. Padden with Mr. Birch.
Mr. Paddock with Mr. Campbell of Kansas.
Mr. Scully with Mr. Caty.
Mr. Chaffee with Mr. Conner of New York.
Mr. Sims with Mr. Clark of Pennsylvania.
Mr. Stephens of Mississippi with Mr. Fess.
Mr. Stevenson with Mr. George W. Farland.
Mr. Sullivan with Mr. Francis.
Mr. Trend with Mr. Gray of New Jersey.
Mr. Vrions with Mr. Hunse.
Mr. Weems with Mr. Winans.
Mr. Welling with Mr. McCulloch.
Mr. Wingo. Mr. Speaker, I would like to submit a unanimous-consent request. I would like to substitute in the permanent record a more elaborate opinion on a point of order which I decided in the chair last night. Is there objection?
There was no objection.

VALIDATION OF INFORMAL WAR CONTRACTS—CONFERENCE REPORT

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

The SPEAKER. The Clerk will read the report.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to prepare for and insert in the permanent record a statement, as follows:

The statement is 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 entered into in the manner required by law, have met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The conference report together with the accompanying statement of one thousand two hundred eighty-one words is the conference report on the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

"That the Secretary of War be, and he hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition or control of equipment, materials or supplies, or for services, or for facilities, or for other purposes, whether or not such agreements or arrangements entered into with any foreign government or governments or nationals thereof, prior to November 12, 1918, for the furnishing to the American Expeditionary Forces or otherwise for war purposes of supplies, materials, facilities, services or the use of property, or for the furnishing of any property by the United States to any foreign government or governments, whether or not such agreements or arrangements have been entered into in accordance with applicable statutory provisions; and the provisions of this act shall not be applicable to such adjustments."
1919.

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The conference adopted the report upon this bill made February 11, with the exception of section 5, which provided for the settlement of mining contracts by the Secretary of the Interior. In section 5, the conference adhered to the latest instructions of the House authorizing the settlement and liquidation of losses suffered in the production of manganese, chrome, pyrite, and tungsten. The conferees respectfully refer to the report and statement filed February 11, 1919, upon this bill.

S. H. DENT, JR.,
W. J. FIELDS, Managers on the part of the House.

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

Mr. FIELDS. Mr. Speaker, this report contains the identical language that the House instructed the conferees to agree to. I therefore consider that it is not necessary to discuss it, but the gentleman from Illinois [Mr. CANNON] would like to have two or three minutes. I yield three minutes to the gentleman.

Mr. CANNON. Mr. Speaker, I shall vote for this conference report, and that is saying a good deal, under the circumstances. The contracts that were made in fact, but were not formally executed, ought to be cared for. That is the main object of this bill. But they come along and make a different rule as to contracts under the legislation of October 5, 1918, which I did not approve. They were not contracts. They amended it and cut out everything but four minerals. I believe that was wise. The House reversed itself by agreeing to that proposition for one reason, and one only. The gentleman from California [Mr. HARKER] said the contracts that were made in fact but not formally executed, because in the stress of war they could not be, amounted to $5,000,000,000. That was the statement of a gentleman from California. But as they amended it and confined it to four of the minerals, that was better than to have included everything, because they were "thick as the leaves in Yallombrossa." [Laughter.] I never was there, but they said to be very thick. People who produced coal, for instance, said, "Pod God's sake save our sulphur rocks" in the coal they and produced in developed mines on which they had made great fortunes, and so on.

Now, my apprehension is this, and in voting for this matter, I want to give notice here and now: And helping me, I will not throw open the door in a future Congress and give that extreme power to the Secretary of the Interior, which means the head of the Bureau of Mines, to hear, to find, to settle—not to send to the courts, because that is cut off, but to settle and use a permanent revolving appropriation to pay. If I live I will be in the next Congress, and I can in that Congress or another Congress I shall not vote to throw open the door in that way. I wanted to say this much. God helping, I hope the next House of Representatives will be able to do what I am not going to do in case I am re-elected, but I thought to say that much. We would not have put in those four minerals had it not been for the fear on both sides of the House that otherwise the situation was in a condition where $5,000,000,000 of contracts were involved, they having been made under the provisions of the bill, with power to settle. If they did not take three-fourths of the settlement when it was made, they were empowered to go to the court. That was a very different proposition.

We will have to take our chances in the future, but I think I shall not live long enough to see the end of such claims, cropping up either by general legislation or by reports from Committees on Claims. They will be with us. I doubt if one-half of the membership of this House will be here—I am sure I will not—long enough to see the end of such claims. I am sorry the door was opened, but there you are; and this is all that we could do. I believe that the contracts that made this House reverse itself upon the subject of all the minerals that were mentioned in the act of the October 5th, 1918, cut us, from the standpoint of necessity, to vote the other way. I did not vote the other way because it was quite understood that we had finished the first bill, and that after all, it leaves to future Congresses, I fear, a great amount of trouble.

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

Mr. MANN. I should like to have five minutes.

Mr. FIELDS. I yield five minutes to the gentleman from Illinois.
Mr. MANN. Mr. Speaker, I think one provision in this conference report, which I have not heard referred to, is a very dangerous thing. We passed this bill in the House authorizing the Secretary of War to settle certain contracts which were not legally entered into, as far as their form was concerned, and there is some question as to whether we ought to do that or not. We decided to let the executive branch of the Government, which had carried on all of these negotiations, complete the contract and determine whether the sum was due to the men who had furnished supplies or entered into any arrangement with or for the Government. As I recall, our bill provided that we did not mean to preclude the ability of the Government to bring a suit. Now the conference report, after authorizing the War Department to settle these claims, inserts a provision under which litigation and just compensation, and so forth, in case the Secretary of War shall fail or refuse to offer satisfactory adjustment, payment, or compensation, as provided. Of course, that means, first, that if the amount which the Secretary of War, on his facts, in his opinion, determines, he cannot fix upon any other basis and patriots have obeyed the requests and demands of the War Department, but we ought not to permit everybody in the country who wishes to bring a suit in the Court of Claims against the United States on what is now an illegal contract, but made legal by this conference report. [Applause.]

Mr. FIELDS. The gentleman from California [Mr. KAHN] desires five minutes in which to reply, which puts me in an embarrassing position with reference to yielding time.

Mr. KAHN. I do not wish the time if the House is ready to vote.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

Mr. FIELDS. I move the adoption of the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. FIELDS, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

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. 5517. An act to amend the war-risk insurance act; and S. 5443. An act for the relief of the owners of the schooner Horatio G. Foss:

The message also announced that the Senate had passed with amendments the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, and for other purposes.

S. 5543. An act for the relief of the owners of the schooner Horatio G. Foss; to the Committee on Claims.

S. 5517. An act to amend the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

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:

H. R. 14078. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

H. R. 15834. An act to extend the time for the construction by Kratkh Township of a bridge across the Red Lake River, in Pennington County, Minn.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on February 20, 1919, approved and signed bills and a joint resolution of the following titles:

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut;

S. 3079. An act to amend section 239 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary;"

S. 3542. An act providing for the appointment of an additional district judge for the northern judicial district of the State of Texas; and

S. J. Res. 208. Joint resolution providing that one term of the United States District Court for the Eastern District of Oklahoma shall be held annually at Hugo, Okla.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 15864) to validate and confirm certain erroneous allowances in the case of Minnesota.

DEFICIENCY APPROPRIATIONS.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 15157, the third deficiency bill.

Mr. SIMS. Mr. Speaker, I was on my feet to ask reconvening to call up the conference report upon the water-power bill when the gentleman from Kentucky made his motion to go into the Committee of the Whole, but inasmuch as the Speaker has seen fit, and no doubt properly so, to recognize the chairman of the Committee on Appropriations for the purpose of considering the general deficiency bill, I give notice now that I will call up the conference report upon the water-power bill just as soon as the deficiency bill has been considered and disposed of. In order to secure the passage of the water-power bill at this session of Congress it is absolutely necessary to have immediate consideration of the conference report.

The SPEAKER. The gentleman from Tennessee gives notice that he will call up the conference report as soon as the deficiency appropriation bill is passed.

Mr. SHERLEY. Pending my motion I ask unanimous consent that general debate on the bill be limited to 30 minutes, confined to the bill from the Senate [Mr. C. A. Vanston] control 15 minutes and I control the other 15 minutes.

Mr. MANN. I wish the gentleman would not ask to have the general debate confine itself to the debate upon the bill.

Mr. SHERLEY. I will modify my request, and ask unanimous consent that the general debate be limited to 30 minutes, 15 minutes to be controlled by myself and 15 minutes by the gentleman from Illinois.