

Second Lieut. N. Butler Briscoe, Fifteenth Cavalry, to be first lieutenant from January 4, 1916, vice First Lieut. Edward C. Wells, Fourteenth Cavalry, promoted.

First Lieut. James P. Barney, Second Cavalry, an additional number in his grade, to be captain from December 17, 1915, the date on which he would have been promoted to fill a vacancy in that grade in his arm had he not been retired from active service, and to be an additional number in that grade.

APPOINTMENTS IN THE NAVY.

The following-named citizens to be assistant paymasters in the Navy from the 12th day of January, 1916:

Edward R. Eberle, a citizen of Arkansas;
Robert B. Huff, a citizen of New York;
Andrew L. Huestis, a citizen of New York;
Malcolm G. Slarrow, a citizen of the District of Columbia;
Benjamin S. Gantz, a citizen of South Dakota;
Raymond N. Hickman, a citizen of Indiana;
William D. Alexander, a citizen of Maryland;
Homer C. Sowell, a citizen of Georgia;
Morton L. Ring, a citizen of Massachusetts;
Raymond M. Bright, a citizen of Pennsylvania;
Vernon H. Wheeler, a citizen of South Carolina; and
Louie C. English, a citizen of Georgia.

POSTMASTERS.

RHODE ISLAND.

Joseph A. Hughes to be postmaster at Pawtucket, R. I., in place of John W. Little. Incumbent's commission expired December 21, 1915.

SOUTH CAROLINA.

William H. Coleman to be postmaster at Columbia, S. C., in place of George H. Huggins. Incumbent's commission expired January 11, 1916.

TEXAS.

A. H. Buie to be postmaster at Ennis, Tex., in place of A. H. Culver, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 14, 1916.

COAST GUARD.

Third Lieut. Charles Eaton Anstett to be second lieutenant.
Third Lieut. Thomas Sylvester Klinger to be second lieutenant.
Third Lieut. Frederick August Zscheuschler to be second lieutenant.

BOARD OF CHARITIES.

John Joy Edson to be a member of the Board of Charities of the District of Columbia.

George M. Kober to be a member of the Board of Charities of the District of Columbia.

POSTMASTERS.

MICHIGAN.

John W. Currigan, Lyons.
William L. Ferry, Eau Claire.
Thomas T. Fralick, Copenish.
Paul D. Palmer, Sunfield.
Nathan C. Thomas, Caledonia.

MONTANA.

Philip B. C. Goodwin, Butte.

NEW HAMPSHIRE.

Philip W. Sherburne, Pittsfield.
John A. Willey, Sanbornville.

OKLAHOMA.

Charles L. Wilson, Cherokee.

OREGON.

Harry M. Fensler, Myrtle Point.
Harry C. Gist, Yamhill.
F. H. Lughton, Seaside.
W. P. Quinlan, Grants Pass.
Homer S. Wood, Independence.

TENNESSEE.

L. N. Alley, Oakdale.
R. H. Green, Covington.
Dossie O. Thompson, McEwen.

TEXAS.

Herschel C. Connally, Rosebud.
W. J. Smith, Crystal City.

VERMONT.

Frank H. Tyler, South Londonderry.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 14, 1916.

The House met at 12 o'clock noon.

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

Father in heaven, touch the hearts of these Thy servants and guide them through the changing scenes of the new congressional day that they may address themselves with firm and steadfast purpose to the problems which confront them and fulfill the obligations resting upon them as faithful servants of the people. And Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

PENSIONS.

Mr. SHERWOOD. Mr. Speaker, I call up the bill (H. R. 8493) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and ask unanimous consent that it be considered in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Ohio calls up a pension bill and asks unanimous consent that it be considered in the House as in the Committee of the Whole House. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. SHERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House for the consideration of the bill H. R. 8493, an omnibus pension bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House for the consideration of the bill H. R. 8493, with Mr. HENRY in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk proceeded to read the bill.

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

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The bill is as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pensions laws—

The name of John W. Priest, late of Company F, One hundred and fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James Meranda, late of Company C, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James Baker, late an ordinary seaman, United States Navy, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Ella Day, widow of William Henry Day, late of Company G, One hundred and fifty-third Regiment, and Company A, Thirty-fourth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary Johnson, widow of Henry W. Johnson, late of Company C, Second Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William A. Parr, late of Company G, Seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John W. McDaniel, late of Company E, Twelfth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of David Wilson, late of Company A, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joshua Shriver, late of Company E, Seventy-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Murray Myers, late of Company C, Forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William C. Hershberger, late of Company A, Fifteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William Retheliser, late of Company C, Twenty-sixth Regiment, and Company K, Ninety-ninth Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James P. Tindle, late of Company B, Thirteenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Deborah Hart, widow of James S. Hart, late of Company B, Third Regiment Provisional Enrolled Missouri Militia, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving.

The name of William Davis, late of Company C, Eighth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James McGhie, late of Company D, Ninety-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Henry L. Phillips, late of Company F, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Winfield S. Hunter, late of Company L, Thirteenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John R. Webb, late of Company I, Thirty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Maximilian Schneider, late of Company M, Twenty-eighth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary P. Rous, widow of Percy Rous, late of Company E, Fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of William Evans, late of Company C, First Battalion United States Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William C. Gardner, late of Company G, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Angelette Van Buskirk, widow of John O. Van Buskirk, late of Company D, One hundred and thirty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary J. White, widow of William B. White, late of Company I, Forty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John Baker, late of Company D, One hundred and seventy-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George W. Stanford, helpless and dependent child of Emory M. Stanford, late of First Battery Wisconsin Light Artillery, and pay him a pension at the rate of \$12 per month.

The name of Elizabeth Fry, widow of John T. S. Fry, late of Company C, Fortieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving.

The name of Emily Thorn, widow of Denison R. Thorn, late of Company G, First Regiment New York Engineers, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William Holdridge, late of Company B, Ninth Regiment New York Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Newton D. Ward, late of Company F, Second Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Patrick Kenyon, late of Company E, Ninety-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The name of Elizabeth M. Cooper, former widow of Oliver J. Haddock, late of Company I, Twelfth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Daniel Connor, late of Company K, Thirtieth Regiment, and Company E, One hundred and twenty-eighth Regiment, New York Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Sarah C. Parish, widow of Joseph H. Parish, late of Company G, Sixty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Frances M. Woods, widow of George B. Woods, late of Company F, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary Burke, widow of John Burke, late of Company B, Sixth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Jane Cone, widow of Byron Cone, late of Company F, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Charles R. Hayward, late of Company E, One hundred and fourteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Henry Mumah, late of Independent Battery I, Pennsylvania Light Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Alfred Wheelden, late of Company D, Twenty-sixth Regiment, and Company B, Eighth Regiment, Maine Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Oliver C. Smith, late of Company E, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Margaretha Johler, widow of Philip Johler, late of Company F, Fifth Regiment United States Reserve Corps, Missouri Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Daniel Heely, late of Company B, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The name of Mabel F. Coen, widow of Charles G. Coen, late of Company D, Eleventh Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Perilla J. Wilcox, widow of Jeremiah C. Wilcox, late of Company H, Fifth Regiment Iowa Cavalry, and of the Sixth Regiment United States Cavalry, and pay her a pension at the rate \$24 per month in lieu of that she is now receiving.

The name of Josephus Williams, late of Company A, Thirty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Michael Devine, late of Company L, Second Regiment New York Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Silas A. Reynolds, late of Company F, Twentieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elizabeth Gross, widow of Reuben Gross, late of Company A, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of George Amyx, late of Company C, Seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of George Martin, late of Company F, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of James Gipson, late of Company F, Tenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Joseph Corn, late of Company G, Fifty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John J. Foster, late of Company D, Fifteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alexander D. Green, late of Company K, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John R. Beveridge, late of Company F, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Seth Loomis, late of Company M, Seventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Lorena S. Thatcher, widow of Hiram E. Thatcher, late of Company H, Eleventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Ingalls Evans, late of Company K, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Almada Goodwin, widow of Charles H. Goodwin, late of Company D, Thirty-first Regiment, and Company D, Thirty-second Regiment, Maine Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John W. Johnson, late of Company K, Fifty-second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Isaac Jacobs, late of Company I, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of John P. Overton, late of Companies G and H, Third Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Thomas W. Hill, late of Company C, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Silas Morgan, late of Company P, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Ruth C. Baldwin, former widow of John Gosman, late of Company D, Twentieth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary Lawler, widow of James Lawler, late of Company K, Thirty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Ellen M. Brant, widow of Henry I. Brant, late of Company C, First Regiment Connecticut Heavy Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Lucy M. Griswold, former widow of Henry Kimberly, late of Company E, Seventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Sophie M. Kinnicutt, widow of George R. Kinnicutt, late of Company E, Twelfth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William Willis, late of Company H, Third Battalion, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ananias Cameron, late of Company B, Fifteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George E. Halstead, late of Company K, Fifteenth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Louis G. Weinschenk, helpless and dependent child of Edward Weinschenk, late of Company A, Fourteenth Regiment Illinois Volunteer Infantry, and in Company B, Second Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of \$12 per month.

The name of John A. Melcher, late of Company H, Thirty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alvin M. Owens, late of Company E, Fifty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Stephen L. Freel, late of Company C, One hundred and fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Rebecca A. Searles, former widow of Michael Heater, late of Company B, Sixty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of William Moses, late of Company C, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ethan A. Bradish, late of Company A, Forty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John F. M. Burk, late of Company K, Twenty-ninth and Thirty-sixth Regiments Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of George Armer, late of Company E, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Benjamin E. Hoy, late of Company I, Forty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Isaac Stapp, late of Company B, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henrietta M. Majors, widow of Pleasant P. W. Majors, late of Company C, Twelfth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$12 per month.

The name of John R. Mullenix, late of Company B, Fourth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Elijah Cate, late of Company F, Ninth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Nathaniel Patterson, late of Company F, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Cynthia A. Ivers, widow of Charles W. Ivers, late of Company E, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Imogen P. Ingersoll, widow of Charles T. Ingersoll, late acting assistant surgeon United States Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Allen J. Phelps, late of Company C, Tenth Regiment, and Company F, Forty-fifth Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah S. Brewer, widow of Oliver Brewer, late of Company D, Twenty-sixth Regiment, and Company G, One hundred and eighty-seventh Regiment, New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Catharine Bucher, widow of Joseph L. Bucher, late of Company E, Seventy-eighth Regiment, and Company K, One hundred and second Regiment, New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Jennie E. Nelson, widow of Edward Nelson, late of Company D, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ida Nelson, helpless and dependent daughter of said Edward Nelson and Jennie E. Nelson, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Jennie E. Nelson, the name of said Ida Nelson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Jennie E. Nelson.

The name of Phoeby J. Streeter, widow of Andrew J. Streeter, late of Company K, Seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Viola R. Brackett, widow of George Brackett, late captain of the hold, United States ships *Antona* and *Kennebeck*, United States Navy, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary R. Franklin, widow of William H. Franklin, late of Company K, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of John G. Corbett, late of Company B, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alonzo F. Murden, late of Company B, Seventy-seventh and One hundred and thirtieth Regiments Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Paris Meadows, late of Company L, Sixth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The name of Joseph Coles, late of Company B, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Helen M. Litchfield, widow of Andrew F. Litchfield, late assistant surgeon, Two hundred and first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of James M. Silvey, late of Company K, First Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William Orr, late of Company H, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William K. Smith, late of Company B, Fifty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John B. Kelley, late of Company K, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph Acheson, late of Company A, One hundred and thirty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Elizabeth Wilson, former widow of Marlon D. Fortner, late of Company K, Eighth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Catharina Tarleton, widow of Thomas W. Tarleton, late of Company E, Fourth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of David B. Marshall, late of Company G, Fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James Long, late of Company E, Twenty-ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Margaret J. Wadsworth, widow of Job Wadsworth, late of Companies F and A, One hundred and sixteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Stephen J. Miller, late of Company B, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Howard, late of Company G, Seventy-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Estella M. Howlett, former widow of George W. Baldwin, late of Company A, Third Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Theodore W. Goodsell, late of Company C, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ezra Cather, late of Company K, Thirty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Leroy W. Clark, late of Company G, One hundred and fifty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Richard B. Linville, late of Company H, Fifth Regiment Missouri State Militia Volunteer Cavalry, and Company E, Thirty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Nathaniel F. Berry, late of Company H, Thirteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Sarah C. Foster, widow of Samuel H. Foster, late of Company I, Tenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Henry B. Hale, late of Company A, One hundred and forty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Thomas Gall, late of Plegles sharpshooters' company, Seventy-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Dominick Denny, late of Company K, One hundred and eighty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Robert C. Holder, late of Company D, Eighty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles H. Leach, late of Company E, Seventh Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William Davis, late of Company H, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Edmund T. Connelly, alias John Marks, late of Company B, Twenty-fifth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Evalyn Wakefield, widow of Hezekiah B. Wakefield, late of Company A, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Edith Stella Wakefield, helpless and dependent child of said Hezekiah B. Wakefield, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Evalyn Wakefield, the name of said Edith Stella Wakefield shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Evalyn Wakefield.

The name of John W. Baker, late of Company M, Second Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George W. Tilman, late of Company G, One hundred and tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Edward T. Wolfe, late of Company B, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Stephen Clevenger, late of Company A, One hundred and forty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Harriet E. Carpenter, widow of William B. Carpenter, late assistant surgeon Fifth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving.

The name of Mary Siler, widow of Francis M. Siler, late of Company A, Eighth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of George Hull, late of Company E, Ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Mortimer F. Sperry, late of Company D, One hundred and thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah H. Hunter, widow of Malick Hunter, late of Company B, Ninety-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Ann M. Ellenberger, widow of Abraham Ellenberger, late of Company A, Van Horn's battalion, United States Reserve Corps, Missouri Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary Marsh, widow of Edwin Marsh, late of Company K, Twenty-ninth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving.

The name of Maria Pierce, widow of James T. Pierce, late of Company M, Sixth Regiment New York Heavy Artillery, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving.

The name of Aaron Fanshaw, late of Company E, Twenty-ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Jephtha Tucker, late of Company A, Twenty-second Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph H. Thomas, late of Company H, Tenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William Smith, late of Company I, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel W. Hicks, late of Company F, First Regiment Michigan Engineers and Mechanics, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George W. Johnston, late of Company E, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The name of James Farr, late of Companies E and D, Sixty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Eliza Garthwait, widow of Matthew Garthwait, late of Twentieth Battery, Indiana Light Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Margaret Kinley, widow of Seth Kinley, late of unassigned Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Sarah E. Parish, widow of David Parish, late of Company D, One hundred and forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John G. Powers, late of Company G, Twenty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Mahala Lewis, widow of James J. Lewis, late of Company I, Forty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Sarah A. Christy, widow of Thomas J. Christy, late of Company C, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Thomas Nichols, late of Company A, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lewis Shuber, late of Company G, Seventh Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary A. Farrell, widow of Daniel Farrell, late of Company G, Seventy-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Robert J. Pense, late of Company D, Seventh Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Robert Collins, late of Company K, Tenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Frank Dart, late of Company D, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The name of William Postelwait, late of Company D, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah A. Farnsworth, former widow of Edward G. Foss, late of Company B, Seventh Regiment New Hampshire Volunteer Infantry, Unassigned Veteran Reserve Corps, and Company D, Twenty-fourth Regiment Veteran Reserve Corps, and pay her a pension at the rate of \$12 per month.

The name of Lucretia M. Postelwait, former widow of Nicholas P. Wycoff, late of Company C, Thirtieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of William J. Sexton, late of Company I, Ninth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Thomas H. Bailey, late of Company A, Fourth Regiment Massachusetts Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Edward L. Fisher, late of Company F, Fourth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The name of Andrew J. Hunter, late of Company G, Sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Nelson N. Boydston, late of Company B, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Emily Bashaw, widow of Alfred Bashaw, late of Company I, Seventy-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mamie Bashaw, helpless and dependent child of said Alfred Bashaw, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Emily Bashaw the name of said Mamie Bashaw shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Emily Bashaw.

The name of Charles A. Lauman, late of Company D, One hundred and forty-seventh Regiment, and Company K, One hundred and thirty-second Regiment, Illinois Infantry, and Companies F and H, Thirty-fourth Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William R. Wolbert, late of First Battery Minnesota Volunteer Light Artillery, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William B. Rutledge, late of Company C, Eighth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joel K. P. Wood, late of Company G, Forty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles W. Nelson, late of Company I, Twenty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Robert Denby, late of Company H, Seventh-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John S. Barnett, late of Company K, One hundred and forty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alvin D. Mohr, late of Fifth Independent Battery, Ohio Light Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Henry Wittenmyer, late of Company D, One hundred and fiftieth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Angeline Kelchner Wolfe, former widow of Eleazer A. Kelchner, late of Company A, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Lewis W. Chase, late of Company D, Ninety-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mary C. Triplett, widow of Joshua D. Triplett, late unassigned, Eleventh Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Matilda A. Manning, widow of Ezra L. Manning, late of Company H, One hundred and fourteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Annie Tompkins, widow of William M. Tompkins, late of Company C, One hundred and fifty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William F. Braught, late of Company A, One hundred and forty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary A. Holland, widow of John Holland, late of Company I, Second Regiment Wisconsin Volunteer Cavalry, and Company D, First Regiment Wisconsin Volunteer Heavy Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of James R. Johnson, late of Company F, Seventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William A. Peterson, late first-class boy in the United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ira H. Phillips, late of Company H, Seventh Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Anna Young, former widow of Samuel Cornell, late of Company I, Seventh Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Alvah K. Palmer, late of Company K, Second Regiment New York Veteran Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry Snyder, late of Company G, Forty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lemuel R. Wilcox, late of Company C, Second Regiment New York Veteran Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Harriet A. Voelz, widow of William Voelz, late of Company E, Tenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary E. Clark, widow of Jerome B. Clark, late of Company F, First Regiment Connecticut Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Philip Ruebel, late of Company C, Major Daniel Abby's Scott County battalion, United States Reserve Corps, Missouri Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jerome Dano, late of Company A, One hundred and twenty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lavinia Weast, widow of Jacob Weast, late of Company K, Twelfth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Jane Hoover, widow of David H. Hoover, late of Company G, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William Gilliland, late of Company C, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lydia Hawkins, widow of Richard Hawkins, late of Company D, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William Taylor, late of Company H, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The foregoing bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 785. John W. Priest.	H. R. 1516. Frances M. Woods.
H. R. 855. James Meranda.	H. R. 1517. Mary Burke.
H. R. 863. James Baker.	H. R. 1518. Jane Cone.
H. R. 901. Ella Day.	H. R. 1519. Charles R. Hayward.
H. R. 902. Mary Johnson.	H. R. 1520. Henry Mumah.
H. R. 930. William A. Parr.	H. R. 1524. Alfred Wheelde.
H. R. 933. John W. McDaniel.	H. R. 1525. Oliver C. Smith.
H. R. 962. David Wilson.	H. R. 1612. Margaretha Johler.
H. R. 967. Joshua Shriver.	H. R. 1613. Daniel Heely.
H. R. 968. Murray Myers.	H. R. 1628. Mabel F. Coen.
H. R. 969. Wm. C. Hershberger.	H. R. 1631. Perlia J. Wilcox.
H. R. 984. William Retheriser.	H. R. 1632. Josephus Williams.
H. R. 998. James P. Tindle.	H. R. 1646. Michael Devine.
H. R. 1005. Deborah Hart.	H. R. 1650. Silas A. Reynolds.
H. R. 1023. William Davis.	H. R. 1782. Elizabeth Gross.
H. R. 1056. James McGhie.	H. R. 1798. George Amyx.
H. R. 1289. Henry L. Phillips.	H. R. 1806. George Martin.
H. R. 1323. Winfield S. Hunter.	H. R. 1811. James Gipson.
H. R. 1324. John R. Webb.	H. R. 1815. Joseph Corn.
H. R. 1383. Maximilian Schneider.	H. R. 1817. John J. Foster.
H. R. 1385. Mary P. Rous.	H. R. 1819. Alexander D. Green.
H. R. 1407. William Evans.	H. R. 1850. John R. Beveridge.
H. R. 1408. William C. Gardner.	H. R. 1873. Seth Loomis.
H. R. 1409. Angelle Van Buskirk.	H. R. 1884. Lorena S. Thatcher.
H. R. 1410. Mary J. White.	H. R. 1904. Ingalls Evans.
H. R. 1416. John Baker.	H. R. 1906. Almada Goodwin.
H. R. 1419. George W. Stanford.	H. R. 1983. John W. Johnson.
H. R. 1432. Elizabeth Fry.	H. R. 2013. Isaac Jacobs.
H. R. 1434. Emily Thorn.	H. R. 2041. John P. Overton.
H. R. 1437. William Holdridge.	H. R. 2073. Thomas W. Hill.
H. R. 1489. Newton D. Ward.	H. R. 2076. Silas Morgan.
H. R. 1490. Patrick Kenyon.	H. R. 2079. Ruth C. Baldwin.
H. R. 1498. Elisabeth M. Cooper.	H. R. 2080. Mary Lawler.
H. R. 1510. Daniel Connor.	H. R. 2081. Ellen M. Brant.
H. R. 1512. Sarah C. Parish.	H. R. 2084. Lucy M. Griswold.

H. R. 2115. Sophie M. Kinnicutt.
H. R. 2174. William Willis.
H. R. 2182. Ananias Cameron.
H. R. 2183. George E. Halstead.
H. R. 2190. Louis G. Weinschenck.
H. R. 2215. John A. Melcher.
H. R. 2216. Alvin M. Owens.
H. R. 2219. Stephen L. Freel.
H. R. 2226. Rebecca A. Searies.
H. R. 2227. William Moses.
H. R. 2228. Ethan A. Bradish.
H. R. 2233. John F. M. Burk.
H. R. 2265. George Armer.
H. R. 2266. Benjamin E. Hoy.
H. R. 2270. Isaac Stapp.
H. R. 2294. Henrietta M. Majors.
H. R. 2459. John R. Mullenix.
H. R. 2494. Elijah Cate.
H. R. 2528. Nathaniel Patterson.
H. R. 2532. Cynthia A. Ivers.
H. R. 2550. Imogen P. Ingersoll.
H. R. 2552. Allen J. Phelps.
H. R. 2561. Sarah S. Brewer.
H. R. 2565. Catharine Bucher.
H. R. 2572. Jennie E. Nelson.
H. R. 2610. Phoeby J. Streeter.
H. R. 2636. Viola R. Brackett.
H. R. 2659. Mary R. Franklin.
H. R. 2660. John G. Corbett.
H. R. 2669. Alonzo F. Murden.
H. R. 2745. Paris Meadows.
H. R. 2746. Joseph Coles.
H. R. 2750. Helen M. Litchfield.
H. R. 2784. James M. Silvey.
H. R. 2794. William Orr.
H. R. 2799. William K. Smith.
H. R. 2804. John B. Kelley.
H. R. 2811. Joseph Atcheson.
H. R. 2847. Elizabeth Wilson.
H. R. 2955. Catherine Tarleton.
H. R. 2987. David B. Marshall.
H. R. 2988. James Long.
H. R. 2992. Margaret J. Wadsworth.
H. R. 3183. Stephen J. Miller.
H. R. 3188. William Howard.
H. R. 3189. Estella M. Howlett.
H. R. 3190. Theodore W. Goodsell.
H. R. 3216. Ezra Cather.
H. R. 3217. Leroy W. Clark.
H. R. 3219. Richard B. Linville.
H. R. 3230. Nathaniel F. Berry.
H. R. 3245. Sarah C. Foster.
H. R. 3262. Henry B. Hale.
H. R. 3277. Thomas Gail.
H. R. 3280. Dominick Kennedy.
H. R. 3282. Robert C. Holder.
H. R. 3285. Charles H. Leach.
H. R. 3403. William Davis.
H. R. 3416. Edmund T. Connelly.
H. R. 3426. Evalyn Wakefield.
H. R. 3435. John W. Baker.
H. R. 3436. George W. Tilman.
H. R. 3438. Edward T. Wolfe.
H. R. 3724. Stephen Clevenger.
H. R. 3753. Harriet E. Carpenter.
H. R. 3761. Mary Siler.
H. R. 3763. George Hull.
H. R. 3765. Mortimer F. Sperry.
H. R. 3784. Sarah H. Hunter.
H. R. 3786. Ann M. Ellenberger.
H. R. 3808. Mary Marsh.
H. R. 3809. Maria Pierce.
H. R. 3810. Aaron Fanshaw.
H. R. 3869. Jephtha Tucker.
H. R. 3870. Joseph H. Thomas.
H. R. 3871. William Smith.
H. R. 3874. Samuel W. Hicks.
H. R. 3880. George W. Johnston.
H. R. 3973. James Farr.
H. R. 3975. Eliza A. Garthwait.
H. R. 3977. Margaret Kinley.
H. R. 3980. Sarah E. Parish.
H. R. 3988. John G. Powers.
H. R. 3989. Mahala Lewis.
H. R. 4318. Sarah A. Christy.
H. R. 4333. Thomas Nichols.
H. R. 4350. Lewis Shuber.
H. R. 4356. Mary A. Farrell.
H. R. 4357. Robert J. Pense.
H. R. 4358. Robert Collins.
H. R. 4363. Frank Dart.
H. R. 4389. William Postelwait.
H. R. 4490. Sarah A. Farnsworth.
H. R. 4503. Lucetia M. Postelwait.
H. R. 4509. William J. Sexton.
H. R. 4521. Thomas H. Bailey.
H. R. 4551. Edward L. Fisher.
H. R. 4839. Andrew J. Hunter.
H. R. 4884. Nelson N. Boydston.
H. R. 5102. Emily Bashaw.
H. R. 5107. Charles A. Lauman.
H. R. 5112. William R. Wolbert.
H. R. 5116. William B. Rutledge.
H. R. 5122. Joel K. P. Wood.
H. R. 5123. Charles W. Nelson.
H. R. 5128. Robert Denby.
H. R. 5278. Alvin D. Mohr.
H. R. 5281. Henry Wittenmyer.
H. R. 5339. Angeline Kelcher Wolfe.
H. R. 5387. Lewis W. Chase.
H. R. 5408. Mary C. Triplett.
H. R. 5485. Matilda A. Manning.
H. R. 5609. Annie Tompkins.
H. R. 5614. William F. Braught.
H. R. 5666. Mary A. Holland.
H. R. 5705. James R. Johnson.
H. R. 5829. William A. Peterson.
H. R. 5861. John S. Barnett.
H. R. 5913. Ira H. Phillips.
H. R. 5919. Anna Young.
H. R. 5959. Alvah K. Palmer.
H. R. 5960. Henry Snyder.
H. R. 5961. Lemuel R. Wilcox.
H. R. 6003. Harriet A. Voelz.
H. R. 6185. Mary E. Clark.
H. R. 6355. Philip Ruebel.
H. R. 6497. Jerome Dano.
H. R. 6514. Lavinia West.
H. R. 6515. Jane Hoover.
H. R. 6618. William Gilliland.
H. R. 6634. Lydia Hawkins.
H. R. 6705. William Taylor.

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

The Clerk proceeded to read the bill for amendment, as follows:

The name of Jennie E. Nelson, widow of Edward Nelson, late of Company D, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ida Nelson, helpless and dependent daughter of said Edward Nelson and Jennie E. Nelson, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Jennie E. Nelson, the name of said Ida Nelson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Jennie E. Nelson.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word. The language in respect to this particular bill seems to be a little out of the ordinary. It reads as follows:

The name of Jennie E. Nelson, widow of Edward Nelson, late of Company D, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ida Nelson, helpless and dependent daughter of said Edward Nelson and Jennie E. Nelson, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Jennie E. Nelson, the name of said Ida Nelson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Jennie E. Nelson.

It seems to me that that is setting a trap up the stream and down the stream at the same time. You catch them coming and going. It does not make any difference what happens, somebody is going to connect up with Uncle Sam's pay roll.

Mr. RUSSELL of Missouri. Mr. Chairman, there is nothing unusual about this provision. It is simply a provision authorizing the payment of \$12 per month to a widow because of a helpless child, and as long as the child lives the \$12 will be added to the pension of the widow and paid in her name; in all, \$24 per month; but it also provides that in case of the

death of the child this additional \$12 per month shall then cease. It further provides that in case of the death of the widow herself, the mother, then the name of the child shall pass to the pension roll, and the \$12 will be paid to the helpless child instead of to the mother. This is the usual language employed in cases of this sort where a pension is paid for the benefit of a helpless child.

Mr. HOWARD. Mr. Chairman, in commenting upon this particular pension, I think, as far as my observation of private pension bills is concerned, this is an unusual provision. It is very rare, at least, that such a provision as this appears in a private pension bill. I desire to call the attention of the committee to the report on the bill, which says, respecting this particular case:

H. R. 2572. Jennie E. Nelson, aged 67 years, is the widow of Edward Nelson, who served as a private in Company D, Sixtieth Regiment New York Infantry, from October 2, 1861, to October 16, 1862, and from December 24, 1863, to March 20, 1865.

The soldier was pensioned under the general law at \$30 per month for disease of lungs and heart.

He and this applicant were married February 28, 1867, and were recognized as husband and wife to the date of his death, October 26, 1904. She was paid his accrued pension and has been pensioned as his widow at \$12 per month since October 27, 1904, under the general law (certificate No. 597180), and now seeks increase of pension by special act of Congress by reason of having the care, custody, and support of a helpless and dependent child of the soldier by the name of Ida Nelson. It is shown in evidence presented this committee that this daughter has been helpless and dependent since the age of 3 months, which resulted from an attack of fever, paralyzing the throat and affecting her mental faculties, so that she is now and has been since prior to age of 16 feeble-minded and helpless, and that she was born September 7, 1871; that neither this claimant nor the child are possessed of any property; that they have no income from any source except the claimant's pension of \$12 per month, which it is recommended be increased to \$24 per month, provided that in the event of the death of the dependent child, Ida Nelson, the additional pension herein granted shall cease and determine; provided further, that in the event of the death of the mother, this claimant, the dependent child's (Ida Nelson's) name shall be placed on the pension roll, subject to the limitations and provisions of the pension laws, at the rate of \$12 per month from and after the death of her mother, this claimant.

The point I want to raise is this, that in the event of the death of the mother herself an imbecile child is left, and then is it proposed that the Government of the United States shall pay to this imbecile child a certain sum of money instead of providing that it be paid to the guardian or next of kin who has charge and custody and control of the imbecile child? I do not see how you can carry out the provisions of the law.

Mr. RUSSELL of Missouri. My understanding is that the Pension Commissioner himself will provide for that by requiring the appointment of some suitable person to take the money for the helpless child.

Mr. BARNHART. Mr. Chairman, there is a provision of law which provides that if a person becomes insane or is insane that the person in custody of that individual shall receipt for the pension.

Mr. RUSSELL of Missouri. Of course this money will not be paid to an insane child, but to a guardian for the child.

Mr. LANGLEY. It is the universal practice in the Pension Office to do just what the gentleman from Missouri [Mr. RUSSELL] has stated will be done in this case.

Mr. RUSSELL of Missouri. There is nothing unusual about this. This is the usual practice. The Pension Commissioner, under the law, takes control of that.

Mr. TAGGART. Mr. Chairman, the present pension law provides that where there is an imbecile child and that child is pensioned, being under the age of 16, the pension may continue throughout the life of the child, as I understand it. Is not that the law?

Mr. RUSSELL of Missouri. It would continue at \$2 per month, as I understand it.

Mr. LANGLEY. The gentleman from Kansas is right.

Mr. TAGGART. Where the pension of the helpless child begins before it is 16 years of age.

Mr. RUSSELL of Missouri. Yes; but only at \$2 per month.

Mr. TAGGART. Possibly so.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The name of George Hull, late of Company E, Ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

Mr. RUSSELL of Missouri. Mr. Chairman, I move to amend by striking out lines 7 to 10, inclusive, on page 25, being the name of George Hull.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 25, by striking out the paragraph included in lines 7, 8, 9, and 10.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. RUSSELL of Missouri. Mr. Chairman, I ask unanimous consent to return to page 12 of the bill for the purpose of offering an amendment to strike out the paragraph contained in lines 15 to 18, inclusive, being the name of Silas Morgan.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to return to page 12 for the purpose of offering an amendment. Is there objection?

There was no objection.

Mr. RUSSELL of Missouri. Mr. Chairman, I now move to strike out lines 15, 16, 17, and 18 on page 12.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, strike out lines 15, 16, 17, and 18.

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

The amendment was agreed to.

The Clerk read as follows:

The name of Nelson N. Boydston, late of Company B, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

Mr. BARNHART. Mr. Chairman, I move to strike out, on page 30, lines 17, 18, 19, and 20.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 30, strike out lines 17, 18, 19, and 20.

Mr. BARNHART. Mr. Chairman, because of the death of this soldier, Maj. Nelson N. Boydston, I move this amendment, and in this connection desire to say a word or two to call the attention of the House to the fact that this soldier had a most remarkable record in his long and faithful service in defense of the preservation of his country and in behalf of the freedom of human slaves. He enlisted at the very first call of his country and served four years two months and two days—to the end of the war. During all of that service the statement of his superior officer sets forth that he never once failed to stack his gun at night. He never spent a minute in the hospital; he never drank a drop of liquor; and while he was promoted step by step from a private to a lieutenant colonel, he states that he served three years of that time side by side with the late lamented Col. Henry W. Lawton, who was killed in the Philippines. He also says that in all of his procedure in the war when foragers were sent out they were always instructed by him to purchase such supplies as were needed; where they found women and children needy they were to contribute of whatever means they had to their relief; and where he found men in his regiment who were given to heinous conduct in foraging expeditions he declares that he invariably used the "short shrift." I believe, Mr. Chairman, that this tribute is due to this soldier, one of the bravest, one of the most faithful, and one of the most loyal of the many heroes who entered the Union Army from the thirteenth congressional district of Indiana. [Applause.]

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 30, by striking out the paragraph included in lines 17, 18, 19, and 20.

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

The Clerk read as follows:

The name of Emily Bashaw, widow of Alfred Bashaw, late of Company I, Seventy-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mamie Bashaw, helpless and dependent child of said Alfred Bashaw, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Emily Bashaw the name of said Mamie Bashaw shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Emily Bashaw.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word. I want to ask if the same conditions exist in reference to this particular pension which existed in the Nelson case?

Mr. RUSSELL of Missouri. This is exactly similar to the other provision?

Mr. HOWARD. It is; yes, sir.

Mr. RUSSELL of Missouri. What is the question the gentleman asked?

Mr. HOWARD. I want to find out whether the same conditions exist in reference to this particular pension as the other?

Mr. RUSSELL of Missouri. The same conditions. That is the usual provision in all cases where \$12 is paid because of a helpless child. It is paid to the parent during the life of the child.

Mr. HOWARD. Mr. Chairman, in the rapid manner in which the bill is being read for consideration it is almost impossible

to keep up with the process, but I want to call attention before we finally vote on this measure to three pensions which I noted, having just read page 15 of the report. It seems that the little town of Mena, Polk County, Ark., has been suddenly and prominently put on the map in the granting of pensions. I see that John W. Baker, aged 69 years, has only been allowed \$30 a month for a service of 1 year 7 months and 21 days, while in the same little bailiwick George W. Tilman, who is 71 years old, who only served 7 months and 21 days, is allowed an increase to \$36 a month.

A little further down is Edward T. Wolfe, aged 68 years, late private in Company B, who served 2 years 10 months and 26 days, with a record that is almost unequaled in the War between the States, and I see that the committee only gives him \$30 a month. Stephen Clevenger, aged 67 years, post-office address not given, is only getting \$24 a month. Now, Mr. Chairman, in the interest of my colleague, whoever he be, who has introduced these bills, I think when my good friends Tilman, Baker, and Wolfe commence to compare notes when these bills get back home it is going to be very embarrassing to my colleague, and I think that all of these men ought to be put on an equal footing and draw the same amount. I can not see any reason why Mr. Tilman, under this report here, should get \$36 a month and my good old friend Baker should get only \$30, or this gallant old soldier Wolfe only receive the meager sum of \$24 a month. Now, of course, we all understand the modus operandi of these private pensions. That has been discussed. I have not got anything to say about the granting of these pensions. I have already said all I expect to say about these pensions, but I think it is an outrage, gentlemen, to show this favoritism in the granting of these pensions.

Mr. LANGLEY. Will the gentleman yield?

Mr. HOWARD. It does not seem to me it is right. Here are these poor old fellows toddling about in misery and want, as this report shows, all of them indigent, if they were not they could not get a pension, and here is a distinguished Representative in Congress from Mena, Ark., going to the Committee on Pensions and asking that we give Tilman \$36, Baker \$24, and Wolfe \$30 a month. It is not fair. It is not right. Now, Mr. Chairman—

Mr. LANGLEY. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Georgia yield?

Mr. HOWARD. I yield to my distinguished friend and colleague.

Mr. LANGLEY. I desire to ask the gentleman if he is familiar with the facts in each of these cases? Does the gentleman know whether one man is helpless and needs an attendant while the other does not, and their financial condition? Does the gentleman know that these considerations are very material in guiding the Committee on Invalid Pensions to reach a conclusion in each case?

Mr. HOWARD. I will answer my good friend by saying my little smattering of medical knowledge would lead me to believe that my old friend Baker here was in a worse fix than my friend Tilman. [Laughter.] Now, here is this poor unfortunate creature Baker. He served a year and 7 months and 21 days, and here is this man Tilman, who served but 7 months and 21 days. Now, just listen, gentlemen.

The claimant was last examined—I am speaking about my friend Baker now, who is getting only \$30 a month—the claimant was last examined by a board of surgeons on November 16, 1914, when he was rated at \$30 a month for paralysis. I am not going further.

Mr. LONGWORTH. Read that other word.

Mr. LANGLEY. Read the whole statement.

Mr. HOWARD. Is there a doctor present? [Laughter.]

Mr. ASHBROOK. I will say for the gentleman that he said he had only a smattering knowledge of medicine.

Mr. HOWARD. I do not know what this is, but whatever it is is horrible. It must be horrible. But anyhow he is suffering from rheumatism, all drawn up with rheumatism, suffering pain and agony every moment of every hour of every day in the year. He is wholly unfitted for earning his support by reason of injuries sustained by a fall, having his shoulder and his right hip badly crushed.

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

Mr. HOWARD. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD. He is supplemented by the testimony of others, indicating that his property consists of a house and two city lots; that he has no other means and no income from

any source except his pension, which it is recommended be increased to \$30 a month. Now, here is Mr. Tilman, a fine old gentleman I know, 71 years old, who goes out and fights 7 months and 21 days only as against a year and 7 months and 21 days for Baker. It happened that my good old friend Baker fought exactly one year longer than Mr. Tilman. Now, it says that this gentleman had something the matter with his heart and his lungs, and he had one of these peculiar hernias.

A MEMBER. Tell us what it is.

Mr. HOWARD. I would call it inguinal hernia. The last certificate by the board of surgeons, dated September 18, 1913, shows the claimant rated at \$30 a month for diseases of the lung and heart, on an equal footing with Baker, which was right, absolutely right, and up to that good hour he did not have any hernia. He developed this hernia between 1913 and 1914. Now, the medical testimony presented to this committee indicates that the claimant is unfitted for manual labor by reason of impaired vision, both eyes, and infirmities from age and diseases.

Now, Mr. Chairman, without burdening the House any further with the details of these reports, it occurs to me that in the interest of fairness and fair play, when the Treasury door has swung wide open to this class of citizens, with no hindrance or hurdle that can be put in the way, it is useless for anybody to say anything here against these pensions. I would as soon try to stop a Texas cyclone with an Army blanket as to stop these pensions.

Mr. SHERWOOD. Mr. Chairman—

The CHAIRMAN. Will the gentleman from Georgia yield to the gentleman from Ohio?

Mr. HOWARD. In just a minute.

But there ought to be an equality between these old Union soldiers. Here are three pensions for Mena, Ark. I know that Mena is a splendid little community and I know from its location that it needs a little artificial stimulant in the way of a little extra pension money in there. I congratulate my colleague from Arkansas that he has been able to locate in one bill three pensions in one town in a Southern State. It shows that he is active, that he is energetic, and that he is an able Representative of his people. But I do not want my friend to be embarrassed when he goes back home.

Mr. LONGWORTH. Will the gentleman yield?

Mr. HOWARD. Yes.

Mr. LONGWORTH. The substance of the gentleman's argument, as I get it, is that no one resident of this fair city should be treated "Mena" than any other? [Laughter.]

Mr. HOWARD. That is exactly it. The gentleman has said it much better than I could. These people live in Mena, and this Representative is exemplifying the name of this town by treating two of them "Mena" than he did another. [Laughter.] My speech is not made so much for the purpose of calling attention to the inequalities of these pensions, because it has existed ever since I have been in the House, but I want to call the attention of my distinguished colleague to the fact that when he gets back home he is going to find he has made two enemies by this beneficent act of his of putting two men on the pension roll at a lower rate than another one.

Mr. EMERSON. Will the gentleman yield?

Mr. HOWARD. I will.

Mr. EMERSON. Did you read from the description of this case that Baker has some property and Tilman has not? Had you noticed that feature?

Mr. HOWARD. Well, I do not think that makes any particular difference, because under the general law multimillionaires are drawing pensions from this Government. That does not make any difference with the Committee on Pensions.

Mr. LANGLEY. The gentleman is mistaken about that, of course.

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

Mr. THOMAS. Mr. Chairman, I have listened to the talk of the gentleman from Georgia [Mr. Howard]. Now, personally, there is no man in this House I think more of than I do of the "Schley" gentleman from Georgia; but he is simply against pensions and against all pensions. I am for all pensions. That is the difference between us.

Mr. HOWARD. That is a very wide difference.

Mr. THOMAS. That is a very broad difference. I am going to get every pension that I can to go down to Kentucky. I would rather they would go to Kentucky than up into the icicles of Maine, and why should we not pension these old soldiers? I believe we ought to do it. I am a Democrat. There is not a man in this House who does not know that I am a Democrat of Democrats. [Laughter.] My father was a Federal soldier.

If I had been old enough, I would have been in the Rebel Army. [Laughter.]

Mr. HOWARD. I believe that.

Mr. THOMAS. And to-day I am in favor of pensioning not only Federal soldiers, but every Rebel soldier. [Laughter.]

Now, the gentleman from Georgia [Mr. Howard] gets up and talks and talks [laughter], and the other gentleman from Georgia [Mr. TRIBBLE] also. I understand Mr. TRIBBLE has got an item in the bill here for a pension down in his country, too [laughter]—trying to rob the Government, you know—and the first thing you know SCHLEY HOWARD will slip in a bill for some fellow down in his country. [Laughter.]

I do not know about the merits of these particular bills about which they are talking, but I do know the gentleman from Ohio, Gen. SHERWOOD; I do know old JOE RUSSELL, from Missouri [laughter], and I know that those men and the other men upon that Pension Committee will not place in that bill any item that should not be there. [Applause.] And so I will say to my friend SCHLEY, you are butting your head against a stone wall. [Laughter.]

Mr. HOWARD. Mr. Chairman, I want to say to my good friend the gentleman from Georgia [Mr. THOMAS] that I admitted that. There is no necessity to prove it. I admit it.

Mr. THOMAS. Then why should you continue to be so foolish? That is what I want to know. [Laughter.]

Mr. HOWARD. If the gentleman will yield—

Mr. THOMAS. Why, certainly; always. I never fail.

Mr. HOWARD. I have butted in foolishly. I admit.

Mr. THOMAS. Everybody admits that. [Laughter.]

Mr. HOWARD. But I did it for the purpose of correcting an inequality in the three pensions at Mena, Ark.

Mr. THOMAS. I do not believe there is any inequality about it. When Mr. Wingo, from that district, introduced those bills, and such men as Mr. RUSSELL of Missouri and Mr. SHERWOOD approve them, I do not believe there is any inequality. You have got to prove it to me now, and I will give you a piece of advice, and that is to stay still hereafter. [Laughter.] That will be better, because we are going to pass these bills for these old soldiers, because they deserve them. That is the whole thing of it. [Applause.]

Mr. RUSSELL of Missouri. And the gentleman is glad to see some of the money going into the Southern States?

Mr. THOMAS. Yes; I want to see some of the money go down South, even to Georgia and these other Southern States.

Of course, everybody knows that I am a Democrat. But this stuff of these two gentlemen from Georgia, Mr. SCHLEY HOWARD and Mr. TRIBBLE, getting up here every time we have a pension bill is foolish. They hop up and raise the mischief about something and do not know what they are raising it about, and my advice is that they quit it. [Laughter and applause.]

Mr. SHERWOOD. Mr. Chairman, there have been up to this time in this Congress 4,000 private pension bills introduced. In the case of every bill that is introduced the examiner for the Pensions Committee, Mr. Ives, who has been detailed by the Pension Office to do that work, and who has had 25 years' experience in the Pension Office—and he does not know who introduced the bill—makes his report on that bill, and if there is a favorable report it goes to the subcommittee of this committee. Then, if there is a controversy, it goes to the full committee.

Take this case, for instance, of Stephen Clevenger, aged 67 years. His service was seven months and two days. He enlisted in January, 1865. He saw no battle service; and, in considering the value of a pension bill, the service of the soldier is always considered. And furthermore, if he is disabled, whether his disability occurred on account of the war or since, that is always considered, so that the pension examiner considers all these questions and makes his report, and his opinion on a question of this character, where all the evidence is before him as to the service of the soldier, when and where his disability occurred, is of more value than the opinion of a Member on the floor of the House, who only reads the report and does not know anything about the circumstances of the soldier's disability.

Mr. BLACK. Mr. Chairman, I move to strike out the last word. While I know that anything that a Member may have to say on this bill will not have any effect to prevent its passage, still I think the gentleman from Georgia [Mr. Howard] deserves the praise of this House for pointing out the inequalities he has discovered in these bills, and the matter ought to have the consideration that it deserves.

I would be the last Member of this House, notwithstanding I am from Texas and am the son of a Confederate soldier, to withhold a pension from a worthy Union soldier who is entitled to receive it. But I do say that there are inequalities in this bill. I have heard the gentlemen who are pressing the pas-

sage of this bill state that the reason why one man in this bill gets \$50 per month and another gets only \$20 per month is because of his being in worse condition financially, and perhaps in worse condition physically. I heard the gentleman from Ohio [Mr. SHERWOOD] say, on the other hand, that the term of service counted. I have no doubt that these things have been taken into consideration, but I want to call the attention of the House to a case mentioned here on page 59 of the report of this committee, where it is proposed to increase his pension from \$17 per month to \$24 per month. The case is this:

H. R. 3724. Stephen Clevenger, aged 67 years, late a private in Company A, One hundred and forty-seventh Regiment Indiana Infantry, from January 2, 1865, to August 4, 1865 (length of service, 7 months 2 days), is now a pensioner under the general law at \$17 per month on account of rheumatism, diarrhea, and resulting disease of rectum.

Here is the medical evidence of his present condition upon which it is purposed to base his increase of pension, namely:

Medical and other information furnished this committee indicates that the claimant is in such physical condition as to prevent him from earning his support by his own labor by reason of rheumatism, enlarged prostate, cystitis, piles, associated with rectal ulcers.

Now, what worse physical condition could a man be in than that?

Mr. ASHBROOK. He might be blind.

Mr. BLACK. So he might. Now the report further states that the soldier has no property or income except his pension. There you have a man who is totally disabled, physically. He has no property, and no other income except his pension; and yet this bill grants a pension of only \$24 per month, whereas other provisions in this bill grant private pensions amounting to as high as \$50 per month, under conditions which I do not think are any more meritorious.

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

Mr. BLACK. Yes.

Mr. SHERWOOD. The evidence does not show that his disability was contracted in the service. That is the point.

Mr. BLACK. The point I make, Mr. Chairman, is simply this, that these bills are introduced by Members of this House asking, some of them for a pension of \$20 a month, some of them for a pension of \$30 a month, some of them for a pension of \$36 a month, and some of them for as high as \$50 a month. It does seem to me that there ought to be some equality about this. I believe that the system as now practiced by this House in reference to these pension matters is wrong, and the sooner it is corrected, the better.

There ought at least to be some measurable equality.

Of course I admit that there are circumstances sometimes that justify the granting of these private pensions, but the abuse of the thing is what I am striking at and I do say that there is abuse along this line.

Mr. RUSSELL of Missouri. Will the gentleman yield a moment?

Mr. BLACK. I yield.

Mr. RUSSELL of Missouri. Does the gentleman think a man who had a very short service, after the war was practically ended, should have the same compensation as one who served a long time while the war was actually raging?

Mr. BLACK. No, I do not.

Mr. DAVIS of Texas. I should like to suggest to the gentleman that God Almighty said that those who get in at the eleventh hour are given as good a seat in heaven as anybody else.

Mr. BLACK. I thank the gentleman for the suggestion.

Mr. RUSSELL of Missouri. We have not been proceeding upon that high plane here.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. I ask unanimous consent that my time be extended two minutes, so that I may reply to the question which the gentleman from Missouri desires to ask.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. RUSSELL of Missouri. Does the gentleman notice that this man Clevenger enlisted in January, 1865?

Mr. BLACK. I do.

Mr. RUSSELL of Missouri. Only about three months before the surrender of Gen. Lee.

Mr. BLACK. I notice that; yes.

Mr. RUSSELL of Missouri. And my information from the gentleman from Ohio [Mr. SHERWOOD], who is an authority upon military matters of the Civil War, is that this man saw no actual service. There were no battles fought after that. Now, does the gentleman think he should be paid the same amount as a

soldier who was engaged in the active part of the war, and who served longer?

Mr. BLACK. No, I do not, and I have taken no such position; but I call the attention of the gentleman from Missouri to the fact that, on page 58 of the report, appears the case of George W. Tillman, of Mena, Ark., who served only 7 months and 21 days—or only 19 days more than the case just referred to—and yet he is granted a pension of \$36 a month; a difference of \$12 per month, notwithstanding the very short difference of time in their respective terms of service. I say there is no equality in that, and I again protest against it.

Mr. RUSSELL of Missouri. But the gentleman will notice that his service was from 1862 to 1863, in the midst of the war, while the other man served from January until August, the greater part of which time was after the war was over.

Mr. LANGLEY. And he saw no actual service in fact.

Mr. RUSSELL of Missouri. He saw no actual service.

Mr. LOBECK. Mr. Chairman, I notice that this Stephen Clevenger, who is allowed \$24 a month under H. R. 3724, on page 59 of the report, whose case has just been spoken of, had been recommended for \$24 a month by the board of surgeons, but his application denied. Therefore this committee allowed him the \$24 which had been recommended by the board of surgeons. That is the reason.

Mr. SHERWOOD. Mr. Chairman, I ask the Clerk to proceed with the reading of the bill.

The Clerk read as follows:

The name of William R. Wolbert, late of First Battery Minnesota Volunteer Light Artillery, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

Mr. RUSSELL of Missouri. Mr. Chairman, I move to amend by striking out lines 14, 15, 16, and 17, inclusive, on page 31. The beneficiary is dead.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 31, by striking out the paragraph included in lines 14, 15, 16, and 17.

The amendment was agreed to.

The Clerk resumed and completed the reading of the bill.

Mr. SHERWOOD. Mr. Chairman, I desire to make a statement about the bill. It originally contained 201 names. Three have died since the bill was prepared. Eighty-eight per cent of this bill includes bills of the Sixty-third Congress. We were crowded out of two regular pension days in the last session of that Congress, and 88 per cent of the names in this bill are to cover bills introduced by Members in the last Congress and reintroduced in this Congress, having been passed upon before.

There are in this bill 133 claims for invalid pensions, representing original pensions amounting to \$2,953 monthly, which total monthly amount has been increased by \$1,399, making a total annual increase for invalid claims of \$16,788, the average increase per month for each being \$10.44.

There are in the bill 68 widows and helpless children's claims, having original pensions of \$630 monthly, which have been increased \$748 monthly, making the total annual increase for these claims \$8,976, or the average monthly increase for each claimant \$12.80. The total annual increase carried in the bill is \$25,764. Included in the above are 10 original widows' claims allowed at \$12 per month and 5 helpless and dependent children's claims allowed at \$12 per month.

Now, Mr. Chairman, if no Member wishes to occupy time, I move that the committee rise and report the bill to the House with the recommendation that the same do pass as amended.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HENRY, Chairman of the Committee of the Whole House, on the Private Calendar, reported that that committee had had under consideration the bill (H. R. 8493) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and had directed him to report the same back to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed. On motion of Mr. RUSSELL of Missouri, a motion to reconsider the last vote was laid on the table.

Mr. CALLAWAY made the point of no quorum, but subsequently withdrew the point.

COAL AND OIL LEASES.

On motion of Mr. FERRIS the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 406) to authorize exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium, with Mr. CULLOP in the chair.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

Mr. LENROOT. Mr. Chairman, I would like to inquire if the amendment changing the number of the section has been agreed to.

The CHAIRMAN. The Chair is informed by the Clerk that that amendment has been adopted.

Mr. MANN. Mr. Chairman, I want to call the attention of the gentleman from Oklahoma to the fact that at the bottom of this section it says:

And the tract and deposits of oil or gas therein shall thereafter be subject to lease as prescribed in section 16 hereof.

The sections have all been renumbered.

Mr. FERRIS. Yes; but we will change that after we get through with the section.

Mr. MONDELL. Mr. Chairman, I moved to strike out the last word, but I desire to withdraw that amendment and offer the following amendment.

The CHAIRMAN. The gentleman from Wyoming withdraws the pro forma amendment and offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 12, line 23, strike out the words "patent for one-fourth," and insert the words "leased for one-half"; and after the word "permit," in line 24, add "at a royalty to be fixed by the Secretary of the Interior."

Mr. MONDELL. Mr. Chairman, I called attention to the very extraordinary provisions of this section last evening. This is a leasing bill, and yet the provision in this section is such that one-quarter of all of the oil lands of the country could be patented, and patented without expense or cost to the patentee. Gentlemen will say that they feel that it is necessary to give the explorer in a new field, or the wildcatter, this bonus in order to encourage him to develop. Well, if that is true, it is a very large price to pay for the inauguration of a leasing system. We now dispose of our oil lands under a law that requires thorough and complete development and the payment of \$2.50 an acre. If it is necessary to give away one-quarter of all the oil lands of the country without price and without requiring development, in order to start a leasing system or to make a leasing system successful, then it must be confessed that we are paying a very large price for this system.

Not only that, but the land it is proposed to give away would in every case be the best of the land. In the first place, a prospecting permit is granted for 640 acres, 1 square mile, or 2,560 acres, or four sections, depending on the distance from a producing well. If oil is discovered at any point on that area the permittee may then select from the area of this prospecting permit the most desirable one quarter of the same, or any one quarter, and receive a patent for it out of hand and without cost.

That, of course, will mean that a driller, having started at a point which the geological conditions indicate are the most favorable for oil development and having discovered oil, will select the best portion of his area, and two or three or even one such permittee might take the entire dome and practically all of the valuable land in a given field, returning to the Government only the comparatively worthless land lying outside of the oil dome or oil basin, as the case may be. Some of the oil lands in California are worth millions of dollars to a quarter section, and yet we are proposing to give from one quarter section to a full section of lands to these people.

I realize that this is done in good faith. The trouble is that gentlemen have not sufficient faith in the system they are proposing; they have not as much faith as I have. I do not believe that it is necessary to give away 25 per cent of the oil lands of the country, and the best 25 per cent of it, in order to get men to lease and develop oil lands.

There are other reasons than these why this should not be done. Why are we entering on a leasing system? In order that the people of the country may receive revenue? No; because no one receives any of the revenue except the people of the general country in which the development is to be. It all goes into the reclamation fund under the bill, and we hope when it becomes a law that one-half will be retained within the State for schools and roads. But in no event does it go into the Federal Treasury.

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

Mr. MONDELL. Mr. Chairman, I ask that my time be extended five minutes.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. We are therefore not inaugurating a leasing system with the idea of enriching the people of the United States. I believe we must come to a leasing system whether we like it or not. That being so I have favored a leasing system because of the hope that it will bring us a larger income for local use from mineral deposits, but there are other arguments in favor of a public leasing system. One of them is that through the public control that comes under a leasing system you may prevent waste, and so control the operation as to prevent, on one hand, development not warranted by the market and, on the other, the plugging of wells and failure to produce, with a view of enhancing the price when the product is actually needed.

If these benefits are to be obtained under a leasing system, they can only be obtained in the largest and best way by having all the lands under this control; and if instead of retaining these lands in public control under a leasing system we patent 25 per cent of them, and the best 25 per cent, we lose that control over a large part of the territory which we seek to secure under our legislation.

Of course all this is on the supposition that the provision we have been discussing will be carried out in accordance with its terms. It probably would not, and therefore holds out a hope of patent that, except in a few favored or fortunate cases, would not be realized.

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

Mr. MONDELL. Yes.

Mr. BORLAND. The gentleman knows about the situation in the oil and gas country, and he knows it costs a good deal to drill a well for oil or gas?

Mr. MONDELL. I had some painful experience in that line some years ago.

Mr. BORLAND. There is an outlay of considerable expense. Does the gentleman think that anybody could be induced to prospect upon public land and locate oil or gas at a depth of 500 feet or more upon the mere prospect of obtaining a lease in competition with others; or is it not necessary that they have some more substantial right?

Mr. MONDELL. I have tried to make it clear that I have more faith in the leasing system than these gentlemen who are handling the bill seem to have. Answering the question directly, yes. Under a proper, straight leasing system, under a reasonable system you can secure more development, in my opinion, of the right sort than you would obtain under this provision of legislation.

Mr. BORLAND. What is the proper system of leasing?

Mr. MONDELL. A system under which the opportunities are made definite the leasehold secure the acreage sufficient and the royalty reasonable. May I suggest that all of the development in the oil fields of Oklahoma has been under lease. That answers the gentleman's question. There is no ownership there. There is the greatest oil development in modern times, and none of the operators hold an acre of land. There is no doubt about that. If you give men proper leases, real legitimate operators would prefer to have a lease to half a section rather than a patent to a section, particularly when there is grave doubt of your getting the patent.

The CHAIRMAN. The time of the gentleman from Wyoming has again expired.

Mr. FERRIS. Mr. Chairman, in a word, the amendment of the gentleman from Wyoming seeks to strike out the inducement offered to a prospector. The House will undoubtedly want to know what the present law is. Under the present law in mining oil on public lands the developer gets all of the land by a payment of \$2.50 an acre, which is a nominal sum, in the event that you strike oil. Under our provision he gets one-fourth of his prospecting permit and we retain three-fourths of the developed oil land for the benefit of the Government. The amendment of the gentleman, of course, is all out of harmony and is entirely awry with every contention that he has made heretofore. He has been against the bill in its entirety, because he wanted the lands for patenting and taxation and all that sort of thing. The committee has anticipated that some controversy of this kind might arise, though hardly expecting it from the gentleman because this is at right angles with all of his other contentions, and we have had this put up to the Geological Survey and to the Interior Department, had them analyze it and justify it, and

I have their verdict here summed up in a few words. The Interior Department says:

The reason it is advisable, after the discovery of oil or gas by a permittee, to give him a patent for one-fourth of the area covered by the permit is to induce citizens to undergo the labor and expense of prospecting for and finding workable deposits of oil or gas. The present mining laws and the mineral development of the country have been largely secured without expense to the Government because of the reward held out to the prospector in the form of a patent for the lands containing the deposits. While present laws are ill adapted to the discovery or disposition of oil or gas, it is doubtful whether the mere prospect of a lease would stimulate prospecting to the same extent as would a reward in the shape of a patent for a part of the land upon which oil is discovered. Furthermore, the oil claimant may desire to have the fee simple to a small area on which to erect permanent improvements, houses for his men, etc., and this provision will enable him to get patent for a limited area for those purposes. (b) The reward of not exceeding 160 acres within a 10-mile limit and not exceeding 640 acres without the 10-mile limit is not too great when it is borne in mind that the sinking of an oil well may involve expenditures of from \$5,000 to \$75,000, and that in many cases the expenditure of thousands of dollars will result in dry holes, the exploration being repeated several times before a paying well is disclosed. In any event, the United States is left with three-fourths of the area covered by the original permit, the value of which has been demonstrated by the drilling operations and discoveries of the permittee. (c) Ninety days within which the permittee may secure a patent for the areas given him as a reward for his discovery is not too long, because of the fact that he may be 60 or 100 miles from the local land office, requiring considerable time to proceed thereto from his claim, the preparation of the necessary proofs, in the form of affidavits, plats, etc., as a basis for the application for patent. Homestead settlers upon unsurveyed lands are allowed 90 days after survey within which to present their applications.

We knew the Geological Survey had charge of this, and we knew that they knew the practical side of it, that they had gone over it, and made surveys and drillings and tests and prospecting holes, and this is what they say:

The issuance of a patent for one-fourth of the area covered by the prospecting permit to drill for oil or gas is merely the prospector's reward for his expenditure of time and money in the discovery of such deposits. The Government reaps the advantage in the enhanced value of the remaining portions of the area covered by the prospecting permit. This enhanced value will be much greater than the cost of such prospecting operations and will be somewhat commensurate with the value of the property obtained. If the Government is not to do the prospecting work itself, it must hold out some inducements to have the work done by others. The improvement of the remaining three-fourths of the area is such a valuable return for the concessions granted that there should be little quibble as to the size of the reward.

(b) The reward, in the bureau's estimation, is not too great. The permittee within the 10-mile zone is probably taking less risk and incurring a lesser expenditure than would be the case as regards the permittee beyond such zone. It is doubted whether a lesser reward would prove sufficiently attractive to induce capital to make the large expenditures required in oil and gas prospecting. The cost of a single well in California often times runs from \$25,000 to \$50,000, while in other sections of the country it runs from \$3,000 to \$15,000.

If a man takes \$75,000 and goes out onto the public domain—onto worthless, poor land—and expends \$75,000 to develop that and make that land worth something, if he gives the Government three-fourths of it and only retains one-fourth of it for himself by reason of discovery, he has certainly done pretty well by the Government.

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

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Chairman, I really hope the House will not agree to the amendment, for the reason that I fear the gentleman wants to make unpopular a bill that now holds out some inducement to these people. We want the bill to work. We want the bill to be a razor that will shave. We want a bill that will accomplish something. The gentleman does not like the legislation. I am sorry that he does not, but surely we can not agree to permit him to make the bill inoperative by amendments that are all out of joint with all of his views. We must beware of the "Greeks bearing gifts."

Mr. LENROOT. Mr. Chairman, I move to strike out the last word.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto conclude in 15 minutes, 10 minutes of the time to be occupied by the gentleman from Wisconsin [Mr. LENROOT] and 5 minutes by the gentleman from Wyoming [Mr. MONDELL].

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on the paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Chairman, I am very sorry, but it seems impossible for the Committee on Public Lands, whatever it may do, to satisfy the gentleman from Wyoming [Mr. MONDELL]. For hours he has declaimed upon the floor against the policy of the committee retaining title in the Government to this

character of resources upon the public domain. He has insisted in other bills that he himself has introduced that the Government part with all its title to the public lands. When we come to this bill, however, where we have a provision in it that does grant a title in fee simple to one-quarter of a certain area the gentleman objects. The ground of his objection to the policy of the committee has been that it means absentee landlordism; that it deprives the States of their power to tax the land within their borders, but when we come to the provision of this bill—we eliminate, in part, this objection that he has made. We grant title in fee simple to a portion of the land. Then he turns squarely about face and says he objects to that; and now he is in favor of absentee landlordism; now he is in favor of the States being deprived of their right to tax that portion of the public lands. Why, in general debate upon that very bill, Mr. Chairman, the gentleman used this language:

The one thing that affects us most immediately—the one thing that renders the bill obnoxious to practically everybody in all the vast area to which it applies—is the feature that proposes to lay for all time a burden of Federal royalty and take it out of the community, make Uncle Sam an absentee landlord in a larger way and under conditions certain to be more onerous and trying to live under than any system of landlordism established since the beginning of time.

We certainly expected when we came to this provision, where we grant title to one-fourth of the land in the prospecting permit to the man who made the discovery, that would have been one provision in the bill, at least, that would meet the approval of the gentleman from Wyoming. But we find here that he assails this provision quite as bitterly as he has assailed other provisions of the bill, regardless of the fact that he is absolutely inconsistent in the position which he takes.

Now, Mr. Chairman, what is the reason for this departure from the general policy that has been pursued, so far as it relates to this particular resource—the matter of oil? There is very good reason for it. Mr. Chairman, the gentleman from Wyoming knows better than most of us that oil is not discovered by merely going upon the land. The gentleman knows that it requires a very large expenditure of money before any discovery is made. The gentleman knows that usually these oil lands are upon the desert. The gentleman knows that every acre of these lands is subject to entry of the surface, with the reservation of the oil on them; and the gentleman knows, too, that under an act of Congress recently passed it is open to the entryman to disprove the mineral character of that land, and get title not only to the surface but in the oil itself, if it be there. The gentleman knows, too, that if his proposition be adopted, away from those proven and developed fields, in many portions of the country, with not a sufficient inducement to prospect that land, it will lie undeveloped, and that the time will come when the private owner will get the full title to the land under the provisions of the act that I have mentioned, without reference to the mineral character, because the Government will not be in a position to assert it, and the lapse of time will be strong indication that it is not mineral and no effort made to develop or discover it.

Now, with the provision we have we offer a liberal inducement to the prospector to go upon the land and discover oil, if there be oil there. If he makes the discovery, he has added value, tremendous value, to all of the remaining Government land in that vicinity. That is not true of water-power sites; that is not true of coal, because the Geological Department of the Government can determine that fact, but they can not with reference to oil. So it is very clearly in the interest of the Government, even to the extent of parting with a portion of its title, to reward the man who goes upon the land and thereby adds millions of dollars of value to the other lands belonging to the Government, and that he be given this reward in this particular case. And the reason, as I have said, is because the mineral character of that land, so far as oil is concerned, can not be determined by the Government, can not be determined by anybody except by putting a drill upon the land and drilling down to find out whether there is oil in commercial quantities or not.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I sympathize with the gentlemen of the committee. I realize the trying situation they are in. They have brought in a bill here that, in the first place, as to its fundamental principles, is objected to by an overwhelming majority of the people of the territory which it affects, a bill which contains a great many features which are believed to be very unwise and harmful by those from the region affected who are favorable to the general principles of the bill. They have been very unhappy in their work and the results which they have obtained, and I do not wonder they feel bitter about it, and if they get any consolation through abusing me and misstating my position, why,

all well and good. I am as much opposed to the provision which gives away 25 per cent of the land, which takes from the control of the Government 25 per cent of the land, as I would to a provision which would render the bill inoperative. I believe leasing legislation can be so drawn as to be workable, but I do not believe it is in the interest of development; I do not believe it is in the interest of proper control to have any such provision as this in the bill. The chairman of the committee did not attempt to defend this provision. He read from statements made by the Secretary of the Interior and the Chief of the Bureau of Mines. Why, certainly the Secretary of the Interior is for it; it is his provision. Everybody understands the Secretary of the Interior suggested this proposition; that it never occurred to a member of the committee. It was never contained in any leasing bill until the Secretary of the Interior, after consultation, I presume, with the California oil men, concluded this would be a wise thing.

Probably it was well intended. Of course, he was defending it. Why should he not defend his own child? It was his proposition. He wants it done. Now, the gentleman from Wisconsin [Mr. LENROOT], having misrepresented my position half a dozen times, I trust in the future will remember that I am and have been for coal and oil leasing legislation if we can have a fair, reasonable, and workable bill.

Mr. LENROOT. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield?

Mr. MONDELL. And the gentleman knows very well that what he has been quoting from my statements are an expression of the opinion of those people who oppose leasing legislation and of the fears that are still in the minds of the people of the West, who have brought themselves to the belief that whether we like it or not we must accept it. This provision will simply add to the difficulties, add to the confusion, and largely reduce the benefits which we hope to secure, if benefits may be secured, through a medium of this sort.

Mr. LENROOT. Does the gentleman then disclaim as being an expression of his own views the quotation I read from the Record?

Mr. MONDELL. Those are my views. The gentleman has quoted a part of what I said. I said that we objected to the Government being a landlord and taking a toll from our resources without giving a part of it to our State for our development. And certainly we do. I mean that. But in the very same speech, as the gentleman knows—and it is useless for me to continue to reiterate it because my position is well known, and I trust the gentleman will not again attempt to misstate it—I said I was for this class of legislation if we can get it in a workable form, and it is just as important to my people that we be not overliberal in a harmful way as it is important to them that it shall not be overrestrictive in a harmful way. And I am against this provision, because no such unnecessary and harmful liberality is required in order to put a leasing system on its feet, and it will bring confusion and bring harm. The patenting provision will not only confuse and complicate the situation if carried out in accordance with its evident intent, but it is objectionable from the fact that it is not likely to be administered for any length of time in a free and impartial way. Let some one who has a prospecting permit bring in a bonanza well and the cry go up that the Government is giving away property valued at millions of dollars. Do you not imagine there would be some difficulty in getting a patent? Let those answer who are now trying to secure patents to oil lands. If a patent were finally secured in such a case, would not a cry go up at once for the Secretary to amend his rules, which, in the exercise of his wide discretion he would have the right to do, so that nothing of the kind could happen again? Some rule would be adopted under which few would ever get the opportunity for a permit or patent. We would then have the ill effect of this provision and little or no benefit from it.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that, on page 13, line 20, the word "sixteen" be stricken out, and the word "eleven" be inserted in lieu thereof.

The CHAIRMAN. There is an amendment pending. The question is on the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The question was taken, and the amendment was rejected.

Mr. FERRIS. Now, Mr. Chairman, on page 13, line 20, the word "sixteen" has reference to a section that was stricken out.

The CHAIRMAN. That section, the Chair desires to state, has not been read yet.

Mr. FERRIS. Oh, yes; it has. We have just concluded it. On line 20, page 13, I want to strike out the word "sixteen" from the text, and insert in lieu thereof the word "eleven."

The CHAIRMAN. Is that a committee amendment?

Mr. FERRIS. No; it is not a committee amendment. It is an amendment that we now desire to make. It is a reference to another section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 13, line 20, strike out the word "sixteen," and insert the word "eleven."

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 16. That all permits, leases, and patents of lands containing or supposed to contain oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands embraced within any permit, lease, or patent, unless the adjoining lands have theretofore been patented or the title thereto otherwise vested in private owners, or unless the lessees or patentees of such adjoining lands shall, with the approval of the Secretary of the Interior, agree to the drilling of wells and removal of the oil or gas from the 200-foot tracts or reservations herein created, and to the further condition that the permittee, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the permit, lease, or patent, to be enforced through appropriate proceedings in courts of competent jurisdiction.

Also the following committee amendment was read:

Page 13, line 21, strike out the figures "16," and insert "11."

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

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

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word. The gentleman is recognized for five minutes.

Mr. BORLAND. I wanted to ask the chairman of the committee in regard to the meaning of this section. I notice that it says:

That the permittee, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land or the entrance of water through wells drilled by him—

And so forth.

Now, it is my understanding, if I am correctly informed, that the Bureau of Mines has found some way of sealing the gas strata in an oil well so as to prevent the useless waste of gas where there is no immediate market for it; that instead of allowing the gas to be turned loose in the atmosphere as a permanent waste it can be sealed up in the strata and kept there until such time as there is a market for it. Can that requirement be imposed upon the lessees and permittees under this section?

Mr. FERRIS. It can. That is one of the purposes of the section.

Mr. BORLAND. In what way would you require it besides this forfeiture? Is there any supervision that takes place before the forfeiture is ordered?

Mr. FERRIS. We have a section later on—section 30—that authorizes the Secretary to make any needful regulations and work out any detail to bring about these results. And I have the justification here of both the Geological Survey and the Bureau of Mines and the Department of the Interior, if the gentleman would care to have it. I think more of it, however, is on this drilling provision.

Mr. BORLAND. I think it would be well, if the gentleman will, to put that in the Record. In the Oklahoma gas fields, and in the southern Kansas fields, as the gentleman knows, persons have been anxious to find oil, because there is a market for the oil. They frequently find gas above the oil strata, and in many cases the gas has no immediate market unless they have money enough to pipe it to the town. It is used for nothing except the small portion used by the operator in drilling or for power on the ground. It is necessary to conserve this gas. It is worth something to people in the cities, where they have use for it.

It is worth nothing at the place of production, but if it could be conserved until a market for it could be established, then it would be very useful indeed to the wage earners and consumers in the cities. The same is also true as to the locations where gas is found, and it seems to me that instead of waiting to forfeit a man's lease, there should be some supervision exercised by the Secretary of the Interior in the nature of requirements for drilling and the methods of drilling, and so on, that would compel the conservation of that gas.

Mr. FERRIS. Mr. Chairman, the gentleman's suggestions are very timely, and that is one of the advantages of the leasing process. In the first place, the initial rights of the oil developer only attach on the making of a lease drawn by the Federal Government. If the land went to patent immediately the exact thing would happen that the gentleman complains of. It has happened a good many different times in my own State. Men are eager for the oil, which is very valuable, and they do not pay much attention, unless they are compelled to, to the gas, which is not so very valuable.

This section is written to bring about proper supervision and to prevent the condition of which the gentleman complains. In addition to that, over in section 30 we specifically provide language giving the Secretary extended authority to place these regulations in effect. The language used in section 11 is:

That the permittee, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the permit, lease, or patent, to be enforced through appropriate proceedings in courts of competent jurisdiction.

Mr. BORLAND. If the gentleman will pardon me at that point. I am not complaining of the section, I simply want to understand that it goes to the full extent expected. Reasonable precautions may be a matter of judgment in the mind of the patentee, but if there are regulations provided that he must comply with, that would be a different proposition. If you undertake to forfeit his lease, you must forfeit it for not complying with some regulations, and not on the question of taking reasonable precautions.

Mr. FERRIS. Hear what the Geological Survey has to say about the proposition. I read:

The language used in lines 20 to 23, of section 15, is considered sufficient in connection with section 31, authorizing the Secretary of the Interior to prescribe the necessary rules and regulations to carry out the purposes of the act, to permit of the promulgation of rules which will prevent waste of resources, either open waste or by reason of water menace. It is considered far better to have such provisions generally stated, rather than to attempt to enumerate them in detail, because the rule of statutory construction that the inclusion of some is the exclusion of others would undoubtedly be invoked to the detriment of the property interest of the United States.

I will say to the gentleman from Missouri that the same question that he has brought up arose in committee, and I thought we perhaps had better go on and say first just how the gas and oil should be handled; but the Bureau of Mines and the Geological Survey people, who are familiar with it, came to us and said to us that if we gave them the authority provided in section 30, and we used the language in this section 11, it would give them authority to do everything necessary in the interest and for the benefit of the Government. Here is what the Interior Department says:

The provisions for the exercise of all reasonable precautions to prevent waste and water troubles, in lines 20 to 23, seem to be fairly adequate, although the section would be strengthened if line 20 were changed to read, "use such reasonable precautions as shall be specified by the Secretary of the Interior to prevent waste of oil or."

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

Mr. BORLAND. Mr. Chairman, I would like to have two minutes.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. BORLAND. I understand the Secretary of the Interior says, "reasonable precautions, to be prescribed by the Secretary of the Interior." I understand you use that provision?

Mr. FERRIS. In the last paragraph of section 30 we provided generally and specifically and in every way to do all that we desired to do, so that it is not necessary at the end of every section to repeat such a provision. The matter has been resubmitted to the Secretary, I may say to the gentleman.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. MANN. Mr. Chairman, the Bureau of Mines is one of the most important bureaus in the Government, and is doing exceedingly good work, but all of its recommendations ought not to be taken too seriously. That bureau has probably made more discoveries in the last two years of old matters that were known before it was created than any other bureau of any Government ever did in the same length of time. Recently it reported in its annual report that it had discovered a new process for the production of gasoline which would reduce the price of gasoline, and which would certainly reduce the relative price of gasoline as compared with crude oil, and between the time that was written and the time it was printed and submitted to Con-

gress the price of gasoline, in connection with this wonderful discovery, rose some 5 or 6 cents.

Mr. MADDEN. It is still going up.

Mr. MONDELL. Mr. Chairman—

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of three minutes' time debate on this paragraph and all amendments thereto be closed.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. FERRIS]?

There was no objection.

Mr. MONDELL. Mr. Chairman, I do not rise to defend the Bureau of Mines. As a matter of fact, I do not think the bureau requires any defense. I am sure the gentleman from Illinois himself is a friend of the bureau.

Mr. MANN. I certainly am.

Mr. MONDELL. And perhaps the bureau itself will not object to the little friendly fling he took at them. They have been pretty active in announcing discoveries, some of which some of us have thought we had heard of, in a way, some time ago. But it is true that the bureau, or a gentleman by the name of Rittman connected with that bureau, has discovered a new method under which they are producing a large additional amount of gasoline from the crude oil. There are, of course, other methods.

I happen to know something about the Rittman method by reason of the fact that an oil company of my State has recently entered into an agreement with the Bureau of Mines, under which they are to use the Rittman process, and they are now erecting quite a large refinery, I am told, to put the Rittman process to the test and to develop under it, and they expect to be able to produce a largely increased amount of gasoline from our crude oil.

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

Mr. MONDELL. Yes.

Mr. MANN. Why do they have to enter into an agreement? Is not the process open to the world?

Mr. MONDELL. I understand that if they make any improvements on the process those improvements are not to be patented by them but left free to all who may desire to use them.

Mr. MANN. What control has the department over the process which it has discovered and given to the world?

Mr. MONDELL. The Rittman process is patented, as I understand, patented in the interest of the Government.

Mr. MANN. Patented for the use of anyone who may use it?

Mr. MONDELL. Yes; upon agreement to certain conditions.

Mr. MANN. By whom has that money been collected?

Mr. MONDELL. My understanding is that that was not the intent. The intent was to have the process patented for the use of the people generally, and to allow anyone to use it who would use it for increased development. That is my understanding of it, and therefore those who use this process must make some sort of an arrangement under which the public shall get the benefit of all improvements which are made in the process.

Mr. MANN. I had supposed that that process was open to the world to use. If it is not, it ought to be; and if anybody has to make a private agreement with somebody in the Department of the Interior for the use of a patent which the Government has paid for producing, then we ought to know about it.

Mr. MONDELL. I think that is a matter of public interest. We have a bill before us covering many pages, under which a great many agreements will be made by the Secretary of the Interior as to matters and things, and I think it entirely proper that an agreement should be made in regard to those patents for the protection of the public. This is, however, only one feature of the good work of the Bureau of Mines.

The CHAIRMAN. The time of the gentleman has expired. All time on this section has expired. The Clerk will read.

The Clerk read as follows:

SEC. 17. That all deposits of oil or gas and the unentered lands containing the same and classified as oil or gas lands, or proven to contain such deposits, except, however, those embraced in any prospecting permit during the life of the same, those patented or for which application for patent by the permittee is pending under the provisions hereof, may be leased by the Secretary of the Interior through competitive bidding under general regulations in areas not exceeding 640 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall be not less than one-tenth in amount or value of the production, which royalty, on demand of the Secretary of the Interior, shall be paid in oil or gas, and the payment in advance of a rental of not less than \$1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided further*, That upon relinquishment or surrender to the United States, within six months

from the date of this act, by any locator or his successors in interest of his or their claim to any unpatented oil or gas lands included in an order of withdrawal, upon which oil or gas had been discovered, was being produced, or upon which drilling operations were in actual progress January 1, 1914, and the claim to which land was initiated prior to July 3, 1910, the Secretary of the Interior may, within his discretion, lease, on such reasonable terms and conditions as he may prescribe, to such locator or his successors in interest the said lands so relinquished, not exceeding, however, the maximum area of 640 acres to any one person, association, or corporation, said leases to be conditioned upon the payment by the lessee of a royalty of not less than one-eighth of the oil or gas extracted or produced from the leased premises or the proceeds thereof, each lease to be for a period of 20 years, with the preferential right in the lessee to renew the same for succeeding periods of 10 years, upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior.

With the following committee amendment:

Amend, on page 14, in line 18, by striking out the figures "17" and inserting the figures "12."

The amendment was agreed to.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that the consideration of the proviso on page 15, line 16, running over onto page 16 and down to and including line 12, be postponed until the end of the bill.

Mr. CHURCH. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from California objects.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The gentleman from Oklahoma [Mr. FERRIS] has just asked to pass over this proviso which relates to the California oil lands, and the gentleman from California [Mr. CHURCH] has objected. I do not know the reason for the request or the objection.

I wanted to make an inquiry concerning this provision. I believe this proviso is in the identical language that it passed the House last year. There has been a good deal of discussion on this subject. Legislation relating to it has been pending for a number of years. Different proposals have been made. Last year, when we inserted this provision in the bill, I thought it was entirely agreeable and satisfactory to these oil prospectors, or oil owners, or whatever they may be called, in California, Wyoming, and elsewhere. I may be mistaken in my recollection of it. I know I thought we were very liberal to them, more so than they were entitled to. My understanding is now that, having secured this much in prospect, without any possibility of taking this much away from them, they now want more, the old cry of "More, more!" Having secured a chance that they would have been glad to have received in the first instance, when it looks as though that was certain to go through, then they say they must have something else which will give them greater rights.

I want to say to the gentleman in charge of the bill that I think we have gone quite the full length in favor of these people, who have no legal rights, or if they have legal rights are unwilling to stand upon them—that we have gone quite as far as we ought to go, indeed a little further than we ought to go, in this provision in the bill. [Applause.]

Mr. FERRIS. Mr. Chairman, a moment ago I asked unanimous consent that this proviso go over. The committee are entitled to know why I asked that. The gentleman from Illinois [Mr. MANN], as usual, has pretty well stated the historical phase of the proposition. This provision appeared last year in two forms. First it was in the so-called Church bill, proposing permanent relief for the California oil development. Then it was added as an amendment to this bill on the floor, and passed the House and went over to the Senate. It later passed the Senate in an enlarged form; later got into conference and died. The oil men think we are not doing half enough for them. The California Representatives here on the committee and in the House think we are not doing half enough for them by this provision. They have earnestly urged, here and elsewhere, that Congress do more than this does. On the other hand, the Navy Department and the Department of Justice have been taking a hand in this matter. The Department of Justice has been carrying on some suits out there. The Navy Department has made some so-called naval petroleum reserves there. They are now debating in their minds whether, in giving the permission granted in the bill, we are not doing too much. I had some conversation over the phone with both those departments this morning, and they were anxious that we let this provision go over to the end of the bill, feeling that they wanted to wire to some field men they have out there to see if even this was not doing too much for them. I told the Navy Department this morning that I would ask that this proviso go over to the end of the bill, and that would give them a little time to find out whether or not this proviso as it stands was satisfactory to them. I personally can see no objection to it going over to the end of the bill, but objection was made.

Mr. MANN. Which department was that?

Mr. FERRIS. The Navy Department.

Mr. MANN. Last year the Navy Department did not wake up until this bill was disposed of, and this year they have been asleep ever since. Have they just now awakened again?

Mr. FERRIS. Let me state what they have done. The Navy Department, anxious to conserve what they think they should, called on the President to make some withdrawals of land called naval reserves.

Mr. MANN. I know about that.

Mr. FERRIS. And they feel that after the President has issued that order these reserves ought to be passed over to their jurisdiction. Of course, the House knows that the disposition of land has always been in the Interior Department, and, in my own judgment, ought to continue there, and it would be impracticable to allow two departments to dispose of land. I tried to explain that to them this morning.

My own notion is that the proviso as it is in the bill is the thing that ought to be done. I have no doubt that it will ultimately be found entirely satisfactory to all of the departments, but just at present they seem to want a little more time. Of course, they will have a chance at it in the Senate, and also in conference, so if there is any change needed later it can be done. This amendment bears the recommendation of the Interior Department this year. It also was recommended last year as an independent bill. However, they still want to investigate further, and they hope that the House will allow them to do it without agreeing to this provision. In other words, what we are doing is not half of what the oil men claim they are entitled to, and the two departments are of the opinion that we are doing too much, and they want to investigate further. The committee, in inserting the provision, is entirely with the Interior Department, and thinks that at least this much relief ought to be had. The committee feels that it has done its duty in doing this. I believe that the Government ought to do this, and I have not so far seen my way clear to do any more. With that statement the House can take any action it sees fit.

Mr. MANN. The gentleman from Oklahoma knows that a year ago a separate bill on this subject was not considered in the House for some time, because at that time the Navy Department wanted a little more time to investigate and talk it over. Now, I am quite in sympathy with the Navy Department on this subject, but it does seem to me that if they have any rights, as they have, they have had plenty of time to think it over.

Mr. FERRIS. I am inclined to think perhaps that is true, but they have some additional views on the subject, and in addition to that—I want the House to know all about this—of course in 1909, when the first withdrawal order was made, a lot of people were mining for oil on some of these lands and made a big strike in oil and large capital was invested.

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

Mr. FERRIS. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. FERRIS. The same controversy was up last year, and the Public Lands Committee was anxious to do full justice to the oil men, and we invited the three departments to meet and get together and see if they could not agree on what was just and best. At that time all three departments apparently agreed to this proposition and it passed the House by unanimous consent as an amendment to this bill when it was up before. It went to the Senate and passed the Senate even in a more liberal form to the oil men. My own opinion is that if you adopt this provision, thereby causing the oil men to relinquish their claim to a patent, clean up this whole mess, and require them to begin to pay a fixed and determined royalty to the Government we will have done a wise thing. I think this will finally be the conclusion of the three departments, as it is now the opinion of the Interior Department.

Mr. STAFFORD. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. STAFFORD. Will the gentleman inform the committee as to the extent of the oil lands to which this provision applies, the number of acres withdrawn, and the number of acres on which the Government is now contesting the right of the prospectors?

Mr. FERRIS. I can give the gentleman a pretty good idea. The oil fields where the most of this controversy arose are in California and Wyoming. They have struck an oil field in California, called the San Joaquin, which is about 300 miles long and from 6 to 10 miles wide. I think there are 5,000,000 acres withdrawn altogether, but not all involved in this. I think there are about 17,000 acres involved in this rich strike. They are clamoring for patents, and this amendment requires them as a condition precedent to relinquish all claims to a patent, and then

they can come in and have a lease of 640 acres and pay one-eighth royalty on it.

Mr. STAFFORD. This does not include the lands in litigation which last June were held by Judge Bludsoe to have been appropriated unlawfully by the Southern Pacific Railroad, the estimated value of which was \$250,000,000 or \$300,000,000.

Mr. FERRIS. It gives the Secretary of the Interior the discretion to lease those lands to them when they are willing to relinquish their claims for patents.

Mr. STAFFORD. I did not know whether those lands involved in that suit would come under this provision.

Mr. FERRIS. Yes; I think so. It is for the purpose of cleaning up all this trouble out there.

Mr. STAFFORD. Those lands are said to be worth \$250,000,000 or \$300,000,000.

Mr. FERRIS. I do not know about the value of them, but one receiver has impounded \$1,200,000 of oil on one tract and has over a million dollars on deposit. This litigation is holding California back, and it is a proposition that requires the very best attention of the House. The two gentlemen from California sitting near me know more than I do about it, and perhaps the gentleman from Wyoming does, although for three or four years I have had this under observation in one form and another as it has come before the committee. The committee thinks that if you can have the oil operators now clamoring for patents come in under a lease and begin to pay the Government one-eighth royalty, it will be the best thing that can be done under the circumstances. It will be the thing the Government could do with the land if the controversy had never arisen. It does not sacrifice any interest of the Government. It really protects its interests. There is, I think, some different views among the departments, but this does not sacrifice anything to any of them. We can also hear them in the Senate and in conference on it if they desire to be heard.

Of course it is true, as above said, that the Interior Department in reporting on this bill makes reference to this proviso under discussion. They recommend it. They are for it. I present herewith the part of their report on this proviso:

The proviso to the section is remedial in its nature, designed to meet existing conditions in the oil fields. There are at present many developed oil wells upon the public domain held by those whose claims are invalid under existing law, for the reason that no discoveries were made prior to the date of the withdrawal of the lands from entry or because the original locators were "dummies." These persons have no legal rights, but their large expenditures and the ensuing development present an equitable situation which this proviso is designed to relieve by giving them the right to secure a lease to the deposits so developed, upon payment of a royalty of not less than one-eighth of the oil or gas.

Last year this same provision passed the House. It also had the indorsement of the Interior Department. I quote here their report of last year on this same matter as an independent bill:

DEPARTMENT OF THE INTERIOR,
Washington, April 17, 1914.

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

MY DEAR MR. FERRIS: I am in receipt of your request for report on H. R. 15661, a bill to authorize the Secretary of the Interior to lease certain unpatented public lands on which oil or gas has been discovered. The measure is peculiarly applicable to conditions existing in the oil fields in the State of California, but may apply to a lesser extent to similar claims in the State of Wyoming and other portions of the public domain.

On July 3, 1910, there were promulgated various orders of withdrawal made by the President, under the authority of the act of June 25, 1910 (36 Stat., 847), withdrawing from location and entry areas of public land believed to contain valuable deposits of oil and gas, pending classification and the consideration by Congress of the advisability of enacting legislation better adapted to the production and disposition of these minerals than the present general mining laws.

Prior to the withdrawal and the act of Congress mentioned, many claims had been initiated or attempted to be initiated under the provisions of the general mining laws to lands within the areas subsequently withdrawn. With respect thereto Congress provided in section 2 of the act of June 25, 1910, supra—

"That the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas bearing lands, and who at such date is in diligent prosecution of work leading to discovery of oil or gas, shall not be affected or impaired by such order so long as such occupant or claimant shall continue in diligent prosecution of said work: And provided further, That this act shall not be construed as a recognition, abridgment, or enlargement of any asserted rights or claims initiated upon any oil or gas bearing lands after any withdrawal of such lands made prior to the passage of this act."

The latter clause had reference to certain withdrawals theretofore made by the Secretary of the Interior.

In the case of H. H. Yard (38 L. D., 59) the department ruled that a placer location for 160 acres made by eight persons, and before discovery of minerals thereon transferred to a single individual or corporation, was invalid because not preceded by a discovery of mineral and could not, under the law, be perfected by the transferee upon a subsequent discovery. Many existing claims for deposits of oil and gas being for this reason invalid, Congress passed the remedial act of March 2, 1911 (36 Stat., 1015).

It now transpires that numerous locations upon lands containing oil and gas deposits were made by associations of individuals for and on behalf of corporations or other individuals and not in the interest

of the locators, and covered a larger area than could have been embraced in single locations by their principals. Such locations have been held illegal by various decisions of the Department of the Interior and the courts. It appears, however, that many such locations have finally passed by transfer, lease, or contract into the hands of oil operators who in good faith and without actual notice of any defect in title have, at large expense, drilled and developed producing wells upon the tracts, and that the cancellation or denial of the claims under existing law will result in depriving these operators of their labor and expense. The condition is recognized and temporary relief proposed in H. R. 15469, recommended by this department and favorably reported by your committee, which bill proposes to authorize the Secretary of the Interior to enter into temporary arrangements with the operators for the disposition of the oil or gas and the proceeds thereof pending final determination of title. However, as stated in my said report of April 10, 1914, H. R. 15469 will give temporary relief only, and does not provide a method for disposition of the lands or the deposits after final adjudication of the cases if the claims of the applicants be finally denied. H. R. 15661 proposes to provide for this condition by authorizing the locators or their successors in interest in cases where oil or gas has been discovered, was being produced, or upon which drilling operations were in actual progress January 1, 1914, upon lands the claims to which was initiated prior to July 3, 1910, by authorizing the Secretary of the Interior, upon surrender to the United States by the claimant of his interest in the defective location to lease to him the lands so occupied, improved, and developed, not exceeding in any case 2,560 acres, upon payment by such lessee of a royalty of not exceeding one-eighth of the oil or gas extracted or produced. This measure will, in my opinion, not only afford relief to operators who, as stated, have in good faith made large expenditures in the development of oil or gas from such lands, but will operate to relieve the land department from a large amount of expense and work in investigating and adjudicating claims to such lands presented under the general mining laws.

It is in line with the general policy of the bill for the future leasing of oil, gas, and other minerals now before your committee and before the Senate, but because of its being designed to meet and cure an existing condition properly forms the subject of a separate and remedial measure.

I recommend the enactment of H. R. 15661.

Very truly, yours,

FRANKLIN K. LANE.

Mr. MONDELL. Mr. Chairman, I would like to ask for 15 minutes to discuss this section and a number of the provisions.

Mr. FERRIS. Let us see if we can not get some agreement as to closing debate. Mr. Chairman, I ask unanimous consent that at the end of 40 minutes all debate on the section and amendments thereto be closed.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that debate on this section and all amendments thereto be limited to 40 minutes.

Mr. FERRIS. Fifteen minutes to be controlled by the gentleman from Wyoming and 25 minutes by myself.

The CHAIRMAN. Fifteen minutes to be controlled by the gentleman from Wyoming and 25 minutes by the gentleman from Oklahoma. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I have no intention of stirring up things here so that gentlemen will need to have considerable time in which to reply. In fact my remarks on this occasion will be with a view to reaching an understanding later with regard to some of these provisions. I first want to call the attention of the committee to certain provisions in this section which are identical with the provisions in the section relating to coal. I desire to have the attention of the chairman of the committee, because I think the committee ought to remedy this situation. You provide here for a lease under competitive bidding, but in lines 2 to 4, and down in line 10, you provide what the lessee shall pay, and make no reference to the bonus or additional royalty that might be paid under competitive bidding. You provide for competitive bidding, expecting a bonus or additional royalty, and later provide that the lessee shall pay only the royalty fixed before the bidding and the price per acre assessed against the land. You would have some difficulty in collecting your bonuses, in my opinion, under that provision. Further, I want to call the attention of the committee to the period of the lease. You provide in the case of coal for an indeterminate lease. In this case you provide for a lease of 20 years and in the case of water power for a lease of 50 years. To one who did not understand the genesis of this legislation that might seem extraordinary, but the fellow who wrote the bills did not write them all at the same time, and he had different views at different times; and then, when they were all brought together, of course all these different views appeared in the bill. I am not charging any one occupying a seat on this floor with having done that.

The indeterminate lease is the best lease, in my opinion, for oil as well as coal, and I prepared an amendment to this section in harmony with the provision in the coal section, but I realize that the committee will not accept anything that may be offered, even though their judgment commend it, and therefore I shall not offer the amendment, knowing it would not be worth while to do so.

I want to talk a little while about this matter of relief. It is unfortunate in a way, very unfortunate, for the States that are interested in this legislation that there has been any question

before the committee with regard to relief for the oil men, for that question has overshadowed the entire legislation in all of its provisions. The hearings, page after page, hundreds of pages of them, have had to do in the main with the hearings of oil men who desire some remedial legislation. The men who have appeared before the committee seeking remedial legislation have been interrogated as to whether they approved the provisions of the bill. Of course they did. There was not anything so extreme or extraordinary that could be written in the bill that they did not approve, providing they got what they wanted. Everyone familiar with the situation knows that is true, and it is most unfortunate that it is true. Otherwise many of the provisions of the bill that I have discussed at length would have been more thoroughly discussed before the committee than they have been. We have not had the support in many matters that we would have had had it not been for the great questions involved relative to the relief of the oil men. I am not criticizing anyone in that connection. I simply regret that the situation was as it was.

Now, as to the relief provision of this bill. You are really doing very little for the California and Wyoming oil men in this legislation in your provision for relief beginning on line 17. If you did not have that provision in the bill at all, the oil men might fare better, because under the discretion lodged in the Secretary of the Interior he could lease 640 acres to these people, and you do not allow him to lease any more in your bill. They might be better off under his discretion if he leased to them, taking into consideration their equities, and it is to be assumed that he would do that. They might be better off without this legislation if they secured a lease, because in that case the minimum royalty would be one-tenth, whereas here you fix it as one-eighth. So that without any criticism of the committee in connection with this particular matter, let us not be embarrassed by any suggestion made from the outside that we are doing too much, because as a matter of fact we are doing very little, assuming, of course, that the Secretary, exercising his discretion, would lease to them under the minimum terms of the bill the maximum acreage provided for under the bill.

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

Mr. MONDELL. Yes.

Mr. LENROOT. If it were not for this provision of the bill, would it not be open to competitive bidding, and is not the Secretary required, in other words, to have competitive bidding?

Mr. MONDELL. That is true, assuming these operations were to come under the sections of the bill providing for competitive bidding, but that brings to my mind another thing. Let us look at that in another way. These men were in the nature of prospectors when they started. They started into a new field. Some of them expended \$75,000—and I am speaking now of the California cases—in discovering oil on a single tract. Under the provisions of your bill, which I mildly criticized a short time ago, were they to do that in the future you would give them a patent to from a quarter section to a section of their land. What they did a few years ago was to develop what was then a comparatively undeveloped field.

If they were to do it in the future, under the bill, they would receive title to a quarter of the land contained in their prospecting permit. As to whether or not the committee has done all that it should do in relief of these cases I think I can speak without bias, because this provision in the bill, if fairly interpreted, would, I think, except for the matter of acreage, save the situation for the oil men in my State—the few who are affected by it—but you must take into consideration the general situation, and particularly the California situation. There is a serious question of interpretation involved in the provision contained in line 24, "The claim to which land was initiated," and so forth.

In some cases the whole matter will hinge on the determination of the Interior Department as to what constitutes the initiation of a claim. I am assuming the department will want to be fair, but the department has made some rather far-reaching decisions in times past as to what constituted an initiation of a claim. The courts have gone far in their decisions as to what constitutes an initiation of a claim or right. There has been some confusion between the initiation of a claim and the establishment of a right. Now, if the department shall not attempt to hold that the initiation of a claim and the establishment of a right are the same thing, and liberally construe the words "initiation of a claim," then most of the cases which are governed by those words will come through in good shape. The department should be liberal in their construction as to what constitutes an initiation of a claim. I heard a gentleman connected with one of the departments the other day express himself to the effect that they would hardly consider as an initiation of a claim a mere paper claim, a mere setting of a

stake. Well, I hope that would not be the view of the department under this legislation, as that is about what often constitutes an initiation of a claim on oil land. The oil locator goes on the land and places his stakes, large or small, carefully or casually, as the case may be, at each corner of his claim or thereabouts. He may sink a 10-foot hole or he may not. He goes to the county clerk of the county and records his claim, pays \$2.50, and that is about all that he can do that is worth while until he begins actual drilling operations. It sometimes requires months for men to get into a position to actually drill. These lands, many of them, are far distant from a railroad; they are out in a new country; it is difficult to get capital; it takes time to get machinery, and it may be months, it may be a year or more, after the man has gone through this simple performance of staking and recording his claim, before he can begin drilling. And if the department should attempt to hold that he must have done something in the way of drilling to initiate a claim, that he must have done something more than the oil man ordinarily does, then few will be safe under that particular provision of the bill.

Now, very briefly, I want to state what I think the Congress may very properly do in this relief legislation. I think the committee might very properly say that where a man was on the ground before the Taft withdrawals and in good faith had made some motion toward establishing his claim, and subsequently went on and developed oil, that man ought to have a patent. If we give him a patent, we will not be doing any more than it is proposed to do under the provisions of the bill to the man who in the future under the same circumstances, the withdrawal excepted, does the same thing. Such a man was there before there was any withdrawal, but the withdrawal bill only saved him in case he was actually drilling at the time of the passage of the withdrawal bill, and there might have been some very good reasons why he could not be drilling at that time, and therefore he was not saved by the provisions of the withdrawal bill.

Mr. LENROOT. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. LENROOT. Upon what authority does the gentleman make that statement—that there must be actual drilling at the time?

Mr. MONDELL. He must have made discovery or be actually in possession—I do not remember the exact language—but actually in possession and doing work looking to the discovery and development of oil.

Mr. LENROOT. But not necessarily actual drilling.

Mr. MONDELL. That is practically what it comes to in many cases. The gentleman knows that the man if not drilling must be preparing to drill, or, having drilled, must have continued development operations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. May I have just one minute more, in order to finish that sentence?

The CHAIRMAN. The gentleman from California has control of the time.

Mr. RAKER. I yield two minutes to the gentleman.

Mr. MONDELL. I thank the gentleman from California. Now, the department is bound by the language of the withdrawal act, and there are many cases where men were not doing those things that clearly bring them within the withdrawal act, and yet who were acting in just as good faith as the man who was brought within the provisions of the withdrawal act. In such cases it seems to me there should be no question about the man being entitled to his patent. He would be entitled to his patent under the same conditions under your bill. Now, when he began, after the Taft withdrawal—and do not let us be carried away with the idea that those men generally went on there in an attitude of contemptuous defiance of the Taft withdrawal law—there were comparatively few people who believed the Taft withdrawal law had any force or effect—I do not believe it did—until the Supreme Court said otherwise. Where men went on after the Taft withdrawal and proceeded diligently to the discovery of oil and the development of the claim, they ought to have a lease without question and should not be limited to 640 acres, because in many such cases larger areas have been developed, are piped and pumped together, machinery has been installed, and everything arranged and going. It would not be in the public interest to compel such plants to divide up and operate as separate units, so long as the public gets oil at the same price. The public has no concern as to whether one man in such a case or one company has 640 acres or twice that amount. And so it seems to me in the one case patent should be issued without question, and in the other case an opportunity be given for a lease in such excess of the minimum fixed by the bill as may be necessary to provide for the development that

has taken place, and the royalty in such case should be fixed by Congress and at a reasonable rate.

Mr. RAKER. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. I have 10 minutes, I believe.

The CHAIRMAN. Ten minutes.

Mr. LENROOT. Just a word, Mr. Chairman, in reply to the gentleman from Wyoming. In the first place, this withdrawal order, which is the primary cause of all this condition, or the last paragraph of it, is in this language:

All locations and claims existing and valid on this date may proceed to entry in the usual manner after filing investigation and examination.

That, Mr. Chairman, meant, and has been so declared by the courts, that anyone upon these claims at the date of this withdrawal order, in compliance with the placer-mining laws, was not affected in any way by this withdrawal order, but could proceed to patent. And the Land Department has been allowing claims wherein they have complied with the placer-mining laws that were in existence at the date of the withdrawal of the order.

Mr. MONDELL. I do not wish to interrupt the gentleman further than to make this suggestion. The gentleman knows that the department has gone far in determining what constituted a compliance with the placer laws. In some cases the people who were in good faith are held not to be in compliance with them.

Mr. LENROOT. The Land Department in that respect has followed the ruling of the Supreme Court of California; and has taken as its guide the rule laid down by that court. And the United States district court for the southern district of California has adopted the same rule applied by the Land Department and the Supreme Court of California.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman reserves seven minutes.

Mr. NORTON. I would like to ask the gentleman a question. Now, under these terms of the proposed law one can secure a permit for two years to 2,560 acres, where there are no producing oil wells within 10 miles of the tract. What rights would the lessee have to the surface of the land? Would he have the right to graze that land and keep all other parties off of it? There does not seem to be any provision made for that.

Mr. RAKER. He has the control of the entire amount of the lease.

Mr. NORTON. Of the 2,560 acres?

Mr. RAKER. It is up to the Secretary of the Interior to so regulate it. He will be protected.

Mr. NORTON. It occurs to me that considerable abuse might arise as the bill is now framed.

Mr. RAKER. It is provided that he get full protection. If there is any land that he does not need for drilling and if it is agricultural land, he is fully protected.

Mr. NORTON. Do you hold that entries for agricultural purposes might be made for the surface of the land during the time of the lease?

Mr. RAKER. I think so.

Mr. EMERSON. Mr. Chairman, if you will pardon me, there is some section here that provides that at the time of making the laws there can be some provision of that kind made.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Houston having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 7611. An act authorizing the Seaboard Air Line Railway Co., a corporation, to construct, maintain, and operate a bridge or bridges and approaches thereto across what is known as "Back River," a part of the Savannah River, at a point between Jasper County, S. C., and Chatham County, Ga.

The message also announced that the President had approved and signed bills of the following titles:

On January 14, 1916:

H. R. 136. An act granting an extension of time to construct a bridge across Rock River at or near Colona Ferry, in the State of Illinois; and

H. R. 4717. An act to authorize Butler County, Mo., to construct a bridge across Black River.

COAL AND OIL LEASES.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 18. That rights of way through the public lands of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications

provided in section 1 of this act to the extent of the ground occupied by the said pipe line and 10 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior, and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That no right of way shall hereafter be granted over the public lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. That failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by a court of competent jurisdiction in an appropriate proceeding.

Also the following committee amendment was read:

On page 16, in line 18, strike out the figures "18" and insert "13" in lieu thereof.

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

The amendment was agreed to.

Also the following committee amendment was read:

Page 17, in line 4, strike out the words:

"A court of competent jurisdiction."

And insert:

"The United States court for the district in which the property, or some part thereof, is located."

Mr. LENROOT. Mr. Chairman, I move to amend the amendment by adding after the words "United States," in line 5, the word "district."

Mr. RAKER. That ought to be.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend the amendment by inserting, after the words "United States," in line 5, the word "district."

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

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. TAYLOR of Colorado. Mr. Chairman, the Clerk overlooked one amendment, in line 18.

The CHAIRMAN. The Chair was going to call attention to that. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 18, strike out the word "ten" and insert the word "twenty-five."

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

The amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. When this section was under discussion in the last Congress I called attention to the fact that there was only one law on the statute books relating to the public land providing for oil pipe lines. That is a law passed from 15 to 16 years ago, if I recollect rightly, applying only to Colorado and Wyoming. It is a rather liberal, but not too liberal, a law. Under its provisions a wider area is allowed for the right of way than under this section, and opportunity is given for taking from the adjacent public land the material that may be required for the construction. It is a most excellent bill, and last year I attempted to amend this provision by saving from repeal that Wyoming and Colorado pipe-line law under which we have built some very good pipe lines in Wyoming. I think some have been built in Colorado. The provisions of this section are very illiberal. They are not sufficient to give fair opportunity for the building of large pipe lines such as are essential to a large oil business. I wish it were possible to amend it by at least saving the Colorado and Wyoming pipe-line law. That is evidently impossible from the present attitude of the committee, and I realize that no amendment would be favorably received liberalizing this section, therefore I offer none.

Mr. RAKER. On that last statement, the gentleman does not mean that, because the committee were very anxious when they considered this very matter to make it so wide there would be no question that the people would have opportunity to have enough land to build their pipe lines upon. Fifty feet would not have been objected to if they had thought it was necessary. Does not the gentleman believe that material—stone and dirt—can be procured from the adjoining land under the provisions of this section, as provided for in lines 19 and 20 and 21, under the rules and regulations to be prescribed by the Secretary?

Mr. MONDELL. Of course, if you have a good-natured Secretary, and he feels that he has the authority to give away Uncle Sam's property without express provision of law, then that might be done; but there is nothing in this law warranting the Secretary of the Interior in allowing any material to be taken even on a strip 50 feet wide, much less from the adjacent land.

I do not understand how any considerable pipe line can be built under this provision. I said that a year ago, but I have gotten sort of tired calling attention to these things, which seem

to me to be so clear. Think of a provision of this kind from a committee upon which is a gentleman from a State producing more oil and needing more pipe lines than any other State in the Union! I am amazed that the gentleman from California [Mr. RAKER] should allow a provision of this kind to appear in the bill without at least an earnest protest, because I do not believe that under the provisions of this section you can build the oil pipe lines necessary to carry the oil in California or Wyoming. It is an awful handicap, and I know of no reason why there should be such a handicap. I know of no public interest to be served by such a handicap. Fifty feet is the maximum; no right to take any material for the pipe lines. Why, certainly it is not a satisfactory provision.

Mr. RAKER. I think that the argument that the gentleman is making is not well taken.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Amend, page 17, by inserting from line 7 to line 14, inclusive, the following:

"PHOSPHATES.

"Sec. 14. That the Secretary of the Interior is hereby authorized to lease to any qualified applicant under this act any deposits of phosphates or phosphate rock belonging to the United States, under such regulations and upon such terms as are herein specified, through advertisement, competitive bidding, or such other methods as the Secretary of the Interior may by general regulations adopt."

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The Clerk is not through reading the amendment. The amendment embraces two or three sections.

Mr. MANN. A parliamentary inquiry is in order. What I wished to ascertain was whether this was to be treated as one amendment or considered by sections.

Mr. FERRIS. Mr. Chairman, I think we had better read it section by section.

Mr. MANN. That is always done.

Mr. FERRIS. That will give everyone an opportunity.

Mr. MANN. It is in order to ask unanimous consent to consider it section by section.

Mr. FERRIS. I ask unanimous consent, Mr. Chairman, that the amendment, being so long and it being an entire substitution for the phosphate material, be read section by section and so considered.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the amendment be read and considered section by section. Is there objection?

There was no objection.

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

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word, and is recognized for five minutes.

Mr. MANN. Just for the purpose of making a facetious remark. This section says, "The Secretary of the Interior is hereby authorized to lease to any qualified applicant under this act." Section 2 of the bill did read "any applicant qualified under this act," and the committee carefully changed it to read "any qualified applicant," and left out the words "under this act." They did it in line 12 and again at the bottom of the page in line 22, and they insert it again on page 3, and all through the bill elsewhere they were very careful to strike out the words, "under this act" on the ground that it was superfluous language, as it is; and, having taken the trouble by amendment to strike out "under this act" where it was superfluous language, why do they take the trouble, while writing a new amendment, to insert it?

Mr. FERRIS. It is undoubtedly an error of omission. We will gladly take it out now, I will say to the gentleman.

Mr. MANN. Of course I know how it occurs. It is not the fault of the committee.

Mr. FERRIS. Mr. Chairman, at the suggestion of the gentleman from Illinois, I move that on page 17, line 9, the three words "under this act" be stricken out.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amend the committee amendment by striking out the words "under this act," in line 9.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

On page 17, insert committee amendment beginning with line 15 and ending with line 23, as follows:

"Sec. 15. That each lease shall be for not to exceed 2,560 acres of land, to be described by the legal subdivisions of the public-land surveys, or, if unsurveyed, to be surveyed at the expense of the lessee in accordance with the laws, rules, and regulations governing the sur-

vey of placer mining claims: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width."

Mr. MONDELL. Mr. Chairman, I want to call attention to an oversight. It is very evident that the astute bureau chiefs were not wide-awake to their opportunities when this phosphate bill was drawn in the bureau; otherwise there would have been the same provision here that we find in the coal bill, providing that they shall divide the land into leasing blocks and lease those blocks. Of course, it is true that the opportunity presented in leasing phosphate is not so great as in leasing coal, because there are 50,000,000 acres of withdrawn coal land and 19,000,000 acres of classified coal land and less than 5,000,000 acres, so far, of classified phosphate land; but there would be quite a lot for the department to do in dividing up into leasing blocks even 5,000,000 acres of phosphate land. They have overlooked that opportunity. [Laughter.]

Now, seriously, this is the sort of a provision that we should have had under the coal section, under which land could be leased, leaving it to the individual to go out and prospect this land and find where the mineral is and determine what land he can economically mine, and then apply for a lease.

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

Mr. MONDELL. Yes.

Mr. RAKER. The gentleman refers to the provision in section 3, line 15, and other places where it speaks about marking the land or dividing it into blocks or tracts of 40 acres each. The idea was taken up by the committee, and I suggested that the word "blocks" ought to be taken out, leaving it "tracts," 40-acre tracts being well known by the survey. The suggestion was made, and after I heard it I thought it was wise. The coal lies in peculiar shape, the territory being very heavy and deep in places, and the Secretary might desire to reduce the size of tracts from 40 acres each and let them be in various blocks, not calling them 40-acre tracts. It would do no harm, and in other words would be practically carrying out the real intention of the provision of the survey of the public land which is provided for in this bill.

Mr. MANN. I will ask both gentlemen what is the distinction between a block of 40 acres and a tract of 40 acres?

Mr. MONDELL. I pass that up to the gentleman from California [Mr. RAKER].

Mr. RAKER. If I may answer the gentleman, I will say that there is none. They are both intended to mean the same thing. The only difference is that in the public domain we know what a 40-acre tract is. When put in the form of a block in this case it would be a 40-acre tract just the same.

Mr. MONDELL. Mr. Chairman, I am afraid the gentleman from California [Mr. RAKER] entirely missed the purpose of the provisions in the coal-leasing section to which I have referred. Here are leasing provisions that contain no reference to the dividing up of the lands into leasing blocks. There is no necessity for anything of that sort. It is not necessary for the Government to send out a great force of men to prospect and develop, and spend a large amount of money for the purpose of deciding how big a tract should be included here and how small a tract there in a mining lease. Not in one case out of a hundred would they ever get it in a way that would be satisfactory to anyone who wanted to lease. This provision is in proper form. It provides for the leasing of the lands, and leaves it to the lessee to go out upon the public domain where these lands are situated, do his prospecting, find how and where the veins lie, the places where they can be successfully attacked, locate the place for storage tracks, survey out his land in compact form, and then ask for a lease. Of course, the Secretary still has the discretion to cut down the area and to change its form, to make it compact, but the prospector takes the initiative. He does the work, he spends the money, and of course he finally comes to a conclusion that is really satisfactory to himself.

But in the coal sections you are proposing to send wandering bands of prospectors, educated down here in the mines of Washington, I suppose, out to my State to prospect and develop, and determine just where coming lessees may want to locate a coal mine or where they ought to locate it. Well, after some of these fine-haired young men have had the experience I had as a youth in trying to find coal veins where they were hidden, and in trying to find where they could be successfully opened and mined, they may not be so happy over that provision. We may get our revenge in that way.

Mr. RAKER. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. RAKER. The gentleman is not objecting to this section because it makes the proper disposition to get a survey?

Mr. MONDELL. No; I am calling the attention of the committee to the fact that when the man wrote this section

he was in his right mind, but he was overlooking the opportunity of the bureau. When he wrote the other section, he was thinking about what the bureau might want to do in the matter of wandering back and forth over the public domain at public expense, trying to do something that the lessee alone is competent to do and prefers to do or pay for doing, rather than have the Government attempt to do it for him in an unsatisfactory way.

Mr. FOSTER. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Wyoming [Mr. MONDELL]. A little while ago my colleague [Mr. MANN] made some statement in reference to the Bureau of Mines. My colleague [Mr. MANN] seems to find some fault with the Bureau of Mines. I do not know why, but I judge for reasons satisfactory to himself. Now, the question came up as to what pay, if any, Dr. Rittman received from this discovery of the extraction of gasoline and benzol and totuol from crude oil. I want to say that Dr. Rittman does not receive one cent nor does the Government receive one cent from it.

Mr. MANN. There was no suggestion made that he did. Nobody dreamt that he did.

Mr. FOSTER. The matter was talked of, and it might be in doubt as to whether that was the case or not. That is the reason I mentioned it. I did not say my colleague said Dr. Rittman had received anything, but in the colloquy between the gentleman from Wyoming [Mr. MONDELL] and my distinguished colleague [Mr. MANN] it might be left as a possible inference that there was some doubt whether Dr. Rittman did not get something out of this patent or that it went to the Government. As I say, there is absolutely nothing in that, because Dr. Rittman in patenting this process did so in the interest of the Government. But the Government has already given to half a dozen firms the right to manufacture under this process, with the understanding that whatever improvements may be made in this process the Government shall have the right to give them to any other firm and that the rights shall be free. Now, that is all there is about that. I might say that the Government patented it so that it might give to any responsible firm that desires it, if it is really going into the manufacturing business, a chance to use it.

Mr. MANN. Will my colleague yield?

Mr. FOSTER. Yes, sir.

Mr. MANN. Can any responsible firm use it unless the Director of the Bureau of Mines permits them?

Mr. FOSTER. No.

Mr. MANN. Does my colleague think that is right?

Mr. FOSTER. There has never been a refusal on the part of the Government to permit them to do that.

Mr. MANN. I do not know about that. I presume my colleague may not know.

Mr. FOSTER. Of course, I do not know all that goes on in the Bureau of Mines, and I do not pretend to speak in that way; but I do believe it when they tell me they have never refused the use of this formula to any firm that came to them and said that they wanted to engage in the extraction of gasoline or these other products.

Mr. MANN. The truth is that they have given permits to less than half a dozen concerns.

Mr. FOSTER. About a half dozen.

Mr. MANN. Under an agreement that is longer than your arm, which every concern has hesitated to enter into; and notwithstanding this wonderful improvement which is going to reduce the cost of gasoline, there has been up to date practically no gasoline made under it.

Mr. FOSTER. That may be true up to this time.

Mr. MANN. I do not say that it is not a good thing, but I think it would look better, and at least be more modest, if the Bureau of Mines would tell about something which it had really accomplished instead of always thundering in the index and telling about something that it has accomplished when, as a matter of fact, it has not yet begun.

Mr. FOSTER. Oh, the gentleman is mistaken about that. The process I have no doubt will be a success.

Mr. MANN. I am not mistaken, because I read their report, and I can point out many places in their report this year where that is all that there is to it.

Mr. FOSTER. The gentleman has often criticized the Bureau of Mines.

Mr. MANN. Let me assure my colleague that I have missed a thousand opportunities to criticize the bureau when it ought to have been criticized. [Laughter.] And I have taken many opportunities of complimenting the bureau when it did something.

Mr. FOSTER. I think in criticizing it in this case the distinguished gentleman from Illinois is mistaken.

Mr. MANN. The gentleman has just got his information from the Bureau of Mines now.

Mr. FOSTER. Yes; because I was not sure as to some details. I thought I was right, but wanted to be sure.

Mr. MANN. There are not many people who can hypnotize my colleague from Illinois. He is usually very cool, but the Director of the Bureau of Mines has hypnotized him, and he is really not responsible for what he says on the subject here. [Laughter.]

Mr. FOSTER. Let me say this: The gentleman from Illinois [Mr. MANN], always alert, I might say is usually right, but sometimes mistaken, and in this case I think so.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FOSTER] has expired.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent to be permitted to proceed for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

Mr. EMERSON. Mr. Chairman, reserving the right to object, is this for mutual admiration?

Mr. FOSTER. No, it is not; but I am his friend.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. I can say to the gentleman from Ohio [Mr. EMERSON] that there is a mutual admiration society between my colleague and myself. There is on my side, anyway.

Mr. FOSTER. Mr. Chairman, I can say that I have a great admiration for my colleague from Illinois, and I did not rise to criticize him. I do believe that he was a little severe in his criticism of the Bureau of Mines. Let me say this also to the committee, that the Bureau of Mines has adopted a course which has not always been adopted by all other departments of the Government, and that is that no discovery is ever made, so far as the Bureau of Mines is concerned, where the employee is permitted to take out a patent for it in his own interest. It has always been given to the Government, given to anyone who wants to use it. The employees, too, are always loyal to the bureau in all its work in this regard. That can not be always said of every other department of the Government.

Mr. STAFFORD. Will the gentleman yield?

Mr. FOSTER. In a moment. An employee of the Bureau of Mines, I think, patented a safety device, a breathing apparatus, with which one could go into mines where he could not go without using such an apparatus. His device reduced the weight of the apparatus one-half. These machines had all been formerly imported from foreign countries. That is another illustration of what the bureau is doing. They do not permit an employee to take out a patent, and he reaps no benefit himself. That is done in all those cases.

Mr. STAFFORD. Will the gentleman explain to the committee how this bureau places that restriction upon the individual right of an employee from taking out a patent for his own invention?

Mr. FOSTER. If they make that rule, the employee lives up to it. If he does not, they would expect him to get out of the service.

Mr. STAFFORD. I did not know whether it was a condition of employment or not. Of course an employee has a right to patent his own invention, and, of course, if he would not observe the rule he could take out the patent and leave the service.

Mr. MANN. There is quite a question as to whether he has a right to take it out if he does it at Government expense.

Mr. STAFFORD. The Supreme Court has held that he has the right.

Mr. FOSTER. Dr. Rittman immediately when he made this discovery, I understand, was offered a large salary to go with a private concern with this discovery, but being loyal to the Government he preferred to stay with the bureau, and he remained there. He gave his valuable discovery to the people of the United States for their use without charge and without the Government reaping any benefit from it.

Now, I say this in justice to the Bureau of Mines because I believe it is fair that I should say it. The Bureau of Mines is doing good work. I think it is doing splendid work in all its undertakings. As to oil and gas, what they have been able to do in Oklahoma has been worth thousands of dollars. And so it has been in many States.

Mr. FERRIS. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. FERRIS. I want to supplement the gentleman's statement.

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

Mr. FERRIS. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks that the time of the gentleman from Illinois be extended five minutes. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Chairman, I repeat that I want to supplement what the gentleman from Illinois has said. I have not consumed a great amount of time in the defense of anybody or eulogizing anybody, and do not intend to. I want to supplement what the gentleman has said by saying something about what the Bureau of Mines has done in our State. I visited a month ago, just before Congress convened, the largest oil field in the country, where the oil sand is 300 feet deep. It is a big boom oil town and a large field. They told me that they had relied largely on the geological survey of the Bureau of Mines and getting great benefit constantly from that source. I thought that was a practical example of one instance where one bureau of the Government was doing some good. I got this information from the oil men and the drillers, and they said it was passing strange and remarkable how often they hit it. I had the idea, as a good many Members have, that a good many of these investigations and bulletins were paper propaganda without much substance, but, as a matter of fact, their prophecies and field notes and notations were as a rule on where to go and where to bore for oil had been wonderfully correct.

Mr. FOSTER. Mr. Chairman, anyone acquainted with an oil field must know something about the great waste that takes place in the way of oil and gas. The gas is usually turned loose and permitted to burn day and night. I know it has been so in the country I came from, and if a discovery can be made whereby that gas can be preserved for the use of the people in the way of fuel, it is of great benefit to save it. I think the Bureau of Mines went into the oil fields of Oklahoma and demonstrated how they could wall off the gas, leave it in the ground until such time as they should need it for fuel and lighting purposes. I think that is worth a great deal to the people of that southwestern country.

These are a few of the things the Bureau of Mines has accomplished.

Mr. MONDELL. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MONDELL. The gentleman knows that the methods of casing off gas has been in use a great many years. I presume the system adopted by the Bureau of Mines is an improved system, but still we have been casing off gas from oil wells for many years.

Mr. FOSTER. You have done that with a casing that you put down the oil well. That is not what I mean; I mean walling off the gas by cement and mud.

Mr. MONDELL. Oh, that was done years ago.

Mr. FOSTER. That method has been worth a great deal to the people of the southwestern country in showing them how it can be done.

Mr. ESCH. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. ESCH. Owing to the war potash has been barred from export from Germany. I understood that the Bureau of Mines was seeking to develop a potash field in California, and I think they said that there was a small plant. Has the gentleman any opinion or information about the success of that experiment?

Mr. FOSTER. I can not give the gentleman any information in regard to that.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I can give some information in regard to the experiment, although it was not conducted by the Bureau of Mines. One of these days I may say something about the Bureau of Mines, because I have been collecting some interesting information concerning that bureau and its activities. I will simply let my colleague know, because it is his duty as chairman of the Committee on Mines to defend whatever they do, whether it be bad or indifferent. I know he would not like to defend anything bad or indifferent.

Mr. FOSTER. No; I could not do that.

Mr. MANN. I am not so sure of that; the gentleman could do it and could do it well, because he has just demonstrated that. [Laughter.]

When I came to Washington this fall I read in one of the daily newspapers a statement coming from one of the experts, I think in the Department of Commerce, telling how the Government by its investigations had found a way of making potash commercially of kelp on the Pacific coast. Just what the Department of Commerce or its expert had to do with that I do not know, although they had rushed in where angels fear to tread and told how it was being done. The experiment had been conducted

by the Department of Agriculture, so it was neither in the Interior Department nor in the Department of Commerce; but the expert said, "Now we are free from Germany; now we are able to produce potash on a commercial scale out on the Pacific coast, and we are doing it."

While out there last spring I visited the commercial plant at San Diego—about as big as a dog house, not much larger—and it never had been operated and has not been yet. But this expert told us how we had become commercially independent, and that is like a good deal of the stuff we are fed on at times. And let me say it is not because it is a Democratic administration, because it was just the same when it was a Republican administration. [Laughter and applause.]

The Clerk read as follows:

Amend by inserting committee amendment, beginning page 17, line 24, and ending page 18, line 25, as follows:

"Sec. 16. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each month succeeding that of the extraction of the phosphates or phosphate rock from the mine, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and \$1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods."

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

The Clerk read as follows:

Amend by inserting committee amendment, beginning page 19, line 1, and ending page 19, line 8, as follows:

"Sec. 17. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates, or phosphate rock, under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits."

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

The Clerk read as follows:

POTASSIUM OR SODIUM.

Sec. 19. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates or nitrates of potassium or sodium, or associated similar salts on public lands belonging to the United States for a period of not exceeding two years: *Provided*, That the area to be included in such permit shall not exceed 2,560 acres of land in reasonably compact form.

The committee amendments were read, as follows:

In line 11, page 19, amend by striking out the figures "19" and inserting the figures "18."

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

Amend, in line 12, by striking out the words "and directed."

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

Amend, in line 13, by inserting, after the word "any," the word "qualified."

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

Amend, in line 14, by striking out the words "qualified under this act."

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

Amend, in line 17, by striking out the word "public."

Mr. MANN. Mr. Chairman, just what is the object in striking out the word "public" here?

Mr. FERRIS. Well, there was some question whether public land took in reserved land. The gentleman from Illinois knows that in one form or other there have been a lot of reserves—bird, and different kinds of reserves, by Executive order under the Pickett Act, and we made inquiry to know if public land meant land which was subject to entry or not. Did it mean all lands belonging to the Government? And there seemed to be some question, and some of the committee and some of the department were of the opinion that if we said public lands it would only refer to the 330,000,000 acres of land not yet subject to entry, and we want to include a lot of these bird reserves and forest reserves and other reserves.

Mr. MANN. Does it include a post-office building?

Mr. FERRIS. No; we have some exceptions back here.

Mr. MANN. Where are those?

Mr. FERRIS. Back in the first section.

Mr. MANN. Oh, well, I know—

Mr. FERRIS. We omit national parks, naval reservations—and I will say to the gentleman that there is not a section here that directs the Secretary to make leases.

Mr. MANN. I think the gentleman is involving it. If you strike out "on public lands belonging to the United States" entirely, then you leave it as it is provided for in section 1, where you provide what lands may be investigated; but you change that in this section by saying on "lands belonging to the United States"; and you provide in section 1 "that deposits of coal, phosphate, oil, gas, potassium, or sodium," which includes what is in here, shall be subject to disposal in the manner provided in the act, and then you make certain exceptions. Now you change it entirely in this section.

Mr. FERRIS. Does not the gentleman think, even granting what he says is a fact, that under lines 11, 12, and 13, which authorize the Secretary of the Interior to issue regulations and to promulgate them, we would hardly expect or assume the Secretary would make a lease of that sort?

Mr. MANN. Well, I do not know. The Secretary is to make rules and regulations. We supposedly give the right to go wherever we let them go.

Mr. FERRIS. But there is nothing here that is mandatory on the part of the Secretary, that he is to lease it.

Mr. MANN. Practically it is mandatory because it is not a matter of favoritism, and can not be a matter of favoritism.

I do not see why the gentleman would not be perfectly safe in striking out the language, "on public lands belonging to the United States."

Mr. FERRIS. Then what shape would we be in?

Mr. MANN. The Secretary of the Interior is authorized then to grant prospecting permits giving the exclusive right to prospect for chlorides, sulphates, carbonates, borates, or nitrates of potassium or sodium, or associated similar salts; and he is given that right under the terms of this bill. I do not think we ought to give a right to somebody to demand of the Secretary of the Interior a permit to go and occupy a piece of land that the Government itself wants to occupy at the time.

Mr. FERRIS. Neither do I.

Mr. MANN. It is not necessary to use that language to cover everything you want in the bill.

Mr. FERRIS. Then let it go out.

Mr. MANN. I think it ought to go out.

Mr. FERRIS. What we have tried to do—I will say we got hung up on the proposition of public lands, that public lands only mean unentered lands—

Mr. MANN. I understand.

Mr. FERRIS. The committee struck it out because, of course, if there is any sodium or phosphates or potassium on these bird or other reserves we want to get it. All of these reserves should be included and we did this in an abundance of safety.

Mr. MANN. If we have those anywhere, we want to get it at any place. That is true, as a matter of fact.

Mr. FERRIS. There was a little controversy as to what "public lands" meant. I hope the gentleman's amendment will be agreed to.

The CHAIRMAN. The gentleman from Illinois will state his amendment to the Clerk.

Mr. MANN. Mr. Chairman, I move to strike out, in lines 17 and 18, the words "on public lands belonging to the United States."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 19, by striking out, in lines 17 and 18, the words "on public lands belonging to the United States."

Mr. DAVIS of Texas. Mr. Chairman, a request for information. Now may I have the matter read as it would appear as amended?

Mr. MANN. Read the section as it would be as amended.

The CHAIRMAN. Without objection, the Clerk will report the section as it would read as amended.

The Clerk read as follows:

That the Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, or nitrates of potassium or sodium, or associated similar salts, for a period of not exceeding two years.

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

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

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. Wm. Elza Williams having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communi-

cated to the House of Representatives by Mr. Sharkey, one of his secretaries.

COAL AND OIL LEASES.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 20. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 18 hereof have been discovered by the permittee within the area covered by his permit, the permittee shall be entitled to a patent for 640 acres of the land embraced in the prospecting permit, to be taken and described by legal subdivisions of the public-land surveys, or, if the land be not surveyed, by survey executed at the cost of the permittee in accordance with rules and regulations prescribed by the Secretary of the Interior. All other lands described and embraced in such a prospecting permit, from and after the exercise of the right to patent accorded to the discoverer, and all other lands known to contain such valuable deposits as are enumerated in section 18 hereof and not covered by permits or leases, may be leased by the Secretary of the Interior, through advertisement, competitive bidding, or such other methods as he may by general regulations adopt and in such areas as he shall fix, not exceeding 2,560 acres, all leases to be conditioned upon the payment by the lessee of such royalty as may be specified in the lease and which shall be fixed by the Secretary of the Interior in advance of offering the same and which shall not be less than 2 per cent on the gross value of the output at the point of shipment, and the payment in advance of a rental, which shall not be less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than \$1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition that at the end of each 20-year period succeeding the date of any lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods.

Also, the following committee amendment was read:

Page 19, line 22, strike out the figures "20" and insert "19."

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 21. That in addition to areas of mineral land to be included in prospecting permits or leases the Secretary of the Interior, in his discretion, may grant to a permittee or lessee under this act the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 20 acres in area, for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

Also, the following committee amendment was read:

Line 10, strike out the figures "21" and insert "20."

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

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

Also, the following committee amendment was read:

Line 13, strike out the word "exclusive."

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

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

Also, the following committee amendment was read:

Lines 14 and 15, strike out the words "nonmineral public."

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

Mr. MONDELL. Mr. Chairman, the committee amended section 18 on the suggestion of the gentleman from Illinois [Mr. MANN]. In order to make the bill harmonious, it seems to me, there should be a change here.

Mr. LENROOT. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LENROOT. This section relates to land other than is necessarily covered by section 1. It may be nonmineral.

Mr. MONDELL. That is true; but it seems to me that in using your language, "belonging to the United States," in this case there is even greater danger than there would be in other cases.

The CHAIRMAN. If the gentleman from Wyoming will permit, we are not to that amendment yet. It will be the next amendment reported. We are on the one just preceding that.

Mr. MONDELL. We are on the amendment including the words "nonmineral public."

The CHAIRMAN. Yes.

Mr. MONDELL. The "nonmineral public" there is involved in the question I have raised. There is a little difference; but if there was reason for that change in the other section, there is more reason here, because no one would apply for a lease on lands for the purpose of extracting these minerals unless they contained the minerals, or they believed they did, whereas one might apply for any sort of land for this purpose. The gentle-

man from Illinois [Mr. MANN] suggested a post-office site. A post-office site might be the very tract one might desire.

Mr. NORTON. Will the gentleman yield?

Mr. MONDELL. I yield; yes.

Mr. NORTON. The provision in paragraph 1 provides for the distribution of lands containing deposits of coal, phosphate, oil, gas, potassium, or sodium. Now, this paragraph provides for the disposition of 20 acres of land to the permittee or lessee which does not contain mineral.

Mr. MONDELL. Not necessarily contain mineral. All the more reason, it seems to me, why, if there is any danger, as suggested by the gentleman from Illinois, you should not include the all-embracing term "belonging to the United States." This would seem to be a case where the term to use is "public lands."

Mr. MANN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MANN. The gentleman will notice, however, that a lease is made in the discretion of the Secretary of the Interior and is for unoccupied land.

Mr. MONDELL. Well, all the leases are in the discretion of the Secretary.

Mr. MANN. Oh, I do not think so.

Mr. MONDELL. Absolutely.

Mr. MANN. Well, I do not think so.

Mr. MONDELL. The gentleman can not find a place in that bill where there is any right to lease except as the Secretary may grant it.

Mr. MANN. Oh, well, that is true; but where we use the term that a department head may do a certain thing in his discretion, that means in his discretion. Where we authorize him to do it, that means he is required to do it when the conditions are presented.

Mr. MONDELL. I am not so sure as to that.

Mr. NORTON. Mr. Chairman, I would like to inquire of the chairman of the committee concerning a matter that occurs to me in connection with this paragraph.

This paragraph provides for the leasing of a tract of unoccupied land, leasing the surface right, for use by the permittee or the lessee. Now, is there anything in this bill which would prevent anyone from going on the land covered by a permit and using the surface right for grazing purposes or agricultural purposes, or is there anything in this bill which would prevent one desiring to secure title to the surface rights of lands included under the lease from going on and securing the surface right for agricultural purposes?

Mr. FERRIS. I am not just sure that this section has that in contemplation. This is a section authorizing the leasing of some additional areas for camp sites. This is what the department says in justification of it:

There will be numerous instances, particularly in the case of phosphates, potassium, and sodium deposits where the land actually occupied by the minerals will be so rough and mountainous or swampy that it will not supply a proper site for the reduction or refining works or for camp ground for the miners, and it was, therefore, deemed necessary that the Secretary should have the discretion to grant the lessees a tract of vacant nonmineral land suitable for those purposes. This is in line with the general mining law which, in addition to allowing a patent for the lands actually containing mineral, permits the miner to obtain a mill site for not exceeding one-fourth the area of a lode claim upon which to put reduction works or other structures used in connection with his mining or milling operations.

Now, these minerals—potassium and sodium—are found in the desert. There are lakes of them—as a rule, sunken lands—where salt and sodium and potassium are found, and the department says the ground is sometimes so marshy and wet that it is not suitable for the erection of camp houses and is not suitable for camp sites.

Now, that may not quite answer what the gentleman asked, but I think it applies partially to it.

Mr. NORTON. This paragraph provides for the leasing of areas of coal or gas as well as potassium. This has a general application, has it?

Mr. FERRIS. Yes.

Mr. NORTON. Now, here is a question which I would like to have the gentleman reply to. Make it a hypothetical case: In case I should seek a permit for prospecting for oil on 2,560 acres I would secure that permit for two years, or a permit is granted to me for two years to prospect for gas; could I use that 2,560 acres during that two years for grazing purposes or agricultural purposes? Could I keep everyone else off who might desire to secure a surface right for agricultural or grazing purposes?

Mr. FERRIS. Of course, if you leased both the surface of the land and the deposits you could, but if you will turn back to the paragraph you will see that the leasing of deposits is

provided for in one place, and elsewhere we provide for the leasing of the surface.

Mr. NORTON. You say you do provide for that in the bill?

Mr. FERRIS. Yes.

Mr. EMERSON. On page 23, if the gentleman will allow me, old section 25, new section 24, it is all taken care of, I think.

The Chairman. The time of the gentleman from North Dakota [Mr. NORTON] has expired. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Page 21, line 15, after the word "land," insert the words "belonging to the United States."

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 22. That the Secretary of the Interior shall reserve the authority and shall insert in any preliminary permit issued under section 18 hereof appropriate provisions for its cancellation by him upon failure by the permittee or licensee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 21, lines 20 and 21, insert the words "GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, OIL, GAS, POTASSIUM, OR SODIUM LEASES."

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Line 22, strike out the figures "22" and insert the figures "21."

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Line 23, insert after the word "reserve" the words "and may exercise."

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Line 24, strike out the word "preliminary" and insert the word "prospecting."

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Lines 24 and 25, strike out the words "section 18 hereof" and insert the words "the provisions of this act."

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

The amendment was agreed to.

Mr. PARKER of New Jersey. Mr. Chairman, I desire to offer an amendment by the insertion of a new section.

Mr. LENROOT. Will the gentleman wait until I offer an amendment?

Mr. PARKER of New Jersey. I certainly will.

The CHAIRMAN. The Chair would like to ask the gentleman from Wisconsin [Mr. LENROOT] if that is an amendment in lieu of the committee amendment now pending?

Mr. LENROOT. It is to strike out a portion of the bill, including an amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 21, line 23, after the word "authority," strike out "and shall insert in any prospecting" and insert in lieu thereof "to cancel any prospecting permit and shall insert in every such."

Mr. LENROOT. Mr. Chairman, the only purpose of this amendment is to make the language grammatical, which it is not now. It accomplishes identically the same purpose that was intended by the language heretofore used.

Mr. FERRIS. I have no objection to that, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. LENROOT]. The amendment was agreed to.

Mr. LENROOT. Mr. Chairman, in order to harmonize with the amendment, I move that, after the word "him," in line 1, page 22, a comma be inserted, so that the condition will relate back to the authority.

The Clerk read as follows:

Page 22, line 1, after the word "him," insert a comma.

The amendment was agreed to.

Mr. PARKER of New Jersey. Mr. Chairman, I offer the amendment which I send to the desk.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey:

"After section 21, on page 22, at line 4, insert a new section, as follows:

"SEC. 22. That every lease or patent of coal, oil and gas, phosphates, potassium, or sodium provided for in this act shall be on the condition and shall provide that the business shall be so carried on that all profits on the original cost of the plant in excess of cumulative annual profits at a rate or per cent of such cost to be fixed in such lease or patent and not to exceed an annual cumulative profit of 25 per cent of such cost shall be annually distributed by the holder of such lease or patent among the persons who purchase from him according to the amount paid him by such purchasers in the year; and to this end every such lease and patent shall be on condition and every such lease or patent shall provide that detailed accounts shall be kept of construction and operation in such form as may be prescribed by the Secretary of the Interior and annual statements thereof filed on such day as he may order, so that the original cost and the totals of every branch of the business may be ascertained at any time: *Provided, however,* That profits may be invested in permanent improvements and may then be paid over to the person entitled thereto by scrip or certificates of such investment, on which local legal interest shall accrue and be paid annually until they shall be made part of a funded debt or preferred stock at not over the said legal interest. And every such lease or patent shall provide that expenses for salaries, offices, and other headquarters expenses and commissions shall be reasonable and subject to approval by the Secretary of the Interior, and shall be limited annually to not over one-quarter of the money spent for material and labor in construction and operation. And that prices or rates for the articles mentioned in this act shall be equal in each locality according to quantity and cost, and shall be fairly apportioned as to different localities."

Mr. PARKER of New Jersey. Mr. Chairman, I am not going to take the time of the committee to give any more argument on this subject than I gave the other day. It is sufficient to point out that whenever Government grants are made which are either franchises or grants of property that ought to be conserved like franchises for the benefit of the public, some proper limitation ought to be made upon the profits to be derived by the holder, so that all of the benefits shall not go to the holder and leave none to the public. The holder should receive a liberal profit, and this amendment proposes 25 per cent on his original investment every year as a limit. In order that the profits may be fairly ascertained it is also provided that exorbitant expenses for headquarters and for other things outside of the real work shall not be incurred.

This is not a new thing, except in this particular use of the principle. It is the principle of the cooperative store and of the mutual life insurance company. It is a principle that sooner or later will be applied to great public grants of this sort.

As I have said, I will not take the time of the House, because I hardly expect that without perfection by a committee of this House having the matter in charge any such great change as this is likely to be adopted in the Committee of the Whole; but I have felt that on every bill involving a grant of public property for private use for the benefit of the public this principle ought to be presented by me in the form of an amendment, so that it may receive the mature consideration of the members of the committee. [Applause.]

Mr. DAVIS of Texas. Mr. Chairman, I feel an interest in the proposition presented by the gentleman from New Jersey [Mr. PARKER]. Mr. Blackstone tells us that a corporation has no right to exist except for the public good, and that every corporation is an arm of the Government. We have seen this Government extend its arms out into the hands of greed, and then we have seen those arms turn back and cudgel humanity to death, and take the proceeds of our toil and walk off with millions. So far as I am concerned, I do not propose while I am here to turn loose any corporation or lease that extends God's blessings into the hands of a lot of fellows, then pull the bridles off and say "Go it." I want to keep the bridles on all the way through. Men with power are prone to use it for their own private gain. Almighty God tells us that where a man's treasure is, there shall his heart be also. So you have got to keep the bridles on people who have great power. Otherwise they will run away with suffering humanity. I just want to

stack up by the side of the gentleman from New Jersey [Mr. PARKER]. [Applause.]

The CHAIRMAN (Mr. BORLAND). The question is on the amendment of the gentleman from New Jersey [Mr. PARKER].

The question being taken, the amendment was rejected.

The Clerk read as follows:

GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, OIL, GAS, POTASSIUM, OR SODIUM LEASES.

SEC. 23. That no person, association, or corporation, except as herein provided, shall take or hold more than one lease of each of the classes of deposits herein named and described during the life of such lease; no corporation shall hold any interest as a stockholder of another corporation in more than one such lease; and no person shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, exceeds in the aggregate an amount equivalent to the maximum number of acres allowed to any one lessee under this act; and the interests held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction, except that any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition.

With the following committee amendments:

Page 22, strike out lines 5 and 6.

The amendment was agreed to.

Page 22, line 7, strike out "23" and insert "22."

The amendment was agreed to.

Page 22, line 25, strike out the words at the end of the line, and at the beginning of line 1, page 23, "any court of competent jurisdiction," and insert "the United States court for the district in which the property or some part thereof is located."

Mr. LENROOT. Mr. Chairman, I move to amend the amendment by inserting after the words "United States," in line 1, page 23, the word "district."

The Clerk read as follows:

Amend the amendment by inserting after the words "United States," in line 1, page 23, the word "district."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. This section limits individuals and corporations to a single lease of oil, coal, gas, phosphates, or sodium land, and attempts to prevent corporations and individuals from holding an interest in more than one lease. The provision is rather long and involved, and I presume is entirely intelligible if one takes time to examine it carefully.

Yesterday I called attention to the fact that there would probably be a good deal of difficulty in granting leases to railway companies over the question as to whether any stockholder in a railroad company could have an interest in another lease; and if so, to what extent.

It seems to me that that might involve a good deal of difficulty and a good deal of trouble, and the way to remedy it would be to strike out the provision allowing the railroad company to take leases. My own opinion is that the leases under the conditions fixed would not be worth much to them ordinarily.

I want to call attention to the very marked difference between this bill and the water-power bill in the matter of the number of interests that one may acquire. There is a great multimillionaire water-power company out West that has been referred to here a number of times, the name of which I do not recall, but it is a sort of bugaboo held up as the type of monopoly that should be avoided, and yet the fact is that under the water-power bill the Secretary of the Interior could lease to that octopus all the water powers in the United States on the public domain. There is no limit to the number of water-power leases that could be acquired by a single individual. The Secretary could lease them all to any one corporation. That is the provision in regard to the sort of development of which there is said to be very great danger of monopoly.

Now we come to mining coal. There has never been a monopoly of mining coal or sale at the mine of bituminous coal in this country. As a matter of fact, Federal bureaus have rather bewailed the fact that competition was so very intense between bituminous coal miners and operators that they were tempted to neglect proper regulations for safety and were tempted and almost compelled to be wasteful in their operations.

Mr. COX. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. COX. Has there been an attempt on the part of the miners or operators to get the department to consent to some kind of a combination which would not be a real violation of

the Sherman antitrust law and yet one which would aid them in this particular?

Mr. MONDELL. I did not know that there had been such an attempt.

Mr. COX. I know that they did make that attempt in my State.

Mr. MONDELL. I know that the Government has felt that the competition between the bituminous coal operators was so keen as to make it difficult for them to provide the necessary means for conditions of safety or to adopt less wasteful methods. As to the class of enterprises, to wit, water power, with regard to which there is said to be the greatest danger of monopoly, we have made no effort to prevent a monopoly in the holdings. On the contrary, we have left it to the discretion of the Secretary of the Interior to lease to any one monopoly all of the wonderful water powers of all the public domain.

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

Mr. MONDELL. I ask for five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended five minutes. Is there objection?

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of 10 minutes all debate be closed on this section and all amendments thereto.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on this section and amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, it occurred to me during the discussion of the water-power bill that there ought to be some limitation or restriction on the authority of the Secretary. But you have assumed that the Secretary will exercise a wise judgment and a proper discretion in leasing, and that he will not allow a monopoly to be established or maintained.

Still there have been Secretaries of the Interior who were not highly esteemed on this floor. There have been Secretaries with regard to whom very unkind things have been said, and still we place in the hands of anyone who may become Secretary of the Interior authority to lease for water-power development all the public lands in the entire United States that might be used for that purpose to one corporation or to one individual.

When we come to coal, an industry in which there never has been a monopoly, an industry in which it is difficult to establish anything like a monopoly as to mining and sale at the mines, we provide that no individual or corporation shall have more than one lease. I shall not offer an amendment—first, because I would not expect it to be adopted under the present frame of mind of the committee; and, second, because it is not absolutely essential that it should be adopted at this time. But I venture that it will be necessary to modify this section if we are going into the leasing business. We can not confine one individual or one corporation to a single lease anywhere in the United States.

The coal-leasing bill I introduced provided that no individual or corporation could hold two leases in the same immediately competitive field. I made that provision, perhaps, out of excess of caution, but it is certainly as far as we ought to go. A man who has a coal lease in Wyoming certainly ought to be allowed to have one in Washington if he desires because there is no competition between the two fields. A man with an oil lease in California ought not to be denied one in Montana. The oils are of different character, and they enter into an entirely different territory. They do not compete with each other in any possible way. In fact, as to oil, it is not clear to me that any hard and fast limitations as to the number of leases one was interested in was necessary. It has seemed strange to me that these two provisions of legislation presented by the same committee—one following quickly on the heels of the other—should have such divergent provisions in regard to this matter of leases. The only explanation is in the one heretofore suggested, that the clerk who wrote the bills in the Department of the Interior had one idea of the matter at one time and another view of it at another, and that in their consideration of the matter the committee never got the two things adjusted and failed utterly to carry the same thought or theory throughout the legislation.

Mr. DAVIS of Texas. Mr. Chairman, the very reason that brought me to the support of the gentleman from New Jersey [Mr. PARKER] brings me to oppose the gentleman from Wyoming [Mr. MONDELL]. I undertook the support of the gentleman from New Jersey because he was seeking to provide for the people to

share in the profits and to put the bridles upon the corporations that may control these institutions hereafter. But I have been sitting here for about three weeks, and it seems to me that if the gentleman from Wyoming has anything to talk about it must be for a press bureau out in the West that defends him and big business, and they are taking account. There is one consolation, however, I have in listening to him, and that is that it reminds me of the verse of the Scripture where it says, "Jesus Christ, the same yesterday, to-day, and forever." He has been on the floor all of the time.

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

Mr. DAVIS of Texas. Of course, I will yield. I have been led into temptation a few times and have got caught. Now, if you have got your hook, put it in my gill.

Mr. MONDELL. In the power bill, the gentleman from Texas did not put the bridles on the discretion of the Secretary to lease all of the power in the country to one corporation.

Mr. DAVIS of Texas. I have done what I thought best all the way along without bringing up any obstruction, and I just want to state this in regard to the gentleman's position. The second law book that I ever passed an examination on told me that the prime object of all government is to restrain the strong and vicious, assist the weak and helpless, establish and maintain that which is right, and condemn and prohibit that which is wrong, and so when these strong and vicious institutions that are created by law, called corporations, that live without mercy and do business without charity, and know no God, and know no law, because they have no neck to break and no soul to damn—when they are to be considered, I think they ought to be restrained, especially when they prey upon the weak and helpless, and so I am opposed to the gentleman's whole process, so far as I have been able to understand what he has been shooting at since I have been here.

Mr. MANN. Mr. Chairman, I move to strike out the period at the end of the section.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 23, line 5, strike out the period at the end of the line.

The CHAIRMAN. Does the gentleman wish to debate his amendment?

Mr. MANN. No; debate is closed.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent—

Mr. MANN. Oh, no; I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. FERRIS) there were—ayes 22, noes 20.

Mr. MANN. Mr. Chairman, I ask unanimous consent to withdraw my amendment. I would like to see some Democrats stay in the House once in a while, however.

Mr. JOHNSON of Washington. Mr. Chairman, even the withdrawal of this amendment would not make clear the fact that during the discussion of this leasing bill the better part of the afternoon there have been present only 10 Democrats and about 20 Republicans, and the bill is of great importance.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 24. That no person, association, or corporation holding a lease under the provisions of this act shall hold more than a tenth interest, direct or indirect, in any agency, corporate or otherwise, engaged in the sale or resale of coal, phosphate, oil, gas, potassium, or sodium obtained from such lessee; and any violation of the provisions of this section shall be ground for the forfeiture of the lease or interest so held.

With the following committee amendment:

Line 6, strike out the figures "24" and insert the figures "23."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. STERLING. Mr. Chairman, I move to strike out the last word. I do not understand the purpose of this section in this bill. It seems to me that it puts a restriction and limitation on trade that is very bad. That section forbids a coal company or a lessee under this bill establishing an agency of its own to sell its own coal. It would be impossible for it to sell coal through an agency of its own. It seems to me that the legislation would simply require an additional middle man in the coal business. I would like to ask the chairman of the committee, the gentleman from Oklahoma, what is the purpose of that section in the bill, and if that would not be the effect of it?

Mr. FERRIS. What effect?

Mr. STERLING. Would it not have the effect of preventing the coal company from establishing an agency of its own for the commerce of its coal at a distant point from the mine?

Mr. FERRIS. No; I think not. If the gentleman is through, I will answer him and give him the view of the committee and the department.

Mr. STERLING. I would like to have the gentleman answer me.

Mr. FERRIS. The requirement that no lease shall be assigned—

Mr. STERLING. Oh, no; I refer to section 23, which prohibits the ownership of more than one-tenth interest in any agency for the sale of coal.

Mr. FERRIS. I do not think so. Complaints came before the committee to the effect that where the producer of the coal was also the carrier of the coal and was also to be the selling agent of the coal it developed a bad condition.

The gentleman knows that all through Pennsylvania in the anthracite regions they have had strikes, troubles, and various oppressions that have appalled the whole country, and out in Colorado last year the gentleman will recall that she had all kinds of labor troubles, and she had to have out the militia all the winter, and we had a congressional investigation. The gentleman from Illinois [Mr. FOSTER] went out and sat there with his committee for weeks hearing about their troubles.

Mr. STERLING. But I call the gentleman's attention to the language of the section. It does not have reference to the railroad that carries the coal, but prohibits the mining company from owning more than a one-tenth interest in any agency for the sale or resale of any coal—its own coal.

Mr. FERRIS. There is specific provision in the coal part of the bill that does divorce production from carrying, and one of them is that the railroads are entitled to mine it for their own use, and can only take one lease for every 200 miles—

Mr. STERLING. But suppose a coal mine is developed under this law at one point, and at some distance from the location of the mines it desired to establish an agency for the sale of its own coal, it would have some one there to handle its coal, which would be purely an agency for the sale of its own coal. Now, this section would prohibit that. That may not have been the purpose, but the language of this section will produce that effect. The result of it will be this, it seems to me, that every company or lessee under this law that develops a coal mine and desires to sell the coal at some distant point, it would have to sell to some independent concern, which is creating an additional middleman in the sale of the coal. It would just add that much expense to the consumer's price. I do not believe the gentleman can make anything else out of this section.

Mr. FERRIS. The gentleman's opinion is in entire variance with the Geological Survey, is in entire variance with the Bureau of Mines, and with every bit of testimony we have. On the contrary, they assert that at times it would have a very salutary effect on the consuming public not to allow the coal producer to also control the agency that sells the production, and, too, oftentimes the railroad that carries it, and thereby charge the public just what it pleases for the coal.

Mr. STERLING. A mining company must sell its coal, and what is the difference whether it sells it direct from the mine or sells it at some distant point through some agency that has been established by the mining company? If that is not permitted, then it will be bound to sell its coal to some other concern which would necessarily add an additional profit to the product and sell it to the consumer at the increased price.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENROOT. Mr. Chairman, certainly it is the purpose of the committee and it is my opinion that the language properly bears the construction the committee intended and that was there should be no interference or prohibition upon the part of the producer of coal to sell wherever it chose and to whomsoever it chose. It may establish offices throughout the entire country if it itself is the principal. That is not the kind of an agency that is referred to in the section, but here is a selling corporation whose business is the sale or resale of coal, and the purpose, then, was to prohibit a greater than one-tenth interest in such a corporation or in such an agency of that class.

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

Mr. LENROOT. Yes, sir.

Mr. STERLING. I think the purpose of the committee, as the gentleman states it, is all right, but this section of the bill does not so state it. This bill permits the very thing you seek to prevent and prohibits the thing you seek to encourage, if the gentleman has stated the intent of the committee correctly.

Mr. LENROOT. Certainly.

Mr. STERLING. But the language of this bill prohibits such an agency. It does not say corporate agency that buys and sells

coal and that would not be an agency at all. If a mining company should ship coal to a distant point and sell to a corporation or to an individual who buys it for the purpose of resale, that is not an agency. It is an independent concern, representing no principal. This bill forbids ownership in agencies, not in independent concerns buying and selling on its own account. I expect it was the purpose of the committee to prohibit the mining company from owning more than a one-tenth interest in any kind of concern that does that kind of business, and I think that would be all right. But by this you say "agency," and the explanation of the gentleman of the purpose of the committee does not relate to an agency at all.

Mr. LENROOT. Let me ask the gentleman. Suppose a producing company establishes an office in some city under its own name and sells coal in that city; is that an agency?

Mr. STERLING. Purely an agency, and it could not be maintained under this bill.

Mr. LENROOT. It is not, according to my theory of the legal definition of the word "agency."

Mr. STERLING. No; I would not think so. I think they ought to be allowed to own agencies and sell their own coal. It would make no difference whether it was individual or corporate, so far as that is concerned.

Mr. LENROOT. I want to say to the gentleman if that is true, then all the restrictions we put in the previous sections seeking to avoid monopoly become absolutely valueless, because if a coal company can organize a corporation, having no relation or privity with the Government in this line, then you might as well strike out the previous section.

Mr. STERLING. The gentleman does not understand my point. It would not make any difference whether they engaged an individual or a corporation to handle their product. Presumably such an agency would handle it without charging an additional profit.

Mr. LENROOT. Will the gentleman yield?

Mr. STERLING. Just right there. It would simply handle the product for the owner, as the agent of the owner, either on a commission or a salary. Now, the owner ought to be allowed to establish an agency and sell his own product, whether an individual or a corporation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENROOT. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. STERLING. Let me just complete my statement. But if that mining company should sell it to a corporation or an individual or a company somewhere else, then, I think, it is perfectly proper that their ownership of that kind of a concern ought to be limited, because then there would be a profit added by this middleman, this middle concern; and if that is the purpose of the bill, it is all right; but I am very sure the language of the bill does not express that purpose.

Mr. LENROOT. Now, the gentleman states that, in his judgment, it would be entirely proper to permit a producing company to organize another corporation whose business would be the selling of the coal of the producing company. But in that event it is entirely clear that that corporation, organized by the lessee, would not be amenable in any way to the provisions of this law, while if the company itself established an office and itself conducted a transaction, then, whatever it did, they would be subject to the provisions of the law. While we all have the greatest admiration for the ability of the gentleman from Illinois [Mr. STERLING], I do think that he has an incorrect construction of the use of the term "agency" in this connection.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 25. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit for joint or several use such easements or rights of way upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made it shall be so determined before the offering of such lease. That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

Also the following committee amendment was read:

Line 14, page 23, strike out "25" and insert "24."

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

The question was taken, and the amendment was agreed to. The Clerk proceeded to read the next paragraph of the bill.

Mr. NORTON. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. NORTON. I wanted to make some suggestions with regard to the last paragraph.

The CHAIRMAN. The last paragraph, I will say to the gentleman, has been concluded.

Mr. NORTON. I was on my feet, but did not ask for recognition. I move to strike out the last word.

The CHAIRMAN. The committee will return to paragraph 24.

Mr. NORTON. I move to strike out the last word. I desire to ask the chairman of the committee if there is any good reason why in lines 23, 24, and 25 there is not reserved to the Secretary the discretion to lease or otherwise dispose of the surface rights of the land during the period for which the permit is issued?

Mr. FERRIS. Now, there is a proviso down below on page 24, beginning with line 4, which provides that if any such reservation is made it must be made before the lease is entered into. I think that answers the question.

Mr. NORTON. No; there is no provision there made for reserving to the Secretary of the Interior the right to sell or lease the land during the time for which the permit is made.

Mr. FERRIS. In case the lessee has to go out and borrow money and capitalize his concern and make a going company of it, we thought, in the interest of good development for coal, as well as other development, where large expenditure is likely after they start in, we ought to give them some fixed, definite tenure during that time; and it was therefore up to the Secretary to make such reservations of surface right or other rights that were necessary before beginning the lease, so that the leasehold might not be tampered with during its lifetime.

Mr. NORTON. I offer the following amendment:

On page 23, line 24, after the word "any," insert the words "permit or."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 24, after the word "any," insert the words "permit or."

So that the line will read:

In making any permit or lease under this act—

And so forth.

Mr. NORTON. By the adoption of the amendment I have offered this would be effected: During the two-year period for which the permit for prospecting is issued the surface right to the land could be leased or otherwise disposed of. Entries for agricultural purposes could then be made upon the land the same as is now provided can be made during the time for which the lease is made.

Mr. MANN. Mr. Chairman, will the gentleman yield.

Mr. NORTON. Certainly.

Mr. MANN. Has the gentleman other amendments to go with it?

Mr. NORTON. Yes; I have other amendments to offer to the paragraph to supplement the one I am now offering to perfect that. I believe this reservation should be made.

Mr. RAKER. Mr. Chairman, will the gentleman yield there?

Mr. NORTON. Yes.

Mr. RAKER. What is the purpose of the gentleman in permitting the Secretary to lease or otherwise dispose of the land that a man may be seeking to get a permit upon?

Mr. NORTON. My purpose in that is just the same as the gentleman's purpose in giving to the Secretary of the Interior the right to lease or otherwise dispose of the surface of the land during the time for which the mining lease is given. Can you tell me any good reason why the surface right to the land should not be disposed of for agricultural purposes during the permit period?

Mr. RAKER. Yes; I think so.

Mr. NORTON. Why? Any more than during the lease period?

Mr. RAKER. Yes. There could not be any permanent agricultural work upon the land pending the two years except the mere fact of permitting it to be used for grazing purposes. Here, for example, is a man having 640 acres of land that he is going to prospect upon. You would not let Tom, Dick, and Harry go in there and use that land and occupy it and interfere with the permittee, would you?

Mr. MANN. Right there, will the gentleman from North Dakota permit me to ask a question of the gentleman from California?

Mr. NORTON. Certainly.

Mr. MANN. Under the law as it now stands we do lease for grazing purposes a large amount of the public domain, do we not?

Mr. RAKER. No.

Mr. MANN. None of it in the forest reserves?

Mr. RAKER. No.

Mr. MANN. We do not make any leases there?

Mr. RAKER. No; we do not permit any leases in the forest reserves or anywhere else.

Mr. MANN. Does the gentleman mean that the Government does not permit leases in the forest reserves?

Mr. RAKER. I do. They grant permits.

Mr. MANN. The gentleman is simply dodging. He is not frank, and I will not ask him any further question if he does not want to be frank.

Mr. RAKER. I was frank. I answered "no" and "yes." There is no question about it. There is no leasing permitted. That is the policy. But the Department of Agriculture permits four or five men to inclose a part of the territory in a forest reserve so that they may use it for the purpose of rounding up their cattle in the fall or spring, and not otherwise, except that a bill was passed last year permitting small tracts to be leased to people who desired to build summer homes temporarily in the forest reserves—leases for 20 years, I think. But there is no leasing of the lands, as leasing, in the forest reserves or elsewhere, so far as I am able to find. That is my candid answer.

Mr. MANN. The gentleman is candid. He may be correct, but that is not my understanding of the situation. I was going to ask him another question but will not, because it is dependent on the answer to the first.

Mr. NORTON. Mr. Chairman, I propose to offer amendments to perfect this section, so that if a man secures a permit for two years for exploring the land for purposes of securing oil, during that time homestead entries for agricultural purposes may be made upon the surface rights. It seems to me that if this law is not safeguarded in this way, then any man may go out upon the public domain and secure a permit on 2,500 acres of land for two years with the main idea in view of having the free use of that land for grazing purposes for two years. I believe that that possible abuse should be guarded against.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. NORTON. I ask unanimous consent to continue for five minutes more.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

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

Mr. NORTON. I shall be pleased to.

Mr. LENROOT. I want to say to the gentleman that that would be impossible under the provision of section 9, which provides for a due measure of diligence, and the Secretary is authorized to cancel the lease upon any breach of the conditions.

Mr. NORTON. Yes; and in such proceedings it will likely take two years to cancel it.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of 10 minutes, 5 minutes of which shall be used by the gentleman from North Dakota [Mr. NORTON] and 5 by the gentleman from California [Mr. RAKER], all debate on this section and amendments thereto be closed.

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

There was no objection.

Mr. NORTON. Mr. Chairman, after the consideration of this amendment, if it is adopted by the committee, I shall offer other amendments to the paragraph, to make the paragraph read so that when the bill becomes a law it will not be possible for anyone to go on the public domain and under the guise of securing a permit for exploring for oil or gas or phosphates to use the surface of the land for some other purpose.

Mr. RAKER. Mr. Chairman, going back to the colloquy with the gentleman from Illinois [Mr. MANN], relative to the matter of leasing, as I understand the law to-day there are no leases authorized on the public domain. The public domain does not refer to the forest withdrawals.

In the Forest Service last year for the first time the Secretary of Agriculture was permitted to lease certain tracts of land—my impression is not over 5 acres, although it may be 2 acres—for the purpose of summer homes, the leases not extending beyond 20 years. As a lease I know of no other provision.

I have been looking that up carefully, and I feel that that is the general position as it stands to-day. The permit author-

ized by the Department of Agriculture is such that on the great majority of forest reserves men are permitted to turn out their stock at so much per head. The time is fixed, commencing in the early spring or late spring, and running until the early fall or late fall, and the price is fixed according to the time the reserves are used. There are some larger tracts and some smaller ones given to parties under a permit to use the land for their stock. Sometimes a half dozen, by paying so much per year, may have permits to use a particular tract of land, and, in a few instances, where it relates to a tract where they may use a meadow or a spring, which is a good place for gathering up and rounding up their stock in the summer or fall, a permit is granted sometimes to one and sometimes to a dozen or 15 stockmen, so that they may have the feed in the field when the round-up occurs. That is my understanding generally, that those are permits and are not considered to be leases.

I have tried to answer the gentleman from Illinois. Getting back now to the amendment, I think the committee considered that general feature in this bill, permitting the leasing, selling, and other disposition after the man had leased, or at the time he leased, that he then knew exactly what he was going to do and could prepare his house accordingly.

Mr. FERRIS. Is there not a good deal in what the gentleman from North Dakota [Mr. NORTON] says, and is it not barely possible that cattlemen could go out and secure a permit when in truth and fact they wanted to do grazing on the land?

Mr. NORTON. I have especially in mind the probability of the passage of the 640-acre grazing law that is now before the Congress; and if you leave this provision as it stands in this section it means the withdrawal, under a permit, of 2,560 acres for two years.

Mr. RAKER. Getting back to the point, the permit is given to the man for the purpose of prospecting, for the purpose of investigation, for the purpose of determining in advance, before he makes a lease, whether or not there are minerals in the ground which are of the character referred to in the bill. He determines this by the investigations that he makes in good faith, untrammelled by the department. The Secretary of the Interior is given power to see that he complies with that permit and works diligently for the purpose, and the only purpose for which the permit is granted; and I ask the members of the committee now, when a man is willing to go upon the public domain a long distance from civilization, where hardships are encountered at every turn, whether he should be hampered by others using the same land that he is attempting to use?

The CHAIRMAN. Debate on this amendment is exhausted. The question is on the amendment of the gentleman from North Dakota [Mr. NORTON].

The amendment was rejected.

The Clerk read as follows:

Sec. 26. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare.

With the following committee amendments:

Page 24, line 9, strike out "26" and insert "25."

The amendment was agreed to.

Page 25, line 6, insert the following proviso:

"Provided, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated."

The amendment was agreed to.

Mr. EMERSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. EMERSON:

Page 24, line 11, after the word "Interior," insert the words "but no such assignment shall be made unless to citizens of the United States or associations of such citizens."

Page 25, line 8, after the word "situated," add "except as to the provisions as to citizens referred to in this section."

Mr. EMERSON. Mr. Chairman, these two amendments go together. They either fall or stand together.

Section 1 of this bill provides, among other things, in line 7—
Shall be subject to disposition in the form and manner provided by this act to citizens of the United States.

Then comes section 26, new section 25, that no lease issued under the authority of this act shall be assigned or sublet except with the consent of the Secretary of the Interior.

I presume my friend from Oklahoma [Mr. FERRIS] will say that this is entirely up to the Secretary of the Interior to determine to whom these assignments shall be made, and it is, under this bill; but I am rather inclined to agree with my friend from Wyoming [Mr. MONDELL] that perhaps we might have some Secretary of the Interior whom we would not desire to have pass upon these matters. Besides, the object and purpose of the bill is to limit it to citizens of the United States. Now, he might say that the Secretary of the Interior would not permit others than citizens of the United States to receive such assignments, but it is absolutely within the province of the Secretary of the Interior to determine to whom these assignments shall be made. And if we are to carry out that particular section, limiting the use of these lands to citizens of the United States, this section should be so amended that it shall be limited to citizens of the United States or associations of citizens of the United States. I think that protection should be thrown around this section. At least it can do no harm, and it may do some good.

After I sat here yesterday and listened to the gentleman from the Philippines [Mr. QUEZON] assert on the floor of this House that he had used force and arms against the authority of the United States, and was applauded as he was applauded yesterday, I came to the conclusion that it is time for somebody to stand up in defense of the citizens of this country. My first act when I arose this morning was to look out of my window and see whether the Capitol was still here. If proceedings such as happened yesterday continue we may expect before Congress adjourns to hear the national hymns of other countries sung on the floor of this House.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to close debate on this section in four minutes, three minutes to be controlled by the gentleman from California [Mr. KENT].

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on this section close in four minutes. Is there objection?

There was no objection.

Mr. KENT. Mr. Chairman, this amendment appeals to a man from California, where we have been pioneers in the attempt to save our part of the country from oriental invasion. It was a matter of deep regret that the alien-land act passed by my State did not exclude all aliens from land ownership and all corporations having alien stockholders. Now, it seems to me that the time has come to put a crimp in this sort of legislation and provide that these acts that grant privileges shall be granted solely to the people of our own country, to those who are responsible for the management of our institutions and for responsibly operating a democracy. I thoroughly agree with the amendment offered by the gentleman from Ohio.

Mr. FERRIS. Mr. Chairman, I dislike to differ with my friend from California, and also with my friend from Ohio. This is what we do. We first provide that only citizens of the United States can lease these lands at all, and we then say that the lessee can not sell them unless the Secretary of the Interior gives him permission to do it. We ought not to go any further, it seems to me. It is not a matter that I am concerned deeply about. But we can not settle the Japanese question and the immigration question in this bill.

Mr. EMERSON. Would the gentleman object to the amendment going in?

Mr. FERRIS. Yes; I do not think it is necessary. I doubt, also, the wisdom of it. We can not cure all the ills in this one bill. This is a public-land bill. Let us not load it up so much.

Mr. HERNANDEZ. Mr. Chairman, I ask unanimous consent for two minutes.

The CHAIRMAN. The gentleman from New Mexico asks unanimous consent to address the committee for two minutes. Is there objection?

There was no objection.

Mr. HERNANDEZ. Mr. Chairman, I want to call the attention of the chairman of the Committee on the Public Lands to a very important point in this bill. My State is very much interested in this bill and I am in favor of it. I notice all through the bill it empowers the Secretary of the Interior to do certain things. My understanding is that a great part of this bill refers to land within the national forest reserves which are under

the Department of Agriculture, administered by the Bureau of Forestry. Now, we all understand that, as far as the minerals are concerned, they are under the authority of the Department of the Interior and under the direction of the Secretary of the Interior and its various bureaus. But what about the surface?

Mr. FERRIS. We do not meddle with the surface of it. Not only that, but the bill provides that the land can only be leased for minerals when it is determined that it will not be harmful for the purposes for which it is set aside.

Mr. HERNANDEZ. It does not affect the surface of the land?

Mr. FERRIS. No; they could not proceed until there is a finding by the Secretary of Agriculture that this proceeding would not interfere with operations on the surface for which the land was withdrawn.

Mr. LENROOT. Is the gentleman correct, that that provision is in this bill?

Mr. FERRIS. I think so. I think the provision is in both bills.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may proceed for three minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent to address the committee for three minutes. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I want to voice the thought conveyed by my colleague from California [Mr. KENT] on the question of alien ownership of this mineral contained in the land, particularly as to the leasing. I took it up with the Department of the Interior and the Bureau of Mines when we inserted the provision in section 1, lines 10 and 11, which read as follows:

Shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof.

That ought to have been and should have contained the proviso that these corporations should be composed of citizens of the United States, or that the stock should not be owned by aliens over and above a certain number or percentage. Otherwise, under the provisions of this bill, while we are trying to legislate in behalf of the citizens, native and naturalized, of this country, nevertheless the corporation might be organized by two-thirds of the aliens, or the stock may be transferred to aliens. In practically all of the provisions contained in the bill they could be held by aliens in this country—Japanese, Chinese, and others—without any restriction. As a matter of fact, the matter was discussed in committee, and it was the idea to make effective the provision that was left out in the California Legislature, that the ownership of land should be prohibited to corporations as well as to aliens if those corporations were composed of aliens who were not citizens of the country. We are trying, under the general mining laws, to make them applicable to citizens alone. So far as this applies to corporations, the corporation may, of course, be controlled by the directorate, who are citizens, but so far as the holding of stock is concerned, 95 per cent of it may be held by those who are neither citizens of the United States or who have not declared their intention to become so. In other words, there may be aliens to the extent of 90 per cent, if not all, of the stock.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

Mr. FERRIS. We have already closed debate on this section three times.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I am not sure that I sympathize with the efforts of gentlemen to see to it that all of the developments in this country shall be made through the aid of home capital. If it had not been for capital from abroad there would have been no such development in the country as has taken place. We possibly and probably have reached a state now where we are not so much in need of foreign capital, but at the same time we have reached the point where we are now seeking investment of our capital in foreign countries, and we ought to be using a large share of our resources in the development of Central and South America. We ought to own a great many of their enterprises. We ought to put our money into the development of the great natural resources which they have. I question very much whether it will aid us any when we go down there with our capital and seek a chance to develop, to be told "You will not let anybody in your country do this, and now since you are a little richer, why do you come here?" It is bad policy, and we ought not to do it.

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

Mr. MANN. Certainly.

Mr. KENT. I would like to ask the gentleman whether he would like to repeal the clause in the homestead laws that calls for citizenship?

Mr. MANN. Oh, no; because in the very nature of things it is different. A man who goes on a homestead is supposed to be a permanent resident of the United States. I prefer to make him a citizen of the United States, although some of our laws which the gentleman is seeking to change permit a woman, if she is married to a foreigner, to lose her citizenship.

Mr. KENT. Mr. Chairman, will the gentleman yield further?

Mr. MANN. Certainly.

Mr. KENT. I would like to ask the gentleman whether there is so much difference between homestead tenure and a 99-year lease tenure?

Mr. MANN. I should say there was a great deal of difference between a homesteader cultivating the soil on a small piece of ground and a man borrowing money to put millions of dollars into a great hydroelectric plant or something of that kind or to develop a railroad. Our railroads never would have been built across the continent if it had not been for the aid of foreign capital. If it had not been for foreign capital, California would not be on the map to-day.

Mr. KENT. It would be yellow, if the gentleman's ideas were carried out.

Mr. MANN. The greatest benefit we have ever had from California was because she had so much that was yellow in her.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on the adoption of the amendments offered by the gentleman from Ohio.

The question was taken.

Mr. EMERSON. I demand a division.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the amendments may be again reported.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the amendments may be again reported. Is there objection?

There was no objection, and the Clerk again reported the amendments.

The committee divided; and there were—ayes 12, noes 25.

So the amendments were rejected.

The Clerk read as follows:

SEC. 27. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in a court of competent jurisdiction whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

The committee amendments were read, as follows:

Page 25, line 9, strike out "27" and insert "26."

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

Mr. FERRIS. Mr. Chairman, I want to move an amendment to the following amendment. All through the bill we have been amending it by adding, after the word "States," the word "district," and I move, on page 25, line 12, after the word "States," to insert the word "district" to make it conform.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, line 12, page 25, by inserting after the word "States" the word "district."

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

The Clerk read as follows:

Page 25, line 11, strike out the words "a court of competent jurisdiction" and insert "the United States district court of the district in which the property, or some part thereof, is located."

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

Mr. VOLSTEAD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding at the end of section 26 the following:

"The court in adjudging a forfeiture may, as compensation to the lessee or others interested, decree a lien upon any land permanently improved by the lessee in a sum not exceeding the value added to the land by such improvement, such lien to be paid when the land is again sold or leased under the provisions of this act: *Provided*, That if when the land is again sold or leased such improvement shall have depreciated in value since such forfeiture, the lien may on application to such court be reduced accordingly: *Provided further*, That the court may deny compensation in whole or in part to anyone guilty of bad faith in securing the lease or in carrying out its provisions or the provisions of this act."

Mr. FERRIS. Mr. Chairman, without any desire to cut the gentleman off, I move that the committee do now rise, and we will leave the matter standing and the gentleman can debate it to-morrow.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CULLOP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 406, and had directed him to report they had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The Speaker laid before the House a message from the President of the United States (H. Doc. No. 576), which was read, as follows:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State in relation to claims presented by the Governments of Austria-Hungary, Greece, and Turkey on account of injuries inflicted on their nationals during riots which occurred in South Omaha, Nebr., on February 21, 1900, and I recommend that, as an act of grace and without reference to the question of the liability of the United States, an appropriation be made to effect a settlement of these claims in accordance with the recommendation of the Secretary of State.

WOODROW WILSON.

THE WHITE HOUSE,

Washington, January 14, 1916.

The SPEAKER. The message is referred to the Committee on Foreign Affairs and ordered to be printed, together with the accompanying documents.

Mr. FERRIS. Mr. Speaker, the gentleman from North Carolina [Mr. KITCHIN] is detained in a hearing over in his committee room, and he requested me to make this request: I ask unanimous consent that the gentleman from North Carolina [Mr. KITCHIN], on next Monday morning, immediately after the reading of the Journal and the business from the Speaker's table is disposed of, be permitted to address the House for 40 minutes.

Mr. MANN. Mr. Speaker, have not we already made a date for somebody on Monday?

The SPEAKER. The gentleman from Florida [Mr. CLARK] has already been granted an hour.

Mr. MANN. I have no doubt the gentleman from Florida would be perfectly agreeable to a transfer. I do not think I would ask for it to-night under the circumstances. Nobody over here will object to Mr. KITCHIN coming in Monday.

Mr. GARRETT. Mr. Speaker, the request was slightly different in the case of Mr. KITCHIN. The consent granted to Mr. CLARK was after the ordinary business of the day had been disposed of, whereas the request of Mr. KITCHIN was immediately after the reading of the Journal.

Mr. MANN. Well, if they do not conflict, I have no objection. I think the gentleman from North Carolina is entitled to it, and I hope that courtesy will be extended to me if I ever ask for it.

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

ENROLLED BILLS SIGNED.

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

H. R. 320. An act to authorize the county of Bonner, Idaho, to construct a bridge across Pend Oreille River; and

H. R. 775. An act granting the consent of Congress to J. P. Jones and others to construct one or more bridges across the Chattahoochee River between the counties of Coweta and Carroll, in the State of Georgia.

EXTENSION OF REMARKS.

Mr. BURKE of Wisconsin. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the CONGRESSIONAL RECORD by inserting a speech delivered by Hon. JAMES A. REED, United States Senator from Missouri, at Milwaukee recently upon the subject of "Violations of international law and American neutrality by the belligerent nations."

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD by printing a speech made by Senator JAMES A. REED, of Missouri, at Milwaukee recently upon the subject of "Violations of international law by the present belligerents in Europe, Asia, and Africa." Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. FERRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes) the House adjourned to meet to-morrow, Saturday, January 15, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of War submitting a supplemental estimate of appropriation required by the War Department for the fiscal year ending June 30, 1917 (H. Doc. No. 571); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of Agriculture submitting an estimate of an appropriation for inclusion in the urgent deficiency bill to meet the emergency caused by the infectious nature and spread of the citrus canker (H. Doc. No. 574); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a further estimate of the deficiency in the appropriation for printing and binding for the Patent Office for the fiscal year ending June 30, 1916 (H. Doc. No. 575); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 3032) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin, reported the same without amendment, accompanied by a report (No. 42), which said bill and report were referred to the House Calendar.

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the resolution (H. J. Res. 98) making part of the appropriation "Construction and machinery, increase of the Navy," in the naval act approved March 3, 1915, available for the extension of building ways and equipment at the navy yards at New York and Mare Island, Cal., reported the same without amendment, accompanied by a report (No. 40), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the resolution (H. J. Res. 95) authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy, at Annapolis, Mr. Carlos Hevia y Reyes Gavilán, a citizen of Cuba, reported the same without amendment, accompanied by a report (No. 41), which said resolution and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5383) granting a pension to Julia M. Connolly; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6165) granting a pension to Mary Carroll; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOUGHTON: A bill (H. R. 9043) providing for the purchase of a site and the erection thereon of a public building at Albemarle, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. WEBB: A bill (H. R. 9044) to amend the white-slave traffic act, approved June 25, 1910; to the Committee on the Judiciary.

By Mr. MARTIN: A bill (H. R. 9045) to authorize the Secretary of the Navy to certify to the Secretary of the Interior, for restoration to the public domain, lands in the State of Louisiana not needed for naval purposes; to the Committee on Naval Affairs.

By Mr. WILSON of Illinois: A bill (H. R. 9046) providing for the erection of four Government munition factories between the Allegheny and the Rocky Mountains; to the Committee on Military Affairs.

By Mr. DECKER: A bill (H. R. 9047) to promote the safety of employees and travelers on railroads, by requiring common carriers engaged in interstate commerce by railroad to afford a safe and sufficient clearance between structures located on their roadways and locomotives and cars passing over their lines, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NORTH: A bill (H. R. 9048) to provide for the erection of a public building at Kittanning, in the State of Pennsylvania; to the Committee on Public Buildings and Grounds.

By Mr. ESTOPINAL: A bill (H. R. 9049) making appropriation for emergency levee building on the Mississippi River below New Orleans; to the Committee on Rivers and Harbors.

By Mr. BROWNING: A bill (H. R. 9050) amending section 1 of the act of June 19, 1912, limiting the hours of daily service of laborers and mechanics; to the Committee on Labor.

By Mr. STONE: A bill (H. R. 9051) for the reduction of the rate of postage chargeable on first-class mail matter for local delivery; to the Committee on the Post Office and Post Roads.

By Mr. HAYES: A bill (H. R. 9052) to exempt from cancellation certain desert-land entries in Riverside County, Cal.; to the Committee on the Public Lands.

By Mr. SUMNERS: A bill (H. R. 9053) authorizing and directing the Secretary of Agriculture to establish a farm-produce exchange, and for other purposes; to the Committee on Agriculture.

By Mr. LOFT: A bill (H. R. 9054) to amend section 5 of the act making appropriations for legislative, executive, and judicial expenses, approved March 3, 1893, as amended by section 7 of the act approved March 15, 1898; to the Committee on Reform in the Civil Service.

By Mr. OLIVER: A bill (H. R. 9055) to make pensions to Mexican War survivors payable from date of approval of pension act of May 11, 1912; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 9056) authorizing the Secretary of War to donate condemned cannon and cannon balls; to the Committee on Military Affairs.

By Mr. MOSS of West Virginia: Concurrent resolution (H. Con. Res. 10) for the protection of American citizens in Mexico; to the Committee on Foreign Affairs.

By Mr. HEFLIN: Joint resolution (H. J. Res. 103) authorizing and directing the Director of the Census to collect and publish additional statistics; to the Committee on the Census.

By Mr. KAHN: Joint resolution (H. J. Res. 104) granting permission to the Woman's Titanic Memorial Association to erect a memorial on public ground in the city of Washington, D. C.; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 9057) for the relief of Frank Pullman; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 9058) granting an increase of pension to Theodore Adams; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 9059) granting a pension to David A. Nelligan; to the Committee on Pensions.

By Mr. BROWN of West Virginia: A bill (H. R. 9060) granting an increase of pension to Elisha P. Maconaughey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9061) granting an increase of pension to Jacob A. Steringer; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 9062) granting an increase of pension to John Merriweather; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9063) granting an increase of pension to Ambrose Parish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9064) granting an increase of pension to James Irwine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9065) granting an increase of pension to George W. East; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9066) granting an increase of pension to William A. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9067) granting an increase of pension to Louis R. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9068) granting an increase of pension to Preston Lett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9069) granting an increase of pension to Richard Mills; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9070) granting an increase of pension to James M. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9071) granting an increase of pension to Simeon L. Miles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9072) granting a pension to Ella Moffatt; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 9073) granting an increase of pension to Louis C. T. Kramer; to the Committee on Invalid Pensions.

By Mr. DOUGHTON: A bill (H. R. 9074) to correct the military record of James P. Collins; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 9075) granting a pension to Henry F. Clement; to the Committee on Invalid Pensions.

By Mr. GANDY: A bill (H. R. 9076) for the relief of Alfred Sjoström; to the Committee on Claims.

Also, a bill (H. R. 9077) for the relief of F. X. C. Boucher; to the Committee on Indian Affairs.

By Mr. HAYES: A bill (H. R. 9078) granting an increase of pension to Peleg B. Washburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9079) granting an increase of pension to Cordelia E. Russell; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 9080) granting an increase of pension to David Ross; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 9081) granting a pension to Addie D. Garvin; to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 9082) for the relief of Frank P. Sammons; to the Committee on Claims.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 9083) granting an increase of pension to Elizabeth C. Lowd; to the Committee on Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 9084) granting an increase of pension to Charles E. Case; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 9085) providing for the retirement of Col. David L. Brainard, Quartermaster Corps, United States Army; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 9086) granting an increase of pension to Patrick Martin; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 9087) granting an increase of pension to Henry Fleisher; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 9088) granting an increase of pension to Henry Peiffer; to the Committee on Invalid Pensions.

By Mr. LINDBERGH: A bill (H. R. 9089) granting an increase of pension to Lucinda Ulmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9090) granting a pension to Carleton E. Bradley; to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 9091) to remove the charge of desertion against Harold Holst; to the Committee on Naval Affairs.

By Mr. McANDREWS: A bill (H. R. 9092) granting an increase of pension to Warren D. M. Coon; to the Committee on Invalid Pensions.

By Mr. McKELLAR: A bill (H. R. 9093) granting a pension to Walter L. Jewell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9094) granting a pension to G. F. Hudson; to the Committee on Pensions.

By Mr. MARTIN: A bill (H. R. 9095) for the relief of I. C. Johnson, jr.; to the Committee on Naval Affairs.

Also, a bill (H. R. 9096) granting a pension to Joseph Daley; to the Committee on Pensions.

Also, a bill (H. R. 9097) for the relief of the heirs of Joseph Piernas, deceased; to the Committee on Claims.

By Mr. OAKLEY: A bill (H. R. 9098) granting an increase of pension to Robert Liddell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9099) granting a pension to Michael D. Murphy; to the Committee on Pensions.

By Mr. OLDFIELD: A bill (H. R. 9100) for the relief of the estate of James L. Waugh; to the Committee on Claims.

By Mr. POWERS: A bill (H. R. 9101) granting a pension to Bev Baker; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 9102) granting a pension to Charles J. Smith; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 9103) granting a pension to Mary E. Roseberry; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 9104) granting a pension to Henrietta Yarnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9105) granting an increase of pension to Richard C. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9106) granting an increase of pension to Mary F. Kessinger; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 9107) granting an increase of pension to Rufus C. Bradley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9108) granting a pension to Will Morgan; to the Committee on Pensions.

Also, a bill (H. R. 9109) granting an increase of pension to Daniel J. Bresnahan; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 9110) granting a pension to Adeline L. Powers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9111) granting a pension to Robert Mc-Lemore; to the Committee on Pensions.

Also, a bill (H. R. 9112) making an appropriation to pay the legal heirs of the estate of Daniel H. Hoge, deceased, late of the State of Virginia, in full of any claim for salary and allowance made by reason of the election of the said Daniel H. Hoge to the Thirty-ninth Congress and his services therein; to the Committee on Claims.

Also, a bill (H. R. 9113) for the relief of the estate of William T. Edmunds, deceased; to the Committee on Claims.

Also, a bill (H. R. 9114) for the relief of the heirs of A. R. Edmonds; to the Committee on Claims.

By Mr. SMITH of Michigan: A bill (H. R. 9115) granting a pension to Mrs. M. Lightner; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 9116) granting an increase of pension to Mina C. Balzer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9117) granting an increase of pension to Joseph H. Woolaston; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 9118) granting a pension to Mathew Grubb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9119) granting a pension to Vance Walden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9120) granting a pension to J. R. Simpson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9121) granting a pension to T. J. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9122) granting a pension to John Haney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9123) granting a pension to Abe McBroom; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 9124) for the relief of Frank Ferrin; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 9125) granting a pension to Burton Erwin; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial urging passage of legislation for the Mississippi River; to the Committee on Rivers and Harbors.

Also (by request), memorial of Central Trades Union of St. Louis, Mo., urging that report of International Relations Committee be printed; to the Committee on Printing.

By Mr. ANTHONY: Petition of sundry citizens of the State of Kansas, favoring passage of bill taxing mail-order houses; to the Committee on Ways and Means.

By Mr. ASHBROOK: Petition of W. J. Appleman and 262 other citizens of Mansfield, Ohio, against an increase of the tax on beer; to the Committee on Ways and Means.

Also, evidence to accompany House bill 6119, for special relief for George L. Wells; to the Committee on Invalid Pensions.

By Mr. BROWN of West Virginia: Petitions of Berkely Woolen Mills, of Martinsburg, and citizens of West Virginia, favoring passage of a bill to protect the manufacturers of dyestuffs in America; to the Committee on Ways and Means.

By Mr. BRUMBAUGH: Memorial of Columbus Chamber of Commerce, favoring increase of compensation allowed the railroads for carrying the mails; to the Committee on the Post Office and Post Roads.

By Mr. CURRY: Resolution by the City Council of Richmond, Cal., asking for appropriation for the construction of an inner harbor; to the Committee on Rivers and Harbors.

By Mr. DALE: Petition of Mississippi River Levee Association, favoring national legislation for prevention of floods; to the Committee on Rivers and Harbors.

By Mr. ESCH: Papers to accompany House bill 7803, granting an increase of pension to Abram Towson; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Memorial of Pennsylvania Arbitration Peace Society, relative to the war in Europe; to the Committee on Foreign Affairs.

Also, memorial of American Federation of Labor, opposing the repeal of the seamen's law or any changes in the same; to the Committee on Interstate and Foreign Commerce.

Also, memorial of William H. Hubbell Camp, No. 4, Department of New York, United Spanish War Veterans, urging adoption of legislation granting pensions to widows and orphans of men who served in the late Spanish-American War, Philippine insurrection, and Boxer relief expedition in China; to the Committee on Pensions.

Also, memorial of knitting manufacturers of the central West, urging Congress to take steps to prevent foreign products being sold in this country at less than their market price prevailing in the country of their origin; to the Committee on Ways and Means.

By Mr. FLYNN: Petition of New York Post Office Laborers' Benevolent Association, Branch No. 1, favoring a bill for classification of post-office laborers; to the Committee on the Post Office and Post Roads.

Also, memorial of women of 76 chapters Daughters of the American Revolution, favoring preparedness; to the Committee on Military Affairs.

Also, petition of New York Post Office Laborers' Benevolent Association, Branch No. 1, favoring passage of bill for classification of post-office laborers; to the Committee on the Post Office and Post Roads.

By Mr. FREEMAN: Memorial of National Machine Tool Builders Association, favoring adequate compensation to railroads for carrying the mails; to the Committee on the Post Office and Post Roads.

Also, petitions of Talcott Bros., of Talcottville; Russell Manufacturing Co. and I. E. Palmer Co., of Middletown; Brainerd & Armstrong Co., of New London, all in the State of Connecticut, favoring bill for protection of dyestuffs in United States; to the Committee on Ways and Means.

Also, petition of citizens of Westbrook and Clinton, Conn., favoring preparedness; to the Committee on Military Affairs.

By Mr. FULLER: Petition of Traffic Club of New York, favoring repeal of the seamen's act; to the Committee on the Merchant Marine and Fisheries.

Also, petition of joint advisory board of the Cigar Makers' Union, favoring a permanent tariff commission; to the Committee on Ways and Means.

By Mr. GORDON: Petition signed by Robert Montgomery and 97 other citizens of Cuyahoga County, Ohio, protesting against any additional taxes upon the beer and liquor industries; to the Committee on the Judiciary.

By Mr. GREENE of Vermont: Petition of H. C. Bradford Co., of Bennington, Vt., favoring bill for protection of manufacturers of dyestuffs in America; to the Committee on Ways and Means.

By Mr. GRIEST: Memorial of Philadelphia Bourse, favoring repeal of the seamen's act; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Los Angeles Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

Also, memorial of the Traffic Club of New York, favoring the repeal of the seamen's act; to the Committee on the Merchant Marine and Fisheries.

By Mr. HILL: Petition of Ratcliffe Bros., of Shelton, Conn., and Lees Manufacturing Co., of West Point, Conn., favoring bill for protection of manufacturers of American dyestuffs; to the Committee on Ways and Means.

Also, petition of Davis Hosiery Mills, of Chattanooga, Tenn., and Sidney Blumenthal & Co., of Shelton, Conn., favoring passage of bill to protect manufacturers of dyestuffs in America; to the Committee on Ways and Means.

Also, petition of D. F. Woodbury, of Stamford, Conn., favoring passage of House bill 702, for protection of manufacturers of American dyestuffs; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Papers to accompany House bill 8978, granting a pension to William Butts; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 8979, to remove the charge of desertion from Orrin F. Strickland; to the Committee on Military Affairs.

By Mr. HAYES: Petition of California State Rural Letter Carriers' Association, relative to reinstatement of carriers dropped from the rolls where motor-vehicle service is substituted; to the Committee on the Post Office and Post Roads.

By Mr. HINDS: Petitions of Haskell Silk Co., of Westbrook, and North Berwick Co., of North Berwick, Me., favoring protection for manufacturers of dyestuffs in America; to the Committee on Ways and Means.

By Mr. IGOE: Petition of Capt. Gunther Muir and all other officers, noncommissioned officers, and enlisted men of Company D, First Infantry, National Guard of Missouri, urging adoption of the militia pay bill as the only salvation to save the National Guard from dissolution, and for other reasons; to the Committee on Military Affairs.

By Mr. KONOP: Petition of citizens of Outagamie County, Wis., favoring the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. LINDBERGH: Petition of citizens of St. Cloud, Brainerd, and Little Falls, Minn., favoring passage of bill taxing mail-order houses; to the Committee on Ways and Means.

By Mr. McKELLAR: Petition of sundry citizens of Memphis, Tenn., opposing Chamberlain standing army bill; to the Committee on Military Affairs.

By Mr. MATTHEWS: Petition of voters of Edgerton and St. Joe Township, protesting against preparedness; to the Committee on Military Affairs.

Also, petition of women of Edgerton, Ohio, protesting against preparedness; to the Committee on Military Affairs.

Also, papers to accompany House bill 9001, granting an increase of pension to William H. Palmer; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9002, granting an increase of pension to Orrin P. Gay; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9003, granting an increase of pension to Benjamin F. Fronefield; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9000, granting an increase of pension to David W. Bogard; to the Committee on Invalid Pensions.

By Mr. MOON: Petition of Davis Hosiery Mills, of Chattanooga, Tenn., and Textile Woolen Co., of Sweetwater, Tenn., favoring bill to protect manufacturers of dyestuffs in America; to the Committee on Ways and Means.

By Mr. MORIN (by request): Petition of Shepard Norwell Co., of Boston, Mass., favoring passage of the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Petitions of 200 business men of Mannington, Wheeling, Fairmont, Clarksburg, Grafton, Janeleu, Salem, Weston, McMechen, Elm Grove, New Cumberland, Fairview, Monongah, Shinnston, Worthington, Littleton, Cameron, New Martinsville, Moundsville, Follansbee, Weirton, Chester, Wellsburg, and Lumberport, W. Va., urging favorable consideration of House bill 270; to the Committee on Ways and Means.

Also, papers to accompany House bill 4413, for the relief of Oliver C. Stringer; to the Committee on Invalid Pensions.

By Mr. OAKLEY: Memorial of William McKinley Camp, No. 9, of Norwalk, Conn., indorsing a program of preparedness; to the Committee on Military Affairs.

By Mr. PRATT: Petition of the Huguet Silk Co., of Hornell, N. Y., urging the passage of House bill 702, a bill to provide revenue for the Government and to establish and maintain the manufacture of dyestuffs; to the Committee on Ways and Means.

Also, petition of Rev. H. Kaufman, of Cohocton, N. Y., favoring an embargo on munitions of war; to the Committee on Military Affairs.

By Mr. SANFORD: Petition of Edwin B. Loughlin, of Cohoes, N. Y., favoring passage of bill for protection of dyestuffs in America; to the Committee on Ways and Means.

By Mr. SELLS: Petition of Tennessee Line & Twine Co., favoring bill to protect the manufacturers of dyestuffs in America; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Papers in the pension case of Mary A. Tilton—House bill 5593; to the Committee on Invalid Pensions.

Also, papers in the pension case of Henry P. Bliss—House bill 8898; to the Committee on Invalid Pensions.

By Mr. SNYDER: Memorial of Herkimer County (N. Y.) Historical Association, favoring passage of House bill 6033, for national park at Oriskany (N. Y.) battle field; to the Committee on Military Affairs.

Also, petitions of McCleary, Wallin & Crouse, the Morris Mills, and Shuttleworth Bros. Co., of Amsterdam; New York Mills Co., Utica Dyeing Co., Gilbert Knitting Co., Utica Chamber of Commerce; and Kathaway & Reynolds, of Oriskany Falls, all of the State of New York, favoring protection for manufacturers of dyestuffs in America; to the Committee on Ways and Means.

Also, petition of sundry citizens of the thirtieth New York district, favoring passage of bill taxing mail-order houses; to the Committee on Ways and Means.

By Mr. STINESS: Petitions of Atlantic Mills, Compton Co., and Continental Worsted Co., all of Providence, R. I., and Hamilton Web Co., of Hamilton, R. I., favoring passage of bill for protection of manufacturers of American dyestuffs; to the Committee on Ways and Means.

By Mr. SULLOWAY: Petition of merchants and business men of New Hampshire, favoring legislation taxing persons, corporations, and firms doing an interstate mail-order business; to the Committee on Ways and Means.

Also, petition of Belknap Mills Corporation, of Laconia, N. H., favoring a bill for protection for manufacturers of dyestuffs in the United States; to the Committee on Ways and Means.

By Mr. WEBB: Petitions of employees of Robin Manufacturing Co., of Lincoln; Sivar Cotton Mills Co., Kings Mountain; Lowell (N. C.) Cotton Mills; Defiance Sock Mills, of Charlotte; Cleveland Mill & Power Co., of Lawndale; Ella Manufacturing Co., of Shelby; Phoenix Manufacturing Co., of Kings Mountain; Flint Manufacturing Co., of Gastonia; and Spencer Mountain Mills, of Lowell, N. C., protesting against the child-labor bill; to the Committee on Labor.

Also, petition of citizens of the ninth congressional district of North Carolina, favoring passage of a bill for national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of Henry Dreyer and 100 voters of Willow City, N. Dak., favoring an embargo on arms and ammunition; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 15, 1916.

The House met at 12 o'clock noon.

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

We bless Thee, infinite and eternal Spirit, that though we forget Thee and wander far from the paths of rectitude and duty Thou dost not forget us, but are ever constant in Thy ministrations to our needs. Forgive our forgetfulness and our sins, quicken our conscience, and make us profoundly sensible of the sinfulness of sin, that the trend of our lives may be Godward through the sublime example and eternal precepts of the Master. Amen.

CALL OF THE HOUSE.

The SPEAKER. The Clerk will read the Journal.

Mr. LINDBERGH. Mr. Speaker, I make the point there is no quorum here this morning.

The SPEAKER. The gentleman from Minnesota makes the point there is no quorum present, and evidently there is not.

Mr. BORLAND. Mr. Speaker, I move the call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ashbrook	Eagle	Holland	Padgett
Bacharach	Edmonds	Howell	Paige, Mass.
Barchfeld	Estopinal	Hughes	Patten
Beales	Fairchild	Hulbert	Peters
Bennet	Farley	Husted	Phelan
Brown, W. Va.	Fess	Hutchinson	Porter
Browning	Flynn	Johnson, S. Dak.	Rellly
Bruckner	Gallagher	Jones	Riordan
Butler	Gallivan	Kahn	Roberts, Mass.
Caldwell	Gardner	Kelster	Rowe
Cannon	Glass	Kelley	Sabath
Capstick	Gould	Kelley, Pa.	Scott, Pa.
Carew	Graham	Kreider	Scully
Carter, Mass.	Gray, Ala.	Lewis	Small
Casey	Gray, N. J.	Lieb	Smith, N. Y.
Chilperfield	Gregg	Linthicum	Sparkman
Costello	Griest	Loft	Stephens, Tex.
Cox	Griffin	McCulloch	Stout
Cramton	Guernsey	McLemore	Swift
Dale, N. Y.	Hamill	Madden	Taggart
Darrow	Hamlin	Maher	Tague
Davenport	Hart	Mays	Talbot
Dempsey	Haskell	Mooney	Tinkham
Dewalt	Hastings	Moran	Vare
Doelling	Hayes	Murray	Walker
Driscoll	Heaton	Nicholls, S. C.	Ward
Dupré	Heflin	Nichols, Mich.	Watson, Pa.
Dyer	Hernandez	Olney	Whaley
Eagan	Hilliard	O'Shaunessy	Winslow

The SPEAKER. On this call 314 Members, a quorum, have answered to their names.

Mr. BORLAND. Mr. Speaker, I move that further proceedings under the call be dispensed with.